

**MINUTES OF THE  
WV RACING COMMISSION  
Friday April 15, 2011  
Hollywood Casino @ Charles Town Races**

The WV Racing Commission met on April 15, 2011, at 10:00 AM to conduct business and consider administrative matters. Roll call was taken and present were Chairman Joe Smith, with Commissioner Jack Rossi and Commissioner Greg McDermott via conference call. Counsel was represented by Kelli Talbott.

**Approval of March 18, 2011 minutes.**

The Commissioners and both attorneys received the minutes from the March 18, 2011, meeting prior to this meeting. An amendment was suggested by Mr. Amores to add additional information in the section headings. Greg McDermott moved to accept the minutes as amended, Jack Rossi seconded the motion. The Commissioners approved the March 18, 2011 minutes as amended by unanimous consent.

**Update, Wheeling Island planned changes and improvements.**

Mike Maestle, Vice President of Operations at Wheeling Island, made a presentation in which he informed the Commission that the resurfacing of the track has been successful for the safety of the greyhounds, with injuries significantly less. The track hired a track surface manager to keep it in optimum condition. He also relayed the potential for self-serve betting kiosks. Mr. Maestle also stated that management is committed to racing, and that planned physical improvements are being reviewed. He further said that he came from the racing side of the business, and he is always mindful that the track existed before the casino operations did, and he wants the track to continue and thrive. Chairman Smith thanked him for his presentation.

**Mountaineer track, capital improvement request of \$266,362.30 for water softening system and storage building.**

Upon motion of Mr. Rossi, seconded by Mr. McDermott, the Commission deferred further discussion until more information is available.

**Approval of a standard rate for substitute veterinarians.**

Upon motion of Mr. Rossi, seconded by Mr. McDermott, the Commission approved to standardize the rate, which will be \$250.00 per performance.

**Update, field audits and scheduling of track audits.**

Becky Carnefix, Director of Audits, provided the dates of her upcoming audits at each of the tracks. Chairman Smith stated the critical need for regular field audits. Mr. Rossi requested reports to the Commissioners by Ms. Carnefix following each audit.

**Approval of a security guard for jockey's room in Charles Town.**

Upon motion of Mr. Rossi, seconded by Mr. McDermott, the Commission approved the hiring of a security guard by the track, to be delayed until May 17, 2011. The Commission afforded the track the opportunity to show good cause why a security guard should not be hired, and why the Commission should adopt the track's position of prohibiting the jockeys' return to the locker room following weigh-ins immediately prior to their race.

**Update, new personnel search and hiring.**

Upon motion of Mr. Rossi, seconded by Mr. McDermott, the Commission approved the hiring of Dr. Metz as a regular part time veterinarian at Mardi Gras. Mr. Amores informed the classified postings and interviews are underway for judges, stewards, guards, Greyhound Development Fund clerk, and CFO.

**Update, Thoroughbred Development Fund overpayment recovery and owner payments.**

Mr. Amores informed the Commission of a 90-95% recovery of the overpayment to date. Chairman Smith requested the names of those not responding to the second request.

**Update, 10-10-10 payments, supplemental funding request.**

Mr. Amores informed that the bill passed and has been submitted to the Secretary of State, the payments will begin again in September, 2011.

**Update, PNGI Charles Town Gaming, LLC vs. Lawrence Reynolds, et al.**

Ms. Talbott stated that Mr. Reynolds was ejected from the track and has a \$1000.00 penalty fine for the weigh-in infraction. The appeal of this matter was approved to be heard before the WV Supreme Court. Oral arguments on the case should be in the fall.

**RCI article, calling for phase out of all drugs in thoroughbred racing.**

Mr. Amores stated the article announces a possible trend in state rules over the next few years. Mr. Hale, Charles Town HBPA, will be providing a response to the article shortly.

**Approval of Mardi Gras requests: conduct Sunday night racing and the lowering of take-out rate from 16.3% to 9.4%.**

Upon motion of Mr. McDermott, seconded by Mr. Rossi, the Commission approved to conduct Sunday night racing rather than the matinee.

Upon motion of Mr. McDermott, seconded by Mr. Rossi, the Commission will allow the lowering of the take-out rate. Mike Staats of Mardi Gras stated this is how it is done in FL to return more money to the wagering public, allow the pools to grow, and encourage bigger players.

**Update, Office of Technology evaluation and recommendations.**

Mr. Amores relayed that initial meetings with OT have begun. OT will provide evaluation as well as a set of recommendations. More efficient software as per state statute and per auditors needs to be installed. A scope of work from OT and cost estimates are forthcoming.

**Marketing efforts – WVRC Facebook page.**

Upon motion of Mr. Rossi, seconded by Mr. McDermott, the Commission agreed to defer this matter until the Director has had time to concur with counsel.

### **Update, implementation of new agency rules.**

Ms. Talbott stated the pari-mutuel and wagering rules are effective May 10, 2011, the greyhound and thoroughbred rules are effective July 10, 2011 and procedural rules are effective May 7, 2011. Chairman Smith agreed to look into whether a standing committee of stewards, judges and legal counsel would be helpful to make the rule making process more efficient.

### **New forms for stewards' and judges' hearings.**

Ms. Talbott explained the need for uniformity and easy to understand forms for use by the judges, stewards and the general public. All forms will eventually be available on the Racing Commission webpage.

### **Update, track camera at Charles Town.**

The cameras were moved into a better position on the track, in accordance with the Stewards.

## **PUBLIC COMMENTS**

Lenny Hale  
Maria Castignani  
Trevor Hewick  
Karen Woodson

With no further business, the meeting was adjourned at 11:30 AM.

## **NEXT COMMISSION MEETING**

The next Racing Commission meeting is scheduled for May 16, 2011 at 10:00 AM in Charleston at the Lottery Conference Room.