

Virginia Racing Commission

MINUTES

OF THE

COMMISSION MEETING

October 2, 2019

State Corporation Commission

Tyler Building

Courtroom C

1300 East Main Street

Richmond, VA 23219

In Attendance

Commission Members:

D.G. Van Clief, Jr., Chairman

Stuart Siegel, Vice Chairman

J. Sargeant Reynolds, Jr.

Stephanie B. Nixon

Commission Staff:

David S. Lermond, Jr., Executive Secretary

Kimberly C. Mackey, Business Manager

Rhonda Davis, Pari-Mutuel Wagering and Licensing Coordinator

Ada Caruthers, Equine Medical Director

Attorney General's Office:

Robert N. Drewry, Esquire

At 10:01 a.m., Chairman Van Clief called the regular monthly meeting of the Virginia Racing Commission (VRC) to order. Commissioner Miller was absent.

Commissioner Reynolds moved to approve the minutes of the regular meeting held on July 22, 2019. Seconded by Vice Chairman Siegel. All were in favor. The motion carried unanimously.

Vice Chairman Siegel moved to approve the request for Final Amendments to 11VAC10-60-15 (Fee Schedule for Permit Holders) Seconded by Commissioner Nixon. All were in favor. The motion carried unanimously.

Commissioner Nixon moved to approve the License for a Satellite Wagering Facility submitted by the Colonial Downs Group, LLC to include the two conditions recommended in the staff

report. Seconded by Commissioner Reynolds. All were in favor. The motion carried unanimously.

Commissioner Reynolds moved to approve the License to Conduct Pari-Mutuel Wagering on Historical Horse Racing at Rosie's – Hampton submitted by Colonial Downs Group, LLC to include the two conditions recommended in the staff report. Seconded by Vice Chairman Siegel. All were in favor. The motion carried unanimously.

With no further business set forth on the agenda, the regular monthly meeting was adjourned at 10:52 a.m.

The regular monthly meeting was recessed for a review of the decision by the Stewards to disqualify "Speed Gracer" from the First to Fourth in the 10th Race at Colonial Downs on August 10, 2019. Commissioner Nixon recused herself from the review of the decision.

At 11:34 a.m., the Commission went into closed session "I move the VRC move into closed session for the purpose of consulting legal counsel on the administrative appeal matter before us, a matter lawfully exempted from open meeting requirements under 2.2-3711(8) and (7), which allows for consultation with legal counsel regarding specific legal matters or pertaining to actual or probable litigation." The motion for approval was made by Vice Chairman Siegel and seconded by Commissioner Reynolds. All were in favor. The motion carried unanimously.

Returning from closed session, at 12:06 p.m., "I move that the VRC's closed meeting, pursuant to 2.2-3711(A)(8) AND (7), be adjourned and the VRC return immediately to open session and whereas 2.2-3712(D) REQUIRES A CERTIFICATION by the VRC that such closed meeting was conducted in conformity with Virginia Law; now therefore, be it resolved that the VRC hereby certifies that (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting and (ii) only such public business matters as were identified in the motion convening the closed meeting were heard, discussed, or considered by the VRC." ROLL CALL: Commissioner Reynolds, Vice Chairman Siegel, and Chairman Van Clief voted "Aye". All were in favor. The motion carried unanimously. Commissioner Reynolds then moved to uphold the Steward's decision. Seconded by Vice Chairman Siegel. All were in favor. The motion carried unanimously.

With no further business set forth on the agenda, the review was adjourned at 12:09 p.m.