



**Minutes**  
**Oregon Racing Commission**  
**April 20<sup>th</sup>, 2023**

**Meeting Detail**

The Oregon Racing Commission (ORC) met at 1:30 p.m. Thursday, April 20, 2023. The meeting was held via videoconference.

**Call to Order**

Chair Charles Williamson called the meeting to order at 1:34 p.m.

**In Attendance**

**Commissioners:** Chair Charles Williamson; Vice Chair Margaret Doherty; Commissioner Jan Palmer, DVM; Commissioner Diego Conde

**Staff:** Executive Director Connie Winn; Karen Parkman, Program and Administrative Coordinator; Catriona McCracken, Assistant Attorney General (AAG), Kelly Routt, Assistant Attorney General (AAG)

**Excused**

none

**Agenda Items**

**Approvals**

**Action:** Approval of the meeting agenda with the amendment of removing agenda item 7(b) – 462-120-0040.

**Moved by:** Commissioner Conde

**Seconded:** Commissioner Palmer

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

**Action:** Approval of the minutes from the February 2023 meeting

**Moved by:** Commissioner Conde

**Seconded:** Commissioner Palmer

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

**Old Business:**

### **Executive Director's Report**

Director Connie Winn reported that the ORC staff are now completely remote when live racing is not occurring. She thanked Karen Parkman for her hard work during this transition. During this legislative session, there are three bills that affect the ORC. Director Winn and Ms. Parkman presented Senate Bill 5535, the ORC budget bill, to the Ways and Means work session on April 19th. The budget was advanced to the floor with a "do pass" recommendation. House Bill 2510-3 is currently in Ways and Means with the possibility of a dash 4 amendment making language more precise. House Bill 3514-2 is also in Ways and Means and would have a negative fiscal impact on the ORC, industry, and Oregon jobs.

Director Winn thanked Chief Investigator, Eric Shepherd, for his role in the ORC and wished him the best in his new position with OSHA. Dr. Everman is currently out recovering from a health incident but looking forward to his return. In the meantime, Dr. Lombard has agreed to assist at the Union Fair. Director Winn thanked staff for helping make these employment changes seamless, including, but not limited to, Dawn Rome who has trained to help with licensing, Maleah Thom who has been LEDs certified, and Karen Pate who has volunteered to go to Grants Pass if needed to assist Dr. Everman. Finally, the ORC is in the process of obtaining an upgraded licensing database, which will increase licensing efficiency.

Additional ongoing projects include a new procurement system, new security system, modernization planning, strategic planning, and succession planning. ORC has also added new checks and balances for some Tote functions, with the assistance of Mike Twiggs.

### **New Business: Update from HRA**

Rod Lowe reported that that HRA and SOHRA have completed contracts with Josephine County Fairgrounds and will be offering 20 days of racing between the summer and fall race meets versus 7 last year. HRA has purchased several pieces of equipment, including a disc (tractor implement), water truck, two UTVs (utility task vehicles) and five golf carts, a truck for the equine ambulance, a rototiller, and a Peterbilt shower and bunk trailer for jockeys and grooms. HRA has scheduled some weekend race dates to encourage larger crowds to attend races and have contracted 6 more man-terminals through United Tote, for a total of 20 terminals, 6 of which are self-serving. Monday, April 24<sup>th</sup>, one thousand tons of sand will be delivered to the track and the crew begins track preparations on the 23<sup>rd</sup>. The track will be ready to open May 1<sup>st</sup>. The OTBs are on pace with last year and advertisements have been made to bring in higher attendance rates this spring.

### **Report from OTOBA**

Lynelle Fox Smith reported that in February OTOBA paid a breeder's award of \$63,090 to 45 breeders covering 88 Oregon-bred horses that competed nationwide this fiscal year. Due to the lack of a commercial meet, a breeder's award was offered for all earnings for the first time, to incentivize breeders to breed more Oregon foals. The remaining HUB funds will be spent on foal incentives and covering the beginning of the summer fair meet through fair meet incentives. Finally, Lynelle pointed out that OR Statute 462-062, OTOBA receives 0.75% of Oregon-bred handle in the state. Further, OTOBA is required to pay out that amount as an owner's bonus for

Oregon-Breds competing at the commercial meet, or in another way with commission approval. The board requested that since there was not a commercial meet in 2022, they pay that amount, which Lynelle estimated to be between \$90,000 to \$100,000 by the end of the fiscal year, based on the 2022 summer fair meet totals, which the commission would need to approve. AAG McCracken was unaware of any requirement for a written request and that it was acceptable for the commission to make a vote at this time.

**Action:** Approval of statutory owner's bonus being paid out according to 2022 summer fair meet totals.

**Moved by:** Commissioner Conde

**Seconded:** Commissioner Doherty

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

**Discussion & vote on rescheduling June commission meeting from June 16<sup>th</sup> to June 23<sup>rd</sup>**

Director Winn recommending rescheduling the June Commissioner Meeting. Dr. Everman had pointed out that the previously approved date would conflict with the racing schedule, limiting ORC employees and horsemen from being able to attend. Commissioners would need to drive down to Grants Pass on Thursday, June 22<sup>nd</sup>, and have the Commissioner meeting at 2:30pm on June 23<sup>rd</sup>. Director Winn suggested having a Key Performances retreat the morning of the 24<sup>th</sup> and then attending some of the Saturday races after.

**Action:** Approve rescheduling of June Commission Meeting

**Moved by:** Commissioner Conde

**Seconded:** Commissioner Doherty

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

**Discussion and possible direction to staff to open rulemaking proceedings:**

AAG Catriona McCracken introduced the new AAG Kelly Routt, who will be working with the ORC going forward. Ms. McCracken thanked the ORC for the time she spent working with the agency.

Director Winn introduced and explained the following new rules:

**a. 462-150-0040 Entering for Official Racing: Subscriptions**

Clarification on identification and DOJ added corrections and updates. There was hearing, with no comment on the rule.

**b. 462-010-0000 Duties**

Takes the policy for commissioner duties and puts it into rule.

**c. 462-010-0010 Elections**

Sets how and when the election of the chair and vice chair occurs.

**d. 462-010-0020 Vacancies of the Commission**

Updates rules to match statutes, such as swearing in commissioners.

**e. 462-010-0030 Commission Member Compensation**

Statute states commissioners can be compensated, either at a flat rate or a higher level for those under a certain annual income. The previous director had already

started paying all commissioners at the highest level. The AAG feels further research needs to be done before officially filing this rule. Director Winn recommends permission to move forward with this rule given support is given by the AAG.

**f. 462-010-0040 Meetings**

Concerning commissioner meetings.

**g. 462-220-0100 Advanced Deposit Wagering on Past Live Racing Products – Repeal**

The AAG and council recommend tabling this rule to a future meeting.

Director Winn recommends the commission approve items a, c, d, e, f, and g to move forward in the rule making process subject to any additional findings by the AAG or DOJ.

**Action:** Approve items a, c, d, e, f, and g for rule making.

**Moved by:** Commissioner Conde

**Seconded:** Commissioner Doherty

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

AAG McCracken mentioned that a group of rules were removed from the agenda for this meeting because they were still in the commentary process. The commission could schedule a hearing for the day after the commentary ends and schedule a meeting specifically to vote on moving those rules forward, if they wanted to expedite the process. Director Winn suggested waiting until the next scheduled meeting rather than scheduling a sooner meeting.

**Discussion and possible adoption of proposed rule filings:**

**a. 462-130-0050 (1) Appeal to the Commission; Stay Pending**

The AAG recommended correcting a typo of the word “steward” prior to adoption.

**b. 462-130-0040 Formal Stewards’ Hearing**

**c. 462-130-0070(3)(b) Address Change**

**d. 462-140-0025(3) Photo Finish Records**

**e. 462-120-0050 License Application Procedures: Requirements for Corporations and Partnerships**

Director Winn reported that all of the above rules are rules the commissioners have seen and approved for promulgation, and she recommends adopting items b, c, d, and e as written and adopting item a with the corrected spelling.

**Action:** Adopt the proposed rules, making a correction to the spelling error in item a.

**Moved by:** Commissioner Doherty

**Seconded:** Commissioner Conde

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

**Public Comment:**

The commissioners thanked AAG McCracken for her work with the commission.

Leah Nelson informed the commission that the old F.R.O.G group has some money left in a bank account, which is incurring monthly bank fees, but the group is no longer in operation. She stated that she would like to close the bank account and put the money toward a different use. She nor Randy Bodine believed there was any commission money involved. Jan Palmer corrected that the commission did contribute funds in the beginning. Chair Williamson recommended doing nothing, which was also recommended by AAG McCracken and to leave it to the private group and their members and not to involve the commission.

**Contested Cases:**

None

**Other Business as May Properly Come Before the Commission:**

None

**Confirmation of Next Meeting:**

The next Commission meeting is scheduled for June 23, 2023, at 2:30 pm in person at Josephine County Fairgrounds Arts and Crafts Building, 1451 Fairgrounds Road, Grants Pass, OR 97527. The AAG would be able to attend online. A retreat will follow on the following morning. Location and time to be determined.

**Adjournment:**

**Action:** Adjourn meeting

**Moved by:** Commissioner Conde

**Seconded:** Commissioner Doherty

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

There being no further business, the meeting was adjourned at 2:18 p.m.