

OKLAHOMA HORSE RACING COMMISSION

Regularly Scheduled Meeting **Thursday, January 21st, 2021 9:30 a.m.**

Minutes

CALL TO ORDER

Ms. Keener called the meeting to order at 9:33 a.m.

ROLL CALL

Present for roll call was Commissioner Goumaz, Commissioner Marcum, Commissioner Von Hemel, Commissioner Anderson, Commissioner Wright, and Chairman Keener.

Commissioner Kirk and Secretary Sanders were absent. Vice Chair Lucas was absent for Roll Call but joined the meeting at 9:47 a.m.

A. MINUTES

Commissioner Marcum made a motion to accept the Minutes from the November 19th, 2020 Meeting. Commissioner Von Hemel seconded the motion and the vote was as follows:

Aye: Commissioner Marcum, Commissioner Von Hemel, Commissioner Anderson, and Chairman Keener.

Nay: None

Abstain: Commissioner Goumaz and Commissioner Wright abstained.

Motion passed 4-0

B. CONTINUANCE OF DELIBERATIONS ON DISTRIBUTION OF REVENUE GENERATED FROM THE EXPORT OF INTERSTATE SIGNALS AND RESOLUTION REQUESTING ATTORNEY GENERAL'S OPINION.

Chairman Keener gave the background on the agenda item and announced possible for actions for the Commission. Commissioner Wright made a motion to go into executive session to include the Executive Director and Legal Counsel. Commissioner Goumaz seconded the motion. The vote was as follows:

Aye: Commissioner Wright, Commissioner Goumaz, Commissioner Marcum, Commissioner Von Hemel, Commissioner Anderson, and Chairman Keener.

Nay: None.

Motion passed: 6-0

The Commission went into Executive Session at approximately 9:34 a.m.

Commissioner Von Hemel made a motion to go back into Open Session. Commissioner Anderson seconded the motion and the vote was as follows:

Aye: Commissioner Von Hemel, Commissioner Anderson, Commissioner Goumaz, Commissioner Marcum, Commissioner Wright, and Chairman Keener.

Nay: None.

Motion passed: 6-0

The Commission returned to Open Session at approximately 9:45 a.m.

Commissioner Marcum made the motion to adopt the Resolution and request the Attorney General opinion. Commissioner Goumaz seconded the motion and the vote was as follows:

Aye: Commissioner Marcum, Commissioner Goumaz, Commissioner Von Hemel, Commissioner Anderson, Commissioner Wright, and Chairman Keener.

Nay: None.

Motion passed 6-0.

Vice Chair Lucas joined the meeting at approximately 9:47 a.m.

C. CONTINUED DELIBERATIONS REGARDING THE APPEAL OF JOSUE PONCE, OWNER/TRAINER ORDERS 20-RP-030, 20-RP-030A, and 20-RP-030B.

Chairman Keener announced the agenda item and gave the background. The Commission's action options were also announced. Vice Chair Lucas made the motion to approve the Final Order as presented. Commissioner Von Hemel seconded the motion and the vote was as follows:

Aye: Vice Chair Lucas, Commissioner Von Hemel, Commissioner Goumaz, Commissioner Marcum, Commissioner Anderson, Commissioner Wright, and Chairman Keener.

Nay: None.

Motion passed 7-0.

D. PETITION FOR APPEAL OF CRISTINO ESTRADA-REGALADO, OWNER/TRAINER REGARDING STEWARDS ORDERS 20-FMT-026B, 20-FMT-27B, AND 20-FMT-28B.

Chairman Keener announced the agenda item and informed the participants in the Appeal Hearing of the rules. Statements from the Appellants Attorney, Jean Coulter began at 9:51 a.m. and was followed by Question from the Chairman, Vice Chair Lucas, and Commissioner Goumaz. Stewards Attorney, James Rucker gave a statement at 10:05 a.m. After the hearing, Chairman Keener opened the floor for motions. Vice Chair Lucas motioned to go into Executive Session with Legal Counsel. Commissioner Wright seconded the motion. The vote was as follows:

Aye: Vice Chair Lucas, Commissioner Wright, Commissioner Goumaz, Commissioner Marcum, Commissioner Von Hemel, Commissioner Anderson, and Chairman Keener.

Nay: None.

Motion Passed 7-0.

The Commission went into Executive Session at approximately 10:09 a.m. Commissioner Marcum made the motion to return to Open Session and Commissioner Goumaz seconded. The vote was as follows:

Aye: Commissioner Marcum, Commissioner Goumaz, Commissioner Von Hemel, Commissioner Anderson, Commissioner Wright, Vice Chair Lucas, and Chairman Keener.

Nay: None.

Motion Passed 7-0

The Commission returned to Open Session at 10:52 a.m.

Vice Chair Lucas made the motion to affirm the Steward's Orders and directed the staff to draft a Final Order for Commission action at a future meeting. Commissioner Anderson seconded the motion. The vote was as follows:

Aye: Vice Chair Lucas, Commissioner Anderson, Commissioner Goumaz, Commissioner Marcum, Commissioner Von Hemel, Commissioner Wright, and Chairman Keener.

Nay: None.

Motion Passed: 7-0.

E. POSSIBLE FINAL ACTION ON PROPOSED RULE AMENDMENTS TO 11 CHAPTERS IN RULES OF RACING AND RULES OF RACETRACK GAMING UNDER PERMANENT RULEMAKING

Chairman Keener announced the agenda item and gave the floor to Executive Director, Kelly Cathey. Mr. Cathey presented the comments from the Public to the Commission. After the presentation, Commissioner Goumaz motioned to go into Executive Session with Legal Staff and Mr. Cathey. Commissioner Anderson seconded the motion. The vote was as follows:

Aye: Commissioner Goumaz, Commissioner Anderson, Commissioner Marcum, Commissioner Von Hemel, Commissioner Wright, Vice Chair Lucas, and Chairman Keener.

Nay: None.

Motion passed 7-0.

The Commission went into Executive Session at 10:57 a.m.

Commissioner Marcum made the motion to return to Open Session. Vice Chair Lucas seconded the motion. The vote was as follows:

Aye: Commissioner Marcum, Vice Chair Lucas, Commissioner Goumaz, Commissioner Von Hemel, Commissioner Anderson, Commissioner Wright, and Chairman Keener.

Nay: None.

Motion passed 7-0.

The Commission returned to Open Session at 11:23 a.m.

Commissioner Goumaz made the motion to adopt the amendments in whole with the following changes: Page 6 Section 325-45-1-16 changes proposed highlighted with yellow, in conjunction with those changes, and requesting the Executive Director to prepare a directive to be reviewed at a future meeting. The next of the proposed changes is on page 13 – the changes highlighted in yellow in B, C, D, and E. Also on Page 9 we will be changing to ensure we are taking the most recent RCI version in 325-45-1-24 the version will be changed to 14.3 to 14.4. Commissioner Von Hemel seconded the motion. The vote is as follows:

Aye: Commissioner Goumaz, Commissioner Von Hemel, Commissioner Marcum, Commissioner Anderson, Commissioner Wright, Vice Chair Lucas, and Chairman Keener.

Nay: None.

Motion passed 7-0.

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

None.

G. ANNOUNCEMENTS

2/4/21 – Deadline for submitting agenda topic requests for February 18th, 2021 Regularly Scheduled Commission Meeting

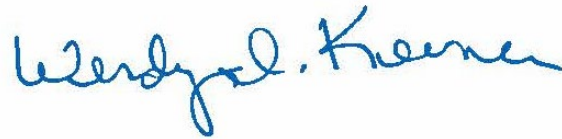
2/15/21 – (HOLIDAY) Presidents' Day

2/18/21 – Commission Regularly Scheduled Meeting, 9:30 a.m., Board Room, Department of Agriculture, Food and Forestry, 2800 N. Lincoln Boulevard, Oklahoma City, OK

ADJOURNMENT

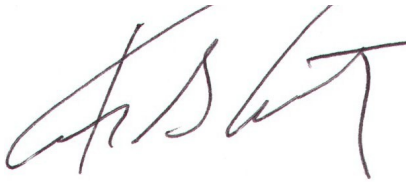
Chairman Keener adjourned the meeting at 11:27 a.m.

APPROVED THIS 18th DAY OF MARCH 2021.



Wendy Keener, Chairman

On Behalf of the Commission:
ATTEST:



Kelly G. Cathey, Executive Director
KGC/nlm/ 3/18/21

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 **January 19th, 2021**. The announcement of the CY 2020 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 **January 15th, 2021**.