

MINUTES
WV RACING COMMISSION
Monday, December 10, 2012
WV Lottery Conference Room

The WV Racing Commission met on December 10, 2012 to conduct business and consider administrative matters. Roll call was taken and present were Chairman Joe Smith, and Commissioner Jack Rossi, with Commissioner Greg McDermott via conference call. Counsel was represented by Kelli Talbott.

Approval of November 1st Minutes

The Commissioners and both attorneys received the minutes from the November 1, 2012 meeting prior to this meeting. Mr. Rossi moved to accept the minutes, Mr. McDermott seconded the motion. The Commissioners approved the November 1, 2012 minutes by unanimous consent.

Approval of Charles Town Races 2013 stakes schedule

Upon motion by Mr. McDermott, seconded by Mr. Rossi, the Commission approved the 2013 Charles Town Races 2013 stakes schedule.

Approval of 2013 live racing dates, Wheeling Island Racetrack

Commissioner Rossi requested some discussion on the changes being proposed for 2013. Jane Horvath, Wheeling Island, stated nothing had changed since November 29th meeting. The changes proposed are going to a 1:15pm post time for all matinees, and reducing the number of matinee races from 17 to 15 and the number of evening races from 15 to 13. Wheeling Island will have 3 less kennels in 2013 and this was an internal business decision to reduce the number of races per race card. Lester Raines, representing the kennels at Wheeling Island, stated they are concerned about dogs being able to run twice a week if number of races per week drops. He asked the Commission to postpone until January to see if there will be enough active dogs to run without decreasing the number of races. Motion was made by Mr. Rossi to approve the request of Wheeling Island, seconded by Mr. McDermott. The Commissioners approved the live racing dates.

A separate motion was made by Mr. Rossi that the Racing Commission will consider adjusting the requested schedule should there be a need to do so and that information be made available to the Commission by its January 18, 2013 meeting, seconded by Mr. McDermott. The Commissioners voted to approve this request.

Approval of 2013 live racing dates, Mardi Gras Racetrack

Upon motion by Mr. Rossi, seconded by Mr. McDermott, the Commissioners approved the 2013 live racing dates for Mardi Gras Racetrack.

Personnel matters: Greyhound/Thoroughbred Development Fund clerks and inspectors

Jon Amores stated this was an adjustment in certain positions at the tracks in reducing the number of hours worked, 5 positions in total, and the affected employees have been informed. Motion was made by Mr. McDermott to accept the proposed personnel changes, seconded by Mr. Rossi, the Commission approved the request.

Request to change post time, Wheeling Island Racetrack

Upon motion by Mr. McDermott, seconded by Mr. Rossi, the Commission approved changing post time to 1:15pm at Wheeling Island Racetrack.

Update on track conditions, Mardi Gras Racetrack

Mike Staats, Mardi Gras, stated they had brought in their track superintendent from their sister track in Florida and nothing major was found to be wrong with the track surface. July and August are the highest months for track injuries and they did a 5 year study and noted they are below average in number of injuries. They continue to review races with Dr. Webster when injuries occur.

Update regarding Charles Town capital improvement request, \$115, 571 for barn surveillance equipment

Upon motion by Mr. Rossi, seconded by Mr. McDermott, the Commission deferred until the next meeting since Charles Town is still in process of collecting information for this request.

Charles Town Races capital improvement request, \$26,000 for 60-gallon kettle in kitchen

Upon motion by Mr. Rossi, seconded by Mr. McDermott, the Commission approved the request, after clarification it will be used in restaurant only open during live racing hours.

Approval of Hearing Examiner's recommended decision, Matthew Peebles

Upon motion by Mr. McDermott, seconded by Mr. Rossi, the Commission approved the Hearing Examiner's recommended decision. Kelli Talbott is to prepare final calculation to be paid and stated in Final Order to be signed by Chairman Smith.

Approval of 2013 simulcast partners, The Greenbrier

Upon motion by Mr. McDermott, seconded by Mr. Rossi, the Commission approved the request, noting simulcasting at The Greenbrier will be dark from January 6, 2013-April 1, 2013.

Occupational permit request, Craig Salzman

Upon motion by Mr. McDermott, seconded by Mr. Rossi, the Commission approved the request, subject to random drug testing and immediate revocation of license should a drug test show positive. Kelli Talbott will draft up an order with the wording for Chairman Smith to sign and then to be forwarded to Mr. Salzman.

Motion made by Mr. Rossi to take a 15 minute break, seconded by Mr. McDermott.

Motion made by Mr. Rossi to resume the meeting, seconded by Mr. McDermott.

Renewal of Breeders Classics Ltd. Contract for 2013

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

Mountaineer Racetrack capital improvement request, \$103,880 for front end loader

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

Request from Lester Raines regarding canine influenza virus research

Lester Raines, representing Dr. Couto from OSU Veterinary School, suggested dogs are being over vaccinated. Dr. Kuto is asking for money to do a study on dogs in WV and FL to see if there are repercussions from these vaccinations. Chairman Smith suggested he make a formal request, with details, and submit it to the Racing Commission.

Charles Town Races, approval of 2013 preference date system

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

Next meeting date

The next Commission meeting will be January 18, 2013 at 10 AM, in the Lottery Conference Room.

Public Comments

Kelli Talbott informed the Commission she sat on the Regulatory Panel at Keeneland in October 2012 for their Annual Summit on the Welfare of the Racehorse. Also, in November she attended the Kentucky Bar Equine Law continuing education courses.

Carol Holden gave thanks to Kelli Talbott for what she's done for the Thoroughbred Industry.

Sam Burdette, WVGoba, inquired if the Racing Commission is intending to introduce a legislative package this session. Director Amores stated that legislative items were still being reviewed by the Revenue Secretary's office, and when they were approved, they would be shared with the public.

Adjournment

Upon motion by Mr. Rossi, seconded by Mr. McDermott, the meeting was adjourned.