

MINUTES

OREGON RACING COMMISSION OCTOBER 23, 2003

The Oregon Racing Commission met on October 23, 2003, at 1:30 p.m. in the Turf Club at Portland Meadows located at 1001 N Schmeer Road, Portland, OR. Commissioners in attendance were Steve Walters, Chair, Jeff Gilmour and Todd Thorne. Lisa Metcalf was excused. The governor has not yet appointed an individual for the remaining commissioner position. Chair Walters thanked Portland Meadows management for allowing the commission to meet at their facility. Agenda items were discussed in the following order with resulting actions:

1. Approval of August 29, 2003, Minutes

Chair Walters stated the August minutes will be approved at the next meeting.

2. Grants Pass Downs 2004 Race Dates Request – May 15 through July 5, 2004

Al Westhoff stated the only change is that the meet will begin two weekends prior to Memorial Day. Chair Walters inquired about the allocation of dates between Josephine County Fair and Southern Oregon Horse Racing Association and whether or not there has been an agreement as to who gets which dates. Mr. Westhoff replied that last year there was a misunderstanding between the organizations and that the matter has been resolved for the 2004 race meet.

ACTION: MOTION(Thorne) Approve 2004 race dates request submitted by Josephine County Fair on behalf of JCF and SOHRA subject to timely submission of an application for issuance of a race meet license and approval of that application by the commission.

VOTE: 3 Aye, 0 Nay, 1 Excused

3. OTBA 2003-04 Fiscal Budget

Ursula Gibbons began by reporting the OTBA sale had a good turn out in spite of the heat. Prices were great for buyers, the Quarter Horse section sold well, and overall it went very well. Ms. Gibbons then stated she was requesting approval of their fiscal budget, the expenditure of breakage and for a 5% administrative service charge from the 1% owner bonus pool. Jodi Hanson recommended approval.

ACTION: MOTION(Gilmour) Approve proposed budget as submitted.

VOTE: 3 Aye, 0 Nay, 1 Excused

4. OHBPA 2003-04 Budget

Dave Benson was present to answer questions. Chair Walters inquired about the increases over the 2003 budget. Mr. Benson stated the OHBPA became members of the NTRA after approval of last year's budget at a cost of \$11,000/year. Also, the national HBPB meeting will be held in Portland in July 2004, which means a \$10,000 budget for the host. Jodi Hanson recommended approval.

ACTION: MOTION(Thorne) Approve the proposed budget as submitted.

VOTE: 3 Aye, 0 Nay, 1 Excused

5. Multnomah Greyhound Park End of Meet Report

Patrick Kerrison reported the 2003 meet with the live handle down 7.2% from 2002. The exports were up 6.7%. Closing night was a good example of the positive response received from MGP and ORC staff, patrons and greyhound licensees. He noted that relationships between the frontside and backside can at times be strained, however, MGP staff has been excited about the reception they have received from the dog men and women the entire season. Julie Delkamp developed great racing cards throughout the meet. Chair Walters inquired about the contract with the OGA which expires this year, wanting to know if they were going to be getting that finalized right away in order to have it in place so that they can get the booking contracts confirmed right after the first of the year. Jeff Grady responded by saying they were working on it.

6. Harney County Fair Race Meet Report

Bob Blair, presiding state steward, reported the meet was very successful compared to two years ago when they were talking about not running anymore. There were added races on both days – one on Saturday and two on Sunday. In 2001 there were 22 trainers, 5 jockeys, 57 horses started and a total handle for the two days of \$13,969. In 2003 there were 41 trainers, 15 jockeys, 107 horses started and a total handle of \$26,374. Two new barns were built with hub funds which helped considerably, however, they still had to add some pipe pens in order to stable over 140 horses who were there to run. There were two problem areas which were addressed in a letter to the executive director that will need to be corrected for the meet next year. Commission Gilmour was at the meet and suggested having a roundtable discussion with the county fair operators, racing secretaries, etc., prior to the beginning of the 2004 summer circuit to exchange ideas, discuss common concerns and ways they can improve the quality and efficiency of their respective race meets.

7. Portland Meadows Race Meet Report

Jeff Grady reported they had a great opening day on Saturday, October 18th, and their first day of Monday racing had a handle of \$176,000, \$56,000 over that of opening day. For their first three days of racing they were up about \$40,000 over the first three days of last year. New York and New Jersey were not included in the exports for Monday, and they are working to add a few more tracks to take their signal. They have introduced a new remote announcer for Friday and Saturday racing in addition to the main track announcer. Jodi Hanson has approved changing the post time on Breeders' Cup Day in order to not conflict with the Classic.

8. Proposed Amended Order for Larry J. Farrell

Raul Ramirez stated this is round two of the proposed order on Mr. Farrell. In July he requested the ALJ to re-look at some evidence that had come forward after the hearing had taken place. The ALJ conducted a telephone hearing which resulted in this amended proposed order that essentially disregarded the effect of the additional evidence. Mr. Ramirez stated the amended proposed order wrongly identified a rule of evidence on which he was relying and all of the analysis is flawed. There are various issues in this order needing to be addressed before it can actually be reviewed by the commission for action. Several different options were presented to the commission by Mr. Ramirez as to how next to proceed. Chair Walters stated he believes the ALJ has grossly underestimated or underappreciated the

seriousness of the offence by Mr. Farrell and has no appreciation of the fact he was suspended when he violated the order suspending him. Commissioners Gilmour and Thorne also voiced their concern and frustration with the snags they have encountered throughout the process in trying to get an appropriate proposed order prepared for commission action in this case. Following discussion on the issue, it was decided to have Mr. Ramirez prepare a final order draft for the next meeting in which the amount of the fine will be changed and the amount of the suspension will remain the same.

9. Proposed Final Order for Jody R. Davidson

Chair Walters stated this order has been through the process. A proposed order was provided by the ALJ, the commission issued an amended order, and there have been exceptions submitted. This proposed final order deals with the exceptions and otherwise adopts the amended order.

ACTION:MOTION(Thorne)

Adopt the final order.

VOTE:

3 Aye, 0 Nay, 1 Excused

10. Confirmation of Next Commission Meeting – November 20, 2003

Commissioners Walters, Gilmour and Thorne will be in attendance.

11. Legislative Update

Jodi Hanson reported HB 3646 and HB 3159 were both signed by the governor on 9/17/03 and 9/8/03 respectively.

13. Other Business

Chair Walters stated there was another item which was not on the agenda. He announced that the commission was going into executive session to discuss personnel issues and that they would take no acting during the session. He said at the end of the executive session they would return to the public session of the meeting simply to adjourn the meeting.

(Commission went into executive session)

Upon their return, Chair Walters stated they took no action while they were in executive session.

There being no further business, the meeting was adjourned.