

MINUTES

OREGON RACING COMMISSION NOVEMBER 9, 1995

The Oregon Racing Commission met on Thursday, November 9, 1995, at 1:30 p.m. for their regular meeting in Room 140 of the Portland State Office Building located at 800 N. E. Oregon Street, Portland, Oregon. Commissioners in attendance were as follows: Stephen Walters, Chair; Brad Higbee, Vice Chair; George Rankins, Richard Reid and Laura Fine. Agenda items were discussed in the following order with resulting actions:

1. Minutes of October 19, 1995 Commission Meeting

ACTION: MOTION (Rankins) Approve minutes as submitted.

VOTE: 5 Aye, 0 Nay

2. OGBA Request for Approval of Greyhound Breeders Awards

Steve Barham recommended approval.

ACTION: MOTION (Reid) Approve request for breeders awards.

VOTE: 5 Aye, 0 Nay

3. Contested Cases

a. Approve Proposed Order as Final Order for Jay L. Garber

Paul Sundermier, AAG, went through the events and proposed findings of facts. Laura Fine raised issue of letter she received from Mrs. Garber which accompanied payment of fine. It was agreed a response was not necessary.

ACTION: MOTION (Fine) Adopt proposed order as final order.

VOTE: 5 Aye, 0 Nay

b. Dana Edwards (case heard 10:00 a.m., 11/9/95)

As to the matter regarding whether or not adequate notice was provided to Ms. Edwards, Commissioner Fine reported the Commission determined ORC staff did give adequate notice regarding date and time of the hearing.

ACTION: MOTION (Reid) Approve permanent revocation of license.

VOTE: 4 Aye, 0 Nay, 1 Abstention (Higbee)

c. Approve Proposed Order as Final Order for Timothy J. Neal

ACTION: MOTION (Higbee) Adopt proposed order as final order.

VOTE: 5 Aye, 0 Nay

4. New Portland Meadows Update

The first part of the report was presented by Mike Dorough and Woody Mitchell regarding operations at the track. They reported the track was not down as much as it was last month. For the first five weeks of racing the live handle is down 7.2%, horse simulcast is down 1.3%, greyhound simulcast is down 8.2%, making the total handle down 4.6%. Spirit Mountain seems to be doing well, approximately double the amount of Umatilla. It was good news to learn the ballot measure in Washington

dealing with Indian gaming and casinos was defeated. Commissioner Reid has heard positive comments regarding the horse handicapping contest.

The second part of the report was presented by David Brown, attorney for NPM, and Gene Ferryman. Mr. Brown gave an analysis of the legal situation of NPM. The Commission asked questions of both Mr. Brown and Mr. Ferryman. Mr. Ferryman stated that he would either post the bond or file an objection with the Washington Court of Appeals. The Commission discussed with them possible conditions which would be a part of the race meet license. The Commission expressed their views and informed the audience as to the reasons that the deliberations were so difficult.

The Commission then adjourned to go into executive session.

Upon returning to the general meeting, the Commission reported they deliberated and received legal advice from counsel, and that they took no action.

ACTION: MOTION (Higbee) Grant New Portland Meadows a race meet license through the end of the race meet, April 28, 1996, subject to certain conditions.

VOTE: 5 Aye, 0 Nay

Steve Barham then went through the recommended conditions.

ACTION: MOTION (Rankins) Approve conditions of the race meet license being granted to New Portland Meadows as cited by Mr. Barham.

VOTE: 5 Aye, 0 Nay

A typed transcript of the portion of this meeting dealing with the consideration and granting of a conditional license to New Portland Meadows is on file in the Commission office.

There being no further business, the meeting was adjourned.