

UNAPPROVED

# VIRGINIA RACING COMMISSION

## MINUTES

### OF THE

### COMMISSION MEETING

May 15, 2007

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

#### In Attendance

##### Commission Members:

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

##### Commission Staff:

Stanley K. Bowker, Executive Secretary  
Kimberly M. Carter, Office Administrator  
David Lermond, Jr., Director of Pari-Mutuels  
Joseph Roney, Director of Operations & Enforcement  
C. Richard Harden, DVM, Commission Veterinarian

##### Attorney General's Office:

Amy K. Dilworth

---

At 9:36 a.m., Chairman Burnett called the regular monthly meeting of the Commission to order.

The minutes of the April 17, 2007 meeting were approved as amended.

During Commissioners' Comments, Chairman Burnett gave a brief report on the RCI Spring Meeting and thanked Dave Lermond for putting together the Racing Index.

Commissioner Reynolds, Chairman of the Marketing and Promotion Committee, introduced Michael Mulvihill, President of CRT/tanaka who provided an update on the marketing activities to date. He added that press releases can be found on the Virginia Racing Commission web page.

At the request of Commissioner Ferguson, Chairman of the Thoroughbred Breeders Fund Subcommittee, the Commission approved paying 50% Virginia-bred owners awards on open races, funding for seven Virginia-bred stakes and \$15,000 each for six Virginia-bred maiden races for the 2007 Thoroughbred meet at Colonial Downs and a cap of \$100,000 for Virginia stallion awards. A request to use \$60,000 for a Virginia-bred two-year-old stake was tabled until the June meeting. Total financial incentives from the Thoroughbred Breeders Fund are \$600,000.

Chairman Burnett reported that the Racing Safety and Medication 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 10-180.10. Definitions
- 11 VAC 10-180-20. Generally
- 11 VAC 10-180-60. Medications and Substances
- 11 VAC 10-180.80. Permitted Race Day Substances

Most of the changes involve anabolic steroids and staff was asked to publish a new medication handbook for trainers and veterinarians.

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

Acting on the recommendation from Mr. Bowker, the Commission approved the export simulcast locations giving Mr. Bowker permission to approve additional locations.

Mandy McKeever-Judice and Dan Harmon were approved as additional racing officials subject to completion of their background checks.

Acting on the recommendation of Mr. Bowker, the Commission approved Delare Associates, University of Florida College of Veterinary Medicine Racing Laboratory and Center for Tox Services in Tempe, AZ as the reference laboratories for 2007.

The Commission approved the contract for 2007 with the Virginia Harness Horse Association for administration of the Standardbred Breeders' Fund.

After considerable discussion, the Commission granted the request of Tom Foley for an Apprentice Jockey License.

During the Colonial Downs report, Vice President and General Manager Iain Woolnough said the main track racing surface is down and has been worked in preparation for arrival of horses. Applications for more than 1,300 horses have been received by Racing Secretary Randy Wohrman.

Director of Marketing Darrell Wood provided an overview of Colonial Downs' marketing plans for the Thoroughbred meet.

The next meeting of the Commission will be Wednesday, June 20, 2007.

Chairman Burnett made the following motion:

“In accordance with the provisions of Section 2.2-3711 (A)(1) of the Code of Virginia, I move that the Commission go into closed meeting for the purpose of discussion, consideration, or interviews of prospective candidates for employment; assignment, appointment, promotion, performance, demotion, salaries, disciplining, or resignation of specific public officers, appointees, or employees of any public body; and evaluation of performance of departments or schools of public institutions of higher education where such evaluation will necessarily involve discussion of the performance of specific individuals. Any teacher shall be permitted to be present during a closed meeting in which there is a discussion or consideration of a disciplinary matter that involves the teacher and some student and the student involved in the matter is present, provided the teacher makes a written request to be present to the presiding officer of the appropriate board.

The motion was seconded and was unanimously approved.

Coming out of closed meeting, Chairman Burnett offered the following motion:

“Whereas, the Virginia Racing Commission has convened a closed meeting on this date pursuant to an affirmative recorded vote in accordance with the provisions of The Virginia Freedom of Information Act; and whereas, Section 2.2-3712 of the Code of Virginia requires a certification by this Commission that such closed meeting was conducted in conformity with Virginia law;

“Now, therefore, be it resolved, that the Virginia Racing Commission certifies that, to the best of each member's knowledge, (i) only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act and (ii) only such public business matters as were identified in the motion convening the closed meeting were heard, discussed or considered by the Commission in the closed meeting.”

The motion was seconded and the vote was as follows: Brown, aye; Ferguson, aye; Reynolds, aye; Miller, aye; and Chairman Burnett, aye.

There being no further business, the monthly meeting was adjourned.

