

OKLAHOMA HORSE RACING COMMISSION

**REGULARLY SCHEDULED MEETING  
MAY 19, 2016**

**MINUTES**

**CALL TO ORDER/ROLL CALL**

Chairman Leonard called the Regularly Scheduled Meeting of the Commission to order at 9:39 a.m. in Track North at Remington Park Racetrack and Casino, Oklahoma City, Oklahoma.

Commission members answering roll call were Commissioners Bollenbach, Harrell, Kirk, Lucas, Money, Sanders and Chairman Leonard. Commissioners Goumaz and Marcum were unable to attend the meeting. Ms. Sandra Balzer, Assistant Attorney General and Commission Counsel, was present as well as the following Commission staff members: Mr. Kelly Cathey, Ms. Robin Helt, Ms. Mandy Hadley and Ms. Bonnie Morris. Approximately twelve persons attended and signed the registry which is part of the record.

**MINUTES**

Commissioner Bollenbach made a motion to approve the drafted Minutes of the March 31, 2016 Rescheduled Regular Meeting as presented. Commissioner Sanders seconded the motion. The vote was recorded as follows:

Aye: Mr. Bollenbach, Mr. Sanders, Mr. Kirk, Mr. Lucas,  
Ms. Money, Mr. Leonard

Abstain: Mr. Harrell

Absent: Ms. Goumaz, Mr. Marcum

The motion passed on a 6-0-1 vote.

**RECOMMENDATION FOR YEARLY RENEWABLE PROFESSIONAL  
SERVICES CONTRACT FOR PRIMARY EQUINE DRUG TESTING  
LABORATORY SERVICES**

**Background**

Three bids for the yearly renewable contract for primary equine drug testing laboratory services, beginning July 1, 2016, were received and evaluated by the Ad Hoc Committee on Primary Equine Drug Testing Laboratory Services Renewal Contract as follows:

- Lab A: 120.30 points
- Lab B: 99.53 points
- Lab C 99.34 points

### **Current Consideration**

A synopsis of the bids was provided. The Ad Hoc Committee recommended that the Commission consider recommending Lab A to the Oklahoma Management and Enterprise Services [OMES], the state agency that awards such contracts.

Commissioner Lucas made a motion to recommend bidder A to OMES for the primary equine drug testing laboratory services yearly renewable contract. Commissioner Bollenbach seconded the motion. The vote was recorded as:

Aye: Mr. Lucas, Mr. Bollenbach, Mr. Harrell, Mr. Kirk, Ms. Money,  
Mr. Sanders, Mr. Leonard  
Absent: Ms. Goumaz, Mr. Marcum  
The motion passed on a 7-0 vote.

## **PROPOSED FY-2017 PARI-MUTUEL AND GAMING AUDITING CONTRACTS BETWEEN THE COMMISSION AND THE OFFICE OF STATE AUDITOR AND INSPECTOR**

### **Background**

The Office of State Auditor and Inspector [SA&I] submitted its proposed FY-2017 racing and gaming auditing contracts with the Commission. The pari-mutuel contract proposed a \$38,153.28 annual budget. The gaming contract proposed a \$172,606.56 annual budget. It was noted that these proposed figures were the same as the current FY-2016 auditing contracts.

### **Current Consideration**

Commissioner Lucas made a motion to continue the agenda topic of the FY-2017 pari-mutuel and gaming auditing contracts to the June 16, 2016 meeting after a review of different measures to amend the contract and after the Commission has been advised of its FY-2017 appropriation level. Commissioner Money seconded the motion. The vote was recorded as:

Aye: Mr. Lucas, Ms. Money, Mr. Bollenbach, Mr. Harrell, Mr. Kirk,  
Mr. Sanders, Mr. Leonard  
Absent: Ms. Goumaz, Mr. Marcum  
The motion passed on a 7-0 vote.

**RECOMMENDATIONS FROM THE OKLAHOMA-BRED ADVISORY COUNCIL**

The Oklahoma-Bred Advisory Council met on May 4, 2016 and forwarded the following recommendations for funding from the Oklahoma Breeding Development Fund Special Account:

**1. Renewal of Veterinary Medical Diagnostic Program [Necropsy Study]**

Dr. Keith Bailey, Director of the Oklahoma Animal Disease Diagnostic Laboratory at Oklahoma State University (OSU), submitted an April 18, 2016 request for continued funding of the Veterinary Medical Diagnostic Program (Necropsy Study). It was noted that the current financial commitment to the Necropsy Study is \$50,000. OSU proposed the following charges as compared to the current contract:

| <u>Service</u>  | <u>Current Contract</u> | <u>Proposed Contract</u> |
|---|-------------------------|--------------------------|
| Necropsy with comprehensive limb examination          | \$231.00                | \$250.00                 |
| Disposal of horse                                     | \$110.00                | \$120.00-\$140.00*       |
| Pick-up/travel charges based on location of racetrack |                         |                          |
| Remington Park  | \$255.00                | \$265.00                 |
| Fair Meadows at Tulsa                                 | \$315.00                | \$330.00                 |
| Will Rogers Downs                                     | \$430.00                | \$450.00                 |

\*The variable disposal fee would be based on the horse's weight

The request included additional testing required on a case-by-case basis including histopathology, microbiology and toxicology. This ancillary testing would be performed at the discretion of the attending pathologist or at the request of the Commission in order to confirm diagnosis.

Dr. Bailey stated that the proposed fees included minor increases when compared to the current agreement, explaining that the higher fees were necessary to help offset operating costs as well as reductions in state appropriations to the Oklahoma Animal Disease Diagnostic Laboratory.

The current Oklahoma-Bred balance was \$17,181.11, so \$32,818.89 would be needed to return the balance to \$50,000.

The Oklahoma-Bred Advisory Council unanimously recommended continuation of the Necropsy Study for a \$50,000 financial commitment.

Commissioner Kirk made a motion to continue the necropsy study with OSU for FY-2017 through funding from the Oklahoma Breeding Development Fund Special Account. Commissioner Money seconded the motion. The vote was recorded as:

Aye: Mr. Kirk, Ms. Money, Mr. Bollenbach, Mr. Harrell, Mr. Lucas,  
Mr. Sanders, Mr. Leonard

Absent: Ms. Goumaz, Mr. Marcum

The motion passed on a 7-0 vote.

2. **Request of the Thoroughbred Racing Association of Oklahoma and Fair Meadows at Tulsa for Funding of CY 2016 Two Thoroughbred Stakes Races to be Conducted at Fair Meadows at Tulsa**

The Thoroughbred Racing Association of Oklahoma [TRAO] and Fair Meadows at Tulsa [FMT] submitted a September 29, 2016 letter, requesting Commission approval for funding from the Oklahoma Breeding Development Fund Special Account for two stakes races to be held at FMT during the CY 2016 Mixed Breed race meeting. The proposed payout percentage would be 60/20/11/6/3. The requested Oklahoma-Bred funding breakdown follows:

|                                     | <b>Purse<br/>Supplements</b> | <b>Broodmare<br/>Awards</b> | <b>Stallion<br/>Awards</b> | <b>Total</b> |
|-------------------------------------|------------------------------|-----------------------------|----------------------------|--------------|
| Muscogee [Creek] Nation Stakes Race | \$ 5,000                     | \$3,400                     | \$1,600                    | \$10,000     |
| Route 66 Stakes Race                | \$ 5,000                     | \$3,400                     | \$1,600                    | \$10,000     |
| Total                               | \$10,000                     | \$6,800                     | \$3,200                    | \$20,000     |

The Oklahoma-Bred Advisory Council unanimously recommended \$20,000 funding for the two stakes races.

Commissioner Lucas made a motion to approve \$20,000 funding from the Oklahoma Breeding Development Fund Special Account for two CY 2016 Thoroughbred stakes races to be conducted at Fair Meadows at Tulsa. Commissioner Kirk seconded the motion. The vote was recorded as:

Aye: Mr. Lucas, Mr. Kirk, Mr. Bollenbach, Mr. Harrell, Ms. Money,  
Mr. Sanders, Mr. Leonard

Absent: Ms. Goumaz, Mr. Marcum

The motion passed on a 7-0 vote.

### **FY-2017 MEMBERSHIP ON THE OKLAHOMA-BRED ADVISORY COUNCIL**

Each year, the Commission appoints organizations and individuals to the Oklahoma-Bred Advisory Council for the next fiscal year (July 1 through June 30). The following organizations and individuals were appointed as members of the Advisory Council for FY-2016 (July 1, 2015-June 30, 2016):

Remington Park  
Will Rogers Downs  
Office of State Auditor & Inspector  
Oklahoma-Bred Registrar  
OQHRA Representative  
TRAO Representative  
At-Large Representative on request of OQHRA  
At-Large Representative on request of TRAO  
At-Large Representative on request for the Commission – Mr. Ed Melzer

Commissioner Lucas made a motion to reappoint the current membership of the Oklahoma-Bred Advisory Council for FY-2017. Commissioner Sanders seconded the motion. The vote was recorded as:

Aye: Mr. Lucas, Mr. Sanders, Mr. Bollenbach, Mr. Harrell, Mr. Kirk,  
Ms. Money, Mr. Leonard  
Absent: Ms. Goumaz, Mr. Marcum  
The motion passed on a 7-0 vote.

### **APPOINTMENT OF NOMINATING COMMITTEE TO PRESENT A PROPOSED SLATE OF NOMINEES FOR COMMISSION OFFICERS FOR FY-2017**

Chairman Leonard appointed Commissioners Lucas, Harrell and Marcum to serve on the Nominating Committee to develop a proposed slate of Commission Officers [Chair, Vice-Chair and Secretary] for FY-2017 (July 1, 2016 through June 30, 2017). Commissioner Lucas was named Chair. The Nominating Committee will present a proposed slate of nominees for the three positions for Commission consideration at the June 16, 2016 meeting.

### **REMINGTON PARK'S REQUEST TO REINSTATE "THE RIGHT WEIGH" BEFORE THE CY 2016 THOROUGHBRED RACE MEETING**

Mr. Scott Wells, President and General Manager, requested that the Commission consider reinstating "The Right Weigh," a pre-race step to weigh each horse in the holding barn a few minutes prior to the race. The step would take 2-3 seconds to record the horse's weight. The

state-of-the-art electronic scale would re-calibrate to zero with each weighing. If approved, the horse's weight would promptly be shared with the public on video screens.

Commissioner Kirk made a motion to acknowledge that Remington Park advised the Commission of The Right Weigh program to be reinstated at the racetrack. Commissioner Lucas seconded the motion. The vote was recorded as:

Aye: Mr. Kirk, Mr. Lucas, Mr. Bollenbach, Mr. Harrell, Ms. Money,  
Mr. Sanders, Mr. Leonard

Absent: Ms. Goumaz, Mr. Marcum

The motion passed on a 7-0 vote.

## **REPORTS**

Ms. Amanda Blair, Chief Operating Officer of Expo Square, provided information and handouts on proposed changes to the simulcast facility and the construction of a barn.

Mr. Mark Enterline, Consulting General Manager at Will Rogers Downs [WRD], advised the Commission of a remodeling plan currently out for bid. He stated that the project would improve the flow of traffic and take nine to twelve months to complete.

Chairman Leonard, as Chair of the Ad Hoc Committee on Oklahoma-Bred/Oklahoma Thoroughbred Retirement Fund, reported on a meeting held since the Ad Hoc Committees were reassigned.

Commissioner Lucas, as Chair of the Ad Hoc Committee on Legislation, provided an update about the current Legislative Session.

## **ANY MATTER NOT KNOWN ABOUT OR WHICH COULD NOT HAVE BEEN REASONABLY FORESEEN PRIOR TO POSTING THE AGENDA**

There was no such matter.

## **ANNOUNCEMENTS**

Chairman Leonard made the following announcements:

The Thoroughbred Racing Association of Oklahoma would hold its annual awards program on Friday, May 20, 2016 at the Hard Rock Hotel and Casino, 777 W. Cherokee Street, Catoosa, OK. Cocktail hour is scheduled for 6:30 p.m. to 7:30 p.m. with dinner,

auction and awards presentation to follow. The Commission will present CY 2015 Oklahoma-Bred Year-End Champion Awards for Thoroughbreds.

The current race meeting at Will Rogers Downs was scheduled to conclude on Saturday, May 21, 2016 with the Remington Park's current race meeting scheduled to end on June 4, 2016. It was noted that Fair Meadows at Tulsa's CY 2016 race meeting was scheduled to begin on June 9, 2016.

## **ADJOURNMENT**

The meeting was adjourned at 10:28 a.m.

Approved this 16<sup>th</sup> day of June, 2016.

Ran Leonard, Chairman

On Behalf of the Commission:

ATTEST:

Kelly G. Cathey, Executive Director  
KGC/bjm/6/10/16, 6/16/16

In conformity with the Oklahoma Open Meeting Act, advance notice of this regular Commission meeting was originally transmitted to the Oklahoma Secretary of State on August 24, 2015; and public notice of this meeting, together with the agenda, was posted in prominent public view in the lobby of Remington Park, One Remington Place, Oklahoma City on February 12, 2016. The announcement of the CY 2016 Commission meetings was posted on the OHRC website on December 17, 2015. At the February 18, 2016 meeting, the Commission rescheduled the March, 2016 meeting from March 24, 2016 to March 31, 2016. Notice was made of the Secretary of State's website as well as the Commission's website. On March 25, 2016, the agenda for this meeting was posted on the OHRC website, [www.ohrc.org](http://www.ohrc.org), and placed in the Commission's mall display case at the Commission's Shepherd Mall home office, 2401 N.W. 23 Street, Suite 78, Oklahoma City, OK 73107.