

FINAL MINUTES

Charitable Gaming Board
Department of Agriculture and Consumer Services (VDACS)
Electronic Meeting via WebEx
Thursday, December 31, 2020

CALL TO ORDER

Mr. Charles Lessin called the meeting to order at 10:10 a.m.

Mr. Lessin asked Mr. Michael Menefee to call the roll.

MEMBERS PRESENT:

Mr. Charles Lessin, Chair
Ms. Tanya Conrad, Vice-Chair
Mr. Mark Cooper
Mr. Clay Dawson
The Honorable William Feasenmyer
Mr. Samuel Kaufman
Mr. James Lewis
Ms. Amy Solares
The Honorable Ryant Washington

MEMBERS ABSENT:

Ms. Lea Roberts
Ms. Lasonja Black

VDACS STAFF PRESENT:

Mr. Larry Nichols, Director, Division of Consumer Protection
Mr. Michael Menefee, Program Manager, Office of Charitable and Regulatory Programs

OFFICE OF THE ATTORNEY GENERAL STAFF PRESENT:

Mr. Justin Bell, Assistant Attorney General, Office of the Attorney General

Mr. Menefee informed Mr. Lessin that a quorum was present.

MESSAGE FROM THE CHAIR

Mr. Lessin expressed his appreciation to members for their efforts in developing the proposed Texas Hold'em poker tournament regulations. Mr. Lessin stated he spoke with each member regarding the proposed regulations and sent each member a copy of the proposed regulations.

REPORT FROM BOARD MEMBERS

Mr. Lessin asked members whether they had any reports for the Board. With no remarks from members, Mr. Lessin moved onto Old Business.

OLD BUSINESS

Mr. Lessin asked for Mr. Rich Lehman to explain to the Board his public comment related to invoices. Mr. Lehman recommended amending 11VAC15-50-40 (H) of the proposed regulations to eliminate the requirement for an operator to provide an invoice to the charitable organization after each tournament and replace it with an invoice summarizing all of the tournaments conducted on behalf of the charitable organization during the day. Mr. Lessin asked for comments from members, Ms. Tanya Conrad, The Honorable Bill Feasenmyer, Mr. Samuel Kaufman, Mr. James Lewis, Ms. Amy Solares and The Honorable Ryant Washington agreed to amend the proposed regulations to replace the requirement for an invoice after each tournament with a daily summarized invoice.

Mr. Lessin asked for Mr. Lehman to explain to the Board his next public comment. Mr. Lehman recommended amending 11VAC15-50-60 (C)(2) of the of the proposed regulations to eliminate the requirement for a charitable host representative to be physically present during the duration of the tournament. After much discussion by members, Mr. Lessin asked for a motion on this particular amendment. Mr. Kaufman motioned to amend the proposed regulation to eliminate the requirement for the charitable host representative to be "physically present" to simply "present" during the duration of the tournament. Mr. James Lewis seconded the motion and Mr. Lessin asked Mr. Menefee to call the roll in order to record each member's vote.

Member	Vote on the Motion
Lessin	Aye
Conrad	Aye
Cooper	Aye
Dawson	Aye
Feasenmyer	Nay
Kaufman	Aye
Lewis	Aye
Solares	Nay
Washington	Aye

Mr. Menefee informed Mr. Lessin that the vote for the motion to approve the amendment was seven ayes, two nays, and zero abstentions. Mr. Lessin announced to the members that the motion on the amendment passed.

Mr. Lessin stated members will review the proposed regulations page by page and he asked whether any members had any comments. Mr. Menefee asked the Board for clarification on the requirement within the proposed regulations on the duration of the surety bond as it will impact whether a charitable organization can seek redress through the surety bond against its contracted tournament operator. After much discussion by members, Mr. Lessin asked for a motion to amend the proposed regulations to add the word “annual” to the surety bond requirement. Mr. Lewis motioned to amend the proposed regulation as presented by Mr. Lessin. Ms. Conrad seconded the motion and Mr. Lessin asked Mr. Menefee to call the roll in order to record each member’s vote.

Member	Vote on the Motion
Lessin	Aye
Conrad	Aye
Cooper	Aye
Dawson	Aye
Feasenmyer	Aye
Kaufman	Aye
Lewis	Aye
Solares	Aye
Washington	Aye

Mr. Menefee informed Mr. Lessin that the vote for the motion to approve the amendment was nine ayes, zero nays and zero abstentions. Mr. Lessin announced to the members that the motion on the amendment passed.

Mr. Lessin asked whether any member had any further comments for the Board.

With no further comments, Mr. Lessin asked for a motion to approve the amended proposed regulations as the final regulations and Mr. Lewis made the motion, which was seconded by Hon. Feasenmyer. Mr. Lessin asked Mr. Menefee to call the roll in order to record each member's vote.

Member	Vote on the Motion
Lessin	Aye
Conrad	Aye
Cooper	Aye
Dawson	Abstention
Feasenmyer	Aye
Kaufman	Aye
Lewis	Aye
Solares	Aye
Washington	Aye

Mr. Menefee informed Mr. Lessin that the vote for the motion to approve the amendment was eight ayes, zero nay and one abstentions. Mr. Lessin announced to the members that the motion passed.

PUBLIC COMMENT

Mr. Lessin asked whether anyone from the public had any comments for the Board.

With no comments from the public and there being no further business, Mr. Lessin informed members that it will meet electronically on January 19, 2021, at 10:00 a.m. The Board adjourned at approximately 11:41 a.m.

Respectfully submitted,

Michael Menefee
Program Manager
Office of Charitable and Regulatory Programs