

OKLAHOMA HORSE RACING COMMISSION

REGULARLY SCHEDULED MEETING **THURSDAY, AUGUST 26TH, 2021 AT 9:30 A.M.**

MINUTES

CALL TO ORDER

Chairman Lucas called the meeting to order at 9:30 a.m.

ROLL CALL

Commissioners answering roll call were Commissioner Murray, Commissioner Brookover, Commissioner Barget, Secretary Sanders, Commissioner Von Hemel, Commissioner Anderson, Commissioner Pilcher, Vice Chair Keener, and Chairman Lucas.

A. MINUTES

1. The drafted Minutes of the June 17th, 2021 Regularly Scheduled Commission Meeting will be considered for approval.

Vice Chair Keener motioned to approve the minutes as presented. Secretary Sanders seconded the motion. The vote was as follows:

Ayes: 7
Nays: 0
Abstain: 2
Motion passed 7-0

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

B. PRELIMINARY CONSIDERATION OF CY 2022 RACING AND GAMING RENEWAL APPLICATIONS.

Commissioner Anderson made a motion to take preliminary action to allot CY 2022 live race dates and directed Commission Staff to draft CY 2022 racing and gaming license orders consideration and further deliberation at the October 21st, 2021 meeting. Commissioner Von Hemel seconded the motion and the vote was as follows:

Ayes: 8
Nays: 0
Abstain: 1
Motion passed 8-0

C. CY 2022 COMMISSION MEETING DATES.

Commissioner Anderson made a motion to approve the suggested meeting dates. The motion was seconded by Vice Chair Keener and the vote was as follows:

Ayes: 9
Nays: 0
Motion passed 9-0

D. PETITION FOR APPEAL FOR MR. CARLOS CHAVEZ RUIZ, OWNER/TRAINER REGARDING STEWARD'S ORDERS 21-RP-049, 21-RP-050, and 21-RP-051.

Mr. Ruiz and his legal counsel (Norman Hollingsworth) presented their case to the Board, as did legal counsel for the Commission (James Rucker).

Vice Chair Keener motioned to go into executive session with Counsel. Commissioner Anderson seconded the motion and the vote was as follows:

Ayes: 9
Nays: 0
Motion passed 9-0

Vice Chair Keener made a motion to return to open session and Secretary Sanders seconded. The vote was as follows:

Ayes: 9
Nays: 0
Motion passed 9-0

Commissioner Burget made the motion to take preliminary action to Affirm the Steward's decision, with the exception of paragraph 24 of the Steward's Order. Paragraph 24 is overruled. Commissioner Burget stated the exception overruling of paragraph 24 does not impact the findings of Queen for Cash ineligibility found in paragraph 25 of the order and directed staff to prepare a final order for further consideration and deliberation at the October 21st, 2021 meeting. Commissioner Anderson seconded the motion. The vote was as follows:

Ayes: 8
Nays: 1

Motion passed 8-1.

NOTE: PRIOR TO ANY ACTION ON ITEM E, VICE CHAIR KEENER ANNOUNCED SHE WAS RECUSING HERSELF FROM SAID MATTER AND DEPARTED THE MEETING.

E. PETITION FOR APPEAL FOR MR. MATT EDWARD WHITEKILLER, OWNER/TRAINER REGARDING STEWARD'S ORDER 21-RP-052.

Mr. Whitekiller and his legal counsel (Norman Hollingsworth) presented their case to the Board, as did legal counsel for the Commission (James Rucker).

Commissioner Burget made a motion to go into executive session with Counsel. Commissioner Von Hemel seconded the motion and the vote was as follows:

Ayes: 8
Nays: 0
The motion passed 8-0.

Commissioner Von Hemel motioned to return to open session. Commissioner Anderson seconded the motion and the vote was as follows:

Ayes: 8
Nays: 0
The motion passed 8-0.

Commissioner Anderson made a motion to take preliminary action to affirm the Steward's Order and instructed the legal advisor to prepare a proposed final order for further consideration and deliberation at the October 21st, 2021 meeting. Commissioner Pilcher seconded the motion and the vote was as follows:

Ayes: 8
Nays: 0
The motion passed 8-0.

NOTE: PRIOR TO TAKING ANY ACTION ON ITEM F, VICE CHAIR KEENER REJOINED THE MEETING.

F. PETITION FOR APPEAL FOR MR. WAYNE FRANKLIN GEORGE, OWNER/TRAINER REGARDING STEWARD'S ORDER 21-WRD-025.

Mr. George was not represented by legal counsel but was accompanied by his wife to present his case to the Board, as did legal counsel for the Commission (James Rucker).

Vice Chair Keener motioned to go into executive session with Counsel. Secretary Sanders seconded the motion. The vote was as follows:

Ayes: 9
Nays: 0
The motion passed 9-0.

Secretary Sanders motioned to come out of executive session. Vice Chair Keener seconded. The vote was as follows:

Ayes: 9
Nays: 0
The motion passed 9-0.

Vice Chair Keener motioned to amend the Steward's Order to include a "Conclusion of Law" that 45-1-29 (b) "Environmental Contaminants and Substances of Human Abuse" an applicable rule that was violated, the penalty remains the same, the Commission take preliminary action on the matter and instruct the Commission Legal Advisor to draft an order for consideration and further deliberation at the October 21st, 2021 Meeting. The motion was seconded by Commissioner Anderson. The vote was as follows:

Ayes: 9
Nays: 0
The motion passed 9-0.

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

There were none.

H. ANNOUNCEMENTS:

****No Meeting in September 2021****

8/20/2021 – Remington Park Thoroughbred Race Meeting is scheduled to begin.

9/11/2021 – Will Rogers Downs Quarter Horse, Paint and Appaloosa Race Meeting is scheduled to begin.

10/7/2021 – Deadline for submitting agenda topics for the October 21st, 2021 Meeting.

10/21/2021 – Regularly Scheduled Commission Meeting.

Mr. Cathey announced that TRAO is having their 19th Annual Awards Banquet is on September 18th at 6:30 p.m. here in the Eclipse Room.

ADJOURNMENT.....Mr. Lucas, Chair

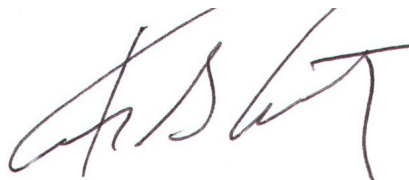
Chairman Lucas declared the meeting adjourned at 12:52 p.m.

APPROVED THIS 21st DAY OF October 2021.



Joe Lucas, Chairman

On Behalf of the Commission:
ATTEST:



Kelly G. Cathey, Executive Director
KGC/nlm/

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 October 22nd, 2020; and public notice of this meeting, together with the agenda was posted in prominent view in the lobby of the Department of Agriculture, Food and Forestry, Oklahoma City on August 20th, 2021. The announcement of the CY 2021 Commission meetings was posted on the OHRC website on October 22nd, 2020. The agenda for this meeting was posted on the OHRC Website, www.ohrc.org, on August 20th, 2021.

