



## Ohio State Racing Commission

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Mike DeWine  
Governor

Scott Borgemenke  
Chairman

### Minutes of the Ohio State Racing Commission Meeting held on February 23, 2022

1. The Ohio State Racing Commission ("Commission") held its' monthly meeting February 23, 2022, Room 1948, Vern Riffe Center, beginning at 10:00 am.
2. Commission Chairman Scott Borgemenke called the meeting to order. Chairman Borgemenke and Commissioners Beth Hansen, Greg Simpson and Thomas Winters were present. Commissioner Bill Patmon was present via a phone link in a non-voting capacity. Four (4) commissioners fulfilled the quorum requirements.
3. Commissioner Winters moved to approve the January 19, 2022, Commission meeting minutes. Commissioner Simpson seconded the motion. The motion was unanimously approved by roll call vote.
4. Executive Director Dragone discussed the Executive Director's approvals. Commissioner Simpson moved to ratify the Executive Director's approvals. Commissioner Winters seconded the motion. The motion was unanimously approved by roll call vote.
5. Executive Director Dragone thanked Susan Mullett for her service to the Commission as she leaves the Commission for other endeavors.
6. Chairman Borgemenke asked for a motion to consider approval of Resolution 2022-02. Commissioner Winters offered Resolution 2022-02 for Commission discussion. Commissioner Simpson seconded the motion. Commissioner Hansen discussed the Resolution which changes the Lasix provisions in Commission Rules 3769-8-01 and 3769-18-01. The changes were a result of a number of medication committee meetings and public comments. Chairman Borgemenke made an amendment to the Resolution 2022-02 which replaces the word "attached" with "as posted on Commission website as of February 23, 2022". Commissioner Winters moved to approve the amended Resolution 2022-02. Commissioner Simpson seconded the motion. The motion was unanimously approved by roll call vote.
7. Legal Counsel Michael Rzymek discussed the financial judgment against Commission licensee Trish Shepard. Commissioner Winters moved to give Ms. Shepard until the next Commission meeting (March 23, 2022) to satisfy the Judgment. If Ms. Shepard does not satisfy the judgment by March 23, 2022, she will be immediately suspended. Commissioner Simpson seconded the motion. The motion was unanimously approved by roll call vote.

8. The Commission was previously provided with the Report and Recommendation along with the Objections filed by Mr. Eckley. The Commission heard from Assistant Attorney General Todd DeBoe and Attorney Brandon Smith, counsel for Mr. Eckley. Following these comments, the Commission voted unanimously to adopt the Hearing Officer's Report and Recommendation to deny the 2021 application from Mr. Eckley as an owner and trainer.
9. The Commission discussed the reappointment of Donald "Skip" Hoovler as a trustee for the Ohio Harness Horsemen's Health and Retirement fund. Commissioner Winters moved to approve the reappointment of Donald "Skip" Hoovler as a trustee for the Ohio Harness Horsemen's Health and Retirement fund. Commissioner Simpson seconded the motion. The motion was unanimously approved by roll call vote.
10. Commission veterinarian, Dr. James Robertson, updated the Commission on horse fatalities in Ohio. Through February 23, 2022, there have been 6 fatalities from the thoroughbreds and 3 fatalities from the standardbreds.
11. Sherry White, Commission Fiscal Officer, gave her monthly financial report. The Commission's January tax deposit was not typical due to the COVID-19 pandemic affecting tax deposits in 2020 and statutory constraints which do not allow more than six percent growth in a year. The Commission still had a revenue gain for the month of January of twenty-five thousand dollars due to the Casino Revenue deposit.
12. Commissioner Winters gave an update on the implementation of the Horseracing Integrity and Safety Act (HISA). There was an executive director appointed for HISA. HISA projected starting date for safety regulations remains July 1, 2022. HISA projected starting date for medication regulations is January 1, 2023.
13. Committee Reports-Chairman
  - a. Medication Committee – Commissioner Hansen gave an update on the medication committee. On March 24, 2022, the medication committee will meet to discuss the procedure to remove a horse from the veterinarian list.
  - b. Safety Committee – Commissioner Simpson discussed a possible safety committee meeting with the owners, trainers, and breeders. Executive Director Dragone stated as a reminder to all the permitholders that starting March 1, 2022, if a driver leaves the paddock without a vest, the driver will be not allowed to drive or warmup.
  - c. Standardbred Committee-Commissioner Winters stated the OHHA and permitholders are working right now looking at some outdated rules and regulations. They are compiling the list, and they will bring them to the Commission. The Standardbred committee is going to work with the safety committee regarding issues such as better lighting when horses are moved from the trailer to the paddock.

14. Chairman's Comments – Chairman Borgemenke discussed the importance of having alternative race dates when racing is cancelled due to weather conditions. The Chairman discussed the importance of the permit holders ensuring that the starting gate works properly, and the permit holder has a backup plan if the starting gate malfunctions. Finally, the chairman wants to have a discussion with all stakeholders in the racing community regarding the favorite being scratched shortly before the race begins and how the pari-mutuel pools are affected.
15. In the public comments section, Dave Basler from the Ohio Horsemen's Benevolent and Protective Association stated his concerns that the safety regulations promulgated by HISA (Horseracing Integrity and Safety Act) cannot be implemented by July 1, 2022, nor can the medication regulations promulgated by HISA be implemented by January 1, 2023.
16. Chairman Borgemenke asked for a motion to move to executive session. Commissioner Winters made a motion to go to Executive Session to discuss personnel matters and pending court cases. The motion was seconded by Commissioner Simpson. The motion was unanimously approved by roll call vote. Commissioner Winters made a motion to come out of executive session. The motion was seconded by Commissioner Hansen.
17. Commissioner Winters made a motion to adjourn the meeting. Commissioner Hansen seconded the motion. The motion was unanimously approved by roll call vote. The public meeting adjourned.

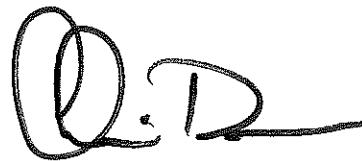
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Date, Time & Place of Next Meeting  
Wednesday, March 23, 2022 @ 10 am Room 1948 Riffe Center

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Scott Borgemenke, Chairman



Christopher Dragone, Executive Director