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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 July 23, 2019

- 1-The Ohio State Racing Commission (Commission) held its monthly meeting July 23, 2019 at the Riffe Center, 77 South High Street, Columbus, Ohio, Room 1952, at 10 am.
- 2-Commission Chairman Scott Borgemenke called the meeting to order. Commissioners Beth Hansen, Greg Simpson, William Patmon Jr. and Thomas Winters were present.
- 3-Commissioner Simpson moved to approve the minutes of the June 27, 2019 Commission meeting. Commissioner Patmon 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 Simpson seconded the motion. The motion was unanimously approved by roll call vote.
- 5-Executive Director Bill Crawford discussed Dayton Raceway 2019 Meet Request. Commissioner Winters moved to approve Dayton Raceway 2019 Meet Request. Commissioner Hansen seconded the motion. The motion was unanimously approved by roll call vote.
- 6-Executive Director William Crawford discussed Commission Resolution 2019-06 Casino Revenue Distribution. Commissioner Simpson moved to approve the Resolution. Commissioner Winters seconded the motion. The motion was unanimously approved by roll call vote.
- 7- Dr. James Robertson, Commission consulting veterinarian, gave an update on catastrophic horse fatalities at Ohio racetracks. He stated in July there was no catastrophic breakdowns through July 23rd . In 2019 there has been 20 catastrophic deaths with 19 Thoroughbred and 1 Standardbred due to training or racing.
- 8-Sherry White, Commission Fiscal Officer, gave her monthly financial report. She stated for fiscal year 2019 the Commission had an overall net gain of \$140,000 for the 2019 fiscal year.
- 9-John Oberle, outside counsel for Gaming and Leisure Properties spoke regarding an amendment to R.C. 3769.07 in the budget bill and their discussions with the Ohio Harness Horsemen Association. Chairman Borgemenke inquired to, Patrick Ellsworth Director of Racing Operations for Thistledown Racetrack, regarding a 37-minute delay before a race was declared official and a horse that was scratched and then put back into the race and finally scratched again.
- 10-Christopher Hicks spoke regarding Commissioner Simpson. A copy of Mr. Hicks remarks is attached.

11-Assistant Attorney General Anthony Garcia discussed the Commission's settlement agreement with Fred Ward. Commissioner Winters moved to approve the settlement agreement. Commissioner Simpson seconded the motion. The motion was unanimously approved by roll call vote.

12-Commissioner Winters moved to go into executive session to discuss personnel matters and updates on pending legal cases in Ohio Courts. Commissioner Simpson seconded the motion. The motion to go into executive session was unanimously approved by roll call vote. Chairman Borgemenke stated after executive session the Commission will discuss a personnel matter and no other business will be discussed.

13-Commissioner Simpson moved to return to regular session. Commissioner Hansen seconded the motion. The motion was unanimously approved by roll call vote. The Commission approved a 2.75% pay increase for three unclassified employees.

14-Commissioner Hansen moved to adjourn the meeting. Commissioner Patmon seconded the motion and the motion was unanimously approved by a roll call vote.

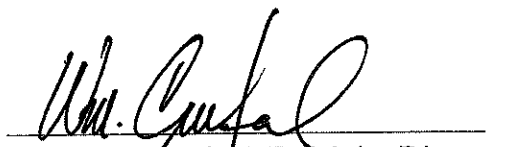
The public meeting adjourned at 12:32 pm.

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Date, Time & Place of Next Meeting  
Tuesday, August 27, 2019 @ 10 am  
77 South High Street, Room 1932  
Columbus, Ohio 43215

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\_\_\_\_\_  
Scott Borgemenke, Chairman

  
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William Crawford, Executive Director

## Ohio State Racing Commission Resolution 2019-06

**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 July 11, 2019, in the amount of **two million one hundred forty-five thousand four hundred sixty-five dollars and twenty-four cents (\$2,145,465.24)**;

**WHEREAS**, the Commission desires to make distributions of casino tax revenue in the amount of **two million one hundred forty-five thousand four hundred sixty-five dollars and twenty-four cents (\$2,145,465.24)**;

**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) Four hundred seven thousand six hundred thirty-eight dollars and forty cents (\$407,638.40) to the **Ohio Thoroughbred Race Fund** to be used to fund purses and/or support the breeding of thoroughbred horses in Ohio;
- (B) Four hundred seven thousand six hundred thirty-eight dollars and forty cents (\$407,638.40) to the **Ohio Standardbred Development Fund** to be used to fund purses and/or support the breeding of harness horses in Ohio;
- (C) Eighty thousand four hundred fifty-four dollars and ninety-five cents (\$80,454.95) to **Miami Valley Gaming & Racing** to be used to support commercial operations;
- (D) Eighty thousand four hundred fifty-four dollars and ninety-five cents (\$80,454.95) to **Northfield Park** to be used to support commercial operations;
- (E) Eighty thousand four hundred fifty-four dollars and ninety-five cents (\$80,454.95) to **Belterra Park** to be used to support commercial operations;

(continued)

**Ohio State Racing Commission**  
**Resolution 2019-06**

- (F) Eighty thousand four hundred fifty-four dollars and ninety-five cents (\$80,454.95) to **Scioto Downs** to be used to support commercial operations;
- (G) One hundred seven thousand two hundred seventy-three dollars and twenty-six cents (\$107,273.26) 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) Eighty-two thousand one hundred seventy-seven dollars and eighty-five cents (\$82,177.85) to **Hollywood Gaming at Mahoning Valley Race Course** to be used to support the thoroughbred purse pool;
- (I) Seventy-five thousand four hundred sixty-nine dollars and forty-five cents (\$75,469.45) to **Belterra Park** to be used to support the thoroughbred purse pool;
- (J) Seventy-nine thousand nine hundred eight dollars and eighty-three cents (\$79,908.83) to **JACK Thistledown Racino** to be used to support the thoroughbred purse pool;
- (K) One hundred nineteen thousand eight hundred sixty-three dollars and twenty-five cents (\$119,863.25) to **Miami Valley Gaming and Racing** to be used to support the harness racing purse pool;
- (L) Three hundred twenty-eight thousand six hundred twelve dollars and seventy-four cents (\$328,612.74) to **Northfield Park** to be used to support the harness racing purse pool;
- (M) One hundred thousand nine hundred twenty-one dollars and ninety cents (\$100,921.90) to **Hollywood Gaming at Dayton Raceway** to be used to support the harness racing purse pool;
- (N) One hundred fourteen thousand one hundred forty-one dollars and thirty-eight cents (\$114,141.38) to **Scioto Downs** to be used to support the harness racing purse pool;

Adopted: **July 23, 2019**

## RACING COMMISSION – DRAFT REMARKS 7/23/19

I am Chris Hicks of 444 Woodwick Ct., Cincinnati Ohio. I appreciate the opportunity to address this Commission at public participation time. At the last meeting, I addressed several items I see as cause for Mr. Simpson to step down from this Commission or be removed by the appointing authority.

Two events in particular were that, at the April 17, 2019 in the Republican Executive Committee meeting in Clermont County, Ohio, a body of which Mr. Simpson is Chair and of which I am a member, Mr. Simpson discussed at some length that, in his role as a member of this Commission, racing interests wished to give him money that he legally could not accept. He discussed his intent to set up PACs under the Clermont County Republican Party to mask the money. He also discussed routing the money to other political candidates, masking the money and his role in securing the contributions and having it come back to the benefit of the Clermont County Republican Party via the candidates.

I provided minutes from that meeting that, although sanitized, confirm my points.

I also mentioned a political candidate who told myself and others that Mr. Simpson offered to get him \$50,000 from racing interests in return for that candidate endorsing Mr. Simpson for County Commissioner. Interestingly, immediately following your last meeting, Mr. Simpson ran across the street to the Capitol for an impromptu meeting with the same elected official who had told me of the \$50,000 offer.

After the meeting, I posed questions to this Board. So far, none of you have answered any of these questions. Let me read them:

1. Did the Commission ask Mr. Simpson if the allegations I made were true or false? If not, why not?
2. Did the Commission ask Mr. Simpson to put any denial in writing and on the record to immediately demonstrate basic due diligence? Did he? Will he? If not, why not?
3. Did the Commission ask Mr. Simpson if there was a recording of the Clermont County Republican Executive Committee Meeting of 4/17/19? If so, did they ask that he produce it for the Commission to hear? If not, why not?
4. Did the Commission ask Mr. Simpson who the candidate was that I did not name to which he offered \$50k? If not, why not?
5. I only spoke of things of which I have personal knowledge. Did the Commission ask Mr. Simpson if there are any other things such as hidden contributions that could embarrass the Commission? If not, why not?

Commissioners, there is nothing keeping you from asking Mr. Simpson those questions. You won't because of a "look the other way code." It is bullshit.

Your draft minutes stated that I asked you to take action. I did ask that Mr. Simpson resign or be removed. In fact, I stated he should resign or step down three times. I said he should be removed, as soon as possible under your governance, twice. But you only said, "I asked you to take action." Quite an understatement.

Worse, you whitewashed from your minutes any hint of the substance of my remarks. That Mr. Simpson openly talks about plots to funnel racing interest money through PACs and candidates. Why

did that not make your minutes? Are people here from the office of the Attorney General not familiar with the Yellow Book and meeting minute requirements? Even better, why aren't your meetings on the Ohio Channel so the good people of Ohio could watch this proceeding?

I would think liquor, racing, and gambling are all areas that would be good to have out in the open for all to see and would benefit from an accurate record for posterity.

I said it last time and it bears repeating. Ohioans are sick of SWAMP self-interest in government. And a "look the other way, don't ask the most basic questions culture" that is all about protecting each other and not the interests of hard-working Ohioans. Again, that is BS. Record that in your minutes.

So yes, take action. Take action to ask Mr. Simpson the five questions I posed. Get the answers on the record. Of course, Mr. Simpson could just answer the questions on his own. That works, too. Better yet, he can admit what I have said is true and step down for the good of the integrity of your Commission.

Thank you.