



Ohio State Racing Commission

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John Kasich
Governor

Robert K. Schmitz
Chairman

Minutes of the OSRC Meeting held April 24, 2017

1-The Ohio State Racing Commission (OSRC) held its monthly meeting April 24, 2017 at the Riffe Center, 77 South High Street, Columbus, Ohio, Room 1948 at 10 am.

2-OSRC Chairman Robert K. Schmitz called the meeting to order. Commissioners Gary Koch, Todd Book, Greg Simpson and Thomas Winters were present.

3-Commissioner Winters moved to approve the minutes of the meeting held on March 27, 2017. Commissioner Koch seconded the motion and the motion was unanimously approved.

4-Commissioner Winters moved to approve the minutes of the meeting held on March 30, 2017. Commissioner Koch seconded the motion and the motion was unanimously approved.

5-Commissioner Book moved to approve the ratification of the Executive Director's report. Commissioner Winters seconded the motion and the motion was unanimously approved.

6-Commissioner Winters moved to adopt Resolution 2017-02: Distribution of Casino Tax Revenue. Commissioner Simpson seconded the motion and the motion was unanimously approved by role call vote: Chairman Schmitz voted Yes; Commissioner Winters voted Yes; Commissioner Book voted Yes; Commissioner Koch voted Yes; Commissioner Simpson voted Yes.

7-Commissioner Winters moved to allow Thistledown to do their own settlements pursuant to their request. Commissioner Koch seconded the motion and the motion was unanimously approved.

8-Dr. James Robertson, OSRC consulting veterinarian, gave an update on horse fatalities from January through April 2017, stating there was one catastrophic breakdown in April, bringing the total for 2017 to eight—seven Thoroughbred and one Standardbred.

9- Ms. Sherry White, OSRC Fiscal Officer, gave her monthly financial report for March 2017, stating that revenues from March 2017 were comparable to March 2016. Revenues and expenses are both down overall from 2016, Ms. White explained.

10-Chairman Schmitz stated that there was a substantial increase in nominations for the 2017 Ohio Sires Stakes program and in mares bred in Ohio, and on the inaugural year of the Buckeye Stallion Series initiated by the Ohio Harness Horsemen's Association. He also commented on the positive start of the Thoroughbred stakes season.

11-There were no public comments.

12-Commissioner Koch moved to approve the settlement agreement in the case of trainer Larry McCarty. Commissioner Winters seconded the motion and the motion was unanimously approved.

13a- Commissioner Winters moved to adopt the hearing officer's report and recommendation in the matter of Anthony Farina after testimony by attorney John Izzo, representing Mr. Farina who was not present. Commissioner Koch seconded the motion and the motion was unanimously approved.

13b- Commissioner Simpson moved to adopt the hearing officer's report and recommendation in the matter of Christi Pokornowski after testimony by attorney John Izzo, representing Ms. Pokornowski who was not present. Commissioner Winters seconded the motion and the motion was unanimously approved.

14-Commissioner Winters moved that the horse Bell Flower should be disqualified and placed last after testimony by attorney John Izzo, representing J. Frederick Huff, who was not present. Therefore, Bell Flower is not entitled to receive the \$20,000 purse for violating OAC 3769-18-02. Commissioner Simpson seconded the motion and the motion was unanimously approved.

15-Commissioner Winters moved to recess for 15 minutes. Commissioner Koch seconded the motion and the motion was unanimously approved.

16-Chairman Schmitz called the meeting back to order after the 15 minute recess to discuss out of competition testing.

Dave Basler, HBPA Executive Director discussed his thoughts on out of competition testing, including testing Thoroughbreds for blood doping, venomous agents and the like in regards to performance enhancing effects on the equine athlete. Basler specifically stated the HBPA was interested in testing horses for prohibited agents which cannot be found in post-race blood or urine samples.

Mark Loewe, VP of Racing for Penn Gaming stated his company strongly encourages and supports out of competition testing and more specifically encourages following RMTC guidelines and ARCI Model Rules. He also explained that as the operator of two Ohio racetracks, there is a strong need for pre-race examinations of all Thoroughbred starters, as well as RMTC-guidelines on third-party licenses, a multiple penalty point system and necropsies on any horse sustaining a catastrophic injury.

Dr. James Robertson, OSRC consulting veterinarian, interjected that a pre-race inspection of all horses would be a good thing for the Ohio racing industry.

Renee Mancino, Executive Director, Ohio Harness Horsemen's Association discussed the differences in out of competition testing between states, and the lack of model rules, and suggested studying the rules in other states, such as New York. As well, Ms. Mancino suggested the need for testing horses who are racing and those who are in training to race.

17-There being no further business, Commissioner Simpson moved to go into executive session to consider the hiring, promotion or compensation of public employees. Commissioner Koch seconded the motion and the motion was approved via roll call vote: Chairman Schmitz voted Yes; Commissioner Winters voted Yes; Commissioner Book voted Yes; Commissioner Koch voted Yes; Commissioner Simpson voted Yes. The public meeting adjourned at 12:35 pm.

Date, Time & Place of Next Meeting
May 10, 2017 @ 10 am
77 South High Street, 31st Floor, East B
Columbus, Ohio 43215

Robert K. Schmitz, Chairman

William Crawford, Executive Director

OHIO STATE RACING COMMISSION

RESOLUTION 2017-02

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 April 15, 2017, in the amount of two million one hundred twenty-three thousand one hundred twenty-six dollars and forty-two cents (\$2,123,126.42);

WHEREAS, the Commission desires to make distributions of casino tax revenue of two million one hundred twenty-three thousand one hundred twenty-six dollars and forty-two cents (\$2,123,126.42);

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 three thousand three hundred ninety-four dollars and two cents (\$403,394.02) to the Ohio Thoroughbred Race Fund to be used to fund purses and/or support breeding of thoroughbred horses in Ohio;
- (B) Four hundred three thousand three hundred ninety-four dollars and two cents (\$403,394.02) to the Ohio Standardbred Development Fund (Harness Racing Breed Fund) to be used to fund purses and/or support breeding of harness racehorses in Ohio;
- (C) Seventy-nine thousand six hundred seventeen dollars and twenty-four cents (\$79,617.24) to Miami Valley Gaming & Racing to be used to support commercial operations;
- (D) Seventy-nine thousand six hundred seventeen dollars and twenty-four cents (\$79,617.24) to Northfield Park to be used to support commercial operations;
- (E) Seventy-nine thousand six hundred seventeen dollars and twenty-four cents (\$79,617.24) to Belterra Park to be used to support commercial operations;

- (F) Seventy-nine thousand six hundred seventeen dollars and twenty-four cents (\$79,617.24) to Scioto Downs to be used to support commercial operations;
- (G) One hundred six thousand one hundred fifty-six dollars and thirty-one cents (\$106,156.31) 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-six thousand two hundred fifty-five dollars and thirty-seven cents (\$76,255.37) to Hollywood Gaming at Mahoning Valley to be used to support thoroughbred purse pools;
- (I) Seventy thousand five hundred forty dollars and ninety cents (\$70,540.90) to Belterra Park to be used to support thoroughbred purse pools;
- (J) Seventy-four thousand three hundred eighty-one dollars and seventy-seven cents (\$74,381.77) to Thistledown to be used to support thoroughbred purse pools;
- (K) One hundred thirteen thousand one hundred sixty-five dollars and twenty-one cents (\$113,165.21) to Miami Valley Gaming & Racing to be used to support harness purse pools;
- (L) Three hundred-nine thousand two hundred thirty-seven dollars and six cents (\$309,237.06) to Northfield Park to be used to support harness purse pools;
- (M) Eighty-nine thousand five hundred fifty-seven dollars and ninety cents (\$89,557.90) to Hollywood Gaming at Dayton Raceway to be used to support harness purse pools;
- (N) One hundred eight thousand five hundred seventy-four dollars and ninety cents (\$108,574.90) to Scioto Downs to be used to support harness purse pools.
- (O) Twenty-five Thousand dollars (\$25,000) to Belterra Park to be used to support quarter horse purse pools;
- (P) Twenty-five Thousand dollars (\$25,000) to Mahoning Valley to be used to support quarter horse purse pools.

Adopted: April 24, 2017