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## Ohio State Racing Commission

77 South High Street • 18<sup>th</sup> Floor  
Columbus, OH 43215-6108  
(614) 466-2757 FAX (614) 466-1900  
www.racingohio.net

Mike DeWine  
Governor

Scott Borgemenke  
Chairman

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### Minutes of the Ohio State Racing Commission Meeting held on April 22, 2020

The Ohio State Racing Commission (Commission) did not hold its monthly meeting on March 25, 2020 due to the COVID-19 pandemic.

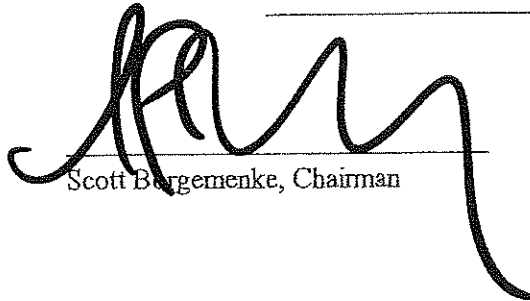
- 1-The Commission held its monthly meeting April 22, 2020 via teleconference beginning at 10 am.
- 2-Commission Chairman Scott Borgemenke called the meeting to order. Commissioners Greg Simpson, Beth Hansen and Thomas Winters were present.
- 3-Commissioner Winters moved to approve the February 27, 2020 Commission meeting minutes. Commissioner Hansen seconded the motion. The motion was unanimously approved by roll call vote.
- 4- Executive Director Bill Crawford discussed Executive Director approvals. Commissioner Winters moved to ratify the Executive Director's approvals. Commissioner Hansen seconded the motion. The motion was unanimously approved by roll call vote.
- 5- The Commission discussed the 2020 meet requests for Belterra Park, JACKThistledown and Scioto Downs. Commissioner Winters moved the Commission approve the 2020 meet requests for Belterra Park, JACKThistledown and Scioto Downs. Commissioner Hansen seconded the motion. The motion was unanimously approved by roll call vote.
- 6- The Commission discussed Resolution 2020-08 the extension of time for the real property sale of Belterra Park. John Oberle, outside counsel for Boyd Gaming and Gaming and Leisure Properties, spoke in support of the resolution. Commissioner Winters moved to approve Resolution 2020-08. Commissioner Hansen seconded the motion. The motion was unanimously approved by roll call vote.
- 7- Chairmen Borgemenke discussed Resolution 2020-09 casino revenue distribution. Commissioner Winters moved to approve Resolution 2020-09. Commissioner Hansen seconded the motion. The motion was unanimously approved by roll call vote.
- 8-Sherry White, Commission Fiscal Officer, gave her monthly financial report. The Commission had not yet seen the effects of the racing shutdown. Commission staff is working on various budget scenarios for the Commission's operating fund.
- 9-The Chairman stated that he did not know when racing would resume. The Commission would continue to work with the Governor's office to determine when racing can resume.
- 10-There were no public comments.

11-Commissioner Winters moved to adjourn the meeting. Commissioner Hansen seconded the motion. The motion was unanimously approved by a roll call vote. The public meeting adjourned at 10:30 a.m.

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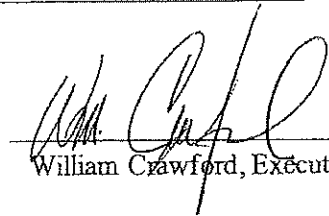
Date, Time & Place of Next Meeting  
Wednesday, June 24, 2020 @ 10 am  
77 South High Street, Room 1948  
Columbus, Ohio 43215

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Scott Bergemenke, Chairman

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William Crawford, Executive Director

## OHIO STATE RACING COMMISSION

### RESOLUTION 2020-08

**WHEREAS**, Chapter 3769 of the Revised Code authorizes the Ohio State Racing Commission ("Commission") to regulate and preserve the integrity of horse racing in Ohio;

**WHEREAS**, Revised Code 3769.03 authorizes the Commission to issue, deny, suspend, diminish or revoke permits to conduct horse racing;

**WHEREAS**, the Commission has issued permits for calendar year 2020 to PNK Ohio LLC, (Boyd) to conduct horse racing meetings at 6301 Kellogg Avenue, Cincinnati, Ohio 45230 also known as Belterra Park;

**NOW, THEREFORE, BE IT RESOLVED** the Commission approves the PNK Ohio amendment to its racing permit application for 2020 to include Gaming and Leisure Properties (GLPI) as the owner of real estate known as Belterra Park under the following conditions:

1. Boyd will continue to conduct horse racing meetings at Belterra Park;
2. The Commission's approval of the amendment to Boyd's racing permit application to include GLPI as the owner of the real estate known as Belterra Park is contingent and will become effective upon GLPI acquiring all real estate interests in Belterra Park including but not limited to all facilities used to conduct horse racing meetings by May 29, 2020;
3. Boyd shall send a copy of all transactional documents to the Commission within three business days of the closing of this transaction;
4. Boyd shall continue to notify the Commission regarding changes in its horse racing operations, employees or internal controls at Belterra Park;
5. Boyd shall continue to keep the Commission informed regarding material financial or operational changes at Belterra Park;
6. The existing Boyd permits shall remain in effect until the change of real estate interests at Belterra Park. The Commission will then issue new permits to conduct horse racing meetings.

Adopted: April 22, 2020

OHIO STATE RACING COMMISSION

RESOLUTION 2020-09

**WHEREAS**, Article 15.06 of the Ohio Constitution establishes that three percent of the tax on gross casino revenue shall be distributed to the Ohio State Racing Commission ("Commission") to support purses, breeding programs, and operations at qualified commercial horse racetracks;

**WHEREAS**, R.C. 5753.03 states the Commission can use the casino revenue funds to support the efforts and activities of the Commission to promote horse racing in this state at which the pari-mutuel system of wagering is conducted;

**WHEREAS**, R.C. 5753.03 further states the Commission has complete discretion to distribute the casino revenue funds;

**WHEREAS**, the COVID-19 pandemic has created an unprecedented challenge for horse racing in this state;

**WHEREAS**, During the COVID-19 pandemic the Commission will help to ensure the continued viability of the horse racing industry as well as to support purses, support breeding programs and support commercial horse racetracks by providing adequate exercise for horses stabled at commercial horse racetracks to prevent injury potentially caused by confinement when racing is resumed, by preventing homelessness for those who reside on the backside and care for the horses by preventing horse abuse and/or abandonment;

**WHEREAS**, the Commission received a distribution of casino tax revenue in the amount of one million nine hundred and ninety-six thousand one hundred and thirty-six dollars and seventy-four cents (\$1,996,136.74) on or about April 15, 2020;

**WHEREAS**, the Commission desires to make distributions of casino tax revenue in the amount of one million nine hundred and ninety-six thousand one hundred and thirty-six dollars and seventy-four cents(\$1,996,136.74);

**NOW, THEREFORE, BE IT RESOLVED** by the Commission that casino tax revenue received by the Commission be distributed as follows, for the purposes specified:

- (A) Seventy-four thousand eight hundred and fifty-five dollars and thirteen cents (\$ 74,855.13) to Northfield Park to be used to support commercial operations;
- (B) One million nine hundred and twenty-one thousand two hundred and eighty-one dollars and sixty-one cents (\$1,921,281.61) shall be distributed to an emergency fund which may be only used, verified and released by the Executive Director to support and protect breeding and the horseracing industry in this state during this COVID-19 pandemic. Funds not needed from this emergency fund may be reallocated to the Commission's casino tax revenue fund for future distribution by the Commission.

Adopted: April 22, 2020