

MINUTES
WV RACING COMMISSION
Thursday October 24th, 2024
WV Racing Commission Conference Room

The WV Racing Commission met on October 24th, 2024, to conduct business and consider administrative matters. Roll call was taken, and present was Commissioner Chip Urling, Commissioner Paul Espinosa and Commissioner Tony Figgaretti.

Agenda Item #1 – Approval of July 31st meeting minutes

The minutes are approved.

Motion made by Commissioner Urling.
Seconded by Commissioner Figgaretti
Motion passed.

Agenda Item #2 – Executive Director's Report

The Commission started with a moment of silence in remembrance of Ken Lowe.

Mr. Moore suggested for the remainder of the year that Commissioner Tony Figgaretti should be appointed the commissioner and carry out the remainder of Chairman Lowes term for the calendar year. Without objection Commissioner Figgaretti has agreed to fill that role. Mr. Moore has forwarded the commission for review the parimutuel wagering comparison year to date through FY25. You'll notice that the live racing handle has decreased a little over 9.5% compared to the same period of last year. The total in-state handle, which is the live handle combined with the simulcast reported down at the bottom of that form, is down nearly 11% compared to the same time last year. In addition to the pari-mutual wagering comparison, I sent you the financial summary forms, which is an up-to-date position of your administrative funds for first quarter FY25, as well as the 2024 ADW data through September. You can get the most up-to-date data on where your administrative funds are. We have established a mortality review board at Charlestown. That board consists of your vet, who is Dr. Francis Daniel, Jason Elliott, who is the vet tech there, will head up the administrative duties of scheduling and so forth of that committee. Roy Cave, your steward, will serve as your steward and right now your investigator on that board. Doug Bowling, as the track superintendent, will serve and Maria will be the horsemen's representative. The Mortality Review Board will review circumstances and over time be able to determine what factors may have contributed to each equine fatality. Monitor track safety to identify and address some anomalies in some of the equine injury rates that we're seeing. In addition to that, I have put together a subcommittee to address our aftercare funding. The Rating Commission received expenditure authority in FY25 to provide funding for an aftercare program. The funding source is generated from revenue received from advanced deposit wagering. The committee right now will meet within the next couple of weeks to start establishing a criteria for which placements would request reimbursement or how that money is funding.

Commissioner Espinosa stated that he certainly was pleased to work with you Joe on the ADW legislation and providing a funding stream there and other funding for aftercare so good to see that going forward and happy to assist with that any way that I can. And maybe we should for the benefit of anyone on the line who is not familiar with Commissioner Espinosa. Commissioner Espinosa is a former delegate, has worked on really the Racing Commission rules and statutes in their current form for a number of years, is very knowledgeable of what our statute readings are. When we had ADW push through, it was very instrumental in that.

*Motion made by Commissioner Urling
Motion passed.*

Agenda Item #3 – Legal Update

There's nothing to update since our last meeting

Agenda Item #4 – Executive Session for Legal Advice - Proposed Dany Ryan/Smart Angle Appeal

Mr. Moore would like to make a motion that we adjourn our meeting for a moment to consult with the legal counsel. Agenda item number four is an executive session for legal advice on a proposed appeal of the Racing Commission. We will mute this phone for everybody who's joined us by computer or phone. You can stay on. We'll mute this line. We're going to go down the hall.

*Motion made by Joe Moore
Seconded by Commissioner Figgaretti
Motion passed.*

Agenda Item #5 – HCCTR Requests Approval of CY25 Live Race Days

Mr. Moore presents a request for Hollywood Casino of Charlestown Races request approval of their 2025 live race calendar. A little background on this agenda item. The statute dictates that Charlestown requests 220 live race days each year. Mountaineer requests 210 live race days each year. There are provisions in that statute that allow for those tracks to request a reduction in race days from that number. For you today is Charlestown statutorily required request for 220 lap race day.

*Motion made by Commissioner Urling
Motion passed.*

Agenda Item #6 – Xpressbet Requests Approval of 2025 ADW License Renewal

Mr. Moore presents a request for XpressVet request approval with 2025 ADW license renewal. So since the passage of ADW, there was an initial licensing application with an annual renewal to be submitted and approved each year by each of your providers. ExpressVet has submitted their application to you. They did indicate a change is required by the application since their previous approval. That change is expressed in the information that was provided to you. And unless you have any questions, I would recommend this item for approval.

*Motion made by Commissioner Urling.
Seconded by Commissioner Figgaretti
Motion passed.*

Agenda Item #7 – Lein Games Racing LLC Requests Approval of 2025 ADW License Renewal

Mr. Moore presents a request for approval of the 2025 ADW license. Similar to the express vet, Linn Games did have a license for the 2025 ADW license.

*Motion made by Commissioner Urling.
Seconded by Commissioner Figgaretti
Motion passed.*

Agenda Item #8 – Public Comments

No Comments

Agenda Item #9 – Adjournment

Motion to adjourn made by Chairman