

UNAPPROVED

VIRGINIA RACING COMMISSION

MINUTES

OF THE

COMMISSION MEETING

August 15, 2007

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

In Attendance

Commission Members

Peter C. Burnett, Chairman
Mark Brown, Vice Chairman
William H. (Trip) Ferguson
I. Clinton Miller
David C. Reynolds

Commission Staff:

Stanley K. Bowker, Executive Secretary
Kimberly M. Carter, Office Administrator
C. Richard Harden, DVM, Commission Veterinarian
David S. Lermond, Director of Pari-Mutuels
Joseph Roney, Director of Operations
Marvin A. Sniegon, Director of Finance & Planning

Attorney General's Office:

Amy K. Dilworth

At 10:45 a.m., Chairman Burnett called the regular monthly meeting to order.

The minutes of the July 17, 2007 meeting were approved.

During commissioners' comments, Chairman Burnett congratulated Colonial Downs and the horsemen on the outstanding Thoroughbred race meet that ended on August 7.

Commissioner Reynolds, Chairman of the Marketing and Promotion Committee, introduced Michael Mulvihill, President, and Amy Kaloski of CRT/tanaka who provided an update on the marketing activities to date. While there are a number of plans for the harness meet and into 2008, they indicated their “team” working on the Racing Commission project would be meeting later this week to begin developing a plan for next year.

On behalf of the Standardbred Breeders’ Fund Subcommittee, Chairman Brown moved that the Commission approve the following expenditures from the Standardbred Breeders’ Fund for the 2007 harness meet:

1. \$240,000 for eight stakes of \$30,000 each for Virginia-bred or owned, two- and three-year-old pacers and trotters.
2. Two stakes races at \$20,000 per race for a total of \$40,000 for four-year-old Virginia bred or owned horses to be funded from the purse account.
3. Approximately \$25,000 to be set aside from the Standardbred Breeders’ Fund for breeder and stallion awards.
4. Pay a 20% bonus purse supplement to any Virginia Standardbred that places first through fifth in any open race at the upcoming live meet to be held at Colonial Downs. The Estimated price tag is \$50,000.

The request was approved.

Acting on the recommendation of Mr. Bowker, the Commission approved Colonial Downs’ September simulcasting schedule.

Acting on the recommendation of Mr. Bowker, the Commission approved the following items for the 2008 Standardbred Meet:

1. Outlets for the sale of the live signal
2. Pari-mutuel pools.
3. Racing Officials subject to renewal of each’s USTA license.
4. Brent McLaren, George Hickman and Phil Wentworth, Stewards; Mr. Bowker, Mr. Lermond and Jack Remy as alternates.

Mr. Bowker reminded Commissioners that they needed to set a date for the submission of the request from Colonial Downs for 2008 live racing dates. After considerable discussion, the Commission scheduled a working session for November 14, 2007 to include discussion of the proposed dates and reminded those in attendance that the details for both the Thoroughbred and harness meets should be worked out by that time.

Glenn Petty, Executive Director of the Virginia Thoroughbred Association, said a number of ideas are being discussed on how to improve the Thoroughbred breeders program in Virginia. He said the VTA’s Breeders’ Fund Committee and the Commission’s Breeders’ Fund Subcommittee will meet shortly to develop future plans to present to the Commission for approval.

Colonial Downs Vice President/General Manager Iain Woolnough provided a review of the live Thoroughbred meet. He said he believed it was the best meet held at Colonial Downs highlighted by the Virginia Derby and the live television coverage by CBS.

He said the number of starters per race was 9.1 compared to 8.7 in 2006. A total of 295 races or 81.2% were run on the turf course. He thanked Dr. Harden and the members of the Commission's Test Barn crew for helping to cool the horses immediately after each race on the hot days.

Frank Petramalo, Executive Director of the Virginia HBPA, said the purse plans worked out almost exactly as anticipated with purses averaging \$226,000 per day including an increase in overnight purses. He said the HBPA provided trainer bonuses for horses filling the main track races. He said a number of horsemen were asking why there are not more racing days at Colonial.

Mr. Woolnough stated work is already underway to remove the cushion off of the track for the harness meet.

Following a report from Mr. Bowker on a case involving a medication violation during the 2007 Thoroughbred meet, Chairman Burnett made the following motion:

"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:

1. Discussion or consideration of the assignment, appointment, performance, or salary of specific employees of the Commission.

The motion was seconded and was unanimously approved.

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

"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 by Ferguson and the vote was as follows:
Brown, aye; Ferguson, aye; Reynolds, aye; Miller, aye; and Chairman Burnett, aye.

There being no further business before the Commission, the meeting adjourned at 1:37 p.m.

Prior to the regular monthly meeting, an appeal In the Matter of Trainer Lacy Gaudet/Claim of "Gold Point Gal was scheduled. Because no one was present for the appellant, a motion to dismiss because of failure to prosecute was unanimously approved. The horse also was released to resume training and racing.