



Ohio State Racing Commission

77 South High Street • 18th Floor
Columbus, OH 43215-6108
(614) 466-2757 FAX (614) 466-1900
www.racing.ohio.net

Mike DeWine
Governor

Robert K. Schmitz
Chairman

Minutes of the OSRC Meeting held January 29, 2019

1-The Ohio State Racing Commission (Commission) held its monthly meeting January 29, 2019 at the Riffe Center, 77 South High Street, Columbus, Ohio, Room 1948, at 10 am.

2-Commission Chairman Robert K. Schmitz called the meeting to order. Commissioners Todd Book, Gary Koch, Greg Simpson and Thomas Winters were present.

3-Commissioner Winters moved to approve the minutes of the November 29, 2018 Commission meeting. Commissioner Simpson seconded the motion. The motion was unanimously approved.

4-Executive Director Bill Crawford discussed his approvals since the last Commission meeting. Commissioner Book moved to ratify the Executive Director's approvals. Commissioner Koch seconded the motion. The motion was unanimously approved.

5-Commissioner Winters offered Resolution 2019-01 for consideration. Commissioner Simpson seconded the motion. The motion was unanimously approved. Deputy Director Michael Rzymek discussed this resolution which is the five-year rule review for Commission rules Chapter 13 and Chapter 14. Commissioner Winters moved to approve Resolution 2019-01. Commissioner Simpson seconded the motion. The resolution was unanimously approved.

6-Commissioner Koch offered Resolution 2019-02 for consideration. Commissioner Simpson seconded the motion. The motion was unanimously approved. Resolution 2019-02 would approve the change of ownership for Northfield Park Associates. The change of ownership is from MPG Ohio to MGM Resorts International. Patrick Madamba, Vice President and Legal Counsel for MGM discussed the reasons for the change of ownership between these two MGM entities. Commissioner Book moved to approve Resolution 2019-02. Commissioner Simpson seconded the motion. The resolution was unanimously approved.

7-Commissioner Koch offered Resolution 2019-03 for consideration. Commissioner Simpson seconded the motion. The motion was unanimously approved. Executive Director Bill Crawford spoke regarding resolution 2019-03. This resolution discusses casino revenue disbursements. Commissioner Simpson moved to approve Resolution 2019-03. Commissioner Winters seconded the motion. The resolution was unanimously approved.

8-Executive Director Bill Crawford discussed the consideration to reappoint Dr. Randall Blevins to the Board of Trustees of the Thoroughbred Horsemen's Health Fund. Commissioner Winters moved that the Commission approve the reappointment of Dr. Randall Blevins. Commissioner Simpson seconded the motion. The motion was unanimously approved.

9-Greg Veit discussed the 2019 Ohio Thoroughbred Race Fund. Commissioner Winters moved to approve the 2019 Ohio Thoroughbred Race Fund rules and conditions, budget and race schedule. Commissioner Simpson seconded the motion. The motion was unanimously approved.

10-Executive Director Bill Crawford discussed an amendment to the 2019 Ohio Standardbred Development Fund race schedule. Commissioner Winters moved to approve the amendment. Commissioner Simpson seconded the motion. The motion was unanimously approved.

11-Dr. James Robertson, Commission consulting veterinarian, gave an update on catastrophic horse fatalities at Ohio racetracks. He stated there was one catastrophic breakdown through January 23, 2019. In 2018 there were 48 catastrophic deaths with 43 Thoroughbred and 5 Standardbred due to training or racing.

12-Sherry White, Commission Fiscal Officer, gave her monthly financial report. She stated that Commission revenues are slightly higher. Commission expenses are higher due to costs associated with the remodel of the Commission offices and an extra pay period.

13-Chairman Schmitz thanked David Ellsworth for his years of service to the racing industry.

14- Dr. Beverly Byrum, the director of laboratories at the Ohio Department of Agriculture, spoke regarding out of competition testing. The lab is an ISO and RMTC accredited laboratory and has state of the art equipment and expertise. It can meet the requirements to perform out of competition testing for the Commission.

15-The Commission discussed the Paul Groves matter commission case number 2018-01. The Commission listened to the comments of Charles Febus, Assistant Attorney General, Anthony Garcia Assistant Attorney General, and John Izzo counsel for Paul Groves. The Commission denied Mr. Groves' oral motion to continue this matter. The Commission reviewed the Report and Recommendation of the Hearing Officer. The Commission reviewed the Objections to the Hearing Officers Report and Recommendation along with the response to the Objections. The Commission voted unanimously to accept the Hearing Officer's Report and Recommendation and to uphold the Mahoning Valley Stewards' ruling #2018-057.

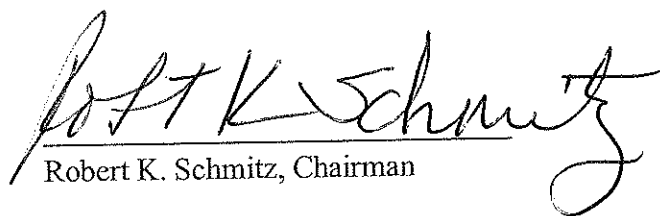
16-There were no public comments.

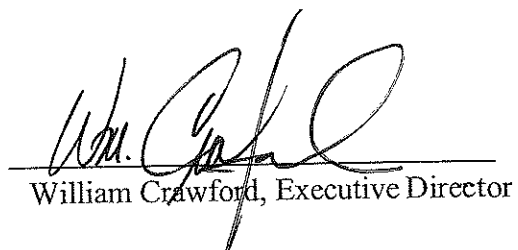
17- There being no further business, Commissioner Winters moved to go into executive session to discuss personnel matters, concerning promotion, demotion, hiring and discipline with our counsel. Commissioner Simpson seconded the motion. The motion was approved via roll call vote: Chairman Schmitz voted Yes; Commissioner Book voted Yes; Commissioner Winters voted Yes; Commissioner Koch voted Yes; Commissioner Simpson voted Yes. Chairman Schmitz stated after executive session, the commission would only move to adjourn the meeting. Commissioner Winters moved to go out of executive session. Commissioner Simpson seconded the motion. The motion was unanimously approved via roll call vote: Chairman Schmitz voted Yes; Commissioner Winters voted Yes; Commissioner Koch voted Yes; Commissioner Simpson voted Yes; Commissioner Book voted Yes.

18-Commissioner Koch moved to adjourn the meeting. Commissioner Book seconded the motion and the motion was unanimously approved.

The public meeting adjourned at 11:45 a.m.

Date, Time & Place of Next Meeting
Wednesday, February 27, 2019 @ 10 am
77 South High Street, Room 1948
Columbus, Ohio 43215


Robert K. Schmitz, Chairman


William Crawford, Executive Director

OHIO STATE RACING COMMISSION

RESOLUTION 2019-01

WHEREAS, the Ohio State Racing Commission ("Commission") has the authority under Revised Code 3769.03 to promulgate administrative rules;

WHEREAS, Revised Code Chapter 106 and R.C. 119.04 requires agencies to review administrative rules five years after its effective date;

WHEREAS, Commission Rules 3769-13-01 through 3769-13-40, 3769-13-99, 3769-14-01 through 3769-14-54, 3769-14-99 are subject to R.C. 119.032 five-year review;

WHEREAS, The Commission desires to amend Rule 3769-14-05, 3769-14-19, 3769-14-44, 3769-14-47 and 3769-14-54;

WHEREAS, The Commission desires no change to Rules 3769-13-01 through 3769-13-40, 3769-13-99, 3769-14-01 through 3769-14-04, 3769-14-06 through 3769-14-11, 3769-14-13 through 3769-14-17, 3769-14-20 through 3769-14-43, 3769-14-45, 3769-14-46, 3769-14-48 through 3769-14-53 and 3769-14-99;

NOW, THEREFORE, BE IT RESOLVED, by the Commission to amend Rules 3769-14-05, 3769-14-19, 3769-14-44, 3769-14-47 and 3769-14-54 are APPROVED for submission and review for filing with the Common-Sense Initiative Office, when applicable, and the Joint Committee on Agency Rule Review

NOW, THEREFORE, BE IT RESOLVED, by the Commission No Change Rules 3769-13-01 through 3769-13-40, 3769-13-99, 3769-14-01 through 3769-14-04, 3769-14-06 through 3769-14-11, 3769-14-13 through 3769-14-17, 3769-14-20 through 3769-14-43, 3769-14-45, 3769-14-46, 3769-14-48 through 3769-14-53 and 3769-14-99 are APPROVED for submission and review for filing with the Common-Sense Initiative Office, when applicable, and the Joint Committee on Agency Rule Review.

Adopted: January 29, 2019

OHIO STATE RACING COMMISSION

RESOLUTION 2019-02

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 a permit for calendar year 2019 to Northfield Park Associates, LLC which is owned by MGP OH Inc to conduct horse racing meetings at 10705 Northfield Road, Northfield, Ohio 44067 known as Northfield Park;

NOW, THEREFORE, BE IT RESOLVED the Commission approves the change of ownership of Northfield Park Associates, LLC, and recognizes that Northfield Park Associates, LLC will be owned by MGM Resorts International Inc. The Commission’s approval of the change of ownership of Northfield Park Associates, LLC is contingent and will become effective upon MGM Resorts International Inc. acquiring the membership interests in Northfield Park Associates, LLC which includes control of all property located at 10705 Northfield Road, Northfield, Ohio 44067 including but not limited to all racing facilities used to conduct horse racing meetings by April 15, 2019;

MGM Resorts International Inc. shall send a copy of all transactional documents to the Commission within ten business days of the change of ownership for Northfield Park Associates, LLC;

The existing Northfield Park Associates, LLC permits to conduct horse racing meetings shall remain in effect until the change of Northfield Park Associates, LLC ownership.

Adopted: January 29, 2019

Ohio State Racing Commission Resolution 2019-03

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 all existing commercial horse racetracks permitted as of January 1, 2009;

WHEREAS, Ohio Revised Code section 3769.03 grants the Commission general authority to act in the best interest of the state and take discretionary action;

WHEREAS, Ohio Revised Code section 5753.03 grants the Commission appropriation authority to distribute casino tax revenue;

WHEREAS, the Commission has solicited and received public comments on the potential distribution of casino tax revenue;

WHEREAS, the Commission has received a distribution of casino tax revenue on January 15, 2019, in the amount of **two million seventeen thousand seven hundred seventy-six dollars and six cents (\$2,017,776.06)**;

WHEREAS, the Commission desires to make distributions of casino tax revenue in the amount of **two million seventeen thousand seven hundred seventy-six dollars and six cents (\$2,017,776.06)**;

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) Three hundred eighty-three thousand three hundred seventy-seven dollars and forty-five cents (\$383,377.45) to the **Ohio Thoroughbred Race Fund** to be used to fund purses and/or support the breeding of thoroughbred horses in Ohio;
- (B) Three hundred eighty-three thousand three hundred seventy-seven dollars and forty-five cents (\$383,377.45) to the **Ohio Standardbred Development Fund** to be used to fund purses and/or support the breeding of harness horses in Ohio;
- (C) Seventy-five thousand six hundred sixty-six dollars and sixty cents (\$75,666.60) to **Miami Valley Gaming & Racing** to be used to support commercial operations;
- (D) Seventy-five thousand six hundred sixty-six dollars and sixty cents (\$75,666.60) to **Northfield Park** to be used to support commercial operations;
- (E) Seventy-five thousand six hundred sixty-six dollars and sixty cents (\$75,666.60) to **Belterra Park** to be used to support commercial operations;

(continued)

Ohio State Racing Commission
Resolution 2019-03

- (F) Seventy-five thousand six hundred sixty-six dollars and sixty cents (\$75,666.60) to **Scioto Downs** to be used to support commercial operations;
- (G) One Hundred thousand eight hundred eighty-eight dollars and eighty cents (\$100,888.80) to the operating fund of the **Ohio State Racing Commission** to be used to provide compensation to administrative staff that support the Ohio Standardbred Development Fund and the Ohio Thoroughbred Race Fund; and for costs and fees associated with the commercial operations of racing at Miami Valley Gaming & Racing, Northfield Park, Belterra Park, and Scioto Downs;
- (H) Seventy-seven thousand two hundred eighty-six dollars and ninety-six cents (\$77,286.96) to **Hollywood Gaming at Mahoning Valley Race Course** to be used to support the thoroughbred purse pool;
- (I) Seventy thousand nine hundred seventy-seven dollars and eighty-two cents (\$70,977.82) to **Belterra Park** to be used to support the thoroughbred purse pool;
- (J) Seventy-five thousand one hundred fifty-two dollars and ninety-nine cents (\$75,152.99) to **JACK Thistledown Racino** to be used to support the thoroughbred purse pool;
- (K) One hundred twelve thousand seven hundred twenty-nine dollars and forty-nine cents (\$112,729.49) to **Miami Valley Gaming and Racing** to be used to support the harness racing purse pool;
- (L) Three hundred nine thousand fifty-five dollars and eight cents (\$309,055.08) to **Northfield Park** to be used to support the harness racing purse pool;
- (M) Ninety-four thousand nine hundred fifteen dollars and forty-four cents (\$94,915.44) to **Hollywood Gaming at Dayton Raceway** to be used to support the harness racing purse pool;
- (N) One hundred seven thousand three hundred forty-eight dollars and sixteen cents (\$107,348.16) to **Scioto Downs** to be used to support the harness racing purse pool;

Adopted: **January 29, 2019**