

MINUTES
WV RACING COMMISSION
Friday, April 13, 2012 10:00 A.M.
The Inn at Charles Town

The WV Racing Commission met on April 13, 2012, 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 and Anthony Eates.

Approval of February 17th Minutes

The Commissioners and both attorneys received the minutes from the February 17th, 2012 meetings prior to this meeting. Mr. McDermott moved to accept the minutes, Mr. McDermott seconded the motion. The Commissioners approved the February 17th, 2012 minutes by unanimous consent.

Approval of February 27th Minutes

The Commissioners and both attorneys received the minutes from the February 27th, 2012 meetings prior to this meeting. Mr. McDermott moved to accept the minutes, Mr. McDermott seconded the motion. The Commissioners approved the February 27th, 2012 minutes by unanimous consent.

Approval of March 21st Minutes

The Commissioners and both attorneys received the minutes from the March 21st, 2012 meetings prior to this meeting. Mr. McDermott moved to accept the minutes, Mr. McDermott seconded the motion. The Commissioners approved the March 21st, 2012 minutes by unanimous consent.

Recommended decision of hearing examiner, Jennifer Johnson appeal

Upon motion by Mr. Rossi, seconded by Mr. McDermott, the Commission agreed with the hearing examiner's recommendation to uphold and affirm the Steward's ruling against Ms. Johnson, including the revocation of the purse.

Proposed Amendments to Thoroughbred, Greyhound and Pari-Mutuel Wagering Rules

Mr. Eates spoke of two changes in the greyhound rules.

- 1) Trainers not available at weigh-ins were previously allowed to have another permit holder be present. Now the trainer must be on the grounds.
- 2) To run no less than 8 dogs per race, unless prior permission by the Commission, not including when scratches occur.
- 3) A section adding the brakeman who stops the lure.

Upon motion by Mr. Mc Dermott, seconded by Mr. Rossi, the Commission approved the proposed changes, following the 30 day public comment period.

Ms. Talbott spoke of changes Pari-Mutuel into compliance with RCI rules. Changes are to the superfecta rules to allow 4 betting interests. Added options for payout for trifecta, and fixed the pari-mutual rules so it aligned with the thoroughbred rules. Upon motion by Mr. McDermott, seconded by Mr. Rossi, the Commission approved the changes.

Ms. Talbott updated for the thoroughbred rules:

- 1) Upon motion by Mr. Mc Dermott, seconded by Mr. Rossi, the Commission approved the rules where there is a consensus.
- 2) Age of permitting from 16 to 18 it will remain at 18, except owners. It was suggested that the RCI model rule for minimum age be used. When the motion was made to adopt the RCI guidelines, it failed for lack of a second, so it remains 18 years old.
- 3) The threshold for alcohol while on the track, currently at .05 as is RCI's model rule. It was discussed to lower it to .04. When the motion to lower it to .04, the motion failed for lack of a second, so it remains .05, as is RCI's model rule.
- 4) Medications rule: eliminate adjunct medications like RCI's model rule. Lasix should be the only medication on race date. Upon motion by Mr. McDermott, seconded by Mr. Rossi, the Commission approved to ban adjunct medications.
- 5) Medication penalty rule: A discussion was held to increase the penalties to be equivalent to RCI's model rules. Upon motion by Mr. Mc Dermott, seconded by Mr. Rossi, the Commission approved to adopt RCI's penalties.

Jockey Mount Fee Issue

Upon motion by Mr. Rossi, seconded by Mr. McDermott, the Commission required that the track pay the owed money to the jockeys. Erich Zimny said it will have to be manually recalculated for the period from July 10, 2011 to Jan. 25, 2012. Mr. Lowe admitted the difficult part will be getting money from all of the owners.

Backstretch pension plan -- update

Mr. Amores stated that all 3 counsels are working together to adapt a revised pension plan. He said they expect to have it for the next Commission meeting.

Capital improvement request, Charles Town Races, \$9,500.

Upon motion by Mr. McDermott, seconded by Mr. Rossi, the Commission agreed to the request.

Capital improvement request from Charles Town Races for awning, from \$100,000 to \$102,000

Upon motion by Mr. McDermott, seconded by Mr. Rossi, the Commission agreed to the increase in the capital request.

Mardi Gras Racetrack, request to continue Thursday evening racing

Upon motion by Mr. Rossi, seconded by Mr. McDermott, the Commission will allow the racing to continue on Thursday evenings.

Approval of Michael Rode, DVM, as backup veterinarian at Charles Town Races

Upon motion by Mr. Rossi, seconded by Mr. McDermott, the Commission will proceed with the hiring process for Dr. Rode.

Wheeling Island kennel compound issues / progress on repairs

Ms. Horvath announced the repair of pot holes, kennels, fencing, and fire alarms. The kennel wall that fell has been rebuilt and it all looks great. They are still getting quotes for other repairs, and she will update the progress at the next meeting.

2012 staggered permit renewals – update

Mr. Amores spoke that Larry has converted the computer system for all of the license clerks, but that currently they are all swamped. Staggering the permits will only be for 2012, then things should go much more efficiently in the future.

Mountaineer Racetrack, request for \$800,000 for promotional activities for the West Virginia Derby

Upon motion by Mr. McDermott, seconded by Mr. Rossi, the Commission approved the request. Ms. Williams spoke about having a band in the courtyard, riders doing autograph sessions, pony pop-ups with WV Derby merchandise for prizes, as well as several other promotions.

Purse determination issues, Charles Town Races

Upon motion by Mr. Rossi, seconded by Mr. McDermott, the Commission deferred any discussion or decision until the next meeting.

Report and update, multiple offenders / medication violations

Mr. Amores has been collecting data from the Chief Stewards on offenders and plans to follow through with an ongoing analysis of the worst repeat violators, especially drug violations. Chairman Smith wants them categorized by classes of violations.

Mountaineer Racetrack, "Night School" racing seminars

The Commission recognized and thanked Mountaineer for providing a handicapping tool online service, and instructing individuals on how to wager. This will be a good way to promote the sport.

Article featuring OSU – Wheeling Island research program to benefit greyhounds

Mr. Amores gave accolades about the research to prevent accidents and the article. The Commissioners acknowledged the benefit to greyhounds and the racing industry.

Adjournment

The next Racing Commission meeting is set for May 18, 2012, at the Lottery building, at 10 AM. The WV Racing Commission office will be officially moved into the building on that date.