

MINUTES

OREGON RACING COMMISSION SEPTEMBER 24, 1998

The Oregon Racing Commission met on Thursday, September 24, 1998, at 1:30 p.m. in the 4th floor east end banquet area at Multnomah Greyhound Park, 223rd and Glisan Streets, Wood Village, Oregon. Commissioners in attendance were Stephen Walters, Chair; Laura Fine, Vice Chair, Tom Towslee and Baltazar Ortiz. Richard Reid was excused. Prior to starting the meeting Chair Walters thanked MGP for hosting the meeting and providing the buffet. Agenda items were discussed in the following order with resulting actions:

1. Minutes of the August 20, 1998 Commission Meeting

ACTION: MOTION(Towslee) Approve minutes as submitted.

VOTE: 4 Aye, 0 Nay, 1 Excused

2. Purchase of Commercial Property in Boring by the OGA

Jack Bennett reported a piece of property became available this past July that is ideally located for them in Boring. The purchase price is \$165,500. A membership vote was taken, and of the 30 responses only 2 voted no on the purchase. The new site would also house the winter commissary for the greyhound farms. The catalyst for this action is the putting up for sale their current location. Steve Barham recommended approval of the purchase.

ACTION: MOTION(Fine) Proceed with the purchase of the property located at 28425 SE Highway 212 in Boring.

VOTE: 4 Aye, 0 Nay, 1 Excused

3. Distribution of 1998 Grants Pass Oregon-bred Bonus Monies by Oregon Appaloosa Racing Association

Steve Barham stated he came up with different numbers than originally submitted. He recommended approval for payment of the amounts in the hand-written column.

ACTION: MOTION(Towslee) Approve payment as amended by Steve Barham.

VOTE: 4 Aye, 0 Nay, 1 Excused

4. Distribution of Greyhound Breakage Monies to OGBA and/or GFO

Kirk Schaffer and Charlie Williamson representing the OGBA and Terry Washburn and Ron Floyd representing the GFO reported on events since the last meeting, and basically said that, even after having met with a mediator to help them resolve some of their differences, no issues had been resolved. After hearing comments from both sides, Chair Walters stated it appeared the primary issue was funding. While it seemed the parties were closer on the issue of inspections than they were before, it only appeared to be a short-term solution. The long-term and more fundamental issue, funding, still remains unresolved. He went on to say their seemed to be widely different views of the OGBA as an organization, to whom it is responsive and how it operates. It is not the job of the

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commission to get in the middle of the issue, however, it is a concern to the commission when a significant number of members of the organization at least have the perception that their interests are not being represented, that they are not being listened to, and that they have issues with the organization. To have an organization operate well you at least have to have a consensus on the direction of the organization. Chair Walters offered a couple of options, which the commission discussed.

ACTION: MOTION(Towslee) Restore funding to the OGBA with instructions to the executive director to keep an eye on what is happening within the OGBA to make sure the organization is taking into account concerns of dissatisfied members, and that they, in turn, are making an effort to work within the organization. The motion was amended to have the executive director investigate and report back to the commission on his conclusions on these issues.

VOTE: 4 Aye as amended, 0 Nay, 1 Excused

5. Request by Darrell and Vicki Lee for Lifting of Exclusion Orders

Chair Walters asked Mr. and Mrs. Lee whether or not they had any presentation or comments they would like to make regarding their request. Mr. Lee responded by saying the only thing that had changed and should be added to the record was that he and Vicki were in the process of buying a restaurant which would also mean they would have to have a gambling license and a license from the Liquor Control Board. During a meeting with the Washington State Gambling Commission they were told that as long as they were excluded from the State of Oregon they would not be able to get a license from the Washington State Gambling Commission. Following Mr. Lee's comments, Chair Walters summarized the events and the correspondence that had taken place between the commission and Mr. and Mrs. Lee regarding their request to have the exclusion orders lifted. Chief Investigator Mannix had been asked to contact people listed by the Lees as references, to which several had supported their statements. A couple of people, however, gave information about their record of compliance with rules and regulations in the State of Washington that was disturbing in that their record was not very good. At least one individual recommended not lifting the exclusion orders for Mr. and Mrs. Lee. It was decided to have Mr. Mannix continue the investigation until he gets all the requested information to make sure we have a complete picture of all of the materials that have been assembled as part of this investigation. Once the materials have been received, everything will be made available to Mr. and Mrs. Lee for their review and response. The request will be placed on the October meeting agenda.

6. Multnomah Greyhound Park Update

Carl Wilson reported the Oregon live handle is down 4.4%, the total live handle is down .4%, the horse simulcast is down 5.8%, the greyhound simulcast is up 12.5%, with the total simulcast handle down .2% and the total handle down .3%. He reported they had a great Derby and Oregon Futurity as well as some good stakes races. There were also good turnouts for Retired Racer Day and Make-A-Fast Friend Day. The newest OTB site is the New Copper Penny, bringing the total to 17 sites. The OTB site in Umatilla closed due to renovation by new owners, and its future as an OTB site is unknown at this time. The fire department controlled the burning of the house and barns, and the training track is in the process of

being removed in preparation for the new construction scheduled to begin following the end of the race meet.

7. Oregon State Fair Update

Clifton Lewis reported they handled slightly over \$1 million for the meet, which averaged out to about \$95,000 per day. One-third of the handle came from the OTB sites and two-thirds from the live on-track. Financially they made more revenue than estimated and their expenses were less than anticipated.

8. Report on OTBA Sale

Ursula Gibbons reported they had a very good sale this year at the Salem fairgrounds. The average was up slightly, and they had a buyer come down from British Columbia who purchased eight horses.

9. Out-of-State Horse Simulcasting Approval Issues

The commission directed staff to prepare a proposed rule for their consideration on the issue of out-of-state horse simulcasting, and expressed great displeasure in the apparent activities of the Oregon HBPA. It should be noted there were no representatives from the HBPA present for the meeting even though they had been notified that the item had be placed on the agenda for discussion at the September meeting.

10. Approval of Proposed Final Orders

a. Tim L. Abraham

ACTION: MOTION(Fine) Adopt proposed final order as prepared by the executive director as final order. It is noted the fine was paid when Mr. Abraham received notice to appear for the hearing.
VOTE: 4 Aye, 0 Nay, 1 Excused

b. Vernon C. Bigham

ACTION: MOTION(Ortiz) Adopt proposed final order as prepared by the executive director as final order. It is noted payment of the \$200.00 fine was received on 9/22/98.
VOTE: 1 Aye (Ortiz), 4 Nay (Walters, Fine Towslee), 1 Excused
ACTION: MOTION(Fine) Amend final order to impose \$100.00 fine in addition to the \$200.00 already fined with no suspension.
VOTE: 4 Aye, 0 Nay, 1 Excused

c. Charles D. Essex III

ACTION: MOTION(Towslee) Adopt proposed final order as prepared by the executive director as final order. It is noted payment of the \$100.00 fine imposed in the order has already been received.
VOTE: 4 Aye, 0 Nay, 1 Excused

11. Approval of Final Orders by Default

a. Kevin Knudsen

ACTION: MOTION(Fine) Adopt order suspending Mr. Knudsen immediately and for a period of 30 days following payment of the fine.
VOTE: 4 Aye, 0 Nay, 1 Excused

b. James A. Tracy

ACTION: MOTION(Towslee) Adopt order suspending Mr. Tracy immediately and for a period of 30 days following payment of the fine.

VOTE: 4 Aye, 0 Nay, 1 Excused

There being no further business, the meeting was adjourned.