

Virginia Racing Commission

MINUTES

OF THE

COMMISSION MEETING

March 22, 2011

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

In Attendance

Commission Members:

Clinton Miller, Chairman
David Reynolds
J. Sargeant Reynolds, Jr.
Stuart Siegel

Commission Staff:

Bernard J. Hettel, Executive Secretary
David S. Lermond, Jr., Deputy Executive Secretary
Kimberly M. Carter, Office Administrator
C. Richard Harden, DVM, Equine Medical Director
Joseph M. Roney, Director of Security & Enforcement
Dennis E. West, Director of Operations
Peggy E. Mason, Permitting Manager

Attorney General's Office:

Amy K. Dilworth

At 10:03 a.m., the regular monthly meeting of the Virginia Racing Commission (VRC) was called to order by Chairman Miller.

The minutes of the regular meeting held on March 22, 2011 were approved unanimously.

During Commissioners comments, Chairman Miller welcomed the VRC's new Executive Secretary, Mr. Bernie Hettel. Chairman Miller also expressed his disappointment with the Commonwealth of Virginia's hiring process for an Executive Secretary.

Acting on the recommendation of the Thoroughbred Sub-Committee of the Virginia Breeders' Fund, the Commission approved the incentive payments to be made in conjunction with the 2011 live Thoroughbred meet. The incentive payments include a 100% owners bonus paid to the owners of a Virginia-bred or sired horses that finish 1st through 5th in open overnight races run at Colonial Downs in 2011.

Acting on the recommendation of Mr. Lermond, the Commission approved the list of racing officials for Colonial Downs for the 2011 Thoroughbred race meet.

Acting on the recommendation of Mr. Lermond, the Commission approved the 2011 Wagering Format for Colonial Downs for the 2011 Thoroughbred race meet. The wagering menu includes an all-stakes Pick-5 on VA Derby Day and \$.50 trifectas, Pick 3's and Pick 4's.

Acting on the recommendation of Mr. Lermond, the Commission approved the Stewards for the 2011 Thoroughbred meet. Jean Chalk will be the Chief Steward and will be joined in the stand by Philip Grove and Adam Campola. All are former riders with prior experience as Stewards. Dave Lermond was also approved as an alternate.

The Commission granted Mr. Hettel the authority to approve the racing officials for Strawberry Hill Races to be held on May 21, 2011.

The Commission approved the Virginia Thoroughbred Association's 2011 management contract to administer and promote the Thoroughbred portion of the Virginia Breeders' Fund in the amount of \$190,000.

Chairman Miller made the following motion to go into closed session. "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 or consideration of the assignment, appointment, performance or salary of a specific public officer, appointee or employee of the Commission. and In accordance with the provisions of Section 2.2-3711 (A) (7) of the Code of Virginia, I move that the Commission go into closed meeting for the purpose of consultation with legal counsel employed or retained by the Commission regarding specific legal matters requiring the provision of legal advice by such counsel." Chairman Miller's motion was seconded by Commissioner Siegel. All were in favor by saying, "Aye."

Coming out of closed meeting, Chairman Miller adopted of the following resolution:

WHEREAS, the Virginia Racing Commission has convened a closed meeting on this date pursuant to an affirmative recorded vote and 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. Certified by the Commission, the vote was: Siegel, aye; D. Reynolds, aye; S. Reynolds, aye; and Chairman Miller, aye.

There being no further business, Tuesday, May 24, 2011 at 9:30 a.m. was set as the date and time of the next meeting to be held at the Horsemen's Building, Colonial Downs, 10700 Horsemen's Road, New Kent, VA. The meeting was then adjourned.