



Minutes
Oregon Racing Commission
June 15, 2017

Meeting Detail

The Oregon Racing Commission (ORC) met on Thursday, June 15, 2017, in Room 1C of the Portland State Office Building (PSOB), 800 N.E. Oregon St., Portland, OR.

Call to Order

Chair Charles Williamson called the meeting to order at 1:31 p.m.

In Attendance

Commissioners: Chair Charles Williamson; Vice Chair Jan Palmer, DVM; Commissioner Michael Huber, DVM (by phone); Commissioner Christopher Dudley (by phone).

Staff

Executive Director Jack McGrail, Catriona McCracken, Assistant Attorney General (AAG).

Excused

Commissioner Diego Conde

Agenda Items

Approvals:

Action: Approval of the meeting agenda, revised to move Portland Meadows to the first order of business, and to remove the Medication & Horse Welfare Sub-committee Report, the Contested Case and the Executive Session.

Moved by: Vice Chair Jan Palmer, DVM

Seconded: Commissioner Christopher Dudley

Vote: Commissioners Williamson, Palmer, Dudley and Huber voted AYE, and the motion carried unanimously (4:0).

Action: Approval of the May 18, 2017, meeting minutes, amended to add one word under "Public Comment"

Moved by: Vice Chair Jan Palmer, DVM

Seconded: Commissioner Michael Huber, DVM

Vote: Commissioners Williamson, Palmer, Dudley and Huber voted AYE, and the motion carried unanimously (4:0).

New Business:

Discussion and Possible Approval of Portland Meadows 2017-18 Race Meet License Renewal

After thanking the horsemen and Portland Meadows (PM) for their expediency in reaching an agreement, Executive Director Jack McGrail stated that he and Supervisor of Pari-Mutuels Josh Dieringer had

reviewed the checklist and found the PM application complies with all statutory requirements and meets criteria for approval. The calendar is similar to last year's, he noted, with a break in racing from Dec. 20 to Jan. 7, which gives the horses a chance to lay-up over the holidays, when business is slower, and be ready for the last 10 days of the meet. Mr. Dieringer recommended approval of the application.

Karsten Hennze, PM General Manager, explained the application calls for 37 race days, October to January, with a break in December. Races will be Mondays and Tuesdays, with several three-day weeks to include Sunday racing. Outside of the application, Mr. Hennze noted PM is working on a project to add grooms' quarters to the track, starting in July, with hopes that will draw new trainers and reinvigorate the meet.

He noted the application includes a plan of operations for Instant Racing and the OTBs, which PM is looking to expand.

Action: Approve Portland Meadows license renewal application for 2017-18 season

Moved by: Vice Chair Jan Palmer, DVM

Seconded: Commissioner Christopher Dudley

Vote: Commissioners Williamson, Palmer, Dudley and Huber voted AYE, and the motion carried unanimously (4:0).

Mr. Hennze noted that the track has been having increasing problems with undesirable "uninvited guests" on the property, including multiple break-ins and other unsafe activities. He stated track management was dealing with the problem, but wanted the Commission to be aware.

Old Business:

Executive Director's report

Executive Director Jack McGrail reported that the fair meets opened June 9 with three days of racing at the Eastern Oregon Livestock Show (EOLS) in Union. The meet went well, he noted, with the track in good condition despite rain and cool temperatures. Handle figures were good, he added. Gate repairs were well received by the gate crew and jockeys, and the gate functioned without problem. He praised the EOLS volunteers for their work on the track surface and with the new-to-them mutuels system from United Tote.

Director McGrail thanked the industry associations for documenting their use of allocated hub funds, as had been requested by the Commission. He also thanked Randy Evers and Ron Sutton of the Oregon Horsemen's Benevolent and Protective Association (OHBPA) and Mr. Hennze of PM for their work in getting the PM application to the Commission in a timely manner.

Future of Racing in Oregon Group (FROG) Report

Vice Chair Jan Palmer, DVM, stated that the group met this morning and discussed the Union meet and backside improvements at PM. Besides the grooms' quarters mentioned earlier by Mr. Hennze, planned improvements include \$12,000 for stall leveling and \$5,000 for ditch cleaning.

Director McGrail noted that those funds did not require Commission approval, as they are allocated by statute for backside improvements.

Report and Discussion of ADW Annual Reviews

Executive Director Jack McGrail explained that the ADWs before the Commission today are not up for renewal, but they are reviewed annually.

ADW Hub Supervisor Connie Winn introduced Randy Boden, Chief Operating Officer for AmWest Entertainment LLC. She explained her process for reviewing each of the ADWs, which includes checking on licensing, financials and fees. Everything is current or in process for AmWest, she noted, with the last on-site audit in July 2016 in Kentucky and the next one scheduled for August 2017.

Chair Williamson asked what happens if an ADW does not pay its license by the due date. Ms. Winn stated it is not allowed to race if it is not in compliance, and she checks daily.

She summed up the other annual reviews:

- Churchill Downs Technology Initiatives Company, dba Twin Spires – last on-site audit in Kentucky in July 2016; next audit August 2017
- eBet Technologies Inc. – last on-site audit in New Jersey in March 2016; next audit in Oregon in July 2017
- Game Play Network, Inc., dba b Spot – last on-site audit in September 2016; next one in September 2017
- NYRA Bets, LLC – last on-site audit in February 2017; next one in February 2018
- ODS Technologies, LP, dba TVG – last on-site audit in August 2016; next one to be scheduled for August 2017
- Premier Turf Club – last on-site audit in February 2017; next one tentatively in January 2018
- US Off-Track, LLC, dba Greyhound Channel – last on-site audit in Florida in January 2017; next one in January 2018

Ms. Winn also introduced Grace Kenworthy, Senior Director of Customer Operations for TVG, and recognized Deb Trickel, Vice President of US Off-Track.

Discussion and Possible Approval of Tote Company License Renewals

Supervisor of Pari-Mutuels Josh Dieringer reported that he and ADW Hub Supervisor Connie Winn had gone through the license renewal application for AmTote International and found it in compliance, with all fees being received. He recommended approval of the renewal.

Action: Approve tote license renewal for AmTote International

Moved by: Vice Chair Jan Palmer, DVM

Seconded: Commissioner Michael Huber, DVM

Vote: Commissioners Williamson, Palmer, Dudley and Huber voted AYE, and the motion carried unanimously (4:0).

After introducing David Black, Support Specialist with United Tote, Mr. Dieringer stated all fees had been received from United Tote, and all service, organizational and control audits reviewed. He recommended approval of the renewal.

Action: Approve tote license renewal for United Tote

Moved by: Vice Chair Jan Palmer, DVM

Seconded: Commissioner Michael Huber, DVM

Vote: Commissioners Williamson, Palmer, Dudley and Huber voted AYE, and the motion carried unanimously (4:0).

Mr. Dieringer stated he and Ms. Winn had reviewed all service, organizational and control audits for Sportech, and all fees had been received. He recommended approval of the renewal.

Action: Approve tote license renewal for Sportech

Moved by: Vice Chair Jan Palmer, DVM

Seconded: Commissioner Michael Huber, DVM

Vote: Commissioners Williamson, Palmer, Dudley and Huber voted AYE, and the motion carried unanimously (4:0).

Discussion and Possible Delegation of Authority to Executive Director to Commence Rule-Making

Executive Director Jack McGrail explained that according to the Department of Administrative Services, he already has rule-making authority by virtue of the Executive Director position. Other authorities, however, say it is not that clear. He noted that being delegated by the Commission would clarify that authority.

Assistant Attorney General Catriona McCracken stated that the delegation is an agency requirement from the Attorney General's Office and is part of the rules for rule-making.

Action: Approve delegating Executive Director to commence rule-making on behalf of ORC

Moved by: Vice Chair Jan Palmer, DVM

Seconded: Commissioner Michael Huber, DVM

Vote: Commissioners Williamson, Palmer, Dudley and Huber voted AYE, and the motion carried unanimously (4:0).

Contested Cases:

None

Other Business As May Properly Come Before the Commission:

None

Public Comment:

Ron Sutton, President of OHBPA – joined by Dave and Leah Nelson of the Oregon Quarter Horse Racing Association (OQHRA), Chris Philbrook of OQHRA, and Lynnelle Fox Smith of Oregon Thoroughbred Owners and Breeders Association – expressed the racing industry's thanks to BJ Cossen of TVG for his efforts on behalf of horse-racing. Noting that Mr. Cossen is retiring at the end of June, the groups presented him with a plaque expressing their gratitude for his support and leadership and wishing him happiness in his retirement.

Mr. Cossen responded that it had been an honor to work for 18 years with a group of people who care about racing, the industry, horses and people.

Confirmation of the Next Commission Meeting:

The next Oregon Racing Commission meeting will be WEDNESDAY, July 19, 2017, at 1:30 p.m. in Room 1B of the Portland State Office Building (PSOB), 800 N.E. Oregon St., Portland, OR.

Adjournment:

Action: Motion to adjourn.

Moved by: Vice Chair Jan Palmer, DVM

Seconded: Commissioner Michael Huber, DVM

Vote: Commissioners Williamson, Palmer, Dudley and Huber voted AYE, and the motion carried unanimously (4:0).

There being no further business, the meeting was adjourned at 2:05 p.m.