

UNAPPROVED

# VIRGINIA RACING COMMISSION

## MINUTES

### OF THE

### COMMISSION MEETING

February 21, 2007

STATE CORPORATION COMMISSION  
TYLER BUILDING, COURTROOM B  
1300 EAST MAIN STREET  
RICHMOND, VIRGINIA

#### In Attendance

##### Commission Members:

Peter C. Burnett, Chairman  
William "Trip" Ferguson  
David C. Reynolds  
I. Clinton Miller

##### Commission Staff:

Stanley K. Bowker, Executive Secretary  
Kimberly M. Carter, Office Administrator  
David Lermond, Jr., Director of Pari-mutuels  
Joseph M. Roney, Director of Operations & Enforcement  
Marvin A. Sniegou, Director of Financial Management & Planning

##### Attorney General's Office:

Amy K. Dilworth

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At 9:30 a.m., Chairman Burnett called the regular monthly meeting of the Commission to order.

The minutes of the January 17, 2006 meeting were approved.

During Commissioners' Comments, Chairman Burnett gave an overview of the practice of suspended trainers transferring their horses to family members or employees. He stated it is something Virginia needs to review because a suspension becomes no penalty if the trainer can just continue to direct the activities of his stable even if by telephone instead of at the track.

Mr. Bowker stated that is one of the subjects to be taken up by the Eastern States Region Executive Directors and Secretaries at a meeting in two weeks at Philadelphia Park.

Commissioner Reynolds, Chairman of the Marketing and Promotion Committee, reported he and staff had met with CRT/tanaka the previous day and had received a progress report on the marketing plans. He said the roll out of the Ambassadors program will be in April.

Chairman Burnett reported that the Code Revision & Rules Committee had met and is recommending a number of changes for approval by the Commission. All of the proposed rules changes can be in place before the start of live racing in June. Changes in the following regulations were approved:

- 11 VAC 10-20-310. Wagering interests (as amended)
- 11 VAC 10-20-340. Refunds
- 11 VAC 10-100-30. Lip tattoo requirements
- 11 VAC 10-110-30. Horse ineligible to start
- 11 VAC 10-140-210 Interference
- 11 VAC 10-140-320 Safety helmets
- 11 VAC 10-140-330 Safety vests
- 11 VAC 10-150-210 Safety helmet
- 11 VAC 10-150-220 Safety vests

11 VAC 10-120-50 Claiming procedures was referred back to the Committee for further review. At the request of Frank Petramalo, Executive Director of the VaHBPA, 11 VAC 10-110-90 Coupling, also was referred to the Committee for additional discussion.

Acting on the recommendation from Mr. Bowker, the Commission approved Colonial Downs' March simulcasting schedule.

Mr. Bowker reported that 132 checks totaling \$468,000 in breeders' awards will be mailed by the state within the next two weeks. Another \$70,000 will be mailed at a later date.

Colonial Downs Vice President and General Manager Iain Woolnough reported that the first condition book for the live thoroughbred meet will be out March 9. The stakes schedule has been completed and horse recruiting for the meet has already begun.

Mr. Petramalo said the VaHBPA has three events planned for the meet. Owners' Day will be June 16 in conjunction with the \$750,000 Colonial Cup. The National HBPA will have its summer meeting in Williamsburg, July 19-22, and will be attending the \$1,000,000 Virginia Derby on July 21. Colonial Downs and the VaHBPA will sponsor a Fan Appreciation Day on July 28.

Discussion of the Agreement among Colonial Downs, VHBPA, VTA on Account Wagering Funds was continued to the next meeting.

The next meeting of the Commission was scheduled for March 21, 2007.

There being no further business, the monthly meeting was adjourned at 11:30 a.m.

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The regular monthly meeting was recessed for an appeal hearing in The Matter of Trainer Julianne Bobby. Because Ms. Bobby's hearing had been postponed twice previously because she was not present, the Commission held the hearing in her absence.

Following the hearing, the Commission voted unanimously to uphold the decision of the Stewards in assessing a fine of \$100 for making a late driver change on the horse "AMWAY HANOVER" in the eighth race on November 2, 2006. The fine is to be paid within 72 hours of receipt of the Commission ruling.

Because Ms. Bobby had failed to appear for today's hearing as directed by letter from the Executive Secretary and because her hearing had been postponed twice previously, the Commission voted unanimously to suspend Ms. Bobby for three racing days, September 14-16, 2007. If she chooses, she may appear before the Commission no later than its August meeting to show cause why the suspension should not be enforced beginning September 14, 2007.