

# MINUTES

## OREGON RACING COMMISSION December 15, 2005

The Oregon Racing Commission met on Thursday, December 15, 2005, at 1:30 p.m. in Room 123, 800 NE Oregon Street, Portland, OR. Commissioners in attendance were Chair Steve Walters, Lisa Metcalf, Jeff Gilmour, Todd Thorne and Julianne Davis. Agenda items were discussed in the following order with resulting actions:

### 1. Approval of October 20, 2005, Minutes

ACTION: MOTION (Metcalf) Approve minutes as submitted.

VOTE: 5 Aye, 0 Nay

### 2. Approval of November 2, 2005, Teleconference Minutes

ACTION: MOTION (Metcalf) Approve minutes as submitted.

VOTE: 5 Aye, 0 Nay

### 3. Election of Officer(s)

ACTION: MOTION (Thorne) Appoint Jeff Gilmour Commission Chair

VOTE: 5 Aye, 0 Nay

ACTION: MOTION (Davis) Appoint Todd Thorne Commission Vice-Chair

VOTE: 5 Aye, 0 Nay

### 4. Portland Meadows Update Report

Dwayne Yuzik, Assistant General Manager, Portland Meadows, was present to answer questions. Information and discussions included the following:

- a. Reviewed Recap Handle Sheet which provided comparisons of first eight weeks of 2004 and 2005: Number of races up slightly; wagering interests after scratches is down less than 1%, which is higher than California's trend currently; on-track live handle down slightly due to weather and not racing Friday nights; export sales are off slightly at 3.75%, no longer in California on those Friday nights and a couple of exports sites that didn't have signal on Mondays until December also weather cancellations; overall wagering within the state is off 3.65%, which is without the Multnomah Greyhound Park operating as an off-track site and a loss of three locations total from last year.
- b. Currently have just over 800 horses at Portland Meadows, about the same number as last year.
- c. The virus in the barn area has passed.
- d. Plan for 2006 is to grow the OTB network: Will look in Gresham; had an interest in Hermiston, but was recently withdrawn, so will look for a new location there.
- e. In response to the incident that occurred involving two horses that had sustained fractures with no vets available for over an hour: A meeting was held with the horsemen and the practicing on-site track vets resulting in the arrangement that the track will not be open for training unless a vet is

available within ten or 15 minutes. A first aid kit has been set up in the security area. Agreed to meet with Commission Veterinarians to discuss procedures and will follow-up with this matter again at the next Commission meeting.

f. Looking forward to Oregon Day. Ursula Gibbons, Executive Secretary of Oregon Thoroughbred Owners & Breeders Association, is doing a great job.

#### **5. Status Report on Hub Funding Request for Grants Pass Downs – Continued from October 20, 2005**

a. Rod Lowe, President Southern Oregon Horse Racing Association and Representative for Josephine County Fairgrounds, was present to answer questions. Information and discussions included the following:

⇒ Request is for up to \$30,000 to simulcast Grants Pass Races and to meet all the projections including the \$20,000 to Josephine County Fairgrounds. The request is based on the assumption that all the other previously approved requests will be met first, including Portland Meadows purse supplements.

⇒ Dwayne Yuzik, Assistant General Manager, Portland Meadows, has agreed to review Grants Pass Downs contract on simulcasting to see if it is possible to get a contract that will save them money.

b. Jeff L Gilmour, Commissioner, Oregon Racing Commission, provided the following information regarding his meeting with the Josephine County Fair Board, one of the Josephine County Commissioners and Rod Lowe, President of Southern Oregon Horse Racing Association:

⇒ Josephine County supports horse racing in Grants Pass and believes it is an asset to their community. However, due to a loss of federal funding that provided relief for the county's lost timber revenue, they *can not* subsidize this meet.

⇒ By working together with Josephine County and with the Southern Oregon Racing Association, the races in Grants Pass could probably continue without subsidies from their county for those particular dates.

⇒ The Oregon Racing Commission, while maintaining fairness to the other county races, will strive in the future to assist Josephine County so that their race meet can continue.

⇒ The goal for the Commission is to be able to support Grants Pass and the other meets, at minimum, the same as what the Commission did in 2005.

⇒ In an effort to assist and support Rod Lowe, the Commission recommended the following: Submit Josephine County's race meet application in a timely fashion for review at the January or February Commission Meeting; Include in the application a note regarding their funding request so that it may be considered when the Commission allocates the Hub funds; Continue to work on the simulcast issue and to reduce the request from \$30,000 to a smaller figure.

⇒ This agenda item is deferred to the application process.

**6. Update on OTOBA, OHBPA and OQHRA Joint Request for Hub Funds for Purse Supplements at Portland Meadows.**

Ursula Gibbons, Oregon Thoroughbred Owners & Breeders Association, reported that the OTOBA Board voted to pay the funds on a quarterly basis and will begin doing so in mid-January. Of the funds received, Oregon-breds have earned all but \$2,986.00 through November.

Ms. Gibbons invited everyone out for Oregon Day, explaining that there would be a seminar at 10:00 am with Gay Fisher, President of The Greatest Game, from Lexington, Kentucky. The Greatest Game encourages new owners to get into the industry.

Leah Nelson, Oregon Quarter Horse Racing Association, reported on funds received and paid out through November 30<sup>th</sup>. The OQHRA has been receiving the purse supplement on a monthly basis while the Oregon-bred bonus money was received in one check for October, November and December: \$3,600. They are paying the money out to Oregon-bred winners on a weekly basis or sometimes bi-weekly because the testing results have to be cleared before the money is sent. The purse supplement is being taken to Portland Meadows on a weekly basis; paying \$400.00 on each race that fills and runs. The Quarter Horse fields are doing well, having mostly seven to nine horse fields. Comments received about the increased supplements indicate that it is providing an incentive.

Dick Cartney, Oregon Horsemen's Benevolent Protective Association, reported that this proposal gave them 70% of the \$360,000 to put into the purse account. The association has chosen to put the money into the overnight races – all of the non-stakes races. The money is reflected directly into the purse account and has provided a 10% increase, approximately, in purses from last year. Currently, they are slightly underpaid and would like the ability to adjust the purse schedule; possibly increasing the purses in a couple of places to use up the money that hasn't been paid out. Mr. Cartney stated that this program has been very helpful to the horsemen.

**7. Petition for Reconsideration of Final Order in the Matter of Roger W. Stolp**

Raul Ramirez, Assistant Attorney General, stated that the petition was timely and the question before the Commission is whether they want to allow the reconsideration and modify the order in any degree that would be less than a revocation. Mr. Stolp does not indicate what he's seeking, but he does suggest that there were problems with the underlying basis for the order. The Commission options are to deny it or allow it. If you deny it, you do it in an affirmative action of taking a vote or you can choose to not take any action, in which case the petition for reconsideration would be deemed denied after 60 days.

ACTION: MOTION (Gilmour) Deny the Petition for Reconsideration  
VOTE: 5 Aye, 0 Nay

**8. Confirmation of Next Commission Meeting – January 19, 2006**

All commissioners stated they would be able to be present.

**9. Introduction and Approval of the Use of a New Tack Device; the Cornell Collar**

Jack Root, practicing Veterinarian at Portland Meadows, presented the Cornell Collar. The collar is a new tack device developed by Cornell researches that prevents a condition called Dorsal Displacement of the Soft Palate (AKA: Flipped Palate). The collar is officially approved for use in Washington at Emerald Downs, in Florida, Michigan, for Harness Horses throughout the United States, and in all of Australia. It is being used in New York and California without official approval; the authorities recognize it is being used and are currently considering it to be just another piece of tack. Proposed that the ORC approve the use of the Cornell Collar under the following conditions:

- 1) The collar should be recommended by a veterinarian.
- 2) The official Racing Commission Veterinarian should approve the device actually on the horse to ensure that it is properly applied.
- 3) It should be declared at entry and once approved, always worn for each race, unless the Stewards give permission to take it off.

The item was tabled to the next meeting.

**10. Presentation of plaque to Chair Stephen Walters**

Jodi Hanson presented a plaque to Chair Stephen Walters from the Oregon Racing Commission in appreciation for his years of service to the industry. Chair Walters: "I care very, very passionately about this industry and the people in it; that includes the jockeys, owners, trainers and breeders for both greyhounds and horses. I've had the privilege of working with many people in this industry and across the country. I've had the privilege of working with some very distinguished and capable members of the Racing Commission, including the four people on my right and my left; also, a great privilege working with a dedicated and knowledgeable staff in virtually all positions who realize the importance of what they do and take it very, very seriously. I appreciate receiving this plaque, but it has been a labor of love and really a privilege to do this job. Thank you very much."

The Commission briefly entered into Executive Session and returned to Public Session after taking no action in Executive Session.

**11. Stipulated Order for Dr. Gerald L. Bergsma**

ACTION: MOTION (Davis) Adopt the stipulated order  
VOTE: 5 Aye, 0 Nay

There being no further business, the meeting was adjourned.