

FINAL MINUTES

Charitable Gaming Board
Department of Agriculture and Consumer Services (VDACS)
Varina Library
Meeting Room
1875 New Market Road
Henrico, Virginia
Thursday, October 24, 2019

CALL TO ORDER

Mr. Charles Lessin called the meeting to order at 10:01 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. Petrina Jones
Mr. Samuel Kaufman
Mr. James Lewis
Ms. Lea Roberts
Ms. Amy Solares

MEMBERS ABSENT:

Ms. Tanya Conrad, Vice-Chair
The Honorable William Feasenmyer
Mr. Kenneth Fitzgerald
Mr. Bob Sussan

VDACS STAFF PRESENT:

Mr. Larry Nichols, Director, Division of Consumer Protection
Mr. Joel Maddux, Deputy 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 welcomed members and the public to the Board meeting. He further stated that the Game Variance workgroup will meet at the conclusion of this meeting and all Board meetings will occur in the Richmond area as it is a centrally located for members. Lastly, Mr. Lessin stated that the Board meeting on November 12, 2019, will likely move from the Tuckahoe Library to the Varina Library to accommodate members, who travel from the Hampton Roads area.

APPROVAL OF MINUTES

Mr. Lessin asked for a motion to approve the draft minutes of the September 10, 2019, Board meeting. Mr. Samuel Kaufman motioned approval of the draft minutes as presented. Ms. Petrina Jones seconded the motion and it passed by a unanimous vote.

REPORT FROM BOARD MEMBERS

Mr. Lessin asked members whether they had any reports for the Board. With no remarks from members, Mr. Lessin informed members that there were no reports before the Board.

REPORT FROM THE BOARD'S WORKGROUPS

Mr. Lessin asked Ms. Jones, Chair of the Legislative Recommendation workgroup whether she had a report to the Board on the workgroup's activities. Ms. Jones informed members she did not have any report to the Board. Mr. Lessin stated earlier, as the Board's Chair met with the Secretary of Agriculture and Forestry and the Deputy Secretary of Agriculture and Forestry to discuss with them the Board's legislative recommendation. At this moment, he had not heard back from the Secretary of Agriculture and Forestry or the Deputy Secretary of Agriculture and Forestry on the Board's legislative recommendation. Mr. Lessin asked Mr. Kaufman, Chair of the Use of Proceeds workgroup whether he had a report to the Board on the workgroup's activities. Mr. Kaufman stated the workgroup met on October 11, 2019, to discuss its strategy for use of proceeds. The workgroup's strategy is to focus on incentivizing organizations to meet its use of proceeds in a changing marketplace. Mr. Lessin encouraged the workgroup to look at the number of organizations terminating its charitable gaming permit and leaving the marketplace. Mr. Lessin asked Mr. James Lewis, Chair of the Game Variance workgroup whether he had a report to the Board on the workgroup's activities. Mr. Lewis stated the workgroup will meet after the Board meeting and it will discuss the legal parameters of a game variance. Ms. Amy Solares had a several questions for Mr. Lewis on game variance. With no further comments, Mr. Lessin moved to the Program Manager's report.

PROGRAM MANAGER'S REPORT

Mr. Lessin asked Mr. Menefee whether he had any operational updates on OCRP. Mr. Menefee informed the Board that OCRP submitted its Annual report to the General Assembly on its oversight of charitable gaming, which was due in early October. Additionally, Mr. Menefee stated OCRP is in the process of hiring for two positions: 1) an auditor and 2) a Licensing and Registration Specialist.

OLD BUSINESS

With no old business before the Board, Mr. Lessin moved onto new business.

NEW BUSINESS

Mr. Lessin asked whether any member had new business, it wished to bring before the Board. Ms. Solares stated she wished for an increase in the prize amounts for charitable gaming in order to assist organizations in staying competitive in the marketplace. In response, Mr. Lessin stated that such an idea must go through the Board's Legislative Recommendation workgroup. Mr. Lessin asked for comments from the public on this matter and as such, Mr. Bud Oakey offered comment that the fast-track rulemaking process under the Administrative Process Act (APA) could be used to approve such an increase. Mr. Justin Bell advised the Board on the fast-track rulemaking process under the APA while Mr. Lessin and Mr. Kaufman offered comment on what constitutes an emergency in order to utilize the fast-track rulemaking process under the APA. With no further comments, Mr. Lessin moved onto public comment.

PUBLIC COMMENT

Mr. Lessin reminded members of the upcoming Board meeting on November 12, 2019, in Richmond. He further stated he will meet with Secretary of Agriculture and Forestry and the Deputy Secretary of Agriculture and Forestry to discuss the Board's legislative recommendation.

With no comments from the public and there being no further business, the Board adjourned at 11:17 a.m.

Respectfully submitted,

Michael Menefee
Program Manager
Office of Charitable and Regulatory Programs