

# OKLAHOMA HORSE RACING COMMISSION

JOE LUCAS, CHAIR

WENDY I. KEENER, ESQ, VICE CHAIR

KEITH SANDERS, SECRETARY

BENNETT ANDERSON, MEMBER

KURT MURRAY, MEMBER

BRIAN BURGET, MEMBER

CLINT O. BROOKOVER, MEMBER

DONNIE VON HEMEL, MEMBER

DAN PILCHER, MEMBER

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## **AMENDED AGENDA**

Regularly Scheduled Meeting  
Thursday, June 16, 2022, 9:30 a.m.

### **Meeting Location:**

One Remington Place - Eclipse Room  
Oklahoma City, Oklahoma 73111

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### **Address of the:**

OKLAHOMA HORSE RACING COMMISSION  
2800 N. LINCOLN BLVD., SUITE 220  
OKLAHOMA CITY, OKLAHOMA 73105  
(Located in Department of Agriculture, Food and Forestry Building)  
TELEPHONE: (405) 522-8167; FAX: (405) 943-6474 WEBSITE:  
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AGENDA POSTED IN ACCORDANCE WITH THE OKLAHOMA OPEN MEETING ACT

All citizens who attend public meetings of the Commission who need special accommodations, i.e., Sign Language Interpreter, amplification device, large print materials, Braille materials, audio cassette materials, readers or other special accommodations must notify the Commission by the deadline date and time for acceptance of agenda requests.

**CALL TO ORDER ..... Mr. Lucas, Chair**

**ROLL CALL ..... Mr. Lucas, Chair**

**BUSINESS ..... Mr. Lucas, Chair**

**A. MINUTES**

1. The drafted Minutes of the *May 19, 2022 Regularly Scheduled Commission Meeting* will be considered for approval.

**THE FOLLOWING MATTERS ARE PRESENTED FOR CONSIDERATION AND ACTION, IF ANY, DEEMED APPROPRIATE BY THE COMMISSION.**

**B. NECROPSY STUDIES WITH OKLAHOMA ANIMAL DISEASE DIAGNOSTIC LABORATORY (OADDL)**

Renewal of Veterinary Medical Diagnostic Program & Necropsy Study - The Oklahoma-Bred Advisory Council unanimously recommends to the Commission that the Necropsy Study funds be replenished to return the budget to \$50,000 for FY 2023.

**C. FY-2022-2023 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 are recommended for appointments as members of the Advisory Council for FY-2022-2023 (July 1, 2022 through June 30, 2023):

Remington Park, Will Rogers Downs, 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).

**Possible Action**

Possible action may include, but is not limited to: taking no action, making some or all the FY-2023 appointments or continuing the matter.

**D. CONTINUED DELIBERATIONS FOR MR. FELIPE MARTINEZ-MORALES REGARDING HIS APPEAL OF STEWARDS ORDER 21-RP-076 & 21-RP-077**

**Possible Executive Session**

Pursuant to 25 O.S. § 307 (B)(8) and 311 (B)(1), an Executive Session may be proposed for the purpose of deliberations regarding the Final Order for the Appeal filed by Mr. Martinez-Morales.

- a. Motion and Vote to Go Into Executive Session for the Purpose Stated Above
- b. Motion and Vote to Reconvene in Open Session

**Possible Action:**

Possible action may include, but is not limited to: take no action; adopting the Final Order as proposed, adopting the Final Order as modified, or continue the matter.

**E. PETITION FOR APPEAL FILED ON BEHALF OF KELLY MARLENE HELTZEL (OWNER/TRAINER) ORDER NO. 21-RP-038B**

On January 24, 2022, the Commission received a Petition for Appeal for Order 21-RP-038B filed on behalf of Kelly Marlene Heltzel.

**Current Consideration**

The Hearing before the Commission will be conducted pursuant to the authority and jurisdiction of the Oklahoma Administrative Procedures Act, Title 75, § 301 et seq., the Oklahoma Horse Racing Act, Title 3A O.S. § 200 et seq., OAC 325 (OHRC Rules of Racing), OAC 325:70-1-22, Grounds for Appeal from Decision of the Stewards, and OAC 325:70-1-24, Appeal Hearing Procedure.

The procedure for the Hearing before the Commission is set as follows:

1. The appellant, Kelly Marlene Heltzel and the Board of Stewards at Remington Park are entitled to be present and to present arguments.
2. The appellant, Kelly Marlene Heltzel or her counsel will present oral arguments first, with the Board of Stewards or their counsel proceeding next. Each party will be allowed fifteen (15) minutes to present its case.
3. All parties are subject to questioning by Commissioners, Commission Staff and Commission Counsel.

## **Possible Executive Session**

Pursuant to 25 O.S. § 307 (B)(8) and 311 (B)(1), an Executive Session may be proposed for the purpose of deliberations in an individual proceeding regarding Ms. Heltzel's Appeal of Stewards' Order 21-RP-038B.

1. Motion and Vote to Go Into Executive Session for the Purpose Stated Above;
2. Motion and Vote to Reconvene in Open Session.

## **Possible Action:**

Possible action may include, but is not limited to: take no action; take preliminary action on the matter; or continue the matter.

## **F. PROPOSED SLATE OF COMMISSION OFFICERS PRESENTED BY THE NOMINATING COMMITTEE AND ELECTION OF OFFICERS FOR FY-2023**

The Nominating Committee (comprised of Commissioners Anderson, Pilcher and Von Hemel, with Commissioner Anderson serving as Chair) was named at the May 19<sup>th</sup>, 2022 meeting to develop a proposed slate of Commission Officers (Chair, Vice-Chair, and Secretary) for consideration for election for FY-2023 (July 1, 2022 through June 30, 2023).

Commissioner Anderson, as Chair of the Nominating Committee, will announce their proposed slate of Commission Officers. The Chairman will then ask for any additional nominations for said officers.

From the proposed slate of nominations, the Commission will elect Officers for FY-2023.

## **G. REPORTS**

### **1. Horseracing Integrity and Safety Act (HISA) Update**

### **2. Receipt of Renewal Applications for CY 2023 Racetrack Gaming and Organizational Licenses**

The Commission received renewal applications for racing licenses and accompanying gaming licenses from Remington Park and Will Rogers Downs to conduct racing and gaming activities in CY 2023. The Commission also received

renewal applications from Fair Meadows at Tulsa for a racing license and a Recipient Racetrack Gaming license.

Commission Staff is in the process of reviewing the applications and writing the Staff Narratives. At the same time, the Commission's Law Enforcement Division is currently conducting its background investigations. Hearings to consider these racing license applications will be conducted at the August 25, 2022 commission meeting.

Applicants for Renewal Racing Licenses	Race Meetings	Number of Live Race Days Requested and Number of Races Per Breed Requested	Number of Required Races By Breed to Conduct Gaming	Race Meeting Time Frame (2023)
<b>Remington Park</b> Global Gaming RP, LLC Oklahoma City, OK	Quarter Horse  Paint & Mixed Breed	<u>50 Race Days</u>  422 Quarter Horse  78 Paint/Mixed	No fewer than five hundred (500) races for within a period of twelve (12) consecutive weeks.	March 2nd, to May 27th, 2023
	Thoroughbred	<u>57 Race Days</u>  600 Thoroughbred	No fewer than six hundred (600) races.	August 18th, 2023 to December 17 <sup>th</sup> , 2023
<b>Will Rogers Downs</b>	Quarter Horse  Paint & Appaloosa	<u>28 Race Days</u>  270 Quarter Horse  60 Paint & Appaloosa	No fewer than two hundred seventy (270) races for Quarter Horses, and no fewer than sixty (60) races for Paint and Appaloosa horses.	September 9th, 2023 to November 11, 2023
	Thoroughbred	<u>27 Race Days</u>  270 Thoroughbred	No less than two hundred seventy (270) races for Thoroughbred horses.	March 6th, 2023 to May 17th, 2023
<b>Tulsa State Fair</b> (Tulsa County Public Facilities Authority) Fair Meadows at Tulsa	Quarter Horse	<u>34 Race Days</u>  170 Quarter Horse Est.	No less than four hundred (400) total races, which shall include conducting no fewer than an average of four (4) races per day for Thoroughbred horses.	June 2 <sup>nd</sup> , 2023 to July 22 <sup>nd</sup> , 2023
	Paint & Appaloosa	68 Paint & Appaloosa Est.		
	Thoroughbred	170 Thoroughbred Est.		

**H. ANY MATTER NOT KNOWN ABOUT OR WHICH WOULD NOT HAVE BEEN REASONABLY FORESEEN PRIOR TO POSTING THE AGENDA.**

**I. ANNOUNCEMENTS.**

**07/04/2022** – Holiday Observed (Independence Day)

**07/24/2022** – Fair Meadows at Tulsa Thoroughbred, Quarter Horse, Paint and Appaloosa Race meets to end

**08/11/2022** – Deadline for agenda topics for the August 25<sup>th</sup> regularly scheduled commission meeting

**08/19/2022** – Thoroughbred meets begin at Remington Park

**08/25/2022** – Regularly scheduled commission meeting

**ADJOURNMENT.....Mr. Lucas, Chair**