



Ohio State Racing Commission

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

John Kasich
Governor

Robert K. Schmitz
Chairman

Minutes of the OSRC Meeting held January 18, 2018

1-The Ohio State Racing Commission (OSRC) held its monthly meeting January 18, 2018 at the Riffe Center, 77 South High Street, Columbus, Ohio, Room 1948, at 10 am.

2-OSRC 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 meeting held on December 12, 2017. Commissioner Simpson seconded the motion and the motion was unanimously approved.

4-Commissioner Book moved to approve the ratification of the Executive Director's approvals. Commissioner Simpson seconded the motion and the motion was unanimously approved.

5-Commissioner Winters offered to approve the consideration of Resolution 2018-01 for Distribution of Casino Tax Revenue. Commissioner Koch seconded the motion and the motion was unanimously approved via roll call vote: Chairman Schmitz voted Yes; Commissioner Winters voted Yes; Commissioner Book voted Yes; Commissioner Koch voted Yes; Commissioner Simpson voted Yes.

6-Commissioner Winters moved to approve the 2018 Ohio Standardbred Development Fund Program for 2018. Commissioner Book seconded the motion and the motion was unanimously approved.

7-Commissioner Book moved to approve the 2018 Ohio Thoroughbred Race Fund Program. Commissioner Koch seconded the motion and the motion was unanimously approved.

8a-Commissioner Winters moved to take item 8a off the table. Commissioner Book seconded the motion and the motion was unanimously approved. Commissioner Winters then moved to approve the 2018 Scioto Downs racing dates. Commissioner Simpson seconded the motion and the motion was unanimously approved.

8b- Commissioner Winters moved to take item 8b off the table and Commissioner Koch seconded the motion. Commissioner Winters then moved to approve the 2018 Hollywood Gaming at Dayton Raceway racing dates. Commissioner Simpson seconded the motion and the motion was unanimously approved.

9a-Commissioner Winters moved to approve Miami Valley Gaming & Racing as the Collection and Settlement Agent for itself in 2018. Commissioner Simpson seconded the motion and the motion was unanimously approved.

9b-Commissioner Winters moved to approve JACK Thistledown as the Collection and Settlement Agent for itself in 2018. Commissioner Simpson seconded the motion and the motion was unanimously approved.

10-Dr. James Robertson, OSRC consulting veterinarian, gave an update on catastrophic horse fatalities due to training or racing in 2017, stating there were a total of 46 catastrophic breakdowns in 2017: 41 Thoroughbred and five Standardbred. Of the 41 Thoroughbred fatalities, 37 were racing fatalities and four were training fatalities. All Standardbred fatalities were race-related. From January 1 to January 18, 2018, there were three catastrophic horse fatalities due to training or racing—all three Thoroughbreds.

11- Ms. Sherry White, OSRC Fiscal Officer reported that the OSRC is two per cent ahead of one year ago at this same time, with modest differences seen in the OSRC's operating fund. As well, the recent audit that took place in December 2017 was favorable, with no errors incurred.

12-Chairman Schmitz discussed the pending purchase agreement between Pinnacle and Penn Gaming, and stated that Belterra Park will not be part of that deal but will be sold to Boyd Gaming of Las Vegas, instead. Chairman Schmitz also acknowledged the passing of former OSRC employee Lisa Montelone and the pending retirement of OSRC employee Marty Evans.

13-There were no public comments.

14a-In the matter of a financial judgement of \$1,233 owed by Nate Cole for a horse-related debt, OSRC Deputy Director Michael Rzymek recommended that the OSCR suspend Mr. Cole's license beginning February 1, 2018. Commissioner Book moved to accept Mr. Rzymek's recommendation. Commissioner Simpson seconded the motion and the motion was unanimously approved.

14b-In the matter of a financial judgement of \$9,000 against Tricia Shepard by Philip Lemkuhl, Mr. Rzymek stated that Mr. Lemkuhl's request was not horse-related and therefore, not under the jurisdiction of the OSRC. Commissioner Book moved to accept Mr. Rzymek's recommendation. Commissioner Simpson seconded the motion and the motion was unanimously approved.

15-In the matter of owner Carl Howard regarding the horse Primio Giovanni's finish in a race at Scioto Downs in 2017, where he finished second and was placed last by the judges, the commission upheld the judge's decision, via Mr. Rzymek's advice. Commissioner Winters moved to accept Mr. Rzymek's recommendation. Commissioner Simpson seconded the motion and the motion was unanimously approved.

16-There being no further business, Commissioner Winters moved to go into executive session to consider the hiring, promotion or compensation of public employees. Commissioner Simpson seconded the motion and the motion was approved via roll call vote: Chairman Schmitz voted Yes; Commissioner Winters voted Yes; Commissioner Book voted Yes; Commissioner Koch voted Yes; Commissioner Simpson voted Yes. The public meeting adjourned at 11:45 a.m.

Date, Time & Place of Next Meeting

February 21, 2018 @ 10 am
77 South High Street, Room 1948
Columbus, Ohio 43215

Robert K. Schmitz, Chairman

William Crawford, Executive Director

Ohio State Racing Commission Resolution 2018-01

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, 2018, in the amount of **one million nine hundred forty-eight thousand six hundred fourteen dollars and eight cents (\$1,948,614.08)**;

WHEREAS, the Commission desires to make distributions of casino tax revenue in the amount of **one million nine hundred forty-eight thousand six hundred fourteen dollars and eight cents (\$1,948,614.08)**;

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 seventy thousand two hundred thirty-six dollars and sixty-eight cents (\$370,236.68) 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 seventy thousand two hundred thirty-six dollars and sixty-eight cents (\$370,236.68) to the **Ohio Standardbred Development Fund** to be used to fund purses and/or support the breeding of harness horses in Ohio;
- (C) Seventy-three thousand seventy-three dollars and three cents (\$73,073.03) to **Miami Valley Gaming & Racing** to be used to support commercial operations;
- (D) Seventy-three thousand seventy-three dollars and three cents (\$73,073.03) to **Northfield Park** to be used to support commercial operations;
- (E) Seventy-three thousand seventy-three dollars and three cents (\$73,073.03) to **Belterra Park** to be used to support commercial operations;

(continued)

**Ohio State Racing Commission
Resolution 2018-01**

- (F) Seventy-three thousand seventy-three dollars and three cents (\$73,073.03) to **Scioto Downs** to be used to support commercial operations;
- (G) Ninety-seven thousand four hundred thirty dollars and seventy cents (\$97,430.70) 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-four thousand one hundred forty-four dollars and ninety-three cents (\$74,144.93) to **Hollywood Gaming at Mahoning Valley Race Course** to be used to support the thoroughbred purse pool;
- (I) Sixty-eight thousand five hundred eighty-eight dollars and sixty-one cents (\$68,588.61) to **Belterra Park** to be used to support the thoroughbred purse pool;
- (J) Seventy-two thousand three hundred twenty-three dollars and nineteen cents (\$72,323.19) to **JACK Thistledown Racino** to be used to support the thoroughbred purse pool;
- (K) One hundred ten thousand thirty-three dollars and twenty-six cents (\$110,033.26) to **Miami Valley Gaming and Racing** to be used to support the harness racing purse pool;
- (L) Three hundred thousand six hundred seventy-eight dollars and sixty-three cents (\$300,678.63) to **Northfield Park** to be used to support the harness racing purse pool;
- (M) Eighty-seven thousand seventy-nine dollars and thirty cents (\$87,079.30) to **Hollywood Gaming at Dayton Raceway** to be used to support the harness racing purse pool;
- (N) One hundred five thousand five hundred sixty-nine dollars and ninety-nine cents (\$105,569.99) to **Scioto Downs** to be used to support the harness racing purse pool;

Adopted: **January 18, 2018**