

MINUTES

OREGON RACING COMMISSION June 18, 2009

The Oregon Racing Commission met on Thursday, June 18, 2009 in Room 1A of the Portland State Office Building located at 800 NE Oregon Street, Portland, Oregon. The commission held a Special Meeting immediately prior to their regularly scheduled monthly meeting to provide additional time for discussions in executive session pursuant to ORS 192.660(2)(f) and ORS 192.660(2)(h). Commissioners in attendance were Chair Kerry Johnson, Vice Chair Stan Robson, Chris Dudley, Charles Williamson and, via telephone, Michael Huber, DVM,

Agenda items were discussed in the following order with resulting actions:

1. Approval of Agenda

ACTION: MOTION (Dudley) Approve agenda.

VOTE: 5 Aye, 0 Nay

2. May 21, 2009 Meeting Minutes

ACTION: MOTION (Dudley) Approve minutes as submitted.

VOTE: 5 Aye, 0 Nay

3. Crooked River Roundup Meet Officials, Take Outs, and Bute & Lasix

Executive Director Evers recommended approval of the Crooked River Roundup application for the race meet officials, takeout percentages, and requested medications.

ACTION: MOTION (Williamson) Approve Crooked River Roundup application as submitted.

VOTE: 5 Aye, 0 Nay

4. Churchill Downs Technology Initiatives Company dba Twin Spires 2009-2010 Application for Multi-Jurisdictional Simulcasting and Interactive Wagering Totalizator Hub License

Brad Blackwell, on behalf of Twin Spires, was present via telephone to answer questions.

⇒ Audrey Kauffman, Supervisor of Account Wagering Hubs, stated that the application met all of the ORC compliance requirements and she recommended approval.

⇒ Chair Johnson requested Twin Spires' verbal confirmation of specific details in their operating plan to provide on the record verification that they were in compliance with the Oregon statutes, rules and application requirements.

Prior to voting, Commissioner Williamson explained that one of the partners in his law firm represented the OHBPA and stated a potential conflict of interest relating to all of the hub applications and the Portland Meadows application.

ACTION: MOTION (Robson) Approve application as submitted.

VOTE: 5 Aye, 0 Nay

5. AmWest Entertainment, LLC 2009-2010 Application for Multi-Jurisdictional Simulcasting and Interactive Wagering Totalizator Hub License

Nelson Clemmens, Principal Owner, and, Randy Boden, Chief Operating Officer, of AmWest Entertainment were present to answer questions. Information and discussions included the following:

Mr. Clemmens appreciated being able to participate in the ADW committee meetings this year and they've been able to take advantage of some of the advancements resulting from those meetings.

- ⇒ Audrey Kauffman, Supervisor of Account Wagering Hubs, recommended approval, stating that the application met all of the ORC compliance requirements.
- ⇒ Chair Johnson requested AmWest Entertainment's verbal confirmation of specific details in their operating plan to provide on the record verification that they were in compliance with the Oregon statutes, rules and application requirements.

ACTION: MOTION (Williamson) Approve license as submitted.

VOTE: 5 Aye, 0 Nay

6. Racing 2 Day, LLC 2009-2010 Application for Multi-Jurisdictional Simulcasting and Interactive Wagering Totalizator Hub License

Ben Hayes and Vincent Caldwell, Principal Owner, were present to answer questions.

- ⇒ Audrey Kauffman, Supervisor of Account Wagering Hubs, stated that the application met all of the ORC compliance requirements and she recommended approval.
- ⇒ Chair Johnson requested Racing 2 Day's verbal confirmation of specific details in their operating plan to provide on the record verification that they were in compliance with the Oregon statutes, rules and application requirements.

ACTION: MOTION (Robson) Approve application as submitted.

VOTE: 5 Aye, 0 Nay

7. BedPad, Ltd. 2009-2010 Application for Multi-Jurisdictional Simulcasting and Interactive Wagering Totalizator Hub License

Michael Weiss, Executive Vice President, was present to answer questions.

- ⇒ Audrey Kauffman, Supervisor of Account Wagering Hubs, recommended approval, stating that the application met all of the ORC compliance requirements.
- ⇒ Chair Johnson requested BetPad's verbal confirmation of specific details in their operating plan to provide on the record verification that they were in compliance with the Oregon statutes, rules and application requirements.

- ⇒ In response to Commissioner Huber's request for information regarding horse safety and Portland Meadows' follow-up to a recent evaluation of the track surface, Mr. Alempijevic explained that in March, a track consultant, Dan Koon of Charles Koon and Sons, visited Portland Meadows and provided some recommendations. Subsequent to those recommendations, Portland Meadows: purchased a material spreader for the timely application of additional material to the racing surface; had the race track surveyed; was now conducting monthly surface testing and keeping a log of each analysis; currently in the process of retrofitting the water trucks; and planned to continue to investigate the other recommendations.
- ⇒ In response to Commissioner Dudley's questions, Mr. Alempijevic explained that they were proposing a 720 race schedule over 79 days, beginning the first Monday in October and ending on a Saturday in May, Kentucky Derby day. He explained that it extended the meet five weeks compared to last year, but that they would be able to maintain the track by responding to any deficiencies found during the monthly surface testing.

ACTION: MOTION (Robson) Table this agenda item until the next commission meeting to allow time for Portland Meadows to obtain a completed purse agreement with the OHBPA.

VOTE: 5 Aye, 0 Nay

10. Legislative Update

a. Senate Bill 198

Executive Director Evers explained that Senate Bill 198 (Bill) provided the commission more authority to immediately suspend an ADW license. The Bill passed both houses, was signed by the Senate President on June 10th, and next needed signatures from the Speaker of the House and the Governor.

b. House Bill 5044

Executive Director Evers stated House Bill 5044 was the commission's budget bill, it was signed by the Governor on May 26, 2009, and it would become effective on July 1, 2009.

11. Sub-Committee Update Reports

a. Advanced Deposit Wagering and Multi-jurisdictional Hubs

Chair Johnson stated that the subcommittee would be scheduling a meeting in the near future.

b. Best Practices

Commissioner Dudley stated that he would have the Best Practices document in a work sheet format for the commissioners to utilize at the retreat being held in Prineville at the Stafford Inn immediately following the commission meeting on July 7, 2009.

b. Budget and Hub Funds

Nothing additional to report.

c. Medication and Horse Welfare

Commissioner Huber stated that the committee did not meet this month, but planned to meet again before the July meeting.

12. Action on the Proposed Order for Dennon W. Wells

ACTION: MOTION (Dudley) Adopt the Proposed Order with the caveat that he not be able to reapply for 24 months.

.VOTE: 5 Aye, 0 Nay

13. Confirmation of Next Commission Meeting - July 7, 2009, in Prineville, Oregon

All commissioners present indicated that they would be able to attend the next meeting.

14. Public Comment

⇒ Executive Director Evers stated his appreciation to the ADWs for their level of communication and openness throughout the ORC license application process. He also appreciated their responsiveness to requests from the ORC's new hub manager, Audrey Kauffman.

There being no further business, the meeting was adjourned.