

Minutes of the Meeting Held on April 14, 2011

1. The meeting was called to order by Chairman Robert Schmitz at 10:00 am in Room South A, 31st Floor, 77 S. High St., Columbus Ohio, pursuant to due notice. The following Commissioners were determined to be present: William Koester, Ted Brown, Todd Book and B.J. Roach.

2. Approval of the minutes from the meeting held on March 10, 2011. Motion by Commissioner Brown, second by Commissioner Koester, unanimously approved.

Chairman Schmitz said the Commission met in executive session in Columbus two days earlier on April 12, 2011. At the meeting the Commission appointed William Crawford interim executive director through June 30, 2011.

Chairman Schmitz announced the following committee chairmanships: Medication Committee, Ted Brown; Harness and Thoroughbred Rules Committees, Todd Book; Financial Committee, William Koester; and Safety Committee, B.J. Roach.

3. Executive Director's Report:

A. Beulah Park

1. In a letter dated March 5, 2011, a request to change a live quarter horse date from October 17, 2011 to October 18, 2011. Motion by Commissioner Koester, second by Commissioner Roach, unanimously approved.
2. In a letter dated April 4, 2011, a request to close on Easter Sunday, April 24, 2011. Motion by Commissioner Roach, second by Commissioner Book, unanimously approved.
3. In a letter dated March 30, 2011, a request to allow owner Billy Hays to sponsor a \$15,000 memorial race. The contribution shall be placed in the horsemen's purse account prior to the draw for the race. Motion by Commissioner Brown, second by Commissioner Book, unanimously approved.

B. River Downs

1. In a letter dated March 29, 2011, a request for a waiver of surety bond.
2. List of Officials, all previously approved by the Commission.
3. Number of Races and Wagering Format.
4. Post Times of 3:00 pm on Fridays and 1:00 pm all other days.
5. Price Structure.
6. Simulcasting Schedule.
7. Letter to State Fire Marshal. A motion to approve items 1-7 by Commissioner Koester, second by Commissioner Book, unanimously approved.
8. In letters dated April 1 and 2, 2011, requests to drop host non-live status on March 10, 11, 12 and 17, 2011 because the track closed due to flooding, and the addition of host non-live status on April 7 and 14, May 25 and November 27, 2011; to change from host non-live to live status on May 4, 11 and 18, 2011; to change from guest to live status on 12 dates: June 1, 8, 15 and 22, July 6, 13, 20 and 27, and August 3, 10, 17 and 24, 2011; and to change from host non-live to guest status on 12 dates: April 7, 14 and 21, May 25, October 27, November 3, 10, 17 and 27, and December 1, 8 and 15. Motion by Commissioner Brown, second by Commissioner Book, unanimously approved.
9. In a letter dated March 21, 2011, a request to open wagering prior to noon on the following dates in 2011: May 6 (Kentucky Oaks); May 7 (Kentucky Derby); May 21 (Preakness); June 11 (Belmont); Aug. 6 (Hambletonian); July 31 (Haskell); Aug. 27 (Travers); Sept. 21 (Jugette); Sept. 22 (Little Brown Jug); Nov. 4-5 (Breeders Cup); and Nov. 24-26. Motion by Commissioner Koester, second by Commissioner Roach, unanimously approved.
10. In a verbal request made during the meeting by Racing Secretary Ed Vomacka, permission to waive the 2011 Ohio Thoroughbred Race Fund condition that requires all races for Ohio-breds to be conducted at a minimum distance of six furlongs between April 23 and May 15. Motion by Commissioner Roach, second by Commissioner Book, unanimously approved.

C. Thistledown

1. In a communication dated March 30, 2011, Thistledown submitted a bond for all 2011 meetings.

2. List of Officials, all certified as competent by General Manager Lee Dillard.
3. Number of Races and Wagering Format.
4. Post Time 1:50; 3:15 pm on Fridays (5/27-7/22); 3:15 pm on Saturdays (5/21-6/25); and 2:30 pm on June 4, 2011 (Ohio Derby Day).
5. Price Structure.
6. Simulcasting Schedule.
7. Letter to Fire Marshal. A motion to approve items 1-7 by Commissioner Roach, second by Commissioner Brown, unanimously approved.
8. In a letter dated Feb. 23, 2011, a request to offer a Pick 3 wager with a minimum bet of one dollar; a Pick 5 wager with a minimum bet of fifty cents; and a Fortune 6 wager with a minimum bet of 10 cents. Motion by Commissioner Koester, second by Commissioner Roach, unanimously approved.
9. In a letter dated Feb. 23, 2011, a request to waive the 2011 Ohio Thoroughbred Race Fund condition that requires all races for Ohio-breds to be conducted at a minimum distance of six furlongs between April 23 and May 15. Motion by Commissioner Roach, second by Commissioner Book, unanimously approved.
10. In a letter dated March 30, 2011, requests to close on Easter Sunday, April 24, 2011, and to approve the appointment of Joel McCullar as Associate Steward. Motion by Commissioner Brown, second by Commissioner Roach, unanimously approved.

D. Lebanon Raceway

1. Ratification of Executive Director's approval to replace starter Mike Woebkenberg with assistant starter Joe Denman on March 18 and 19, 2011, pursuant to a request in a communication dated March 14, 2011. Motion by Commissioner Roach, second by Commissioner Book, unanimously approved.
2. Ratification of Deputy Director's approval to replace Associate Judge Ken Burns with Paul Combs on April 9, 2011, pursuant to a request contained in a communication dated April 1, 2011. Motion by Commissioner Brown, second by Commissioner Book, unanimously approved.
3. In the same communication, a request to replace Associate Judge Jon Weist with Paul Combs on April 22 and 23, 2011 and May 6 and 7, 2011. Motion by Commissioner Roach, second by Commissioner Koester, unanimously approved.

E. Northfield Park

1. In a letter dated March 15, 2011, a request to open wagering prior to noon on Sunday, July 31, 2011, for the Haskell. Motion by Commissioner Roach, second by Commissioner Koester, unanimously approved.

F. Scioto Downs

1. In a letter dated March 4, 2011, a request for special event status for the following dates and races in 2011: May 20 (Black Eyed Susan); May 21 (Preakness and Pimlico Special); June 11 (Belmont Stakes); July 31 (Haskell); August 6 (Hambletonian); August 13 (Arlington Million); and September 22 (Little Brown Jug). The Ohio Harness Horsemen's Association has consented to the request. Motion by Commissioner Koester, second by Commissioner Brown, unanimously approved.
2. In a letter dated March 31, 2011, a request to approve Dr. James Booth as track veterinarian. Motion by Commissioner Koester, second by Commissioner Brown, unanimously approved.

G. Raceway Park

1. In a letter dated April 7, 2011, a request for a waiver of surety bond.
2. List of Officials, all certified as competent by General Manager Bill McLaughlin.
3. Number of Races and Wagering Format.
4. Post Times of 6:00 pm on Sundays, 6:30 pm on Wednesdays, and 7:00 pm on Saturdays.
5. Price Structure.
6. Simulcasting Schedule.
7. Letter to Fire Marshal. A motion to approve items 1-7 by Commissioner Brown, second by Commissioner Roach, unanimously approved.

8. Ratification of executive director's approval to open wagering prior to noon on Saturday, March 26, 2011 for the Dubai Cup, pursuant to a request contained in a communication dated March 8, 2011. Motion by Commissioner Koester, second by Commissioner Book, unanimously approved.
 9. A request dated April 7, 2011 to open wagering prior to noon on the following dates in 2011: May 6 (Kentucky Oaks); May 7 (Kentucky Derby); May 20 (Black Eyed Susan); May 21 (Preakness); and June 11 (Belmont). Motion by Commissioner Brown, second by Commissioner Koester, unanimously approved.
4. Approval of Host/Guest/Additional Simulcast Product for May, 2011. Commissioner Koester moved to approve the submissions by Beulah Park, River Downs, Thistledown, Lebanon Raceway, Northfield Park, Northfield Park on behalf of Cedar Downs, Raceway Park and Scioto Downs. Second by Commissioner Book, unanimously approved.
 5. Requests for the expenditure of fine money:
 - a. **Thistledown:** In a communication dated March 29, 2011, a request for \$1,500 from the fine account for an Easter Dinner at the racetrack on April 24, 2011 open to horsemen, backstretch personnel and their families. The Horsemen's Benevolent and Protective Association (HBPA) has consented to the request. Motion by Commissioner Koester, second by Commissioner Book, unanimously approved.
 - b. **Beulah Park:** In a communication dated March 28, 2011, a request for \$300 from the fine account for a cookout to follow a golf outing on April 27, 2011 open to horsemen and backstretch personnel. The HBPA has consented to the request. Motion by Commissioner Brown, second by Commissioner Roach, unanimously approved.
 6. In the matter of Financial Judgment:
 - a. **Allen Arnold:** Mr. Arnold was present. A motion from the previous meeting held on March 10, 2011 was pending. The motion required Mr. Arnold to pay in full a financial judgment against him. Upon motion to suspend the pending motion by Commissioner Roach, second by Commissioner Koester, unanimously approved. Commissioner Book moved to accept a partial payment of \$188.00 and to require Mr. Arnold to pay the outstanding balance of \$155.00 prior to the May meeting of the Commission. Failure to pay would result in the suspension of all licenses issued to Mr. Arnold. Second by Commissioner Brown, unanimously approved.
 7. Monthly Fiscal Report: Executive Director William Crawford presented the report and offered details related to the agency's finances.
 8. Compliance Report: Chief Investigator Steve Zaper presented the report and offered details related to the ongoing inspections of the state's seven commercial racetracks.

Old Business: There was no old business.

New Business: There was no new business.

A motion to adjourn by Commissioner Koester, second by Commissioner Brown, unanimously approved.

Date, Time & Place of Next Meeting:

**Thursday, May 12, 2011 at 10:00 a.m.
77 South High St., Columbus, Ohio
31st Floor, Room West B & C**
