



Minutes
Oregon Racing Commission
August 16, 2018

Meeting Detail

The Oregon Racing Commission (ORC) met on Thursday, August 16, 2018, in Room 1B of the Portland State Office Building (PSOB), 800 N.E. Oregon St., Portland, OR.

Call to Order

Chair Jan Palmer, DVM, called the meeting to order at 1:32 p.m.

In Attendance

Commissioners: Chair Jan Palmer, DVM; Vice Chair Diego Conde; Commissioner Charles Williamson; Commissioner Peggy Anderson (by phone)

Absent

Commissioner Angelo Turner

Staff

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

Agenda Items

Approvals:

Action: Approval of the meeting agenda

Moved by: Commissioner Charles Williamson

Seconded: Vice Chair Diego Conde

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

Action: Approval of the July 19, 2018, meeting minutes.

Moved by: Commissioner Charles Williamson

Seconded: Vice Chair Diego Conde

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

Old Business:

Executive Director's Report

Director McGrail reported that the first three days of the Tillamook County Fair meet took place without incident. Field size and track conditions both were good. However, rain Saturday morning left the track unsafe for racing, and that day's card was canceled. Director McGrail noted this was disappointing

because Saturday draws the biggest crowd and largest handle. Connections of each horse entered Saturday received \$300 from the ORC purse fund, he added.

The overall handle for three days was slightly down in comparison to the same days last year, he stated, but comparable to 2015 and 2016. He noted that fair management, led by Don Averill and Camy VonSeggern, had made many improvements to the grounds, including new paint, fencing, and wash rack, resulting in an overall fresher and cleaner environment. The track elicited no complaints from riders and few from trainers, and there were no catastrophic injuries. Director McGrail also noted that Chair Palmer attended the meet.

He reported that between July 1, 2017, and June 30, 2018, there were three catastrophic injuries at Portland Meadows and none at the fairs, resulting in a rate of 0.8 per 1000 starters. That is far below the national average.

Director McGrail reported that checks have been ordered for the industry groups. Portland Meadows, Oregon Horsemen's Benevolent & Protective Association, Oregon Quarter Horse Racing Association and Oregon Thoroughbred Owners & Breeders Association should be receiving their allocations – the third of four biennial disbursements -- in early September.

He reported that the barns open at Portland Meadows on Sept. 1, to be followed by live racing Sept. 30. The Harney Country Fair is Sept. 7-9. He noted that Burns is a long way for many horsemen to travel, but the fair has shown a renewed commitment to racing, and Director McGrail encouraged people to support the meet.

New Business:

Discussion and Possible Approval of Format Change for Commission Meetings

Chair Palmer noted that when she joined the Commission in 2011, the subcommittee meetings were not public, and she often felt out of the loop, voting on a matter that had been discussed in subcommittee but not by the whole Commission. About a year ago, all subcommittee meetings became public, and Chair Palmer noted that now three or four commissioners may be in attendance at each meeting. On a day with several subcommittee meetings, a lot of the same people are moving around the building, listening to the same topics discussed multiple times. Perhaps it is time to change the format, she added, noting that the ORC's Karen Parkman had come up with a sample format.

Counsel McCracken noted that some boards or commissions have a much longer meeting, with the subcommittees addressed within the meeting.

Commissioner Williamson objected, stating that the subcommittees are valuable, building leadership and expertise in certain areas. He added that he thinks the current system works well, and it helps to have compromises made and issues explored before they are brought to the full Commission. The proposed changes will greatly extend the amount of time Commissioners spend in meetings, he added. "You can make anything work," he stated, "but [the proposed format] is not a good way to work."

The Commission discussed logistical issues, including who would chair, or shepherd, each part of the meeting and how to address the inefficiency of various subcommittees visiting the same topics; as well as philosophical issues, such as whether members of the public are more reluctant to speak at the microphone before the full Commission vs. in the more informal subcommittee setting.

Members of the public, including Roger Nyquist, Randy Boden, Randy Evers and Dave Nelson, expressed concern that the Future of Racing in Oregon Group (FROG) would go away. All stated they felt FROG had been invaluable in getting various industry factions communicating and working together.

Commission members also expressed support for FROG and its importance. Questions arose, however, about the relationship between the Commission and FROG, what the Commission's role should be in an industry advocacy group, and how to structure FROG so it is not a subcommittee.

Counsel McCracken stated public meetings must be noticed and minutes must be kept. Any entity formed by a commission that votes and/or brings a recommendation to the commission constitutes a public meeting. A private body that serves an advisory function to a governing body also is subject to the public meetings law. The point of the public meeting law is transparency, and that can result in inefficiency, she added.

In regard to multiple Commissioners attending subcommittee meetings, counsel cautioned that if a quorum is present, it becomes not only a public meeting, but also a full meeting of the Commission.

After 90 minutes of discussion, the Commission decided further discussion was warranted and tabled the matter of changing the meeting format until October.

Adjournment:

Action: Motion to adjourn.

Moved by: Commissioner Charles Williamson

Seconded: Vice Chair Diego Conde

Vote: Commissioners Palmer, Conde, Williamson and Anderson voted AYE, and the motion carried unanimously (5:0).

There being no further business, the meeting was adjourned at 3:07 p.m.