

**THE STATE HORSE RACING COMMISSION
MEETING MINUTES**

April 27, 2017

A public business meeting of The State Horse Racing Commission was held at the following date, place and time: Cotillion Room at Parx Racetrack in Bensalem, PA, Thursday, April 27, 2017 at 1:00 P.M.

Commissioners in attendance were: Thomas Jay Ellis, C. Edward Rogers, Michele C. Ruddy, Darryl Breniser, Russell Jones, Dr. Corinne Sweeney, Salvatore DeBunda and Chairman Russell Redding, the Pennsylvania Secretary of Agriculture. Also present were Commission legal counsel Brook Duer and Jorge Augusto.

The Chair called the meeting to order. Legal counsel noted that the meeting has been advertised in accordance with the Sunshine Law. Legal counsel noted that executive session was conducted at 11:00 a.m. for discussion of the following topics: Personnel matters; attorney-client privileged communication; litigation; commission adjudications.

Chairman Redding welcomed everyone to Parx Racetrack and thanked Joe Wilson for the hospitality and hosting the commission meeting and began with the housekeeping matters.

I. OLD BUSINESS

Ex parte:

Chief Legal Counsel Brook Duer informed the commission of one potential ex parte communication.

General Correspondence:

Director Revington informed the Commission of the receipt of the following correspondence.

1. IFO Report
2. Pro Adams County Group Letter
3. PGCB Benchmark Report
4. Draft 2017 Harness Fair Guide

Marketing:

Director Chuckas introduced the new marketing Director Ashley Eisenbeil. Ms. Eisenbeil provided a brief bio.

II. NEW BUSINESS: ADMINISTRATIVE ACTIONS

Minutes of the March 29, 2017, meeting were emailed to the Commissioners for their review in advance of the meeting.

Motion by: Commissioner DeBunda
Second by: Commissioner Rogers
Passed: Unanimously

Minutes of the Special Meeting held on April 17, 2017, were emailed to the Commissioners for their review in advance of the meeting.

Motion by: Commissioner DeBunda
Second by: Commissioner Sweeney
Passed: Unanimously

Financials:

Director Chuckas presented the March financial statements.

Motion by: Commissioner DeBunda
Second by: Commission Egloff
Passed: Unanimously

Motions:

- 4 (1) A:** May 2017 Simulcast calendars for the 3 Standardbred tracks.
- 4 (1) B:** May 2017 Simulcast calendars for the 3 Thoroughbred tracks.
- 4 (1) C:** Penn National to add Hollywood Hi 5 and Penn Pick 6.
- 4 (1) D:** Presque Isle Downs racing official for 2017.
- 4 (1) E:** Meadows request to change daily post time to 1:05 p.m.
- 4 (1) F:** Mohegan Sun at Pocono Downs to offer Pick 5 wager.
- 4 (1) G:** Penn National to send simulcast signal to Horseshoe Council Bluffs, Iowa commingled through Sportech.

Motion by: Commissioner Sweeney
Second by: Commissioner Rogers
Passed: Unanimously to accept items A-G.

4(1) H: The Standardbred Fund Advisory Board Fund Request

Motion by: Commissioner Egloff
Second by: Commissioner Ruddy
Passed: Unanimously

4(2) A: Penn ADW, LLC. licensing

Motion by: Commissioner Rogers
Second by: Commissioner Jones
Passed: Unanimously

4 (3): Ejection Hearing Procedures

Motion by: Commission DeBunda
Second by: Commissioner Jones
Passed: Unanimously

III. LICENSING AND ADJUDICATIONS

Adjudications:

Mark J. Tomczak: Docket Nos. Horse-2016-M-3 and Horse-2016-M-4

The decision by the Board of Stewards is AFFIRMED.

Motion by: Commissioner Rogers
Second by: Commissioner Ruddy
Passed: Unanimously

Mitchell C. Rappaport: Docket No. RacingPI-2016A-NM-5

The decision by the Board of Stewards is REVERSED.

Motion by: Commissioner DeBunda
Second by: Commissioner Sweeney
Passed: Passed with one objection from Commissioner Jones.

Jason M. Robinson: Docket No. RacingPD-2016-A-M-15

The decision made by the Board of Judges for Pocono Downs, dated August 6, 2016, is AFFIRMED.

Motion by: Commissioner Rogers
Second by: Commissioner Sweeney
Passed: Passed with one objection from Commissioner Jones.

Pending Appeal Numbers and Status:

Legal Counsel Jorge Augusto provided the Commissioners with an updated report.

IV. INDUSTRY REPORTS

Michael Ballezzi, Executive Director, PTHA, Todd Mostoller, Executive Director, PA HBPA, Kim Hankins, Executive Director, MSOA, Sam Beegle, President, PHHA, Jim Simpson, Standardbred Breeders Association, and Brian Sanfratello, Thoroughbred Breeders, members of the Equine Coalition along with lawyer Jan L. Budman II, made a presentation on "Ex-Parte" communications. Chairman Russell Redding instructed legal counsel to prepare a guidance document to be distributed at the May 25, 2017 meeting.

Brian Sanfratello, Executive Director of the PHBA, reported on the following PHBA activities.

1. Monthly newsletter
2. PA Bred in Kentucky Derby
3. Breeders meeting on May 17th
4. Annual Banquet on June 9, 2017 at the Hotel Hershey

V. PUBLIC COMMENT

Mr. Brian Langlois addressed the Commission regarding transparency, fatality rates and jockey issues.

Mr. Patrick Kane discussed regulations concerning disqualifications/payouts.

Mr. David Wright of Waldorf Racing, a thoroughbred owner spoke to the commission concerning multiple problems with Parx and why he took his horses out of Pennsylvania.

VI. ANNOUNCEMENTS

Chairman Redding announced the next meeting will be held on Thursday, May 25, 2017, at the FARMSHOW Complex, 2300 North Cameron Street, Harrisburg, PA 17110.

- Executive Session 11:00 A.M.
- Regular Session 1:00 P.M.

VII. ADJOURNMENT

There being no further business, the meeting was adjourned.

Respectfully submitted,

Thomas F. Chuckas Jr.
Bureau Director
Bureau of Thoroughbred Horse Racing

Brett Revington
Bureau Director
Bureau of Standardbred Horse Racing