



## MINUTES

Oregon Racing Commission  
October 18, 2012

### Meeting Detail

The Oregon Racing Commission (ORC) met on Thursday, October 18, 2012 in Room 1A of the Portland State Office Building located at 800 NE Oregon Street, Portland, Oregon.

### Call to Order

Commission Chair, Stan Robson, called the meeting to order at 1:30pm.

### In Attendance

**Commissioners:** Chair Stan Robson, Vice-Chair Chris Dudley, Commissioner Charles Williamson, Commissioner Jan Palmer, DVM and Commissioner Michael Huber, DVM

### Staff

Randy Evers (Executive Director) and Kelly Gabliks (Assistant Attorney General)

## AGENDA ITEMS

### Approvals:

#### **October 18, 2012 Meeting Agenda**

**Action:** Motion to approve the agenda as submitted.

**Moved by:** Commissioner Dudley

**Seconded:** Commissioner Huber

**Vote:** Chair Robson took roll and the results were 5 Ayes, 0 Nays

#### **September 20, 2012 Meeting Minutes**

**Action:** Motion to approve the September 20, 2012 Commission meeting minutes as submitted.

**Moved by:** Commissioner Williamson

**Seconded:** Commissioner Dudley

**Vote:** Chair Robson took roll and the results were 5 Ayes, 0 Nays

Old Business:

Sub-Committee Update Reports:

- a. Advanced Deposit Wagering (ADW) and Multi-jurisdictional Hubs  
Commissioner Williamson stated that the sub-committee had not met since last month. He stated that he had some concerns about the change to the ADW work. This department will not have a full time manager after December. Existing Commission staff will cover the duties of the position after this time. Commissioner Williamson stated that he is not proposing any action at this time.
- b. Best Practices  
No Report
- c. Budget and Hub Funds  
No Report
- d. Medication and Horse Welfare  
Commissioner Huber stated that the sub-committee met the morning of the ORC meeting. He stated that the group discussed the summer race meets. They also discussed the rule change for Clenbuterol. He stated that there have not been any positive tests for Clenbuterol and that the ORC has not received any complaints regarding the temporary rule that is in place for the use of Clenbuterol. He stated that the group discussed some of the rules being proposed by the Racing Commissioners International (RCI). The sub-committee also had discussion regarding personnel at the race track.
- e. Executive Director's Report  
Executive Director Randy Evers stated that the Tillamook County Fair hired a new fair manager. Her name is Miranda Muir. He stated that the ORC will schedule a meeting to educate her on the race meet.

Executive Director Evers reported that Grants Pass ran an article regarding the concern for their race meet. He stated that Wes Brown has resigned as fair manager and that they have an interim manager at the moment. He reported that he would be attending a meeting in Grants Pass on Tuesday October 23<sup>rd</sup> to discuss the direction of the race meet with the fair board. There is a possibility that the Southern Oregon Horse Racing Association (SOHRA) may take over running the race meet.

Executive Director Evers informed the group that the website is still having a few problems due to the updating that was done statewide. He stated that if anyone has any issues or problems trying to find information on the ORC website to feel free to call the Administrative Office for assistance.

Executive Director Evers stated that the ORC office would be closed on Friday, October 19<sup>th</sup> for a mandatory furlough day.

f. **Portland Meadows' Report**

Will Alempijevic, General Manager of Portland Meadows (PM) provided a copy of the regular monthly PM report to the Commissioners. He reported that there have been 37 race days since the beginning of the race meet through October 14<sup>th</sup>. PM had thirty-five full live days and two days with partial cancellations. He stated that PM has run 316 races with 2,092 starters for an average of 6.62 runners per race. This is a drop of .95 runners per race as compared to last meet.

Mr. Alempijevic stated that the total amount in purses paid out year-to-date is \$1.4 million versus \$1.5 million last meet. He stated that wagering on live on track races has averaged \$32,000.00. This is an increase of more than 40% over last meets \$22,000.00.

Mr. Alempijevic stated that PM has seen some gravitation of bets at the off-track betting sites (OTBs) from betting on PM races to betting on other tracks. The average handle on a daily basis at the OTBs is \$3,900.00 versus \$7,500.00 during the previous meet.

Mr. Alempijevic reported that the total in-state handle on races is \$36,000.00 per race day versus \$30,000.00 for the previous meet. This is an increase of 19%. He stated that PM has processed almost \$7.8 million in wagers on export sales to date compared to \$21.5million last meet. This is an almost 62% drop.

Mr. Alempijevic stated that with regard to wagering in Oregon on-track PM processed just over \$5million in bets which is a 27% increase over the \$4million figure from the previous year. PMs OTB network processed \$4million in bets which is an 8% drop.

Mr. Alempijevic stated that PM closed their Grants Pass off-track betting site on Sunday, October 14, 2012 due to lack of business.

Mr. Alempijevic stated that PM has a couple of big events coming up. The first one is live racing on the "Breeder's Cup" race day. PM has several events happening on that weekend and has done a large amount of advertising for it. The dates are Saturday, November 3<sup>rd</sup> and Sunday, November 4<sup>th</sup>.

The second event, Oregon Championship Day will be held on Sunday, November 18<sup>th</sup>. Mr. Alempijevic stated that PM is very happy to announce that Spirit Mountain Casino will be the title sponsor for the day.

g. **Future of Racing in Oregon Group (FROG) update**

Commissioner Palmer stated that FROG appointed a sub-committee and scheduled a meeting on October 4, 2012 with representatives from the Eastern Oregon Livestock Show (EOLS), Union, OR and Harney County Fair (HCF), Burns, OR to discuss the future of their race meets. Unfortunately, no one from Union was able to attend. Don Slone was present to represent HCF. Commissioner Palmer stated that the meeting went very well. There was good, honest discussion as to what needs to be done. One of the main points that came out is that there needs to be better communication between all parties.

Commissioner Palmer reported that the last FROG meeting was on Thursday, October 11, 2012. The majority of that meeting was spent learning how the lobbyists from the various horsemen's groups and PM will approach the upcoming legislative session.

New Business:

**Administrative Rule Adoption:**

Commissioner Williamson stated that he presided over the ORC administrative rule hearing that was held in room 1A of the Portland State Office Building ahead of the ORC Commission meeting. The purpose of the hearing was to provide stakeholders and the public an opportunity to give testimony regarding the adoption of the permanent rule that replaces the temporary rule for the use of Clenbuterol.

Commissioner Williamson reported that no one objected and there was no testimony given. He recommended that the ORC adopt the rule permanently and made a motion to approve the rule with one small grammatical correction.

**Action:** Motion to approve the adoption of the temporary rule as permanent regarding the use of Clenbuterol.

**Moved by:** Commission Williamson

**Seconded:** Commissioner Huber

**Vote:** Chair Robson took roll and the results were 5 Ayes, 0 Nays

Information, Materials and Approvals:

None

Contested Cases:

Judith Beudet – Final Order by Default:

Assistant Attorney General Kelly Gabliks presented the Beudet case to the Commissioners. Ms. Gabliks stated that there were questions raised by race officials toward the end of the last race meet as to whether or not Ms. Beudet was properly caring for her horses. Staff at PM and the ORC inspected the horses and it appeared at that time that they were being fed and watered. However, Ms. Beudet had an oral agreement with a gentleman to care for his horse "Macarena Star" but, when the race meet was over, she left Portland Meadows and went back to Idaho.

Ms. Beudet left the horse that she agreed to be responsible for. She did not make any arrangements for the horse's care or inform the owner that she was leaving. Fortunately there were horsemen at the track that noticed that the horse was not being cared for and notified PM and the ORC stewards. The horsemen began caring for the horse until the situation could be resolved. The Board of Stewards imposed the maximum penalty of a 365 day suspension and referred it the ORC Board for consideration of revocation. Ms. Gabliks informed the Commissioners of the options that could be imposed. Ms. Gabliks stated that they received a report that Ms. Beudet was as of a couple of weeks

ago living in Montana and they have seized her horses for neglect as she was living out of her truck in a park and keeping her horses in her trailer.

**Action:** Motion to revoke Judith Beaudet's license for five years.  
**Moved by:** Commission Vice-Chair Dudley  
**Seconded:** Commissioner Williamson  
**Vote:** Chair Robson took roll and the results were 5 Ayes, 0 Nays

James Whiteside- Final Order by Default:  
Assistant Attorney General Kelly Gabliks presented the Whiteside case to the Commissioners. She stated that Mr. Whiteside had substance abuse issues back in 2009 and his jockey license was revoked until 2011. In 2012, he applied for a jockey license and the Board of Stewards granted Mr. Whiteside an exercise rider license. The license was granted with the condition that he enter into an agreement to have random drug testing, to which he agreed, and was required to attend a substance abuse program, which he did.

He was tested in June of 2012 and the results were positive for methamphetamine (meth). The Board of Stewards suspended his license. Mr. Whiteside requested that the split sample be sent to another lab for testing. The sample was sent and it, too tested positive for meth.

The Board of Stewards imposed a maximum penalty of 365 days suspension and referred the case to the Commission for revocation.

**Action:** Motion to revoke James Whiteside's license for five years.  
**Moved by:** Commission Vice-Chair Dudley  
**Seconded:** Commissioner Williamson  
**Vote:** Chair Robson took roll and the results were 5 Ayes, 0 Nays

**Other Business As May Properly Come Before the Commission:**

Chair Robson appointed Commissioner Williamson and Palmer as a committee to forward nominations for Chair and Vice-Chair.

**Public Comment:**

None

**Confirmation of the Next Commission Meeting:**

Thursday, November 15, 2012 Room 1A of the Portland State Office Building at 1:30p.m.

**Adjournment:**

There being no further business, the meeting was adjourned at 2:17p.m.