



Ohio State Racing Commission

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Mike DeWine
Governor

Scott Borgemenke
Chairman

Minutes of the Ohio State Racing Commission Meeting held on January 21, 2020

1-The Ohio State Racing Commission (Commission) held its monthly meeting January 21, 2020 at the Riffe Center, 77 South High Street, Columbus, Ohio, Room 1948, beginning at 10 am.

2-Commission Chairman Scott Borgemenke called the meeting to order. Commissioners Beth Hansen, Greg Simpson, and Thomas Winters were present.

3-Commissioner Winters moved to go into executive session to discuss pending legal matters and personnel matters. Commissioner Simpson seconded the motion. The motion to go into executive session was unanimously approved by roll call vote. Commissioner Winters moved for the Commission to come out of executive session. Commissioner Simpson seconded the motion. The motion was unanimously approved by roll call vote.

4- Commissioner Winters moved to approve the minutes of the December 18, 2019 Commission meeting. Commissioner Simpson seconded the motion. The motion was unanimously approved by roll call vote.

5- Executive Director Bill Crawford discussed Executive Director approvals. Commissioner Hansen moved to ratify the Executive Director's approvals. Commissioner Winters seconded the motion. The motion was unanimously approved by roll call vote.

6-Beverly Martin discussed the Ohio Department of Administrative Services division called the Central Service Agency. The Central Service Agency provides fiscal and human resources support services to boards and commissions.

7- The Commission discussed Resolution 2020-02 which approved Jack Thistledown amending their 2020 licensing application. VICI Properties would purchase the real estate at Jack's Cleveland casino and Thistledown Racetrack. Commissioner Winters moved that the Commission consider Resolution 2020-02. Commissioner Simpson seconded the motion. Dan Reinhard, general counsel for Jack Entertainment, and Angelia Matthews General Manager for Jack Thistledown Racino testified in support of the resolution. Commissioner Winters moved that the Commission approve Resolution 2020-02. Commissioner Simpson seconded the motion. The motion was unanimously approved by roll call vote.

8- The Commission discussed Resolution 2020-03 which approved Belterra Park amending their 2020 licensing application. Gaming and Leisure Properties would purchase the real estate at Belterra Park. Commissioner Winters moved that the Commission consider Resolution 2020-03. Commissioner Simpson seconded the motion. James Adams Vice President of Legal Affairs and Assistant General Counsel for Boyd Gaming, and Chris Corrado, General Manager of Belterra Park. testified in support of the resolution. Commissioner Winters moved that the Commission approve Resolution 2020-03.

Commissioner Simpson seconded the motion. The motion was unanimously approved by roll call vote.

9- Commissioner Winters moved that the Commission approve Resolution 2020-01 the casino revenue distribution. Commissioner Simpson seconded the motion. The motion was unanimously approved by roll call vote.

10-The Commission discussed approval of the Promotional and Advertising expense for the 2020 Ohio Standardbred Development Fund. Chairman Borgemenke moved to approve 85,000 dollars to Scioto Down, Northfield Park and Dayton Raceway for promotion of the Sire Stakes Championship nights. Commissioner Borgemenke moved to consider at the next Commission meeting the 51,891.00-dollar request for the Ohio State Development Fund Administrator to promote the 2020 Sire Stake Program. Commissioner Simpson seconded the motion. The motion was unanimously approved by roll call vote.

11- Dr. James Robertson, Commission consulting veterinarian, gave an update on catastrophic horse fatalities at Ohio racetracks. In 2019 there has been a total of 41 catastrophic deaths with 37 Thoroughbred and 4 Standardbred due to training or racing.

12-Sherry White, Commission Fiscal Officer, gave her monthly financial report. She stated the Commission is ahead approximately 50,000 dollars as compared to last year. Ms. White stated the Standardbred and Thoroughbred funds will be discussed at each Commission meeting going forward.

13A- Anthony Garcia from the Ohio Attorney General's office discussed the Commission's settlement agreement with Steve Carter. Commissioner Winters moved the Commission approve settlement agreement. Commissioner Simpson seconded the motion. The motion was unanimously approved by roll call vote.

13B-Anthony Garcia from the Ohio Attorney General's office discussed the Commission's settlement agreement with Herman Hagerman. Commissioner Winters moved the Commission approve settlement agreement. Commissioner Simpson seconded the motion. The motion was unanimously approved by roll call vote.

14-Michael Rzymek discussed the financial judgment against Jason E. Moore. Michael Senter sued Mr. Moore regarding winnings for a Standardbred Horse. Miami County Municipal Court entered a judgment of 2,366.25 against Mr. Moore. Commissioner Winters moved to suspend Mr. Moore's 2020 licenses until he satisfies the judgment. Commissioner Simpson seconded the motion. The motion was unanimously approved by roll call vote.

15-Commissioner Hansen gave the Medication Committee report. Commissioner Hansen stated the Medication committee would have a February meeting after the Commission meeting to discuss Endogenous, Dietary and Environmental substances.

15B-Commissioner Simpson gave a Safety Committee report. He stated the safety committee meeting would be meeting in March or April.

16-Commissioner Winters noted that the former Chairman of the Commission Mr. Bob Schmitz received the OHHA Maynard and Stella Hagemeyer Significant Contribution Award award last weekend.

17-There were no public comments.


18-Commissioner Simpson 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 12:50 pm.

Date, Time & Place of Next Meeting
Thursday, February 27, 2020 @ 10 am
77 South High Street, Room 1948
Columbus, Ohio 43215



Scott Borgemenke, Chairman



William Crawford, Executive Director

OHIO STATE RACING COMMISSION

RESOLUTION 2020-01

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

WHEREAS, 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, 2020, in the amount of two million fifty-six thousand seventy-two dollars and twenty-four cents (2,056,072.24);

WHEREAS, the Commission desires to make distributions of casino tax revenue of two million fifty-six thousand seventy-two dollars and twenty-four cents (2,056,072.24).

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 ninety thousand six hundred fifty-three dollars and seventy-three cents (\$390,653.73) to the Ohio Thoroughbred Race Fund to be used to fund purses and/or support breeding of thoroughbred horses in Ohio;
- (B) Three hundred ninety thousand six hundred fifty-three dollars and seventy-three cents (\$390,653.73) to the Ohio Standardbred Development Fund to be used to fund purses and/or support breeding of harness racehorses in Ohio;
- (C) Seventy-seven thousand one hundred two dollars and seventy-one cents (\$77,102.71) to Miami Valley Gaming & Racing to be used to support commercial operations;
- (D) Seventy-seven thousand one hundred two dollars and seventy-one cents (\$77,102.71) to Northfield Park to be used to support commercial operations;

- (E) Seventy-seven thousand one hundred two dollars and seventy-one cents (\$77,102.71) to Belterra Park to be used to support commercial operations;
- (F) Seventy-seven thousand one hundred two dollars and seventy-one cents (\$77,102.71) to Scioto Downs to be used to support commercial operations;
- (G) One hundred two thousand eight hundred three dollars and sixty-one cents (\$102,803.61) 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, Ohio Thoroughbred Race Fund, and/or costs and fees associated with the commercial operations of racing located at Miami Valley Gaming & Racing, Northfield Park, Belterra Park, and Scioto Downs;
- (H) Seventy-eight thousand seven hundred fifty-three dollars and eighty-two cents (\$78,753.82) to Hollywood Gaming at Mahoning Valley to be used to support thoroughbred purse pools;
- (I) Seventy two thousand three hundred twenty-four dollars and ninety-four cents (\$72,324.94) to Belterra Park to be used to support thoroughbred purse pools;
- (J) Seventy-six thousand five hundred seventy-nine dollars and thirty-five cents (\$76,579.35) to Thistledown to be used to support thoroughbred purse pools;
- (K) One hundred fourteen thousand eight hundred sixty-nine dollars and two cents (\$114,869.02) to Miami Valley Gaming & Racing to be used to support harness purse pools;
- (L) Three hundred fourteen thousand nine hundred twenty dollars and seventy-six cents (\$314,920.76) to Northfield Park to be used to support harness purse pools;
- (M) Ninety-six thousand seven hundred sixteen dollars and eighty-eight cents (\$96,716.88) to Hollywood Gaming at Dayton Raceway to be used to support harness purse pools;
- (N) One hundred nine thousand three hundred eighty-five dollars and fifty-six cents (\$109,385.56) to Scioto Downs to be used to support harness purse pools.

Adopted: January 21, 2020

OHIO STATE RACING COMMISSION

RESOLUTION 2020-02

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 permits for calendar year 2020 to Jack Thistledown Racino, LLC (Jack) to conduct horse racing meetings at 21501 Emery Road, North Randall, Ohio 44128 also known as Jack Thistledown;

NOW, THEREFORE, BE IT RESOLVED the Commission approves the Jack Thistledown Racino amendment to its racing permit application for 2020 to include VICI Properties (VICI) as the owner of real estate known as Jack Thistledown under the following conditions:

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

Adopted: January 21, 2020

OHIO STATE RACING COMMISSION

RESOLUTION 2020-03

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 March 15, 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: January 21, 2020