

MINUTES

OREGON RACING COMMISSION SEPTEMBER 16, 1999

The Oregon Racing Commission met on Thursday, September 16, 1999, in Room 140 of the Portland State Office Building located at 800 NE Oregon Street, Portland, OR. The meeting was called to order at 9:00 a.m. for the scheduled hearings. The commission adjourned for lunch and reconvened at 1:30 p.m. for the balance of the meeting. Commissioners in attendance were Steve Walters, Chair; Laura Fine, Vice Chair; Tom Towslee, Richard Reid and David Price. Agenda items were discussed in the following order with resulting actions:

1. Approval of August 19, 1999, Minutes

ACTION: MOTION(Fine) Approve minutes as modified.
VOTE: 5 Aye, 0 Nay

2. HBPA Proposed 1999-2000 Budget

Dick Cartney stated the proposed budget is close to last year's budget. They are currently trying to locate a dentist to take care of dental requests. Steve Barham recommended approval.

ACTION: MOTION(Towslee) Approve proposed budget.
VOTE: 5 Aye, 0 Nay

3. OTBA Proposed 1999-2000 Budget

Ursula Gibbons was present to answer any questions. She also reminded everyone that the OTBA mixed sale will be held at the state fairgrounds on Saturday, October 2, 1999. Steve Barham recommended approval.

ACTION: MOTION(Fine) Approve proposed budget.
VOTE: 5 Aye, 0 Nay

4. Multnomah Greyhound Park Update

Dick Cummings reported the Oregon bred Futurity Stakes is this coming Saturday. Oregon bred dogs have done very well this year, finishing second in the Derby and first and second in the Anthony Amato Memorial Dash. The second whippet race is tomorrow. Handle statistics at this point in time of their race meet are as follows: live Oregon is down 15%, total live is down 11%, horse simulcast is up 9%, greyhound simulcast is down 15%, total Oregon is down 4% as is the grand total down 4%. Attendance figures are down approximately 3%.

5. HBPA/OQHRA-Salem Race Meet Update

Dick Cartney stated they have completed 13 of their 19 days of racing. During the state fair their handle statistics were pretty good, however, last weekend was disappointing. In spite of this, they are going forward with three more weekends before the end of the meet and are hoping things will pick up again. They have been pleased with the operation this year, with

things having gone fairly smoothly except for one or two minor hitches. Fields have been good, and they have some good stakes races left. For next year they are considering beginning the meet the week after the Tillamook race meet, meaning they would run two less days (17 days instead of 19 days). They are not getting as much handle from the OTB sites as they have in the past.

6. New Portland Meadows Update on Their Race Meet and EPA Matter

Woody Mitchell reported NPM received a noncompliance order from EPA with date specific as far as responding. They have met the deadlines with full reports which were requested. They have instituted a testing program per their requirements and have since modified it at the request of the EPA. At this point everything requested by the EPA has been done. NPM is now waiting for EPA and Oregon Department of Agriculture, who in turn works with Bureau of Environmental Services in Portland and the Multnomah Drainage District, to give conceptual approval so NPM can implement the process. NPM, in their response to the order, laid out a timetable that would have them in full compliance with the problem being eliminated by the beginning of the 2000-2001 race meet. They will be meeting with the various regulating agencies on Monday, September 20th.

Regarding the race meet, Mr. Mitchell reported everything is progressing satisfactorily. Stall applications are going well.

7. Action on Darren C. McCormick Hearing

ACTION: MOTION(Fine) Based on presentation of evidence, moved that the commission not uphold the order of the board of stewards and reinstate the license of Mr. McCormick.

DISCUSSION: Chair Walters stated during their deliberation, the commission had a lot of trouble with the testimony regarding Mr. McCormick's willingness or his ability to comply with the requirement for completion of a certified treatment program. Given his actions with the two different treatment programs, it appeared to the commission that he was treatment center shopping when the second program did not have all the information it probably needed in order to give a proper evaluation. The commission did have a lot of concern with that matter. The stewards did, in fact, issue an order in October 1998 stating he was reinstated for complying with conditions of his treatment program, with no qualifications in the order. Since that order was not rescinded in a timely manner and reissued to include the requirement of successful completion of the treatment program, the commission did not feel there was a legal basis to require him to complete the treatment program after having been reinstated already by a preceding order with no conditions on it. As a result, the commission felt they had no other choice than to not uphold the board of stewards' order which was being appealed by Mr. McCormick.

VOTE: 5 Aye, 0 Nay

8. Action on Becky King Hearing

ACTION: MOTION(Reid) Uphold fines imposed by the board of stewards for the two violations at \$250.00 each, invoking the absolute insurer rule.

VOTE: 5 Aye, 0 Nay

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9. Retirement of Investigator Chuck Flores

Chair Walters stated in light of Chuck's pending retirement on September 30th, he was instructed by his boss to be present at this meeting. On behalf of the entire commission, Chair Walters expressed to Chuck their sincere thanks for his years of excellent service with utmost integrity and ability.

There being no further business, the meeting was adjourned at 1:52 p.m.