

KANAWHA COUNTY

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Nitro looks for way to allow smoking in casino

by Billy Wolfe, Daily Mail staff



File photo

Nitro officials are exploring ways to create a municipal health department that would allow the town to circumvent the Kanawha County Board of Health and its nonsmoking policies. But in the meantime, Mayor Rusty Casto has suggested Mardi Gras Casino and Resort, shown above prior to the smoking regulations in 2007, would give \$100,000 a year to the board in exchange for an exemption from the smoking ban.

CHARLESTON, W.Va. -- The city of Nitro is exploring yet another way to circumvent Kanawha County's indoor smoking ban.

Kanawha County Commission President Kent Carper said Friday that Nitro Mayor Rusty Casto called him with an offer he flatly refused.

Carper said Casto asked him to go before the Kanawha County Board of Health and tell board members that the dog track and casino will give \$100,000 per year to the health department if board members will exempt part of the casino from the smoking ban.

"He asked would I be interested in conveying that message to the board," Carper said. "I told him, 'With all due respect Mr. Mayor, I am not your message boy.'"

When reached for comment, Casto said he hadn't yet spoken with track officials about the proposal.

He called it a "trial balloon."

"I was just throwing it out there," he said.

He said it was his idea for the track to donate money to help develop a smoking cessation program through the health department. In exchange, the health department would allow smoking in a segregated area of the casino, under Casto's proposal.

He likened the proposal to the fact that casinos pay a portion of their profits into a program that helps people break their addictions to gambling.

He deferred further comments to City Councilman Craig Matthews, who is calling for the city to break away from the Kanawha-Charleston Health Department and create its own municipal health department; a move that many officials said has little chance of success.

Calls to Matthews were not immediately returned.

Dan Adkins, president of Hartman and Tyner, owner of the racetrack, said he had no knowledge of Casto's request.

But Adkins said he has offered for the company to cover the expenses of a city-operated health department.

"We've had discussions with the city of Nitro about fees and the ways to cover the costs if they were able to create a health board of their own for two years now," he said. "The track has certainly indicated to the city that we would cover oversight and regulatory costs if the city was able to have its own health board.

"I don't know how that gets construed to we would be willing to pay the county health board for anything," he added. "That discussion has never taken place."

Last week, city officials said they are exploring their legal options regarding the creation of a municipal health department.

Matthews said last week he believes a municipal health department might serve the health needs of city residents better than the consolidated services of the Kanawha-Charleston Health Department.

He also thinks a smoking policy more friendly to the dog track could be crafted locally.

Adkins and Carper are in agreement that the state Legislature should pass a comprehensive statewide policy regulating indoor smoking, rather than passing the responsibility down to county health departments.

Adkins said the smoking policy cost the track as much as \$10 million the first year and at least \$5 million this year. That means less business and occupation tax revenues paid to the city.

Other nearby businesses are suffering as a result of the policy, city officials believe.

They claim the policy gives an advantage to businesses in Putnam County, where indoor smoking regulations are less restrictive.

Chief Health Officer Rahul Gupta said he was not aware of the conversation between Carper and Casto, or the offer itself.

"We have not heard about this at all," he said. "Our board takes pride in its integrity, and we have not found any substantive evidence that the track should be given an exemption.

"I'm not even sure that such an offer would be legal," Gupta added.

Carper said he was taken aback by the offer and flatly refused any involvement.

He called it "quid-pro-quo."

"And that's being kind," he said. "It sounds like something you'd see in a third world country."

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