

FINAL MINUTES

Charitable Gaming Board
Department of Agriculture and Consumer Services (VDACS)
Senate Room 2, Virginia State Capitol
1000 Bank Street
Richmond, VA
Tuesday, March 19, 2019

CALL TO ORDER

Mr. Charles Lessin called the meeting to order at 10:30 a.m. Mr. Lessin led the Board and the public in attendance with the Pledge of Allegiance.

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

MEMBERS PRESENT:

Mr. Charles Lessin, Chair
Ms. Tanya Conrad, Vice-Chair
The Honorable William Feasenmyer
Ms. Petrina Jones
Mr. Samuel Kaufman
Mr. James Lewis
Captain Daniel Minton
Ms. Lea Roberts
Ms. Amy Solares

MEMBERS ABSENT:

Mr. Bob Sussan

VDACS STAFF PRESENT:

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.

INTRODUCTION OF APPOINTED & REAPPOINTED BOARD MEMBERS

Mr. Lessin welcomed Ms. Tanya Conrad and Ms. Amy Solares back to the Board as the Governor reappointed them to the Board. Mr. Lessin also welcomed Ms. Lea Roberts to the Board as the Governor appointed her to the Board succeeding Mr. Randy Green.

MESSAGE FROM THE CHAIR

Mr. Lessin provided members with his vision for the Board during his tenure as Chair.

APPROVAL OF MINUTES

Mr. Lessin asked for a motion to approve the draft minutes of the February 12, 2019, Board meeting. Mr. James Lewis motioned approval of the draft minutes as amended. Ms. Conrad seconded the motion and it passed by a unanimous vote.

ELECTION OF THE BOARD’S VICE CHAIR

Mr. Lessin asked for nominations for the Board’s Vice-Chair. Ms. Solares nominated Ms. Conrad for the Board’s Vice-Chair and Mr. Lewis seconded the nomination. Ms. Petrina Jones nominated Mr. Samuel Kaufman for the Board’s Vice-Chair and Captain Daniel Minton seconded the nomination. Without any further nominations, Mr. Lessin closed the nomination process and each nominee spoke in support of their nomination. Mr. Lessin asked the members whether they wished to comment or discuss any of the nominations. Captain Minton spoke in favor of the nomination of Mr. Kaufman for the Board’s Vice-Chair. Without any further comments or discussion, Mr. Lessin asked each member to cast their vote for the Board’s Vice-Chair:

Member	Voted For
Lessin	Kaufman
Conrad	Conrad
Feasenmyer	Conrad
Jones	Kaufman
Kaufman	Kaufman
Lewis	Conrad
Minton	Kaufman
Roberts	Conrad
Solares	Conrad

With five members voting in favor of Ms. Conrad and four members voting in favor of Mr. Kaufman as the Board’s Vice-Chair, Mr. Lessin announced Ms. Conrad’s reelection as the Board’s Vice-Chair.

REPORT FROM BOARD MEMBERS

Mr. Lessin asked the members whether they had any reports for the Board. Ms. Lea Roberts, a newly appointed member to the Board introduced herself. The Honorable Feasenmyer and Ms. Conrad commented on the need of the Board to address the vagueness of the definition of private social quarters in the *Code of Virginia*. Mr. Lewis commented that he met with charitable gaming operators, who expressed interest in seeking approval from the Board on game variances. With no further remarks from members, Mr. Lessin informed members that there were no further reports before the Board.

PROGRAM MANAGER’S REPORT

Mr. Lessin asked Mr. Menefee whether he had any operational updates on the Office of Charitable and Regulatory Programs (OCRCP). Mr. Menefee provided the members with an update on the program’s Online Financial Reporting System as OCRCP looks to improve its online service. Mr. Menefee also informed members that the program is looking to hire for several vacancies, including two Senior Auditor positions and a Licensing Specialist position. Lastly, Mr. Menefee informed members that during January, on average, it took OCRCP 38 calendar days and during February, on average, it took 33 calendar days to process licensing applications. With no further comments, Mr. Lessin moved onto old business.

OLD BUSINESS

Mr. Lessin asked for a motion to approve changing the venue of the Board’s upcoming meetings to Richmond. Mr. Kaufman motioned approval to change the meeting venue for the Board’s upcoming meetings to Richmond and Ms. Jones seconded the motion. Mr. Lessin spoke in favor of this motion while Ms. Solares and Ms. Conrad spoke against the motion. Without any further comments or discussion, Mr. Lessin asked each member to cast their vote on the motion:

Member	Voted For The Motion
Lessin	Yes
Conrad	No
Feasenmyer	No
Jones	Yes
Kaufman	Yes
Lewis	No
Minton	Yes
Roberts	No
Solares	No

With five members voting against the motion and four members voting in favor of the motion, Mr. Lessin announced the motion was defeated.

Ms. Conrad motioned approval to reconsider the venue of the Board’s upcoming meetings, which the Board approved earlier on February 12, 2019, to a more centrally located region within the Commonwealth and Ms. Solares seconded the motion. Mr. Justin Bell offered comments on the Board’s bylaws as it relates to the organization of its meeting. After much discussion by members on the motion, Ms. Conrad withdrew it.

Ms. Conrad motioned approval to change the meeting venue for the Board’s June meeting from Virginia Beach to the Hampton Roads/Williamsburg/Newport News/Southside area and Mr. Kaufman seconded the motion. Ms. Conrad spoke in favor of her motion. Without any further comments or discussion, Mr. Lessin asked each member to cast their vote on the motion and it passed by a unanimous vote.

Mr. Lewis commented that the Board should consider using technology to encourage meeting participation among its members. Mr. Lessin responded in favor of using technology to encourage such participation, but expressed caution that it may affect actual meeting attendance. With no further comments or motions, Mr. Lessin moved onto new business.

NEW BUSINESS

Mr. Lessin asked for a motion to approve the creation of the Legislative Recommendation Workgroup, to consider possible recommendations to change certain provisions of the charitable gaming statutes. Mr. Lewis motioned approval to create the Legislative Recommendation Workgroup and Captain Minton seconded the motion. Mr. Lessin spoke in favor of this motion and Ms. Conrad commented that the workgroup must stay within the legal parameters of only recommending changes to certain provisions of the charitable gaming statutes. With no further remarks, the Board passed the motion by a unanimous vote.

Mr. Lessin moved onto the next item on the agenda. He asked for a motion to approve the Chair and members to the following workgroups:

Game Variance Workgroup
James Lewis, Chair
Lea Roberts, Member
Dan Minton, Member
Bill Feasenmyer, Member
Charles Lessin, Ex Officio

Legislative Recommendation Workgroup
Petrina Jones, Chair
James Lewis, Member
Bob Sussan, Member
Sam Kaufman, Member
Charles Lessin, Ex Officio

Use of Proceeds Workgroup
Sam Kaufman, Chair
Bill Feasenmyer, Member
Amy Solares, Member
Tanya Conrad, Member
Charles Lessin, Ex Officio

Mr. Lessin further motioned that the Board grant the workgroup authority to select its own Vice-Chair among its membership; and to grant the Chair the authority to appoint and to remove any member from a workgroup. The Honorable Feasenmyer made this motion, Ms. Conrad seconded the motion, and it passed by a unanimous vote.

Mr. Lessin asked Mr. Menefee to explain the next item on the agenda. In response, Mr. Menefee stated that if the Board wishes to amend 11VAC15-40, Charitable Gaming Regulations, then the Board must authorize staff to file a Notice of Intended Regulatory Action (NOIRA) on its behalf. As such, Mr. Lessin asked for a motion to authorize staff to take all appropriate action necessary to file a NOIRA on behalf of the Board to amend 11VAC15-40, *Charitable Gaming Regulations*.

Mr. Lewis made this motion, Mr. Kaufman seconded the motion, and it passed by a unanimous vote.

PRESENTATION

Mr. Lessin asked Mr. Menefee to make his presentation on the fourth quarter financial reports filed by permitted charitable gaming organizations on March 1, 2019. Mr. Menefee made his presentation to the Board. At the conclusion of the presentation, Mr. Lessin asked members whether they had any question for Mr. Menefee. Ms. Conrad and The Honorable Bill Feasenmyer had questions for Mr. Menefee. With no further questions, Mr. Lessin moved onto the next agenda item.

PUBLIC COMMENT

Mr. Lessin asked the public in attendance whether they had any comments. Mr. Eric Johnson, Hot Links, LLC, who presented a game that he wished for the Board to consider approving as an electronic pull-tab game. In response, Mr. Lessin encouraged Mr. Johnson to submit his request to the Board's Game Variance workgroup.

Mr. Bill Tennis, Government Relations Chair for the Virginia Elks Association sought the Board's input on ideas on possible legislation for the upcoming Virginia General Assembly. In response, Mr. Lessin encouraged Mr. Tennis to attend the Board's Legislative Recommendation Workgroup.

Mr. Lessin reminded members of the upcoming Board meeting on June 18, 2019, in the Hampton Roads/Williamsburg/Newport News area. Mr. Lessin informed members they would receive conflict of interest training and regulatory process training, so it is important that they arrive on time for the meeting. Lastly, Mr. Lessin also reminded members of their obligations under Virginia's Conflict of Interest laws when it comes to communicating with one another. Mr. Bell also offered comments on this matter.

With no comments from the public and there being no further business, the Board adjourned at 12:07 p.m.

Respectfully submitted,

Michael Menefee
Program Manager
Office of Charitable and Regulatory Programs