

**OREGON RACING COMMISSION
MEETING MINUTES ~ JUNE 25, 2010**

Corrected Version

MEETING DETAIL

The Oregon Racing Commission met on Friday June 25, 2010 at 3:00 pm in the Arts and Crafts Building at the Josephine County Fairgrounds located at 1451 Fairgrounds Road, Grants Pass, Oregon.

In Attendance

Commissioners: Stan Robson (Chair), Christopher Dudley (Vice Chair), Michael Huber, DVM, Kerry Johnson, Charles Williamson

Staff: Randy Evers (Executive Director), Kelly Gabliks (Assistant Attorney General) and Audrey Kauffman (ADW and Pari Mutuel Manager)

Call to Order

Commission Chairman Stan Robson called the meeting to order at 3:00pm.

Executive Director Randy Evers introduced Don Jackson and thanked him for his contribution to the Grants Pass Downs race track.

Agenda Items

1. June 25, 2010 Meeting Agenda

Action: Motion to approve the agenda.

Moved by: Commissioner Huber

Seconded: Commissioner Williamson

Vote: 5 ayes, 0 nays

2. May 20, 2010 Meeting Minutes

Action: Motion to approve **May 20, 2010** Commission meeting minutes as submitted.

Moved by: Commissioner Williamson

Seconded: Commissioner Dudley

Vote: 5 ayes, 0 nays

3. Subcommittee Update Reports

a. Advanced Deposit Wagering and Multi-jurisdictional Hubs

No report

b. Best Practices

No report

c. Budget and Hub Funds

Commissioner Robson and Commissioner Johnson met with Executive Director Evers regarding the budget prior to the Commission meeting on June 25, 2010 from 1:00-2:30. The budget subcommittee will present recommendations in July.

d. Medication and Horse Welfare

Commissioner Huber stated that they are monitoring safety and welfare of the horses with diligence.

4. Multi-jurisdictional Simulcasting and Interactive Advance Deposit Wagering Totalizator Hub Licensing Renewal:

Vincent Caldwell represented Racing 2 Day, LLC before the Commission in the matter of their application for license renewal. Mr. Caldwell favorably answered the questions from the due diligence check-list asked by Commissioner Johnson. Audrey Kauffman accompanied Mr. Caldwell and recommended full license renewal without conditions.

Action: Motion to approve Racing 2 Day LLC for license renewal based on their application as submitted and responses to the questions posed by Commissioner Johnson on behalf of the Commission.

Moved by: Commissioner Williamson

Seconded: Commissioner Johnson

Vote: 5 ayes, 0 nays

5. Oregon Racing Inc. (Portland Meadows) License Renewal:

Oregon Racing Inc., dba Portland Meadows formerly MEC Oregon Racing, dba Portland Meadows from here forward referred to as Portland Meadows (PM). Will Alempijevic, General Manager of Portland Meadows, was present to represent PM before the Commission in the matter of their application for license renewal.

Will began his presentation with an apology. It was not his intention regarding their license renewal to have any deficiencies in the application and that he did not mean to put the Commission in a difficult position.

Will included with the application a copy of their surety bond, insurance binder (both needing updating) and a draft of the HBPA contract.

Will stated that PM has closed one of the OTB sites located in St. Johns. The closure was in the best interest of both parties. With regards to simulcast wagering just as in previous years PM would like to maintain the ability to close an OTB track site. PM has contract approval from the HBPA regarding closures.

PM submits all OTB simulcasting agreements to Jill Miller the tote auditor with the Oregon Racing Commission for review.

Kelly Gabliks, Assistant Attorney General for the Oregon Racing Commission questioned Will regarding the dates on the surety bond and insurance binder.

Will stated the reason these two documents were not updated was due to the name change from MEC Oregon Racing to Oregon Racing, Inc. The updated documents had been delayed and that he expected the new documents by Tuesday June 29, 2010.

Commissioner Robson questioned Will and the HBPA as to why Portland Meadows and the HBPA did not have a ratified contract.

Dick Cartney and Ron Sutton came before the Commission to represent the HBPA. Dick Cartney stated that due to vacations and unavailability it had been very difficult scheduling a time to assemble for voting. Commission Robson questioned the HBPA further for an explanation on the "un-timeliness" of the negotiations. Ron Sutton stated until the HBPA knew the results of the MEC bankruptcy all negotiations were regarding the purchase of Portland Meadows not renegotiating a new racing agreement. Ron explained when the purchase of Portland Meadows was no longer an option negotiations began on the new racing agreement. Ron stated that the HBPA would have the ratified contract by 12:00 noon Tuesday June 29th.

Commissioner Williamson questioned Will Alempijevic about any possibility of increases to purse money. Will stated that there is a possibility.

Commission Chairman Stan Robson questioned Hub Manager Kauffman as to any recommendation she might have regarding the license renewal for Portland Meadows. Hub Manger Kauffman said "At this time the due diligence report was submitted out to everyone and as far as I know I haven't seen the bond so, you know it hasn't changed much in any conversation so I cannot make a recommendation at this time to approve it based on what I originally had."

Action: Motion to approve license renewal for Oregon Racing, Inc. (Portland Meadows) conditionally on ratification of the racing contract, updated surety bond and insurance binder by Tuesday June 29, 2010.

Moved by: Commissioner Williamson

Seconded by: Commissioner Dudley

Vote: No vote was taken. Commission Chairman Stan Robson stated that the Commissioners needed to have an executive session before voting.

Commissioner Huber posed the question to Dick Cartney of the OBPA. If he were on the Commission board would he approve the Portland Meadows license renewal based on an un-ratified racing contract between OBPA and Portland Meadows?

Dick Cartney declined to comment. Ron Sutton offered to comment. He stated that he would approve "conditionally" because all parties are in agreement they just need to vote and the soonest they could all assemble is Tuesday June 29, 2010.

Kelly Gabliks (Assistant Attorney General) sited statute ORS192.660 (2) (h). All present at the meeting were excused at 3:45 pm temporarily for the executive session which lasted thirty minutes.

The meeting reconvened at 4:15 pm. Commissioner Huber questioned Will regarding whether Portland Meadows would have the all the updated documents and ratified contract by June 30, 2010? If so, the Commission could have an Emergency teleconference to vote on the matter of PM license renewal?

Will stated PM would have all the documents by June 30, 2010.

Action: Motion to approve license renewal for Oregon Racing, Inc. (Portland Meadows) conditionally on ratification of the racing contract, updated surety bond and insurance binder by Tuesday June 29, 2010.

Moved by: Commissioner Williamson

Seconded by: Commissioner Dudley

Vote: Commissioners Williamson & Dudley -Aye
Commissioners Robson, Huber & Johnson - Nay

Commissioner Robson stated that the Chair had voted NO to approve conditionally

Action: Motion to give Portland Meadows until 5:00 pm Tuesday June 29, 2010 to obtain updated surety bond, insurance binder and a ratified agreement between Portland Meadows and the HBPA before approval for license renewal.

Moved by: Commissioner Johnson

Seconded by: Commissioner Huber

Vote: 4 Ayes - Commissioners Robson, Huber, Johnson & Williamson
1 Nay - Commissioner Dudley

Commissioner Robson instructed Executive Director Evers to e-mail the documents to each of the commissioners after he receives them on Tuesday June 29, 2010 for review.

CONTESTED CASES:

NONE

INFORMATION MATERIALS AND APPROVALS:

6. **Approval of OTOBA to disperse the Owner's Bonus and Breeder Award checks for the 2009/2010 year.**

Gay Welliver and Executive Director Wendie Hayes-Pounds were in attendance to represent the OTOBA for the approval of the award checks. Gay stated the checks are in recognition of the horses that ran at Portland Meadows. The payout is for winners only and is ten percent of the total winnings of the 2009/2010 race meet which was \$434,527.00. These checks are awarded to the owner/breeder of record.

Action: Motion to approve OTOBA to disperse the Owner/Breeder award checks for the 2009/2010 year.

Moved by: Williamson

Seconded by: Johnson

Vote: 5 ayes, 0 nays

7. **Approval of race meet officials and medications for crooked River Roundup**

Documentation submitted from Crooked River Roundup was presented for review. Executive Director Randy Evers recommended approval of the officials; take-out, Bute and Lasix for all four days of the race days.

Action: Motion to approve the officials; take out, Bute and Lasix as submitted by Crooked River Roundup for all four race days.

Moved by: Commissioner Williamson

Seconded by: Commissioner Dudley

Vote: 5 ayes, 0 nays

8. **Approval of race meet officials and medications for Tillamook County Fair**

Documentation submitted from Tillamook County Fair was presented for review. Executive Director Randy Evers recommended approval of the officials; take-out, Bute and Lasix for all four days of the race days

Action: Motion to approve the officials; take out, Bute and Lasix as submitted by Tillamook County Fair for all four race days.

Moved by: Commissioner Williamson

Seconded by: Commissioner Johnson

Vote: 5 ayes, 0 nays

Rules:

Executive Director Evers stated the legislative concepts have been approved by the Governor's office and have been moved forward to Legislative counsel for drafting.

Other Business as may properly come Before the Commission:

NONE

PUBLIC COMMENT:

NONE

There being no further business, the meeting was adjourned at 4:45.

