

## Minutes of the Meeting Held on March 23, 2016

1-The Ohio State Racing Commission (OSRC) held its monthly meeting March 23, 2016 at the Riffe Center, 77 South High Street, Columbus, Ohio, 19<sup>th</sup> Floor, Room 1960, at 10:00 am.

2-OSRC Chairman Robert K. Schmitz called the meeting to order. Commissioners Gary Koch, Mark Munroe and Thomas Winters were present.

3-Commissioner Winters moved to approve the February 23, 2016 OSRC meeting minutes. Commissioner Munroe seconded the motion and the motion was unanimously approved.

4-Commissioner Munroe moved to approve the ratification of the Executive Director's approvals. Commissioner Koch seconded the motion and the motion was unanimously approved.

5A-Executive Director Bill Crawford presented a request by Scioto Downs for the following: waiver of Surety Bond for all 2016 race meetings; list of officials; number of races and wagering format; post times; simulcasting schedule; and letter to fire marshal. Commissioner Winters moved to approve the request. Commissioner Munroe seconded the motion and the motion was unanimously approved.

5B-Executive Director Bill Crawford offered presented a request by Thistledown Racino for the following: waiver of Surety Bond for all 2016 race meetings; list of officials; number of races and wagering format; post times; simulcasting schedule; and letter to fire marshal. Commissioner Munroe moved to approve the request. Commissioner Koch seconded the motion and the motion was unanimously approved.

5C-Executive Director Bill Crawford offered presented a request by Belterra Park for the following: waiver of Surety Bond for all 2016 race meetings; list of officials; number of races and wagering format; post times; simulcasting schedule; and letter to fire marshal. Commissioner Munroe moved to approve the request. Commissioner Koch seconded the motion and the motion was unanimously approved.

6-Commissioner Winters offered Resolution 2016-05: Cobalt Testing, which set the date, April 15, that the OSRC will begin testing for Cobalt; thresholds and penalties. Commissioner Munroe moved to adopt Resolution 2016-05 and Commissioner Koch seconded the adoption and the Resolution was unanimously approved.

7A-Commissioner Winters moved to take the request of Miami Valley Gaming and Racing to do its own settlements off the table for discussion. Commissioner Munroe seconded the motion and the motion was unanimously approved.

Commissioner Koch moved to approve Miami Valley Gaming and Racing's request to do their own settlements starting May 1, 2016. Commissioner Munroe seconded the motion and the motion was unanimously approved.

8-Executive Director William Crawford gave an update on horse fatalities in Ohio during February 2016. In February there were four fatalities—two Thoroughbreds at Mahoning Valley—and two Standardbreds at Northfield Park. At the time of the OSRC March meeting, there had been a total of eight horse fatalities in Ohio since January 1—four Thoroughbred and four Standardbred—Mr. Crawford reported.

9-Sherry White, OSRC Fiscal Officer, presented the monthly financial report. Ms. White explained that the OSRC had a good February fiscally, and needed approval for new policies in order to be compliant with the next audit. Commissioner Munroe moved to approve the policy items for the OSRC outlined in Section 10 on the meeting's agenda. Commissioner Winters seconded the motion and the motion was unanimously approved.

10-Executive Director William Crawford gave an update on the March 15 deadline for Ohio Sire Stakes nominations, stating that nominations for 2016 were up 41% from 2015, and that the OSRC had taken in more than \$546,000 in nomination fees from 1,092 nominations in the 2- and 3-year-old divisions for Ohio-bred trotters and pacers.

11-OSRC Chairman Robert Schmitz asked Ohio Thoroughbred Race Fund Administrator Greg Veit about his program and Veit stated the number of horses in his enrolled in his program have increased significantly from 2015 as well.

12-There were no public comments.

13A-In the matter of the case of Gennadi Dorochenko, Charles Febus from the Ohio Attorney General's Office, asked the OSRC to approve a settlement agreement between Mr. Dorochenko and the OSRC. Commissioner Winters moved to approve the recommendation by Mr. Febus. Commissioner Munroe seconded the motion and the motion was unanimously approved.

13B-In the matter of the case of Christopher Beaver, Mr. Febus asked the OSRC to approve a settlement agreement between Mr. Beaver and a Supreme Court recommendation. Commissioner Winters moved to approve the recommendation by Mr. Febus. Commissioner Munroe seconded the motion and the motion was unanimously approved.

14-Commissioner Winters moved to go into an executive session to discuss hiring of a public employee. Commissioner Munroe seconded the motion and the motion was unanimously approved via roll call vote.

The meeting concluded at 10:49 am.

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Date, Time & Place of Next Meeting

**Tuesday, April 26, 2016 at 10 am**  
**77 South High St., 31<sup>st</sup> Floor, Room West B&C**  
**Columbus, Ohio 43215**

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## Ohio State Racing Commission -- RESOLUTION 2016-05

**WHEREAS**, Ohio Revised Code 3769.03 requires the Ohio State Racing Commission (Commission) to prescribe the rules and conditions under which horse racing may be conducted;

**WHEREAS**, Unnaturally high levels of Cobalt have been detected in Standardbred and Thoroughbred post-race tests;

**WHEREAS**, The Commission has heard from scientists and veterinarians on the issue of Cobalt in racehorses;

**WHEREAS**, High levels of Cobalt are potentially fatal and are detrimental to the equine athlete and to racing;

**NOW, THEREFORE, BE IT RESOLVED** by the Commission that Cobalt is added to the Ohio State Racing Commission Regulatory Thresholds for Prohibited Substances.

**BE IT FURTHER RESOLVED** by the Commission that the Cobalt violations and recommended penalties are as follows:

- (A) Cobalt concentrations of less than 25 ppb of blood serum or plasma will have no penalty;
- (B) For Cobalt concentrations of 25 ppb or greater but less than 50 ppb of blood serum or plasma, the recommended penalty is a written warning;
- (C) For Cobalt concentrations of 50 ppb or greater of blood serum or plasma, the recommended penalty is a "B" penalty from the Association of Racing Commissioners International's "Uniform Classification Guidelines for Foreign Substances and Recommended Penalties and Model Rules Version 11.0 and are as follows:
  - (1) First offense: Minimum 15 day suspension, \$500.00 fine and loss of purse
  - (2) Second offense: Minimum 30 day suspension, \$1,000.00 fine and loss of purse
  - (3) Third offense: Minimum 60 day suspension, \$1,000.00 fine and loss of purse and referred to the Commission for further action;
- (D) Any Cobalt concentration exceeding 250 ppb of blood serum or plasma will be referred to the Commission for further action;
- (E) For Cobalt concentrations of 25 ppb or greater of blood serum or plasma, the recommended penalty includes the placement of the horse on the Veterinarians List with removal from this list only after a blood test confirms that the cobalt concentration is below 25 ppb of blood plasma or serum. Testing costs shall be paid by the owners(s) of the horse;
- (F) These offenses are for any Cobalt violation in any jurisdiction within any 365 day period.

**Adopted: 3/23/2016**