

# Minutes of the Meeting Held On Tuesday, December 14, 2010

The meeting was called to order by Chairman William Koester at 10:00 a.m. in Conference Room South B & C, 31<sup>st</sup> Floor, 77 South High Street, Columbus, Ohio, pursuant to due notice. The following Commissioners were determined to be present: Ted Brown and Jerry Chabler. Commissioners Tom Zaino and Gerald Holland each had an excused absence from the meeting.

The first order of business was to approve the minutes of the meeting held on November 16, 2010. Upon motion by Commissioner Brown, second by Commissioner Chabler, unanimously approved.

2. Public Hearing of Ohio Rules of Racing 3769-2-37, 3769-2-38, 3769-2-39, 3769-2-40, 3769-2-41, 3769-5-17, 3769-5-17.1, 3769-5-26, 3769-5-28, 3769-8-01, 3769-12-37, 3769-12-38, 3769-12-39, 3769-12-40, 3769-12-41, 3769-15-04, 3769-15-10, 3769-15-19, 3769-15-30, and 3769-18-01. Chairman Koester called the public hearing to order, stating that this is a public hearing of Standardbred and Thoroughbred Rules. He added today is Tuesday, Dec. 14, 2010. Also present were Commissioners Brown and Chabler. Assistant Attorney General Vivian Tate had the proof of publication announcement for the record, and with that the public hearing began. Chairman Koester asked, "Are there any comments concerning any of the rules from the audience?" There were no comments. Chairman Koester concluded the public hearing.

### 3. EXECUTIVE DIRECTOR'S REPORT:

#### A. Northfield Park

1. In a letter dated December 1, 2010, Northfield Park requested approval for the Wavier of Surety Bond for the Northfield Park Associates Meeting, accompanied by a guaranty of performance signed by Chairman Brock Milstein.
2. Approval of Officials. All officials remain the same and are certified as competent for their positions by General Manager Tom Aldrich.
3. The number of races and wagering format
4. A live post time of 7:00 p.m.
5. Price Structure
6. Simulcast Schedule
7. Required letter to the Fire Marshal. Motion by Commissioner Chabler to approve items 1-7, second by Commissioner Brown, unanimously approved.
8. Requests:
  - a. Executive Director Tom Fries Jr. requested ratification of his approval for an early post time of 6:15 p.m. on December 14, 2010. Motion by Commissioner Brown, second by Commissioner Chabler, unanimously approved.
  - b. In a letter dated November 22, 2010, a request for approval of an early post time of 6:15 p.m. on Dec. 21 and 22, 2010. Motion by Commissioner Chabler, second by Commissioner Brown, unanimously approved.
  - c. In a letter dated December 7, 2010, a request for approval to race live on Dec. 23, 2010 as a make up date for the cancellation of live racing on Dec. 6, 2010. Motion by Commissioner Brown, second by Commissioner Chabler, unanimously approved.
  - d. In an e-mail dated Dec. 13, 2010, a request for approval to race live on Dec. 30, 2010 as a make-up date for the cancellation of live racing on Dec. 13, 2010. Motion by Commissioner Chabler, second by Commissioner Brown, unanimously approved.

#### B. Thistledown

1. Request:
  - a. Executive Director Fries requested ratification of his approval to amend the host/guest list for December by changing Fair Grounds from guest to host on the following days: Dec. 3, 4, 5, 10, 11, 12, 17, 18, 19 and 26, 2010. Motion by Commissioner Brown, second by Commissioner Chabler, unanimously approved.

#### C. Beulah Park

1. Request:
  - a. In a letter December 13, 2010, Beulah Park requested to treat Monday, Dec. 13, 2010 as a live race day after racing was cancelled. Motion by Commissioner Chabler, second by Commissioner Brown, unanimously approved.

4. Approval of Host/Guest/Additional Simulcast Product for January. Commissioner Brown moved to approve the submissions by Thistledown, River Downs, Raceway Park, Lebanon Raceway, Northfield Park and Cedar Downs; second by Commissioner Chabler, unanimously approved.
5. Request for the expenditure of fine money from:
  - a. **Northfield Park:** Commissioner Chabler moved to approve the expenditure of \$1400.00 to be used for a Christmas Dinner; second by Commissioner Brown, unanimously approved.
6. Settlement Agreement:
  - a. **Ernesto Oro:** Deputy Director Izzo outlined the stipulation of the agreement between Mr. Oro and the Commission as a result of a notice issued on Nov. 8, 2010. Mr. Oro agrees to serve a fifteen day suspension beginning Nov. 18, 2010, pay a \$1000.00 fine and pay the costs of the hearing. Motion by Commissioner Chabler, second by Commissioner Brown, unanimously approved.
7. In consideration of:
  - a. **Charles Sells:** Mr. Sells was present and sworn in by the Court Reporter. Deputy Director Izzo summarized the request by Mr. Sells to be taken off the stop list. Motion by Commissioner Brown to issue Mr. Sells a probationary license, second by Commissioner Chabler, unanimously approved.
8. In the Matter of Financial Judgments:
  - a. **George Leonard** was not present and was properly served. Assistant Attorney General Tate submitted documentation to the Commission concerning the notice of hearing and that the debt was racing-related. Motion by Commissioner Chabler to suspend any license(s) held by Mr. Leonard until such time as he satisfies the judgment issued against him; second by Commissioner Brown, unanimously approved.
  - b. **Lynn Miller** was not present and was properly served. Assistant Attorney General Tate submitted documentation to the Commission concerning the notice of hearing and that the debt was racing-related. Motion by Commissioner Chabler to suspend any license(s) held by Ms. Miller until such time as she satisfies the judgment issued against him; second by Commissioner Brown, unanimously approved.
9. Approval of the 2011 Ohio Thoroughbred Race Fund Program: Deputy Director Izzo outlined options considered and the program for 2011. Motion by Commissioner Brown, second by Commissioner Chabler, unanimously approved. An exact copy of the Ohio Thoroughbred Race Fund Program is attached hereto and marked as Exhibit A.
10. Approval of the 2011 Ohio Standardbred Development Fund Program: Administrator Doug Thomas outlined the program for 2011 and said Ohio Sire Stakes will start on May 6 at Lebanon Raceway and finish on September 10, 2011 at Scioto Downs. Scioto Downs will host eight championships for a guaranteed purse of \$75,000 each. Mr. Thomas explained other changes for 2011, notably that all races will split on eleven entries and horses racing in championships will be required to enter a detention barn six hours prior to the first post time. Motion by Commissioner Chabler, second by Commissioner Brown, unanimously approved.

**Old Business:**

1. Monthly Fiscal Report – As Commissioner Zaino was not present, Chairman Koester stated that copies of the report were available for anyone interested.
2. Steve Zaper presented the ongoing Compliance Inspection Reports of all seven tracks and updated the Commission where each track was in the process to date.

**New Business:**

1. Commissioner Brown announced a Medication Committee Meeting was scheduled in Columbus on Thursday, January 6, 2011.

Motion to adjourn by Commissioner Chabler, second by Commissioner Brown, unanimously approved.

Date, Time & Place of Next Meeting:

**Thursday, January 13, 2011, at 10:00 a.m.  
77 South High St. , 31<sup>st</sup> Floor, Room South B & C, Columbus, Ohio**



OHIO THOROUGHBRED RACE FUND SPECIAL ACCOUNT  
 2011 proposed budget

Beginning balance	1/1/2011 .....	\$509,347.72
Annual Credits		\$1,486,374.50
Annual Debits		\$1,580,000.00
Ending balance	12/31/2011 .....	\$415,722.22

	2011 Budget
<b>Debits</b>	
Administrative Exp.	\$130,000.00
Broodmare Awards	\$232,000.00
Stallion Awards	\$56,000.00
Promotion	\$9,500.00
Supplements	\$100,000.00
Overnights	\$320,000.00
Stakes	\$732,500.00
<b>TOTAL</b>	<b>\$1,580,000.00</b>
<b>Credits</b>	
Receipts	\$1,321,112.50
Nom. and Entry Fees	\$165,262.00
<b>TOTAL</b>	<b>\$1,486,374.50</b>

3769.083(B)- Not less than ten nor more than twenty-five per cent of the total money to be paid from the fund for all types of races shall be allocated to races restricted to accredited Ohio thoroughbred horses.

3769.083(C)(2)- Twenty-five per cent of the total moneys to be paid from the fund for stakes races shall be allocated to races for only accredited Ohio thoroughbred horses.

\$732,500.00 in stakes races of which \$183,125.00 for accredited Ohio thoroughbred horses only stakes races. \$1,152,500.00 to be paid from the fund for all races, of which no less than \$115,250.00 and no more than \$288,125.00 will be allocated to races restricted to accredited Ohio thoroughbred horses, which includes the funds paid in stakes races.

## ----Proposed Ohio Sires Stakes 2011 Schedule

Leg	Track	Day	Date
<b>2 YEAR OLD FILLY PACE</b>			
1.	Scioto Downs	Monday	July 4
2.	Raceway Park	Sunday	July 17
3.	Northfield Park	Friday	Aug. 12
4.	Northfield Park	Friday	Aug. 26
Ch	Scioto Downs	Saturday	Sept. 10

Leg	Track	Day	Date
<b>2 YEAR OLD FILLY TROT</b>			
1.	Scioto Downs	Monday	July 4
2.	Raceway Park	Sunday	July 17
3.	Northfield Park	Friday	Aug. 12
4.	Northfield Park	Friday	Aug. 26
Ch	Scioto Downs	Saturday	Sept. 10

Leg	Track	Day	Date
<b>2 YEAR OLD COLT PACE</b>			
1.	Scioto Downs	Saturday	July 2
2.	Scioto Downs	Saturday	July 16
3.	Raceway Park	Sunday	Aug. 14
4.	Northfield Park	Saturday	Aug. 27
Ch	Scioto Downs	Saturday	Sept. 10

Leg	Track	Day	Date
<b>2 YEAR OLD COLT TROT</b>			
1.	Scioto Downs	Saturday	July 2
2.	Scioto Downs	Saturday	July 16
3.	Raceway Park	Sunday	Aug. 14
4.	Northfield Park	Saturday	Aug. 27
Ch	Scioto Downs	Saturday	Sept. 10

Leg	Track	Day	Date
<b>3 YEAR OLD FILLY PACE</b>			
1.	Lebanon	Friday	May 6
2.	Scioto Downs	Sunday	June 12
3.	Raceway Park	Sunday	July 10
4.	Northfield Park	Friday	Aug. 19
Ch	Scioto Downs	Saturday	Sept. 10

Leg	Track	Day	Date
<b>3 YEAR OLD FILLY TROT</b>			
1.	Lebanon	Friday	May 6
2.	Scioto Downs	Sunday	June 12
3.	Raceway Park	Sunday	July 10
4.	Northfield Park	Friday	Aug. 19
Ch	Scioto Downs	Saturday	Sept. 10

Leg	Track	Day	Date
<b>3 YEAR OLD COLT PACE</b>			
1.	Lebanon	Saturday	May 7
2.	Scioto Downs	Monday	May 30
3.	Northfield Park	Saturday	July 9
4.	Northfield Park	Saturday	Aug. 20
Ch	Scioto Downs	Saturday	Sept. 10

Leg	Track	Day	Date
<b>3 YEAR OLD COLT TROT</b>			
1.	Lebanon	Saturday	May 7
2.	Scioto Downs	Monday	May 30
3.	Northfield Park	Saturday	July 9
4.	Northfield Park	Saturday	Aug. 20
Ch	Scioto Downs	Saturday	Sept. 10

This schedule was made hoping that the Breeders Stakes would be held on July 29-31 and the State Fair Stakes would be on August 5-7. The two year old filly events would need to be contested on the first day of those weekends.

<b>AGED PACE</b>			
Ch			

<b>AGED TROT</b>			
Ch			

\* denotes afternoon racing.