



MINUTES

Oregon Racing Commission March 21, 2013

Meeting Detail

The Oregon Racing Commission (ORC) met on Thursday, March 21, 2013 in Room 1C of the Portland State Office Building located at 800 NE Oregon Street, Portland, Oregon.

Call to Order

Commission Chair, Chris Dudley, called the meeting to order at 1:33pm.

In Attendance

Commissioners: Chair Chris Dudley, Vice-Chair Charles Williamson, Commissioner Stan Robson, Commissioner Jan Palmer, DVM and Commissioner Michael Huber, DVM

Staff

Randy Evers (Executive Director) and Kelly Gabliks (Assistant Attorney General)

AGENDA ITEMS

Approvals:

March 21, 2013 Meeting Agenda

Action: Motion to approve the agenda with agenda item #8 being switched with agenda item #5.

Moved by: Commission Vice-Chair Charles Williamson

Seconded: Commissioner Huber

Vote: Chair Dudley took roll and the results were unanimous with 5 Ayes, 0 Nays

February 8, 2013 Special Meeting Minutes

Action: Motion to approve the February 8, 2013 Special Commission meeting minutes as submitted.

Moved by: Commissioner Vice-Chair Charles Williamson

Seconded: Commission Huber

Vote: Chair Dudley took roll and the results were unanimous with 5 Ayes, 0 Nays

February 21, 2013 Meeting Minutes

Action: Motion to approve the February 21, 2013 Commission meeting minutes as submitted.

Moved by: Commissioner Vice-Chair Charles Williamson

Seconded: Commission Huber

Vote: Chair Dudley took roll and the results were unanimous with 5 Ayes, 0 Nays

Old Business:

Sub-Committee Update Reports:

a. Advanced Deposit Wagering (ADW) and Multi-jurisdictional Hubs

Commission Vice-Chair Charles Williamson stated that our newly licensed ADW, Game Play Network's program was reviewed by the attorney general's office. The ORC's Assistant Attorney General, Kelly Gabliks, notified the ORC that the ADW program offered by Game Play is legal.

b. Best Practices

Chair Chris Dudley stated that he had gathered the best practices score cards from all the Commissioners and calculated the preliminary results for the 2012 best practices. Chair Dudley led discussion by asking the Commissioners if the consensus is that they are meeting the criteria for each of the fifteen best practice items listed on the score card. The Commissioners all agreed after discussion that all fifteen items were met.

Commissioner Huber stated he felt that the report card doesn't have to have all Commissioners in agreement in order to be a good report card.

c. Budget and Hub Funds

Commissioner Stan Robson stated that the budget sub-committee met prior to the ORC meeting. He reported that they discussed the e-mail request from Doug Smith regarding the increase to the jockey insurance payment. Commissioner Robson stated that the sub-committee would be in support of a motion to add \$10,000.00 to the amount currently allocated from hub funds to pay for jockey insurance with the added instruction that the additional funds should be distributed in a manner that would assist the meets who are financially struggling the most. He stated the discretion of determining what is best will be left up to Doug Smith.

Action: Motion to approve an additional \$10,000.00 to be allocated from hub funds to pay for jockey insurance with the added instruction that the additional funds distributed in a manner that would assist the meets who are financially struggling the most with the discretion of determining what is best to be left up to Doug Smith.

Moved by: Commission Vice-Chair Williamson

Seconded: Commissioner Robson

Vote: Chair Dudley took roll and the results were unanimous with 5 Ayes, 0 Nays

d. Medication and Horse Welfare

Commissioner Huber stated that sub-committee had to reschedule their meeting and will meet next month.

e. Executive Director's Report

Executive Director Randy Evers stated that this is his last working day at the Racing Commission. He stated that he is obligated to take his last furlough day and then is scheduled for a week of vacation. He stated that he will be starting his new position as the executive director with the OHBPA on April 1, 2013.

He stated that he loves horse racing and that he has appreciated working at the ORC with the commissioners and staff. He stated that he is looking forward to working on the industry side.

f. Future of Racing in Oregon Group (FROG) update

Commissioner Palmer reported that FROG met in the OHBPA office and attendance was good. The group had discussion regarding the legislative update with Mike Dewey.

Commissioner Palmer stated that the group discussed how FROG might restructure the request for hub funds and work on an agreement between the associations as to how the funds could be distributed. She stated that there was a sub-committee formed and there will be more to come after the next meeting.

New Business:

Harney County Discussion of Race Meet Dates:

Don Slone was present to represent the Harney County Fair race meet. He provided the Commissioners with a report explaining their request. Mr. Slone stated that with 50% less horses last year than the previous year the Harney County Fair Board thought that running two days versus three would be the better option. He discussed the contents of the request to give the Commissioners an understanding of why they have asked to reduce their meet by one day.

Mr. Slone stated that he spoke to Shorty Martin and Ron Sutton about only running two days. They both stated that they thought this would hurt attendance for the other two days of the meet by only having two days to run.

Vice-Chair Williamson asked if there was a concern of horse's running back to back Saturday and Sunday. He stated that he was concerned that if the only choice is to run back to back in order to get two races in for one individual horse that we could see an increase in catastrophic injuries. He stated that if the horsemen don't have the option of running two days in a three day meet, they either won't attend due to it not being cost efficient to go for one day, or risk running horses back to back in the two days.

Vice-Chair Williamson asked the Commissioners who are veterinarians if they have any concerns about this in their professional opinions. Commissioner Huber, DVM stated that he does have concerns about any horse having to run back to back, particularly with the history of injuries this meet has had. However, he would want to be mindful about taking away or infringing on the professional opinion of a good trainer who knows the capacity of the horses that he or she is racing. Commissioner Huber further stated that in his opinion he is confident that having more races over less time is not going to improve catastrophic injuries and, in fact, is likely to increase them. He stated that the ORC has a role in jockey safety too and this will be two long, hot days for jockeys. The fatigue that may come with riding that many races in one day, in the heat, may be setting them up for higher risk of injury.

Commissioner Robson asked Mr. Slone if the approved additional funds to the jockey insurance would help offset that expense enough that they could now run a three day meet. Mr. Slone said he couldn't speak for the others on the fair board but that in his opinion it could make the difference. He stated that he will have to present it to the fair board for a decision after checking with Doug Smith. He stated that until they know how

much of the increase will be distributed to Harney County he won't be able to recalculate the numbers to verify whether it will help enough.

Commissioner Palmer asked if there is any effort being made to attract horses from Idaho and Nevada this year. Mr. Slone stated that there is a more directed advertising campaign aimed at the need for trainers and owners to come and race at Harney County rather than last year's ads that just advertised the fair.

Executive Director Randy Evers stated that if canceling Friday is the final decision, one solution might be to run 8 races only on Saturday and Sunday. He stated that this would most likely relieve the concern of horse's running back on Sunday and still provide for an approximate 6 horse field. This would be better for the handle and may help to eliminate over-exhausting the jockeys. Mr. Slone stated that this is a solution that would definitely be considered.

Vice-Chair Williamson stated that he would move to table the request to modify the Harney County race meet application until next month. He stated that by tabling this decision, it will give Mr. Slone a chance to meet with the fair board to consider the new information.

Action: Motion to table the request to modify the Harney County race meet application until the April 18, 2013 ORC meeting and for Mr. Slone to meet with the fair board to consider both new options; 1) keeping the application as is with running three days due to the additional funds be granted for jockey insurance; or 2) reducing the application to running two days but only running 8 races per day.
Moved by: Vice-Chair Williamson with additional amendments from Commissioner Robson
Seconded: Commission Huber
Vote: Chair Dudley took roll and the results were unanimous with 5 Ayes, 0 Nays

Appointment of Interim Executive Director:

Action: Motion to appoint Nancy Artmann as Interim Executive Director until the position is permanently filled.
Moved by: Vice-Chair Williamson
Seconded: Commission Huber
Vote: Chair Dudley took roll and the results were unanimous with 5 Ayes, 0 Nays

Discussion of Summer Race Meet ORC Meeting Location:

Action: Motion to approve holding the July 2013 ORC meeting at the Prineville race meet (CRRU) on Thursday, July 11, 2013 at 12:00pm noon.
Moved by: Commission Huber
Seconded: Vice-Chair Williamson
Vote: Chair Dudley took roll and the results were unanimous with 5 Ayes, 0 Nays

Oregon Horsemen's Benevolent & Protective Association (OHBPA):

Ron Sutton of the OHBPA stated that the FROG hub funds sub-committee made good progress on designing a plan that the associations and Portland Meadows can agree on; and when it is finished they will present it to the Commission.

Mr. Sutton stated that the OHBPA also is working on incentive plans for the horsemen for the fair meets and there will be more to come on that next month.

Information, Materials and Approvals:

None

Contested Cases:

None

Other Business As May Properly Come Before the Commission:

None

Public Comment:

Assistant Attorney General Kelly Gabliks updated the Commission with new information regarding Judith Beudet. She was charged with animal abandonment at PM at the end of last season. Recently, while in Montana, she was arrested and her animals seized as a result of animal abuse and neglect. Montana had a trial for which she did not show up. They reduced her charges from a felony to a misdemeanor and issued a warrant as she was found guilty. She was arrested and now is serving her time.

Roger Nyquist thanked Executive Director Randy Evers for his years of service with the ORC and stated that the industry appreciates the improvements he has made.

Harvey Boyle thanked the Commission for the additional allocation to the jockey insurance and Randy Evers for his service.

Confirmation of the Next Commission Meeting:

The next ORC meeting will be Thursday, April 18, 2013, Room 1A of the Portland State Office Building at 1:30p.m.

Adjournment:

Action: There being no further business, the meeting was adjourned at 2:45pm

Moved by: Commissioner Robson

Seconded: Commission Huber

Vote: Chair Dudley took roll and the results were unanimous with 5 Ayes, 0 Nays