

# OKLAHOMA HORSE RACING COMMISSION

## REGULARLY SCHEDULED MEETING NOVEMBER 19, 2009

### MINUTES

#### CALL TO ORDER/ROLL CALL

Chairman Grimmatt called the November 19, 2009 Regularly Scheduled Meeting of the Commission to order at 9:37 a.m. in the Activity Center of Shepherd Mall, Oklahoma City, Oklahoma.

All Commissioners, except Mr. Burton, were present at the meeting. Commissioner Savage joined the meeting at 9:40 a.m. Mr. Leader, Commission Counsel, was present as well as the following Commission staff members: Mr. Constantin A. Rieger, Ms. Mary Ann Roberts, Ms. Sue Chappell, Mr. William Brogden, Mr. Mike Corey, Ms. Bonnie Morris and Ms. E J Brees. Approximately forty-eight other persons attended and signed the registry which is part of the record.

#### APPROVAL OF MINUTES

Commissioner Smicklas moved to approve the drafted Minutes, as presented, from the October 15, 2009 Regularly Scheduled Commission Meeting. Commissioner Bollenbach seconded the motion. The vote was as follows:

Aye: Mr. Smicklas, Mr. Bollenbach, Mr. Bowers, Mr. Carter, Mrs. Goumaz  
Mr. Grimmatt,

Abstain: Mrs. Barkett

Mr. Savage was absent from the vote.

Mr. Burton was absent from the meeting.

The motion passed with 6 ayes and 1 abstention.

#### ANNOUNCEMENT

Chairman Grimmatt made an announcement that on October 12, 2009, Blue Ribbon Downs advised the Commission that it was withdrawing its CY 2010 racing and gaming license applications effectively immediately. Blue Ribbon Downs will cease all simulcasting and gaming operations on November 28, 2009 at 6:00 p.m.

Chairman Grimmert also welcomed Mary Ann Roberts back after convalescing from surgery.

**CONTINUED DELIBERATION ON APPEAL OF AARON BOX,  
OWNER/TRAINER**

At the October 15, 2009 meeting, the Commission conducted an Appeal Hearing regarding Mr. Aaron Box's Appeal of the Board of Stewards at Remington Park's Order 2009-OHRC-097. In that Order, the Stewards found Mr. Box, Owner/Trainer, in violation of OHRC Pari-Mutuel *Rules of Racing* Rule 325:15-5-19, Workers' Compensation Act Compliance since Mr. Box did not have a valid Workers' Compensation Insurance Policy in effect at Remington Park to cover injuries sustained by Mr. Matthew Miller that resulted from a training accident on Mr. Box's horse. The Board of Stewards fined Mr. Box the sum of five hundred dollars (\$500.00) which had not been paid.

After hearing arguments from Mr. Norman Hollingsworth, Counsel for Mr. Box, and Ms. Mary Ann Roberts, Counsel for the Board of Stewards, the Commission took preliminary action to uphold the Stewards' decision and direct Staff to draft an Order with Findings of Facts and Conclusions of Law for further consideration at the November 19, 2009 meeting.

At the November 19, 2009 meeting, Mr. Neal Leader, Senior Assistant Attorney General and Commission Legal Counsel, advised the Commission that Mr. Hollingsworth, Counsel for Mr. Box, requested that, if the Order was adopted, a Stay for the \$500 fine payment be issued while the case is pursued in the District Court.

Commissioner Bowers made a motion to deliberate in Executive Session and include Mr. Rieger, and Mr. Leader. Mr. Carter seconded the motion. The vote was as follows:

Aye: Mr. Bowers, Mr. Carter, Mr. Bollenbach, Mrs. Goumaz, Mr. Grimmert

Nay: Mrs. Barkett, Mr. Smicklas

Abstain: Mr. Savage

Mr. Burton was absent from the meeting.

The motion passed with 5 ayes, 2 nays, and 1 abstention.

Commissioner Savage did not participate in the Executive Session.

Commissioner Carter made a motion to return to Open Session. Commissioner Goumaz seconded the motion. The vote was as follows:

Aye: Mr. Carter, Mrs. Goumaz, Mrs. Barkett, Mr. Bollenbach, Mr. Bowers,  
Mr. Smicklas, Mr. Grimmert

Abstain: Mr. Savage

Mr. Burton was absent from the meeting.

The motion passed with 7 ayes, and 1 abstention.

Commissioner Smicklas made a motion to take final action to adopt the drafted Order on Aaron Box's Appeal and deny the request to stay the \$500 fine payment, pending the case being pursued in District Court. Commissioner Goumaz seconded the motion. The vote was as follows:

Aye: Mr. Smicklas, Mrs. Goumaz, Mr. Bollenbach, Mr. Bowers, Mr. Carter  
Nay: Mr. Grimmert  
Abstain: Mrs. Barkett, Mr. Savage  
Mr. Burton was absent from the meeting.  
The motion passed with 5 ayes, 1 nay, and 2 abstentions.

**CONTINUED CONSIDERATION OF CY 2009 AND CY 2010 RACING AND GAMING LICENSE APPLICATIONS BY GLOBAL GAMING RP, LLC**

Mr. Randy Calvert, as Counsel for Global Gaming RP, LLC, advised the Commission that the CY 2009 racing and gaming applications were withdrawn. He requested that the effective date for the CY 2010 racing and gaming license Orders be December 31, 2009 at Midnight.

Funding of the purchase price for Remington Park will be provided through 50% equity and 50% debt, with both the equity and loan funding originating from the Chickasaw Nation's General Fund. Operating capital of \$2,000,000 will be included in the purchase price. While neither the Chickasaw Nation nor Global Gaming Solutions, LLC have waived any of their sovereign immunity, it was the intent of the parties to establish Global Gaming RP, LLC without sovereign immunity.

Commissioner Barkett made a motion to take preliminary action to award CY 2010 racing and gaming licenses to Global Gaming RP, LLC and directed Commission Staff to draft the Orders for further deliberation at the next Commission meeting. Commissioner Smicklas seconded the motion. The vote was as follows:

Aye: Mrs. Barkett, Mr. Smicklas, Mr. Bollenbach, Mr. Bowers, Mr. Carter,  
Mrs. Goumaz, Mr. Savage, Mr. Grimmert  
Mr. Burton was absent from the meeting.  
The motion passed on an 8-0 vote.

**CONTINUED DELIBERATION ON CY 2010 RACING AND GAMING APPLICATIONS FOR REMINGTON PARK, INC. [OWNED BY MAGNA ENTERTAINMENT CORPORATION] AND FAIR MEADOWS AT TULSA**

At the October 15, 2009 meeting, the Commission took preliminary action to allot CY 2010 race dates to Remington Park, Inc. and Fair Meadows at Tulsa and directed Commission

Staff to draft CY 2010 racing and gaming license Orders for continued consideration at the November 19, 2009 meeting.

\*Commissioner Smicklas made a motion to continue deliberations in Executive Session on the CY 2010 racing and gaming Orders for Remington Park, Inc. and Fair Meadows at Tulsa and include Mr. Rieger and Mr. Leader. Commissioner Carter seconded the motion. The vote was as follows:

Aye: Mr. Smicklas, Mr. Carter, Mrs. Barkett, Mr. Bollenbach, Mr. Bowers,  
Mrs. Goumaz, Mr. Savage, Mr. Grimmett  
Mr. Burton was absent from the meeting.  
The motion passed on an 8-0 vote.

Commissioner Savage made a motion to return to Open Session. Commissioner Bollenbach seconded the motion. The vote was as follows:

Aye: Mr. Savage, Mr. Bollenbach, Mrs. Barkett, Mr. Bowers, Mr. Carter,  
Mrs. Goumaz, Mr. Smicklas, Mr. Grimmett  
Mr. Burton was absent from the meeting.  
The motion passed on an 8-0 vote.

Commissioner Carter made a motion to defer deliberations on the CY 2010 racing and gaming license Orders for Remington Park, Inc. and Fair Meadows at Tulsa to the end of the meeting. Commissioner Bowers seconded the motion. The vote was as follows:

Aye: Mr. Carter, Mr. Bowers, Mrs. Barkett, Mr. Bollenbach, Mrs. Goumaz,  
Mr. Savage, Mr. Smicklas, Mr. Grimmett  
Mr. Burton was absent from the meeting.  
The motion passed on an 8-0 vote.

After completing business for the CY 2010 racing and gaming license applications for Will Rogers Downs, Commissioner Goumaz made a motion to move the deferred agenda topic about CY 2010 racing and gaming licenses for Remington Park, Inc. and Fair Meadows at Tulsa from the end of the meeting's agenda. Commissioner Barkett seconded the motion. The vote was as follows:

\*While Commissioner Barkett originally made a motion to take final action on the CY 2010 racing and gaming license Orders for Remington Park, Inc. and Fair Meadows at Tulsa, she later withdrew the motion.

Aye: Mrs. Goumaz, Mrs. Barkett, Mr. Bollenbach, Mr. Bowers, Mr. Carter,  
Mr. Smicklas, Mr. Grimmett  
Mr. Savage was absent from the vote.  
Mr. Burton was absent from the meeting.  
The motion passed on a 7-0 vote.

Commissioner Barkett made a motion to take final action to adopt the drafted CY 2010 racing and gaming license Orders for Remington Park, Inc. Commissioner Bollenbach seconded the motion. The vote was as follows:

Aye: Mrs. Barkett, Mr. Bollenbach, Mr. Bowers, Mr. Carter, Mrs. Goumaz,  
Mr. Smicklas, Mr. Grimmett  
Mr. Savage was absent from the vote.  
Mr. Burton was absent from the meeting.  
The motion passed on a 7-0 vote.

Commissioner Barkett made a motion to take final action to adopt the drafted CY 2010 racing and gaming license Orders for Fair Meadows at Tulsa. Commissioner Goumaz seconded the motion. The vote was as follows:

Aye: Mrs. Barkett, Mrs. Goumaz, Mr. Bollenbach, Mr. Bowers, Mr. Carter,  
Mr. Smicklas, Mr. Grimmett  
Mr. Savage was absent from the vote.  
Mr. Burton was absent from the meeting.  
The motion passed on a 7-0 vote.

### **CONTINUED CONSIDERATION OF CY 2010 RACING AND GAMING APPLICATIONS FOR WILL ROGERS DOWNS**

At the October 15, 2009 meeting, the Commission considered Will Rogers Downs' amended CY 2010 racing application including a proposed change in the number of live race dates and the addition of a second race meeting and a proposed per-race fee for horsemen. [The proposed simulcast-in revenue distribution was a later agenda topic.]

Will Rogers Downs requested a total of sixty (60) live race days to be conducted in the following two race meetings:

- a Thoroughbred race meeting, 32 days in length, from March 6 through May 15, 2010 and
- a Quarter Horse, Paint and Appaloosa race meeting, 28 days in length, from September 23 through November 7, 2010.

Will Rogers Downs also proposed to charge horsemen an **unspecified** "reasonable" per-race fee "in an effort to recoup a portion of WRD's costs spent to employ the horsemen's bookkeeper and to purchase related software." Mr. Mark Enterline, Consulting General Manager at Will Rogers Downs, advised the Commission that he would provide more cost details at the November 19, 2009 meeting.

The Commission received a letter from concerned horsemen on November 5, 2009; and a November 11, 2009 letter from Ms. Debbie Schauf, Executive Director of the Oklahoma Quarter Horse Racing Association [OQHRA], addressed to Mr. Mark Enterline, Consulting General Manager, Will Rogers Downs, with the OQHRA's Reply Brief about proposed simulcast-in revenue distribution at Will Rogers Downs. In that document, the OQHRA requested five (5) additional race days and different CY 2010 race days for the proposed Quarter Horse, Paint and Appaloosa race meeting as follows:

August 20, 21, 22, 28, 29  
September 4, 5, 6, 10, 11, 12, 17, 18, 19, 25, 26  
October 2, 3, 9, 10, 16, 17, 23, 24, 30, 31  
November 6, 7, 13, 14, 20, 21, 27

Further, OQHRA requested that 3 races per day [2 for Quarter Horses and 1 for Paints and Appaloosas] be added to the proposed 32-day Thoroughbred race meeting.

The requests were made in light of Blue Ribbon Downs' closing and the desire of the Quarter Horse industry to accommodate important stakes races. The Quarter Horse industry also offered to partner with Will Rogers Downs in sharing some of the expenses of the added race days and races.

At the November 19, 2009 meeting, Mr. Mark Enterline, Consulting General Manager, stated that Will Rogers Downs could not economically accommodate all of the requests, citing the continued negative bottom line for the racetrack.

Because a mutual agreement between the racetrack and OQHRA had not been reached prior to the November 19, 2009 Commission meeting, Commissioner Barkett requested that the Commission meeting be recessed so that the parties, including Remington Park, could meet to attempt to reach an agreement with Mr. Rieger serving as mediator. That meeting began at 12:02 p.m.

At 1:33 p.m., Commissioner Carter made a motion to return to Open Session. Commissioner Bollenbach seconded the motion. The vote was as follows:

Aye: Mr. Carter, Mr. Bollenbach, Mrs. Barkett, Mr. Bowers, Mrs. Goumaz,  
Mr. Smicklas, Mr. Grimmatt  
Mr. Savage was absent from the vote.  
Mr. Burton was absent from the meeting.  
The motion passed on a 7-0 vote.

Mr. Rieger reported that the parties agreed to open Will Rogers Downs on September 4, 2010, as a non-pari-mutuel trial day and to open the official race meeting on Thursday, September 16, 2010, continuing with a three-day-week schedule (Friday, Saturday and Sunday) through November 14, 2010. There will be a total of twenty-eight race days, twelve races per day, which would meet the racetrack's statutory requirement. During the opening weekend, Will Rogers will run four continuous days.

Ms. Debbie Schauf, Executive Director of the Oklahoma Quarter Horse Racing Association, added that Remington Park had agreed to take one division of the Black Gold Stakes and add it to their racing program in the spring of 2010.

Commissioner Barkett made a motion to deliberate in Executive Session to discuss the CY 2010 racing and gaming license applications of Will Rogers Downs and include Mr. Rieger and Mr. Leader. Commissioner Bowers seconded the motion. The vote was as follows:

Aye: Mrs. Barkett, Mr. Bowers, Mr. Bollenbach, Mr. Carter, Mrs. Goumaz,  
Mr. Smicklas, Mr. Grimmatt  
Mr. Savage was absent from the vote.  
Mr. Burton was absent from the meeting.  
The motion passed on a 7-0 vote.

Commissioner Bowers made a motion to return to Open Session. Commissioner Goumaz seconded the motion. The vote was as follows:

Aye: Mr. Bowers, Mrs. Goumaz, Mrs. Barkett, Mr. Bollenbach, Mr. Carter,  
Mr. Grimmatt  
Mr. Savage and Mr. Smicklas were absent from the vote.  
Mr. Burton was absent from the meeting.  
The motion passed on a 6-0 vote.

Commissioner Barkett made a motion to take preliminary action to award CY 2010 racing and gaming license Orders to Will Rogers Downs, including the agreement reached for different live race days for the Quarter Horse, Paint and Appaloosa race meeting, and direct Commission Staff to draft Orders for continued deliberations at a December 17, 2009 Special Meeting. Commissioner Bollenbach seconded the motion. The vote was as follows:

Aye: Mrs. Barkett, Mr. Bollenbach, Mr. Bowers, Mr. Carter, Mrs. Goumaz,  
Mr. Smicklas, Mr. Grimmatt  
Mr. Savage was absent from the vote.  
Mr. Burton was absent from the meeting.  
The motion passed on a 7-0 vote.

**INDIVIDUAL PROCEEDING ON THE OKLAHOMA QUARTER HORSE RACING ASSOCIATION'S REQUEST FOR COMMISSION DETERMINATION OF SIMULCAST-IN REVENUE PURSE DISTRIBUTION BETWEEN THE 2010 RACE MEETINGS AT REMINGTON PARK**

Under Commission Rule 325:10-1-33, organization licensees, such as Remington Park, that conduct race meetings by single breed and mixed breed shall pay as purses between the race meetings the statutorily-designated revenue based on an agreement on a calendar year basis between the organization licensee and the duly elected horsemen's representative organizations. In the absence of an agreement by October 1 of each calendar year, the parties failing to agree shall immediately apply to the Commission for an Order directing the division of such purse monies between the respective race meetings.

On November 6, 2009, Counsel for the Oklahoma Quarter Horse Racing Association submitted an Application to Establish Division of Purse Proceeds for Remington Park in CY 2010.

At the November 19, 2009 Hearing on this issue, the Oklahoma Quarter Horse Racing Association was represented by attorney, Mr. Joseph Bocock; Remington Park was represented by Mr. Scott Wells, President and General Manager; and the Thoroughbred Racing Association of Oklahoma was represented by attorney, Mr. Mark Ramsey, who presented arguments and evidence in support of their client's position.

It was decided at the end of this agenda topic that the Commission would listen to all arguments regarding simulcast-in revenues before deliberating in Executive Session.

**INDIVIDUAL PROCEEDING ON WILL ROGERS DOWNS, LLC'S REQUEST FOR COMMISSION DETERMINATION OF SIMULCAST-IN REVENUE PURSE DISTRIBUTION BETWEEN THE 2010 RACE MEETINGS AT WILL ROGERS DOWNS**

On October 12, 2009, Will Rogers Downs, LLC advised the Commission that it preferred the division of simulcast-in revenue between the 2010 race meetings at Will Rogers Downs to be 90% for Thoroughbreds and 10% Quarter Horses, Paints and Appaloosas.

At the November 19, 2009 Hearing on this issue, the Oklahoma Quarter Horse Racing Association was represented by attorney, Mr. Joseph Bocock; Remington Park was represented by Mr. Scott Wells, President and General Manager; and the Thoroughbred Racing Association of Oklahoma was represented by attorney, Mr. Mark Ramsey, who presented arguments and evidence in support of their client's position.

**INDIVIDUAL PROCEEDING REGARDING COMMISSION APPROVAL OF  
PROPOSED SIMULCAST-IN REVENUE PURSE DISTRIBUTION IN CY  
2010 AT FAIR MEADOWS AT TULSA**

Under Commission Rule 325:10-1-33, organization licensees, such as Fair Meadows at Tulsa – that conduct only one mixed breed race meeting – shall establish and distribute purses subject to the approval of the Commission.

In its CY 2010 renewal racing application, Fair Meadows at Tulsa cited in Exhibit E.11 that it proposed the following simulcast purse splits:

**Outside the race meeting:**

80% Thoroughbred, 16% Quarter Horse, 4% Appaloosa and Paint

**During the race meeting:**

42% Thoroughbred, 42% Quarter Horse, 16% Appaloosa and Paint

On November 6, 2009, the Oklahoma Quarter Horse Racing Association advised the Commission of its objection to the proposed simulcast-in revenue distribution split through its Counsel's submission of an Application to Establish Division of Purse Proceeds for Fair Meadows at Tulsa in 2010.

At the November 19, 2009 Hearing on this issue, the Oklahoma Quarter Horse Racing Association was represented by attorney, Mr. Joseph Boccock; Remington Park was represented by Mr. Scott Wells, President and General Manager; and the Thoroughbred Racing Association of Oklahoma was represented by attorney, Mr. Mark Ramsey, who presented arguments and evidence in support of their client's position.

At the conclusion of the parties' presentations, Commissioner Bowers made a motion to deliberate individually in Executive Session on the CY 2010 simulcast-in revenue distribution split at Remington Park, Fair Meadows at Tulsa and Will Rogers Downs, and to include Mr. Rieger and Mr. Leader in the deliberations. Commissioner Barkett seconded the motion. The vote was as follows:

Aye: Mr. Bowers, Mrs. Barkett, Mr. Bollenbach, Mr. Carter, Mrs. Goumaz,  
Mr. Smicklas, Mr. Grimmett

Mr. Savage was absent from the vote.

Mr. Burton was absent from the meeting.

The motion passed on a 7-0 vote.

Commissioner Bowers made a motion to return to Open Session. Commissioner Goumaz seconded the motion. The vote was as follows:

Aye: Mr. Bowers, Mrs. Goumaz, Mrs. Barkett, Mr. Bollenbach, Mr. Carter,  
Mr. Smicklas, Mr. Grimmatt  
Mr. Savage was absent from the vote.  
Mr. Burton was absent from the meeting.  
The motion passed on a 7-0 vote.

Commissioner Barkett made a motion to take preliminary action to set Remington Park's CY 2010 simulcast-in revenue distribution split between race meetings at 90% Thoroughbreds and 10% Quarter Horses, Paints and Appaloosas and direct Commission Staff to draft an Order to be considered in continued deliberation at the January, 2010 Commission meeting. Commissioner Smicklas seconded the motion. The vote was as follows:

Aye: Mrs. Barkett, Mr. Smicklas, Mr. Bowers, Mr. Carter, Mrs. Goumaz,  
Mr. Grimmatt  
Nay: Mr. Bollenbach  
Mr. Savage was absent from the vote.  
Mr. Burton was absent from the meeting.  
The motion passed on a 6-1 vote.

Commissioner Barkett made a motion to take preliminary action to set Will Rogers Downs' CY 2010 simulcast-in revenue distribution split between race meetings at 90% Thoroughbreds and 10% Quarter Horses, Paints and Appaloosas and direct Commission Staff to draft an Order to be considered in continued deliberation at the January, 2010 Commission meeting. Commissioner Smicklas seconded the motion. The vote was as follows:

Aye: Mrs. Barkett, Mr. Smicklas, Mr. Bowers, Mrs. Goumaz, Mr. Grimmatt  
Nay: Mr. Bollenbach, Mr. Carter  
Mr. Savage was absent from the vote.  
Mr. Burton was absent from the meeting.  
The motion passed on a 5-2 vote.

Commissioner Barkett made a motion to take preliminary action to set Fair Meadows at Tulsa's CY 2010 simulcast-in revenue distribution split at 80% Thoroughbreds and 20% Quarter Horses, Paints and Appaloosas for both during and outside of the race meetings and direct Commission Staff to draft an Order to be considered in continued deliberation at the January, 2010 Commission meeting. Commissioner Smicklas seconded the motion. The vote was as follows:

Aye: Mrs. Barkett, Mr. Smicklas, Mr. Grimmatt  
Nay: Mr. Bollenbach, Mr. Bowers, Mr. Carter, Mrs. Goumaz  
Mr. Savage was absent from the vote.  
Mr. Burton was absent from the meeting.  
The motion failed on a 3-4 vote.

Commissioner Goumaz made a motion to take preliminary action to set Fair Meadows at Tulsa's CY 2010 simulcast-in revenue distribution split at 80% Thoroughbreds and 20% Quarter Horses, Paints and Appaloosas between race meetings and at 60% Thoroughbreds and 40% Quarter Horses, Paints and Appaloosas during the live race meeting and direct Commission Staff to draft an Order to be considered in continued deliberation at the January, 2010 Commission meeting. Commissioner Bowers seconded the motion. The vote was as follows:

Aye: Mrs. Goumaz, Mr. Bowers, Mr. Carter  
Nay: Mrs. Barkett, Mr. Bollenbach, Mr. Smicklas, Mr. Grimmett  
Mr. Savage was absent from the vote.  
Mr. Burton was absent from the meeting.  
The motion failed on a 3-4 vote.

Commissioner Bollenbach made a motion to take preliminary action to set Fair Meadows at Tulsa's CY 2010 simulcast-in revenue distribution split at 80% Thoroughbreds and 16% Quarter Horses and 4% Paints and Appaloosas between race meetings and at 42% Thoroughbreds, 42% Quarter Horses and 16% Paints and Appaloosas during the live race meeting and direct Commission Staff to draft an Order to be considered in continued deliberation at the January, 2010 Commission meeting. Commissioner Bowers seconded the motion. The vote was as follows:

Aye: Mr. Bollenbach, Mr. Bowers, Mr. Carter, Mrs. Goumaz  
Nay: Mrs. Barkett, Mr. Smicklas, Mr. Grimmett  
Mr. Savage was absent from the vote.  
Mr. Burton was absent from the meeting.  
The motion passed on a 4-3 vote.

## RECOMMENDATIONS FROM THE OKLAHOMA-BRED ADVISORY COUNCIL

The Oklahoma-Bred Advisory Council met on November 4, 2009 and forwarded the following recommendations for Commission consideration:

### 1. Funding Request from Remington Park

Mr. Fred Hutton, Director of Racing/Racing Secretary at Remington Park (RP), requested Oklahoma-Bred funds for added monies in six stakes races to be run during RP's 2010 Quarter Horse, Appaloosa and Paint race meeting as follows:

	Purse Supplements	Broodmare Awards	Stallion Awards	Total
<b><u>Quarter Horse Stakes Races</u></b>				
Sooner State Stakes	\$ 50,000	22,917	10,417	\$ 83,334
Easy Jet Stakes	\$ 25,000	11,458	5,208	\$ 41,666
Land Run Stakes	\$ 25,000	11,458	5,208	\$ 41,666
<b><u>Paint Stakes Race</u></b>				
Oklahoma Paint Association Futurity	\$ 5,000	2,292	1,042	\$ 8,334
<b><u>Paint and Appaloosa Stakes Race</u></b>				
National Cowboy and Western Heritage Museum	\$ 5,000	2,292	1,042	\$ 8,334
Mister Lewie Memorial	\$ 5,000	2,292	1,042	\$ 8,334
Totals	\$115,000	\$52,709	\$23,959	\$191,668

The Advisory Council recommended Commission approval of the Oklahoma-Bred fund request.

2. **Funding Request from Will Rogers Downs**

In an October 21, 2009 letter, Will Rogers Downs (WRD) requested Oklahoma-Bred funds of \$60,000 for two Classics Races to be run during the 2010 WRD Thoroughbred race meeting as follows:

	Purse Supplements	Broodmare Awards	Stallion Awards	Total
The Cherokee Casino Will Rogers Downs Classic Stakes	\$15,000	\$10,200	\$4,800	\$30,000
The Oklahoma Thoroughbred Classic Stakes	<u>15,000</u>	<u>10,200</u>	<u>4,800</u>	<u>30,000</u>
	\$30,000	\$20,400	\$9,600	\$60,000

The Advisory Council recommended Commission approval of the \$60,000 Oklahoma-Bred fund request.

**3. Funding Request from Oklahoma Thoroughbred Association**

On October 19, 2009, the Oklahoma Thoroughbred Association submitted a funding request of \$280,000 for the CY 2010 Oklahoma Classics, a series of eight (8) stakes races for accredited Oklahoma-Breds held during Remington Park's Thoroughbred race meeting. If provided, the funding would be used as 50% for purse supplements (\$140,000) and 50% for breeders' awards for broodmares and stallions (\$140,000) with a purse payout formula for the top five finishers of 60-20-11-6-3%. The amount requested included the possibility of adding two races to the Oklahoma Classics for older horses.

**The Advisory Council recommended the funding request at a maximum amount of \$280,000.**

**4. Foal Nomination Form for CY 2010 Oklahoma Classics**

The Foal Nomination Form for the CY 2010 Oklahoma Classics, a series of eight (8) stakes races for accredited Oklahoma-Breds held during Remington Park's Thoroughbred race meeting.

**The Advisory Council recommended approval of the Foal Nomination Form.**

**5. Allocation of Oklahoma-Bred Registration Fees**

Of the \$208,422 received in Oklahoma-Bred registration fees during the period of July 1, 2008 through June 30, 2009, the Advisory Council recommended the following allocations:

<u>RACETRACK</u>	<u>BREEDS</u>			<u>TOTAL</u>
	<u>Thoroughbred</u>	<u>Quarter Horse</u>	<u>Appaloosa/Paint</u>	
Remington Park	\$45,189.40	\$37,301.83	\$5,243.53	\$ 87,734.76
Blue Ribbon Downs	9,667.75	38,082.56	5,515.92	53,266.23
Will Rogers Downs	25,853.90	7,373.62	2,928.20	36,155.73
Fair Meadows at Tulsa	12,011.45	14,486.99	4,766.85	<u>31,265.28</u>
				\$208,422.00

**The Advisory Council recommended Commission approval of the proposed distribution breakdown of Oklahoma-Bred registration fees among the four cited racetracks.**

Commissioner Bowers made a motion to approve all of the recommendations from the Oklahoma-Bred Advisory Council as requested. Commissioner Barkett seconded the motion. The vote was as follows:

Aye: Mr. Bowers, Mrs. Barkett, Mr. Carter, Mrs. Goumaz, Mr. Smicklas,  
Mr. Grimmatt

Mr. Bollenbach and Mr. Savage were absent from the vote.

Mr. Burton was absent from the meeting.

The motion passed on a 6-0 vote.

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

There were no items not known in advance of posting the agenda.

**ANNOUNCEMENTS**

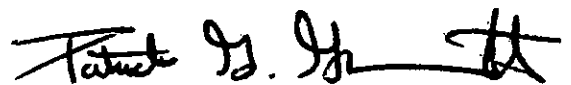
A Special Commission Meeting on December 17, 2009 will be held at the Attorney General's Office.

The Oklahoma Thoroughbred Association advised Commissioners that two of the Two-Year-Old Thoroughbred Classics races would be held at Remington Park on November 22, 2009.

**ADJOURNMENT**

By acclamation, the Commission meeting was adjourned at 3:15 p.m.

Approved this 17<sup>th</sup> day of December, 2009.



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Mr. Patrick Grimmatt, Chairman

On Behalf of the Commission:

ATTEST:



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Constantin A. Rieger, Executive Director  
CAR/ejb/12/03/09, 12/4/09, 12/7/09, 12/9/09, 1/4/10