



Ohio State Racing Commission

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Mike DeWine
Governor

Scott Borgemenke
Chairman

Minutes of the Ohio State Racing Commission Meeting held on June 24, 2020

1-The Ohio State Racing Commission ("Commission") held its monthly meeting June 24, 2020 via teleconference beginning at 10 am.

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

3-Commissioner Winters moved to approve the April 22, May 13, and May 14, 2020 Commission meeting minutes. Commissioner Hansen 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 Hansen seconded the motion. The motion was unanimously approved by roll call vote.

5- The Commission discussed the reappointment of Hugh Beatty to the Board of Trustees of the Harness Horsemen's Health and Retirement Program. Commissioner Winters moved to approve the reappointment of Hugh Beatty to the Board of Trustees of the Harness Horsemen's Health and Retirement Program. Commissioner Hansen seconded the motion. The motion was unanimously approved by roll call vote.

6- The Commission discussed the approval of Scioto Downs as their own settlement agent. Commissioner Winters moved to approve Scioto Downs as their own settlement agent. Commissioner Hansen seconded the motion. The motion was unanimously approved by roll call vote.

7- The Commission discussed Resolution 2020-12 the cost of drug testing from July 1, 2020 through June 30, 2021. The cost for a Thoroughbred test is one hundred and ninety-six dollars and thirty-three cents (\$196.33). The cost of a Standardbred test is two hundred and nine dollars and sixty-six cents (\$209.66). Commissioner Winters moved to approve Resolution 2020-12. Commissioner Hansen seconded the motion. The motion was unanimously approved by roll call vote.

8- The Commission discussed Resolution 2020-13 the new, amended and no change rules for Commission rules Chapter 15 and Chapter 16. Commissioner Winters moved to approve Resolution 2020-13. Commissioner Hansen seconded the motion. The motion was unanimously approved by roll call vote.

9-The Commission discussed the Safe Return to Racing Safety Protocols since fans could return to watch races at the track.

10-Executive Director William Crawford updated on horse fatalities in Ohio. In June, there were two thoroughbred fatalities. For the year 2020 there has been nine fatalities. At this point last year, there were twenty fatalities.

11-Sherry White, Commission Fiscal Officer, gave her monthly financial report. In May, the Commission's total revenue was eight thousand seven hundred dollars (\$8,700.00) and its expenses were one hundred and twenty-nine thousand dollars (\$129,000.00) mainly due to payroll. Overall, the Commission balance is down sixty-five thousand dollars (\$65,000.00) for the current fiscal year.

12A-Commissioner Hansen stated the Medication Committee is going to review the protocols for coming off the vet's list.

12B-Commissioner Simpson stated the Safety Committee is going to review various safety protocols to help determine the Safety Committee's next step.

13A-The Commission discussed the settlement agreement between the Commission and Patrick M. Sweeney. Mr. Sweeney received a drug positive for Gabapentin. Commission Winters moved to approve the settlement agreement with Mr. Sweeney. Commissioner Hansen seconded the motion. The motion was unanimously approved by roll call vote.

13B-The Commission discussed the settlement agreement between the Commission and Jeff Nisonger. Mr. Nisonger received a drug positive for Gabapentin. Commission Winters moved to approve the settlement agreement with Mr. Nisonger. Commissioner Hansen seconded the motion. The motion was unanimously approved by roll call vote.

13C-The Commission discussed the settlement agreement between the Commission and Trisha Shepard. Ms. Shepard received two cases for TCO2 overages. Commission Winters moved to approve the settlement agreement with Ms. Shepard. Commissioner Hansen seconded the motion. The motion was unanimously approved by roll call vote.

13D-The Commission discussed the settlement agreement between the Commission and Jim Pollock. Mr. Pollock received a drug positive for Venlafaxine. Commission Winters moved to approve the settlement agreement with Mr. Pollock. Commissioner Hansen seconded the motion. The motion was unanimously approved by roll call vote.

14A-Brent Reitz spoke on behalf of Northfield Park. Northfield Park was open during the pandemic. Northfield Park and Horsemen worked very well together during the pandemic. Northfield Park had a good first weekend and the fans were following the safety protocols.

14B-Chris Corrado spoke on behalf of Belterra Park which greatly appreciated the opportunity to return to live racing with spectators. During the first week, the fans were following the safety protocols.

14C- Joe Morris spoke on behalf of Eldorado Scioto Downs which was the first harness track to open in North America. On the seventeenth day of this season Scioto Downs passed last year's total handle and is off to a great start for 2020.

14D- Patrick Ellsworth spoke on behalf of JACK Thistledown. He discussed the Ohio Derby which had a record field size and a great deal of national interest in the Ohio Derby.

14E-Jason Blum spoke on behalf of Penn Gaming at Dayton Raceway which did not have any issues with guests, and everyone was social distancing.

14-F There were no comments from Miami Valley.

14G- Mark Loewe spoke on behalf of Mahoning Valley. It was a very challenging time when the Mahoning Valley backstretch was open during the pandemic. Mahoning Valley had a very strong first weekend and the fans were following the safety protocols.

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14-H-Renee Mancino spoke on behalf of the Ohio Harness Horsemen Association. She stated that she wanted to commend the Commission for working with them to develop safety protocols.

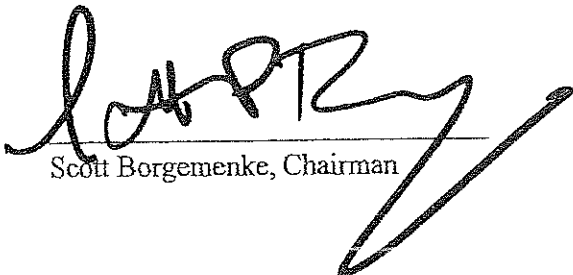
14I-Dave Basler spoke on behalf of the Ohio Horsemen's Benevolent & Protective Association. He commended the Commission for developing protocols and being able to open quickly. He stated that everyone has to be vigilant because there were seventeen individuals at Santa Anita racetrack that tested positive for the coronavirus.

15-The Chairman stated there would be a special Commission meeting in a few weeks to discuss the Commission's finances during the COVID-19 pandemic. There would be no Commission votes taken during this special meeting.

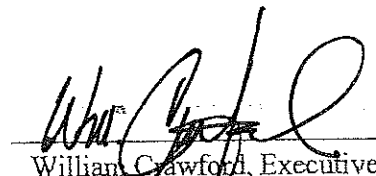
16-There was a public comment from the Thoroughbred Idea Foundation regarding the scratch of a horse at JACK Thistledown Racecourse. Executive Director Crawford responded that on June 23, 2020 in the first race at Jack Thistledown Racecourse a horse was scratched. The Equibase employee sent out the wrong horse that was scratch to all Equibase outlets. The correct horse was scratched at Jack Thistledown. In the future, the Equibase employee will double check which horse was scratched with the Stewards before sending out the information to all the Equibase outlets.

17-Commissioner Winters 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 11:18 a.m.

Date, Time & Place of Next Meeting
Wednesday, July 8, 2020 @ 10 am
via teleconference



Scott Borgemenke, Chairman



William Crawford, Executive Director

OHIO STATE RACING COMMISSION

RESOLUTION 2020-12

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, Rules 3769-8-01(B)(9) and 3769-18-01(B)(9) require the costs of analysis of blood and urine samples taken from one horse in each race be deducted from the purse pool applicable to the race tested;

WHEREAS, the actual costs of testing per race averaged two hundred nine dollars and sixty-six cents (\$209.66) for standardbred horses and one hundred ninety-six dollars and thirty-three cents (\$196.33) for thoroughbred horses in calendar year 2019;

NOW, THEREFORE, BE IT RESOLVED by the Commission that for the period beginning July 1, 2020, and continuing until June 30, 2021, the cost of testing deducted from purse pools will be as follows:

- (A) Two Hundred nine Dollars sixty-six Cents (\$209.66) per standardbred race; and
- (B) One hundred ninety-six dollars and thirty-three cents (\$196.33) per thoroughbred race.

AND, BE IT FURTHER RESOLVED, by the Commission that beginning July 1, 2020, the testing costs for standardbred and thoroughbred races shall be an average of the actual testing costs in calendar year 2019.

Adopted: June 24, 2020

OHIO STATE RACING COMMISSION

RESOLUTION 2020-13

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, Chapter 15 Commission Rules 3769-15-01 through 3769-15-34, and 3769-15-99, Chapter 16 Commission Rules 3769-16-01 through 3769-16-32, and 3769-16-99 are subject to R.C. 119.032 five-year review;

WHEREAS, Commission staff has sent out Chapters 15 and 16 to stakeholders for their review and comment. Commission staff has conducted meeting with the stakeholders to discuss these rules;

WHEREAS, The Commission desires to amend in Chapter 15 Rules 3769-15-04, 3769-15-11, and 3769-15-16, 3769-15-19, 3769-15-30, 3769-15-32, 3769-15-33;

WHEREAS, The Commission desires to make a new rule in Chapter 15 Rules 3769-15-09;

WHEREAS, The Commission desires to amend in Chapter 16 Rule 3769-16-27;

WHEREAS, The Commission desires to amend in Chapter 11 Rule 3769-11-31;

WHEREAS, The Commission desires no change to Chapter 15 Rules 3769-15-01 through 3769-15-03, 3769-15-05 through 3769-15-08, 3769-15-10, 3769-15-12 through 3769-15-15, 3769-15-16 through 3769-15-18, 3769-15-20 through 3769-15-29, 3769-15-31, 3769-15-34, and 3769-15-99;

WHEREAS, The Commission desires no change to Chapter 16 Rules 3769-16-01 through 3769-16-26, 3769-16-28 through 3769-16-32, and 3769-16-99;

NOW, THEREFORE, BE IT RESOLVED, by the Commission to amend Rules 3769-15-04, 3769-15-11, 3769-15-16, 3769-15-19, 3769-15-30, 3769-15-32, 3769-15-33 are APPROVED for submission and review for filing with the Common-Sense Initiative Office and the Joint Committee on Agency Rule Review;

NOW, THEREFORE, BE IT RESOLVED, by the Commission to make a new rule Rules 3769-15-09 is APPROVED for submission and review for filing with