



## 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

### Minutes of the Ohio State Racing Commission Meeting held on November 17, 2021

1. The Ohio State Racing Commission (“Commission”) held its’ monthly meeting November 17, 2021, room 1948, Vern Riffe Center, beginning at 10:03am.
2. Commission Chairman Scott Borgemenke 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 in a non-voting capacity. Four (4) commissioners fulfilled the quorum requirements. Chairman Borgemenke spoke about the passing of Greg Veit, the long time Ohio Thoroughbred Race Fund Administrator. A moment of silence was observed.
3. Commissioner Winters moved to approve the October 20, 2021, Commission meeting minutes, as amended. Commissioner Simpson seconded the motion. The motion was unanimously approved by roll call vote.
4. 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. Commissioner Hansen moved to approve the 2022 racing date permits. Commissioner Simpson seconded the motion. The chairman asked for discussion. Commissioner Winters asked about the horsemen’s agreements and Renee Mancino and Dave Basler confirmed that all agreements are in place. He also brought up removing Thistledown from approval due to concerns about safety protocols. Commissioner Winters then moved to amend the motion for approval to remove Thistledown from approval. Commissioner Hansen seconded the motion. The amended motion was unanimously approved by roll call vote.
6. Executive Director’s Report
  - A) Commissioner Hansen moved to approve the Northfield Park 2022 meet request. Commissioner Simpson seconded the motion. The motion was unanimously approved by roll call vote. Chairman Borgemenke expressed his appreciation for the permit holders help with training for officials.
  - B) Commissioner Hansen moved to approve the Miami Valley’s 2022 meet request. Commissioner Simpson seconded the motion. Chairman Borgemenke asked for a

representative for Miami Valley to answer questions. When one was not present Chairman Borgemenke said approval of the meet request would be held until the December meeting. No vote was taken.

- C) Commissioner Hansen moved to approve the Mahoning Valley's 2022 meet request. Commissioner Simpson seconded the motion. It was noted that Mahoning Valley had notified the commission that they would not be able to attend the meeting. The motion was unanimously approved by roll call vote.
7. Commissioner Winters made a motion to approve the appointment of Dr. Randall Blevins to the Thoroughbred Horsemen's Health Fund as a trustee. Commissioner Simpson seconded the motion. The motion was unanimously approved by roll call vote.
  8. Chairman Borgemenke asked for a motion to consider approval of Resolution 2021-12, which amends Northfield Park's 2022 racing permit application to show VICI Properties as the ultimate owner of the real estate. Commissioner Hansen made a motion to approve Resolution 2021-12. Commissioner Simpson seconded the motion. The motion to approve Resolution 2021-12 was unanimously approved by roll call vote. Commissioner Winters noted that this would result in the same exclusion from commercial operations funds from casino revenue that had affected similar transactions. Chairman Borgemenke requested that going forward a 'stride-out' version of a resolution that is changed would be included in the meeting information for clarification purposes.
  9. Joe Morris, speaking on behalf of Eldorado Scioto Downs, gave an update on the progress of the new facility project. Abatement is complete; electric bids were due by Monday (the 22<sup>nd</sup>) and that work should be completed by the 1<sup>st</sup> week of January; the building permit application was at the city; demolition should start in January, new work is expected to begin in March. There will be a live cam installed to show progress.
  10. Commission veterinarian, Dr. James Robertson, updated the Commission on horse fatalities in Ohio. Through November 17, 2021, there have been 39 fatalities from the thoroughbreds and 6 fatalities from the standardbreds.
  11. Sherry White, Commission Fiscal Officer, gave her monthly financial report. For the fiscal year, revenue is up 56% due to casino revenue and tax revenue is up over last year. Two large expenses were noted for the fiscal year: new fingerprinting equipment; AG's office.
  12. Committee Reports-Chairman
    - a. Medication Committee – Commissioner Hansen gave an update on medication changes in progress. A draft rule had been sent out for public comment and we should have the draft rule for the next meeting. Chairman Borgemenke requested that an item be added to meeting agendas for HISA updates.

b. Safety Committee – Commissioner Simpson gave a report on the November 9<sup>th</sup> Safety Committee meeting. He said he would like to require that all tracks have the same safety protocols. He then referred to Executive Director Dragone to give a synopsis of outcomes from the meeting. Executive Director Dragone said to expect a couple of directives to be forthcoming regarding safety vests for drivers and head numbers at commercial tracks. He also mentioned that Advanced Life Saving (ALS) would be required at all tracks. Comments were heard about the difficulties existing for changing policies at the fairs.

c. Standardbred Committee-Commissioner Winters thanked Chairman Borgemenke for establishing the Standardbred Committee. He said he would be at the Ohio Standardbred Development Fund meeting and would explain the reason for the committee in more detail. In essence it is to give the horseman another platform to share ideas, comments and concerns; especially those unable to attend other meetings.

13. Chairman Borgemenke stated that Commissioner Winters would like to address 13b first, he then asked for a 30 second recess. Commissioner Winters made a motion to hear 13b, Mr. Barbaran's & Mr. Williams' appeal to the hearing officer's report. Commissioner Simpson seconded the motion. The Commission heard a summation of the hearing officer's recommendations from assistant attorney general Todd DeBoe. Mr. DeBoe addressed both cases simultaneously as did the hearing officer. The recommendation was in favor of the Commission and Mr. DeBoe recommended the hearing officer's recommendations be upheld. Mr. Williams and his attorney Brandon Smith, who also represents Mr. Barbaran, were present and gave their interpretations of the incident asking for a reversal of the steward's ruling and hearing officer's recommendations. Commissioner Winters explained commission process and how it would be highly unusual for the commission to view the race. Commissioner Winters made a motion to adopt the hearing officer's recommendations in both 13a & 13b. The motion was seconded by both Commissioners Hansen and Simpson. The motion was unanimously approved by roll call vote.

14. Chairman's Comments – Chairman Borgemenke briefly summarized the past two plus (2+) years since he had become Chairman. He mentioned that both he and Commissioner Hansen were new appointees. He talked about dealing with covid and hopefully things are returning to somewhat normal and how items intended for 2020 were derailed. He referred to starting 2022 as the '2<sup>nd</sup>' year of his chairmanship. He wants to define rules, core responsibilities, review what we do well, what we do poorly, addressing financial issues and moving forward and improving while remaining transparent.

15. There were no public comments.

16. Chairman Borgemenke asked for a motion to move to executive session. Commissioner Winters made a motion to go to Executive Session to discuss personnel matters and pending court cases. The motion was seconded by Commissioner Simpson. The motion

was unanimously approved by roll call vote. Commissioner Winters made a motion to come out of executive session. The motion was seconded by Commissioner Hansen.

17. Commissioner Winters made a motion to adjourn the meeting. Commissioner Hansen seconded the motion. The motion was unanimously approved by roll call vote. The public meeting adjourned at 12:30pm.

---

Date, Time & Place of Next Meeting  
Wednesday, December 15, 2021 @ 10 am Room 1948 Riffe Center

---



Scott Borgemenke, Chairman



Christopher Dragone, Executive Director

# OHIO STATE RACING COMMISSION

## RESOLUTION 2021-12

**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**, Revised Code 3769.03 authorizes the Commission to issue, deny, suspend, diminish or revoke permits to conduct horse racing;

**WHEREAS**, the Commission has received a 2022 racing permit application from Northfield Park Associates, LLC (Northfield) to conduct horse racing meetings at 10777 Northfield Rd. Northfield, Ohio 44067 also known as Northfield Park;

**NOW, THEREFORE, BE IT RESOLVED** the Commission approves Northfield's amendment to its 2022 racing permit application to include VICI Properties (VICI) as the owner of real estate known as Northfield Park under the following conditions:

1. Northfield will continue to conduct horse racing meetings at Northfield Park;
2. The Commission's approval of the amendment to Northfield's racing permit application to include VICI as the owner of the real estate known as Northfield Park is contingent and will become effective upon VICI acquiring all real estate interests in Northfield Park including but not limited to all facilities used to conduct horse racing meetings by March 1, 2022;
3. Northfield shall send a copy of all transactional documents to the Commission within three business days of the closing of this transaction;
4. Northfield shall continue to notify the Commission regarding changes in its horse racing operations, employees, or internal controls at Northfield Park;
5. Northfield shall continue to keep the Commission informed regarding material financial or operational changes at Northfield Park;

Adopted: November 17, 2021