

Virginia Racing Commission

MINUTES

OF THE

COMMISSION MEETING

May 7, 2014

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

In Attendance

Commission Members:

J. Sargeant Reynolds, Jr., Chairman
D.G. Van Clief, Jr., Vice Chairman
Carol G. Dawson
Stran Trout
Clinton Miller

Commission Staff:

Bernard J. Hettel, Executive Secretary
David S. Lermond, Jr., Deputy Executive Secretary
Kimberly C. Mackey, Office Administrator
C. Richard Harden, DVM, Equine Medical Director
Courtney Reid, Permitting Clerk

Attorney General's Office:

Joshua Laws

At 10:01 a.m., the regular monthly meeting of the Virginia Racing Commission (VRC) was called to order by Chairman, Reynolds.

The minutes of the regular meeting held on March 27, 2014 were approved.

The minutes of the appeal hearing held on April 11, 2014 were approved.

Chairman Reynolds welcomed former Chairman Clinton Miller back to the Commission.

During Commissioners Comments, Commissioner Dawson took a few minutes to inform the Commission that Kenneth Tomlinson, an avid Thoroughbred owner had died. Mr. Tomlinson was passionate about Thoroughbred horse racing, he owned Sandy Bayou

Stables, which claimed two stakes winners and a horse that won races at Saratoga, N.Y., in 2006.

During the Executive Secretary's Report, Mr. Hettel referred the Commission to Colonial Downs and the horsemen. A lengthy discussion ensued regarding 2014 Thoroughbred racing.

Joshua Laws, Esquire for the Commission read the following motion into the record. "Pursuant to Virginia Code section 2.2-3711(A) (1) (7), I move that the Commission convene a closed meeting for the purpose of the discussion and consideration of prospective candidates for employment and consultation with legal counsel employed or retained by the Commission regarding specific legal matters requiring the provision of legal advice by such counsel."

Returning from closed session, the following motion was read. "I hereby certify, pursuant to Virginia Code section 2.2-3712, that to the best of each member's knowledge, (i) only public business matters lawfully exempted from open meeting requirements under this chapter, and (ii) only such public business matters as were identified in the motion by which the closed meeting was convened, were heard, discussed or considered in the meeting by the Commission.

The following motion was unanimously approved, "I make a motion to reconfirm the Commission's December 2013 decision, namely: The Virginia Racing Commission hereby directs Colonial Downs to conduct a 2014 Thoroughbred race meet of 5 weeks and 25 race days duration. Further, the Commission stands ready to approve any contract agreed to by Colonial Downs and the Va HBPA. Additionally, once a contract is approved by the Commission, Commission staff will immediately take action to direct that any satellite wagering facilities currently closed by operation of law, be promptly reopened."

There being no further business, Monday, May 19, 2014 at 10:00 a.m. was set as the date and time of the next meeting to be held at the Horsemen's Building, 10700 Horsemen's Road, New Kent, VA. The meeting was then adjourned at 11:54 a.m.