



Ohio State Racing Commission
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Mike DeWine
Governor

Scott Borgemenke
Chairman

Minutes of the Ohio State Racing Commission Meeting held on Wednesday, November 16, 2022

1. The Ohio State Racing Commission ("OSRC") held its monthly meeting at 10:00 a.m. on November 16, 2022, at the Verne Riffe Center, room 1932, 19th floor, 77 S High Street, Columbus, OH 43215.
2. The Commission Chairman called the meeting to order. Chairman Borgemenke and Commissioners Beth Hansen, Greg Simpson, and Thomas Winters were present. Commissioner Bill Patmon was present via a phone link.
3. Commissioner Winters moved to approve the October 19, 2022, commission meeting minutes. Commissioner Simpson seconded the motion. The motion was unanimously approved by roll call vote.
4. Executive Director Dragone discussed the Executive Director's Approvals. Commissioner Hansen moved to ratify the Executive Director's approvals, and Commissioner Simpson seconded the motion. The motion was unanimously approved by roll call vote.
5. Consideration for Approval of 2023 Racing Dates. Commissioner Simpson made a motion to consider the approvals, which was seconded by Commissioner Hansen. Elizabeth Rogers from Penn National Gaming stated they had not submitted their winter/spring 2023 dates yet. The Mahoning Dates were approved, even though the meet request had not been submitted yet. Commissioner Winters moved to approve pending receipt of outstanding documents from Mahoning. Commissioner Simpson seconded the motion. Chairman Borgemenke moved to amend, which was unanimously approved by roll call vote.
6. Executive Director Reports. Commissioner Hansen moved to approve the Executive Director Reports concerning the meet requests for Northfield Park 2023 Meet request, and Miami Valley 2023 Meet Request. Commissioner Simpson seconded. The motion was unanimously approved by roll call vote.
7. Commission veterinarian, Dr. James Robertson, updated the Commission on horse fatalities in Ohio. Through November 16, 2022, there have been fifty-three (53) total fatalities from racing and training. There have been Forty-Two (42) fatalities from the

thoroughbreds – thirty-three (33) racing and nine (9) training, and eleven (11) fatalities from the standardbreds. The accident at Northfield contributed to a much higher than normal amount. OHHA Executive Director Renee Mancino mentioned the death race has been steady at .0047-.0058/1000 starts.

8. Sherry White, Commission Fiscal Officer, gave her monthly financial report. Commissioner Winters noted that Northfield received their second disbursement for capital improvements but will not be receiving any new disbursements due to their ownership change.
9. Update on HISA. Chairman Borgemenke opened a discussion about the implementation of the Horseracing Integrity and Safety Act (HISA). The Chairman made comments about finances, resources, and the amount of regulation that is done by the OSRC on both breeds. He also commented he has not received comments from HISA and gave his telephone number during the meeting so he could be accessible to them. He emphasized the fact that the OSRC is trying to be as helpful as possible to the permit holders and the horsemen. He made comments regarding revenue neutrality and transparency. The OSRC cannot fund anything that does not comport with Ohio Law. He requested commentary from horsemen and permit holders. The Executive Director commented that as of January 1, 2023, it will no longer be the OSRC conducting any testing. He mentioned that the OSRC will not be receiving the results of testing. Tanya Boulmetis commented about the OSRC not conducting post-race testing after January 1, 2023, and all tests, adjudications will be conducted through HISA. Breeders' awards will be affected due to not knowing what races have been cleared or not. There will necessarily be a delay in paying breeders' awards out. It was emphasized that the OSRC rulebook still exists. Other than the few changes that have been in effect since July 1 and the drug testing, the OSRC rules still apply. Chairman Borgemenke emphasized that the OSRC will no longer be receiving funds via the purse account from the horsemen's bookkeeper for testing. It was also emphasized that HISA does not apply to the Standardbred side of racing in Ohio.

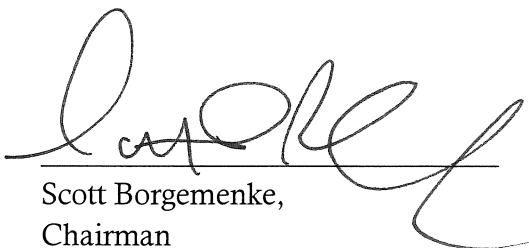
10. Committee Reports:

- A. Medication Committee – Commissioner Hansen had nothing to report.
- B. Safety Committee – Commissioner Simpson has nothing to report, but said the Faris did an excellent job this year.
- C. Standardbred Committee – Commissioner Winters commented on the good fair season also. The OHHA "best practices" book needs to be updated from the current 2007 version to reflect the updated rules.

11. Adjudications:

- A. Ricardo Bailey – Chairmen Borgemenke noted this adjudication was tabled from the October 2022 meeting and was going from the Hearing Officers Report and Recommendation. The Commission spoke through the AG's office, and Bailey spoke via his attorney. The Hearing Officer had recommended to uphold the Stewards ruling of a 180-day suspension, and a One Thousand (\$1,000) Dollar fine. Commissioner Winters moved to stay sixty (60) of the days, so long as there are no further rule infractions of any kind. Any rule violation would automatically add the stayed dates consecutively from any further ruling. Commissioner Simpson seconded the motion. The motion passed with Chairman Borgemenke voting no.
 - B. Mark Tomczak – The Commission spoke through the AG's office, and Mr. Tomczak did not appear. Commissioner Winters moved to uphold the Hearing Officers recommendation to uphold the Stewards ruling of a 180-day suspension, and a One Thousand (\$1,000) Dollar fine. Commissioner Simpson seconded. The motion was unanimously passed via roll call vote.
- 12. Chairman's Comments** – Chairman Borgemenke noted this section should be titled Commissioners and Chairman's comments going forward. There were no other comments.
- 13. Public Comments** – there were no public comments.
- 14. Executive Session** – there was no executive session, but it was noted by the Chairman that the December meeting date scheduled for the 14th is tentative at this time. Commissioner Simpson made a motion to adjourn, and Commissioner Hansen seconded. This motion was unanimously approved via roll call vote.

Date, Time, & Place of Next Meeting
Wednesday, December 14, 2022 @ 10 am Room 1948 Riffe Center



Scott Borgemenke,
Chairman

12.14.22



Christopher Dragone
Executive Director