

# **Virginia Racing Commission**

## **MINUTES**

### **OF THE**

#### **COMMISSION MEETING**

**September 28, 2011**

**HORSEMEN'S BUILDING  
COLONIAL DOWNS  
10700 HORSEMEN'S ROAD  
NEW KENT, VA**

#### **In Attendance**

##### **Commission Members:**

Clinton Miller, Chairman  
David Reynolds  
J. Sargeant Reynolds, Jr.  
Stuart Siegel

##### **Commission Staff:**

Bernard J. Hettel, Executive Secretary  
David S. Lermond, Jr., Deputy Executive Secretary  
Kimberly M. Carter, Office Administrator  
C. Richard Harden, DVM, Equine Medical Director  
Joseph M. Roney, Director of Security & Enforcement

##### **Attorney General's Office:**

Amy K. Dilworth

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At 10:06 a.m., the regular monthly meeting of the Virginia Racing Commission (VRC) was called to order by Chairman Miller. Mark Brown is not present.

The minutes of the regular meeting held on August 23, 2011 were approved unanimously.

There were no comments during Commissioners Comments.

Chairman Miller stated that the Commission will have a working session following the regular meeting in October of the Commission. Chairman Miller appointed Commissioner S. Reynolds to take over the Standardbred Subcommittee.

During the Executive Secretary's report, Mr. Hettel stated that a Legislative Impact Study Group should be established as we prepare for the legislative session for next year. Mr. Hettel also attended the VHHA meeting on Sunday, September 25, 2011 and acknowledged the Harness horsemen in attendance for the September Commission meeting.

A discussion ensued regarding points of discussion that are being explored by the licensee and stakeholders in the Harness/Standardbred area.

During public participation, several Harness horsemen in attendance expressed their concerns about Harness racing in Virginia.

Chairman Miller made the following motion to go into closed session. "In accordance with the provisions of Section 2.2-3711 (A) (7) of the Code of Virginia, I move that the Commission go into closed meeting for the purpose of discussion or consideration of the assignment, appointment, performance or salary of a specific public officer, appointee or employee of the Commission and /or for the purpose of consultation with legal counsel employed or retained by the Commission regarding specific legal matters requiring the provision of legal advice by such counsel." Chairman Miller's motion was seconded by Commissioner Siegel. All were in favor by saying, "Aye."

Coming out of closed meeting, Chairman Miller adopted of the following resolution:

**WHEREAS**, the Virginia Racing Commission has convened a closed meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of The Virginia Freedom of Information Act; and **WHEREAS**, Section 2.2-3712 of the Code of Virginia requires a certification by this Commission that such closed meeting was conducted in conformity with Virginia law; **NOW, THEREFORE, BE IT RESOLVED**, that the Virginia Racing Commission certifies that, to the best of each member's knowledge, (i) only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act and (ii) only such public business matters as were identified in the motion convening the closed meeting were heard, discussed or considered by the Commission in the closed meeting. Certified by the Commission, the vote was: D. Reynolds, aye; S. Reynolds, aye; Siegel, aye; Chairman Miller, aye.

There being no further business, Wednesday, October 26, 2011 at 10:00 a.m. was set as the date and time of the next meeting to be held at Colonial Downs, 10515 Colonial Downs Parkway, New Kent, VA. The meeting was then adjourned.