

1 **Virginia Racing Commission**

2

3 COLONIAL DOWNS
4 THIRD FLOOR
5 10515 COLONIAL DOWNS PARKWAY
6 NEW KENT, VA 23124

7 **Tuesday, February 27, 2024 at 11:00 a.m.**

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13 Commission Members:

14 Stephanie B. Nixon, Chair
15 John F. Tanner, Jr., Vice Chair
16 Stuart C. Siegel
17 Bette Brand
18 Gillian Gordon-Moore

19

20

21 Commission Staff:

22 David S. Lermond, Jr., Executive Secretary
23 Kimberly C. Mackey, Director of Operations
24 Ada K. Caruthers, DVM, Equine Medical Director
25 Yolanda Lopez Macias, Commission Veterinarian

26

27 Attorney General's Office:

28 Elizabeth B. Myers, Esquire

29

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1 CHAIR NIXON: Good morning, everybody. I'm
2 going to call the meeting to order. Before we get
3 going, we have two guests here with us. I'd like
4 to welcome Secretary of Agriculture and Forestry,
5 Matt Lohr, and Deputy Secretary Beth Green. Thank
6 you.

7 First on the agenda is the introduction of our
8 newest commissioner, Jill Gordon-Moore. For the
9 record, I'd like to thank former Commissioner
10 Hudgins; she is replacing her. I'd like to thank
11 Commissioner Hudgins for her hard work and to
12 welcome Jill. I believe her expertise in the horse
13 industry will be a huge asset to the Virginia
14 Racing Commission. So welcome.

15 COMMISSIONER GORDON-MOORE: Thank you. I hope
16 so.

17 CHAIR NIXON: Next is our election of Vice
18 Chair. I would like to open the nomination for Vice
19 Chair. Do we have any nominations?

20 COMMISSIONER SIEGEL: I'd like to nominate my
21 friend here. He's been here, our nominee has been
22 on this Commission, beginning his second term, and
23 I believe he'll be a great asset to this
24 organization as we go forward and I'd like to
25 nominate him to be Vice Chair.

1 COMMISSIONER BRAND: Second.

2 CHAIR NIXON: Any other nominations? I'd like
3 to go ahead and close the nomination and then I'd
4 like to seek a motion to approve the nominee.

5 MR. LERMOND: For the record, can we say
6 Jeff's name?

7 CHAIR NIXON: I'm sorry. I was distracted
8 over there with somebody. Commissioner Jeff
9 Tanner. I'd like to go ahead and seek a motion to
10 approve Commissioner Tanner.

11 COMMISSIONER SIEGEL: So moved.

12 COMMISSIONER BRAND: Second.

13 CHAIR NIXON: All those in favor?

14 NOTE: Commission votes aye.

15 CHAIR NIXON: All those opposed?

16 NOTE: There is no response.

17 CHAIR NIXON: Congratulations.

18 COMMISSIONER TANNER: Thank you.

19 CHAIR NIXON: Next is the approval of the
20 December 6 meeting minutes. Has everyone had a
21 chance to review the meeting minutes? Do we have
22 any questions?

23 COMMISSIONER SIEGEL: I move approval.

24 COMMISSIONER BRAND: Second.

25 CHAIR NIXON: All those in favor?

1 NOTE: The Commission votes aye.

2 CHAIR NIXON: All those opposed?

3 NOTE: There is no response.

4 CHAIR NIXON: Thank you.

5 First is our new business, which is a request
6 for approval of a limited license for the Virginia
7 Gold Cup Association.

8 MR. LERMOND: Commissioner comments.

9 CHAIR NIXON: I ran right by the public
10 comment period. No one would like to speak? Okay.
11 There we go. Thank you, Dave.

12 Next is the new business. The request for the
13 approval of a limited license for the Virginia Gold
14 Cup Association for 2024 for the spring and fall
15 days. I believe Dr. Allison will speak briefly
16 about this.

17 DR. ALLISON: Yes. We have submitted all of
18 the necessary documents for the request and things
19 are looking very positive for the Gold Cup for this
20 fall. We seem to be recovering from the COVID and
21 sales and responses have been very promising, so
22 things look good.

23 CHAIR NIXON: Great. Thank you. Any of the
24 Commissioners have any questions for Dr. Allison or
25 comments? None. Mr. Lermond.

1 MR. LERMOND: Thank you, Madam Chair. As
2 Dr. Allison said, February 9, 2024, the Gold Cup
3 applied for their limited license and submitted
4 an application for pari-mutuel wagering privileges
5 to be contested on May 4, 2024 and also October 26,
6 2024. Everything is contained in the application
7 as it should be and the staff doesn't have any
8 concerns.

9 I would like to point out the attendance last
10 year was up 70 percent over the year before and
11 speaking with Barbara Shannon, it should be even
12 higher this year because they're now going back to
13 their pre-COVID ticketing. So look for bigger
14 crowds and enthusiastic fans.

15 I would recommend that Virginia Gold Cup
16 Association be granted a limited license for
17 calendar year 2024 with the following conditions.

18 Horse racing with pari-mutuel wagering shall
19 be operated in accordance with all representations,
20 plans and specifications as submitted in the
21 application and as described here today at the
22 Virginia Racing Commission's February 27 meeting
23 and that the licensee shall not deviate materially
24 from these representations, plans and
25 specifications without the prior consent of the

1 Commission or its Executive Secretary.

2 Second, that horse racing with pari-mutuel
3 wagering shall be conducted in accordance with all
4 applicable state and federal statutes and
5 regulations, the regulations of the Commission and
6 all local ordinances. I will seek that motion.

7 COMMISSIONER BRAND: I move we accept that.

8 COMMISSIONER TANNER: Second.

9 CHAIR NIXON: All those in favor?

10 NOTE: The Commission votes aye.

11 CHAIR NIXON: All those opposed?

12 NOTE: There is no response.

13 CHAIR NIXON: Thank you. Next is the request
14 for the approval of racing officials for the 2024
15 Virginia Gold Cup races and I will turn that over
16 to Mr. Lermond.

17 MR. LERMOND: Thank you, Madam Chair. Behind
18 Tab 3 of your notebooks is a list that was provided
19 by the Gold Cup of its racing officials. This list
20 will be the same for both the spring and the fall
21 races.

22 I was looking for any new names on here and
23 the one that stuck out to me was Executive Director
24 Eshelman, who has come to the Gold Cup from
25 Shenandoah County.

1 Other than that, we have the same three
2 stewards for the Commission that we have had for
3 many years, which is great because of the
4 continuity between those three and almost all of
5 the other racing officials have returned from prior
6 years.

7 So with that, would seek a motion to approve
8 racing officials for the Virginia Gold Cup for
9 2024.

10 CHAIR NIXON: Any questions before we vote?

11 NOTE: There is no response.

12 CHAIR NIXON: Okay.

13 COMMISSIONER SIEGEL: I move approval.

14 CHAIR NIXON: Second?

15 COMMISSIONER BRAND: Second.

16 CHAIR NIXON: Commissioner Brand seconds. All
17 those in favor?

18 COMMISSIONER TANNER: Before we vote, the
19 motion needs to contain an amendment that allows
20 the Executive Secretary to approve any changes if
21 necessary.

22 CHAIR NIXON: You're right.

23 MR. LERMOND: Thank you.

24 CHAIR NIXON: So we will seek the motion for
25 approval that would include the authority for the

1 Executive Secretary to approve any changes, if
2 necessary.

3 COMMISSIONER SIEGEL: So moved.

4 CHAIR NIXON: Second?

5 COMMISSIONER BRAND: Second.

6 CHAIR NIXON: All those in favor?

7 NOTE: The Commission votes aye.

8 CHAIR NIXON: All those opposed?

9 NOTE: There is no response.

10 CHAIR NIXON: Thank you. Thank you,
11 Commissioner Tanner. Next is the approval of a
12 license for the Virginia Downs Foundation for 2024,
13 and I believe Mr. Hannum will be here to answer any
14 questions. Yes. Go ahead.

15 MR. HANNUM: So I will turn things over to
16 Darrell Wood, who manages the races for VEA. If
17 there are any questions, I would be happy to take
18 those myself or Darrell, but Darrell, I will ask
19 you to speak to the meet briefly.

20 MR. WOOD: Yes. Thanks, Jeb. Good morning,
21 Commissioners. We're requesting a seven-week
22 14-day meet to run from September 14 through
23 October 27. This will be the ninth annual harness
24 meet in Woodstock. It has grown every year a
25 little bit more.

1 We plan to simulcast the races out as well to
2 the major ADW outlets, tracks and OTBs around the
3 country.

4 There will be a minimum of \$800,000 of purse
5 moneys distributed and it's also the big Virginia
6 Breeders' championship day that falls in the fall
7 meet and that'll have purses, again, maybe \$650,000
8 and that'll be on closing day, October 27.

9 So any questions, happy to answer them.

10 CHAIR NIXON: Does anybody have any questions
11 or comments? Mr. Lermond.

12 MR. LERMOND: Thank you, Madam Chair. On
13 January 26, 2024, the Virginia Downs Foundation
14 submitted its application for a limited license to
15 conduct 14 days of harness racing with pari-mutuel
16 wagering at Shenandoah Downs from September 14,
17 2024 to October 27, 2024. Shenandoah Downs is
18 located in Shenandoah County fairgrounds in
19 Woodstock, Virginia.

20 The Virginia Downs Foundation is a non-profit,
21 non-stock corporation incorporated in the
22 Commonwealth of Virginia on April 1, 2016. The
23 Virginia Downs Foundation is a 501(c)(4)
24 corporation, as required by the code of Virginia to
25 be granted a limited license.

1 The application submitted contained all of the
2 required information in accordance with the
3 Virginia Racing Commission's regulations and we
4 have reviewed the application and summarized it in
5 the staff report behind Tab 4 of the notebooks.

6 Based on that review, I would recommend
7 approval of this application with the following
8 conditions.

9 The horse racing with pari-mutual wagering
10 shall be operated in accordance with all
11 representations, plans and specifications as
12 submitted in the application and as described at
13 the Virginia Racing Commission's February 27
14 meeting and the licensee shall not deviate
15 materially from these representations, plans and
16 specifications without the prior consent of the
17 Commission or its Executive Secretary.

18 Two, the horse racing pari-mutuel wagering
19 shall be operated in accordance with all applicable
20 state and federal statutes and regulations, the
21 regulations of the Commission and all local
22 ordinances. I would seek that motion.

23 COMMISSIONER BRAND: So moved.

24 CHAIR NIXON: Commissioner Brand moves.
25 Second?

1 COMMISSIONER SIEGEL: Second.

2 CHAIR NIXON: Commissioner Siegel seconds. All
3 those in favor?

4 NOTE: The Commission votes aye.

5 CHAIR NIXON: All those opposed?

6 NOTE: There is no response.

7 CHAIR NIXON: Thank you. Next is the request
8 for the approval of the VHHA's withdrawal of
9 administrative costs for the horsemen's purse
10 account for 2024, and I believe that Debbie Warnick
11 from the VHHA will be present to answer any
12 questions. There she is.

13 MS. WARNICK: We're requesting the two percent
14 from the purse account based upon last year's
15 purses to be used for our administrative costs this
16 year, which comes out to be \$70,385. Does anybody
17 have any questions?

18 CHAIR NIXON: Do any Commissioners have any
19 questions for Ms. Warnick?

20 COMMISSIONER BRAND: I do have a question.
21 Can you refresh my memory how that deviates or is
22 it the same percentage as previous years?

23 MS. WARNICK: Yes, ma'am. It's set by statute
24 as to what percentage we can request.

25 COMMISSIONER BRAND: Okay.

1 MR. LERMOND: It was two percent last year.
2 The purse level was 2.2 million, so there was less
3 money, and I did verify the total of the 3.5
4 million with the horsemen's bookkeeper.

5 COMMISSIONER BRAND: Good.

6 CHAIR NIXON: Any other questions or comments?

7 NOTE: There is no response.

8 CHAIR NIXON: Thank you. Hearing none, I
9 request approval of the VHHA's withdrawal of
10 administrative costs from the horsemen's account
11 for 2024.

12 COMMISSIONER TANNER: So moved.

13 COMMISSIONER BRAND: Second.

14 CHAIR NIXON: All those in favor?

15 NOTE: The Commission votes aye.

16 CHAIR NIXON: All those opposed?

17 NOTE: There is no response.

18 CHAIR NIXON: Next is the request of approval
19 of Colonial Downs Group's capital expenditures
20 using its share of the breakage from 2024, and I
21 believe Frank Hopf of Churchill will be here to
22 present this item.

23 MR. HOPF: Good morning, Madam Chairman,
24 Commissioners. Out of the breakage money earned
25 throughout the 2023 season, which is approximately

1 \$684,000, \$400,000 will go to the outer turf
2 irrigation turf project that is set to start in the
3 next few weeks. Two hundred thousand, which
4 actually bumped up a little bit more, will go to
5 track equipment that will be purchased here
6 shortly.

7 Then another 90,000 will be going towards the
8 repaving of the saddling paddock with pavers that
9 we've received. So that is the plan for the
10 breakage money with capital expenditures. Happy to
11 answer any questions.

12 COMMISSIONER BRAND: Ms. Chairman, I have a
13 question about the new dormitory. You said it's in
14 the program or in the future. Can you just give
15 an update on what the status is? Is it still in
16 the planning phase?

17 MR. HOPF: Yes. So the site plan has been
18 developed. It has been sent over to the horsemen
19 to review as well. It is on target to be ready to
20 be available for the 2025 season. So as of right
21 now, everything is moving forward with the dorm
22 project.

23 COMMISSIONER SIEGEL: And the other projects
24 that you mentioned will be done for this season or
25 not?

1 MR. HOPF: Yes. The saddling paddock is
2 planned hopefully in the next couple weeks to get
3 that started. That should take about a month. The
4 turf irrigation should be done by mid to late
5 April, so before the racing season. Then the
6 equipment that we're getting we're hopefully
7 getting by April or May, just due to time issues.

8 COMMISSIONER SIEGEL: Are any other capital
9 improvements planned?

10 MR. HOPF: Yes. Capital expenditures was just
11 approved last week by CDI. There are a variety of
12 things. I was going to talk about that in my
13 presentation here in just a second.

14 COMMISSIONER SIEGEL: Okay. That's fine.

15 CHAIR NIXON: Any other questions for
16 Mr. Hopf? We have a microphone here now that's
17 working if anybody needs to use it.

18 Hearing no more questions, I will go ahead and
19 propose the approval for the Colonial Downs Group
20 capital expenditure using its share of the breakage
21 from 2024.

22 COMMISSIONER SIEGEL: So moved.

23 COMMISSIONER BRAND: Second.

24 CHAIR NIXON: All those in favor?

25 NOTE: The Commission votes aye.

1 CHAIR NIXON: All right. Those opposed?

2 NOTE: There is no response.

3 CHAIR NIXON: Looks like you're up again.

4 MR. HOPF: I'll get the microphone. Thanks
5 again, Madam Chair and Commissioners. Just wanted
6 to give the group a little update about where we're
7 at with the 2024 racing season. This is going to
8 kind of cover ticketing, marketing and capital
9 expenditures and projects that we're working on
10 right now.

11 So I do have a PowerPoint presentation on the
12 TV for those who can see it. Again with the racing
13 schedule Thursdays, Fridays and Saturdays, a few
14 things we're going to do this year is to kind of
15 promote Thursday and Friday racing, in addition to
16 Saturday racing with all of the promotions and
17 events.

18 So Thursdays, we're going to move forward with
19 a promotion called Thirsty Thursdays. Post time is
20 going to be 1:30. We're going to offer some drink
21 specials. We're going to be selling a souvenir
22 cup, a Commonwealth souvenir cup that will allow
23 patrons to receive a \$3 draft beer all season long
24 on Thursdays.

25 So part of the marketing plan is to try to get

1 people out here, have an enjoyable afternoon of
2 racing. Obviously tie it in with some drink
3 specials.

4 In addition, we're working on a partnership
5 with Berks hot dogs that will offer \$2 hot dogs as
6 well for the customers that come out for racing on
7 Thursdays.

8 Fridays, 4:30 post, we're calling it Party at
9 the Downs. Again, happy hour from four to seven.
10 That will be beer and wine only specials and we're
11 also going to have live music at the trackside tent
12 during live racing.

13 So we'll have bands each Friday night playing
14 music in between the races. We will make sure that
15 there's no amusement going on during live racing,
16 but we'll have that going on and then after racing,
17 they'll probably play a couple more songs and just
18 add some atmosphere to a Friday evening here at
19 Colonial.

20 Saturday. So the promotion schedule is set.
21 Obviously, we're going to move forward with some
22 additional in-house entertainment during the day,
23 but right now what we're looking for on Saturday is
24 July 13, we're doing an 18-month calendar giveaway.

25 If you guys have not heard, there is a special

1 wedding working with Dream Catchers in Toano with a
2 wedding of two horses; Lark and Tater. That event
3 will be happening here before racing, so we're
4 really going to try to push that and do some
5 Rosie's givebacks as well on opening day to the
6 community.

7 The 20th will be Flying Squirrels day here.
8 They are off that week, so hopefully the plan is to
9 get some involvement from the mascots and
10 everything and kind of drive their marketing push
11 as well saying they're coming out here for Saturday
12 racing.

13 The 27th, NASCAR Richmond Raceway day. Again,
14 it's a weekend where there are not any NASCAR
15 races, so we're hopeful to get the trophies, maybe
16 a driver or two to come out, retired or current
17 driver to come out and push the day out here,
18 interact with the fans.

19 It's also I believe going to be PDJF day, so
20 we're going to have a breakfast event during the
21 training that day, as well as try to raise some
22 money for the PDJF. So hopefully we can use the
23 tie with the NASCAR drivers here as well as with
24 the riders. That's another opportunity there to
25 kind of cross-promote within the area.

1 August 3rd, first Saturday in August, we'll do
2 a Colonial Downs hat giveaway along with a Taste of
3 New Kent event that will be out in the parking lot.
4 Since that's a free event, what we're trying to do
5 is get those people to come on over to racing; kind
6 of go back and forth throughout the day.

7 So that's a food, car show and drink event as
8 well out there, so hopefully tie it in with the
9 community and that will get some more people out
10 here for racing on a slow Saturday for us.

11 Colonial Downs Festival of Racing obviously
12 returns. The goal is to add some more stake races.
13 Currently, we're putting the book together and
14 obviously we're hoping to continue to build on last
15 year's success with the Arlington Million, Beverly
16 D and Secretariat.

17 August 17th is the New Kent county fair day.
18 So this event was actually held last year on the
19 same day as the Festival of Racing. That event
20 will actually be held over in the trackside tent
21 this year. They expect a couple thousand people
22 for that event.

23 So again, similar to the Taste of New Kent is
24 trying to have some cross-traffic with the
25 community coming out for racing and for these

1 events for the county. So they're excited about
2 having these two events here and we're excited to
3 see how they work for everybody.

4 August 24th, new event. It's obviously a very
5 popular event. I know Shenandoah does this as
6 well. We'll have wiener dog racing in between
7 Thoroughbred racing, obviously.

8 So we are going to go live with registration
9 now and hopefully my experience at my previous
10 track certainly is a popular day with the crowd.
11 Hopefully, we can turn some of them into horse
12 players as well. So that will be a new promotion
13 for this year.

14 The 31st, this will be for the VA restricted
15 races in the Commonwealth, as we branded it last
16 year. That's still the plan for the last Saturday
17 of August.

18 Then obviously closing day, September 7th,
19 will be Virginia Derby day and we will be giving
20 away a Secretariat poster as well on that day.

21 So again, a variety of things. We'll have the
22 petting zoo and pony rides, either one most
23 Saturdays. On the bigger days, we'll have both out
24 here. We'll have some other family fun activities
25 as well, as we did last year. So hopefully to

1 continue to grow the promotion schedule for the
2 next season.

3 COMMISSIONER BRAND: I have a question burning
4 in my mind. What are Berks hot dogs?

5 MR. HOPF: So Berks hot dogs is what I've been
6 told is a hot dog company kind of more in the
7 Pennsylvania, Maryland market and they're trying to
8 get into Virginia. So they're a brand of hot dogs
9 kind of like Oscar Mayer or Nathan's.

10 COMMISSIONER BRAND: Sounds like I'm missing
11 out.

12 MR. HOPF: Yeah. I haven't had them either
13 yet, so.

14 So we're still in the midst of working on our
15 marketing. We've been kind of, we have started
16 having meetings back in November weekly, so we're
17 getting close but we are trying to kind of nail
18 down where we're going with our media.

19 The one area that we are looking at is doing
20 some on-site television coverage. Right now,
21 we're looking at two local RVA affiliates to
22 participate in having crews and personalities come
23 to the track and kind of highlight a day of racing
24 and things that we offer here at Colonial Downs.

25 Obviously, we'll have a variety of ad

1 placements at local affiliates from around the
2 region, not just of Richmond, but we are looking at
3 the Hampton area and the peninsula.

4 Again, digital coverage is kind of the
5 standard marketing avenue that most people are
6 doing right now. Then obviously, a partnership
7 with ESPN radio.

8 There's probably a lot more coming with this,
9 but this is where we're at right now.

10 Yes, ma'am.

11 COMMISSIONER GORDON-MOORE: Is there any
12 marketing going towards the Navy and the Hampton
13 Roads area? It's a huge population.

14 MR. HOPF: Yeah. That is something we heard
15 last year and we're certainly going to make more
16 inroads over near the Hampton region. When we're
17 talking with our media buy and stuff like that, we
18 want to make sure that we get more options there.

19 COMMISSIONER GORDON-MOORE: It seems there are
20 a lot of people there that may want more
21 recreational possibilities.

22 MR. HOPF: Yes. So that is part of our goal
23 this year is to get more into Hampton as well.

24 The other thing that we're working on and
25 actually has kind of started happening is utilizing

1 Rosie's customer reach through the Rosie's reward
2 members we're already including in the monthly
3 mailers of live racing that's starting up that goes
4 out to 100,000 people each month. We'll be
5 continuing email blasts to all the members leading
6 up to and during the racing season.

7 Obviously another item is there are some
8 calendars up here that we had created kind of
9 highlighting promotions. It has a QR code so when
10 things get updated, people can go to that and check
11 out the website of what's coming up. We're also
12 going to have those at all the Rosie's properties
13 as well as we see the marketing opportunity is
14 there.

15 So it's an easy find trying to just tell the
16 customers at Rosie's what's going on here at
17 Colonial Downs when we get to the summer time.

18 There will be a lot more coming with that, but
19 just to give you kind of an idea where we're going.

20 Obviously, there will be racing simulcast
21 promotions with FanDuel and TwinSpires and stuff
22 like that as we try to grow that as well as we get
23 live racing to the betting public.

24 Any questions before I go on? Okay. So
25 ticket sales. So we did a pre-sale ticket sale to

1 2023 purchasers and reward members on
2 February 12th. We offer a 24 percent discount to
3 the grandstand seats and boxes. Jockey Club and
4 1609 was also available for sale at retail price.

5 What we're looking to do for Thursdays is
6 reduce the pricing of tickets at all locations.
7 Then another change this year is that ticket
8 pricing will be inclusive of tax and fees.

9 So obviously, our partnership is with Ticket
10 Master. So last year if you bought a ticket at \$5
11 for a grandstand seat box, you still had to pay the
12 taxes, you still had to pay the service fees.

13 So this year like on a Thursday, for example,
14 the grandstand and seat boxes will still be \$5 and
15 that's what the customer will pay is \$5. So all of
16 that is inclusive. All that will be throughout the
17 property for every day of racing.

18 CHAIR NIXON: I assume you mean 2024?

19 MR. HOPF: I did. Oh, no, 2023.

20 CHAIR NIXON: Okay.

21 MR. HOPF: So people who bought tickets last
22 year. I'm sorry. Yeah. Everyone who bought
23 tickets last year for live racing was sent this
24 email to drive them to purchase tickets.

25 CHAIR NIXON: Okay.

1 MR. HOPF: So as of today, we've had over 200
2 tickets sold with about \$8500 in sales. So that's
3 a positive start for a couple weeks of having
4 tickets on sale and not announcing a promotion
5 schedule, marketing.

6 we'll put out a press release today with the
7 promotions as well and tickets going on sale to the
8 public starting tomorrow.

9 CHAIR NIXON: You know, when someone goes to
10 purchase a ticket, do they call Colonial Downs? Is
11 there a point of contact for a person? I'm sorry.
12 Is there a point of contact for someone that they
13 need to speak to?

14 MR. HOPF: Yeah. So generally, all tickets
15 are purchased online, but we'll make sure that
16 there's a contact number and more than likely it'll
17 be me until we get our team in here for the season.

18 CHAIR NIXON: Okay.

19 MR. HOPF: Again, general admission will be
20 free all season long, so festival day, derby day,
21 general admission will be free.

22 Just moving on quickly to capital
23 improvements. As I mentioned, we'll have the outer
24 turf track irrigation. The racing equipment,
25 actually a little bit more money came our way to

1 purchase more equipment as we move forward.

2 The saddling paddock pavers parked over by the
3 racing area, we do have three piles of pavers that
4 we received from Churchill.

5 Additional things to be doing. This list is
6 pretty small, but the grandstand upgrades. We will
7 be purchasing five of the big ass fans for the
8 grandstand seats to help provide some additional
9 airflow. That's why I put BA fans for that.

10 Then we've also got new chairs coming in with
11 cushions for all of the grandstands and seat boxes.
12 There are a variety of other things that we will be
13 working on throughout the facility, but those are
14 the topics for the public-facing side of the
15 operation.

16 Then obviously the new dormitory. As I
17 mentioned, the draft site has been made and shared
18 with the HBPA. It's going to be relatively the
19 same design as the existing dorm, just west of the
20 first dorm you see when you go into the stable
21 area.

22 So that was just a quick update of where we're
23 at right now heading into the '24 season. Happy to
24 answer any questions or concerns.

25 COMMISSIONER SIEGEL: There was talk earlier

1 about enhancing the lighting on the track.

2 MR. HOPF: Yes. Sorry. I didn't mention that
3 one. So we have replaced all of the light bulbs
4 that were out for the last season. That was over
5 100 light bulbs that have been replaced. Actually,
6 the team is out there right now.

7 We had a couple of the poles that were a
8 little bit hot, so they have that fixed. So right
9 now, all of the light bulbs have been replaced on
10 the track lights.

11 MS. EASTER: Just some questions, comments
12 that might be helpful. One, one of the complaints
13 we've always heard over the years is that people
14 call Colonial, they can't get anybody.

15 I think it's great that you're going to
16 answer, but maybe if you just start with
17 an answering machine that says, Leave your message.
18 We'll be back with you in 24 to 48 hours.

19 That may be real helpful because that's one I
20 still hear about all the time, so just a
21 suggestion.

22 I don't think you can do it now, but maybe for
23 the next meeting. You talked about the media and
24 what you will be spending to promote, but you
25 didn't talk about what you will spend, but that

1 might be interesting to everybody to know what you
2 guys will spend on the promotion as far as media
3 and everything.

4 Then a question just about I'm not sure on
5 this. On the outside irrigation --

6 CHAIR NIXON: Debbie?

7 MS. EASTER: Yes.

8 CHAIR NIXON: We might need to talk about this
9 at a later date.

10 MS. EASTER: Okay.

11 CHAIR NIXON: If that's okay.

12 MS. EASTER: All right. Well, I figured that
13 would be a later date thing. I was just, sure. No
14 problem.

15 CHAIR NIXON: Thank you.

16 MS. EASTER: Do you want to hear one more or
17 not?

18 CHAIR NIXON: That's all right.

19 MS. EASTER: All right.

20 CHAIR NIXON: Any other questions for
21 Mr. Hopf, Commissioners?

22 COMMISSIONER GORDON-MOORE: Has the lighting
23 system been tested? Is it up to speed and ready to
24 go or is it still in a fixing stage?

25 MR. HOPF: Yes. All of the lights are

1 operational. The next step, I want to get Musco
2 out here to make sure that all of the lights, all
3 of the illumination is proper so there are no dark
4 spots or shadows on the track if needed for live
5 racing. So that's next up.

6 COMMISSIONER GORDON-MOORE: The changeover
7 with the moving the pole at the finish line --

8 MR. HOPF: Yes.

9 COMMISSIONER GORDON-MOORE: Are those lights
10 all set up and sufficient?

11 MR. HOPF: Yes. We'll run tests again on
12 those as well with Musco to make sure everything is
13 working properly.

14 COMMISSIONER GORDON-MOORE: One more quick
15 question. You're talking landscaping and working
16 on the lights in the infield. How is the equipment
17 getting in there without ruining the turf course?

18 MR. HOPF: So really, we're going to start
19 minimizing any crossover traffic here probably end
20 of March. We have the turf burn next week and then
21 after probably mid to late March, then we'll
22 probably start trying to get all of these projects
23 off the track so we don't have to put the mats down
24 because obviously, the mats don't --

25 COMMISSIONER GORDON-MOORE: Last year when the

1 meet opened there was a horrible spot over there.

2 MR. HOPF: Yes.

3 COMMISSIONER GORDON-MOORE: It did go away, so
4 that was good. It did go away, but if we lose our
5 turf course we're out of business.

6 MR. HOPF: That is correct. Yes.

7 COMMISSIONER GORDON-MOORE: The reason people
8 come to Virginia is because of our good racing
9 surfaces. If that turf course has a problem, we
10 all have a problem and it seems like a lot of
11 people just drive across it and there should be a
12 better way of doing it.

13 Put the equipment in the infield and leave it
14 there. Let it cross one time rather than driving
15 across all the time and hoping it's going to get
16 better by March.

17 MR. HOPF: Yeah. So we certainly have some
18 plans to improve that and limit any of that type of
19 cross-traffic, especially when it gets into the
20 growing season, which is going to be late March,
21 early April. So we fully plan on making better
22 improvements with that so we avoid a lot of that
23 traffic to the turf course.

24 CHAIR NIXON: Any other questions?

25 NOTE: There is no response.

1 CHAIR NIXON: Thank you.

2 MR. HOPF: All right. Thank you guys.

3 CHAIR NIXON: Next on the agenda is an update
4 from the Virginia Equine Alliance's Vice President
5 of Strategic Planning, Jill Byrne, on the marketing
6 initiative for the Virginia horse industry.

7 MS. BYRNE: Hi, Commissioners. Aiden is the
8 man behind the curtain back there that's in charge
9 of running the show here since the clicker doesn't
10 work.

11 Aiden, remember we have a video, so I hope we
12 have audio; otherwise, you're narrating.

13 So good to be here and we do have some good
14 news to report. The marketing program that we put
15 together, the TV and radio, very you know, kind of
16 in depth what we went out and created, but this is
17 our first of a phase of three different kind of
18 television, radio ad campaigns, really for an
19 awareness of the Virginia horse industry's impact
20 on the economy to the state of Virginia.

21 So if you haven't seen this television ad, it
22 has been playing throughout the entire state and we
23 will play it now for those who haven't been able to
24 see it.

25 Audio. Told you you're going to be narrating,

1 Aiden.

2 NOTE: The video is played for the
3 Commission and the public.

4 MS. BYRNE: So that has been playing all over
5 the state, as I mentioned, and has seen a lot of
6 play. The quietest time was probably during
7 October when of course we had pre-election and a
8 lot of that was taking up a lot of the space.

9 You will see with the budget that we had for
10 this, and that includes the NCSA, and where it was
11 the total value of the contract, so this is with
12 earned media and bonus media that we get through
13 the NCSA. We get a lot of bonus spots, so making
14 our budget worth a contract of over \$1 million.
15 Very, very proud of everything that went through.

16 Next slide, Aiden.

17 So we basically put together a very aggressive
18 year-long media plan starting with broadcast radio,
19 a television spot that you've seen and connected TV
20 and OTT. OTT is known as over the top, which is
21 basically our internet, live streaming, anything
22 that's not on cable, to display banner ads,
23 Facebook, Instagram, digital magazine ads.

24 Again, kind of estimating to deliver over
25 71 million impressions for the 12 months, and as

1 comparison, we look at Virginia's population of
2 eight million, so you're looking at quite a few
3 more per person watching these.

4 Next slide, Aiden.

5 So we spent a lot of the time at farms, which
6 is one of the most enjoyable pieces to anybody's
7 day out in Virginia is to be able to go to
8 beautiful farms to create these ads and working
9 with the farms to get this incredible content that
10 we're able to put together.

11 You see those are some of the banner ads
12 there, obviously with the farms, the people that
13 this has affected in their jobs and careers and of
14 course the agribusiness.

15 Yes, First Lady Suzanne Youngkin was a big
16 part of this campaign and in the second
17 presentation that we do, we'll see the video that
18 we did with her. We're very fortunate in this
19 state to have somebody like her that absolutely
20 passionately supports everything to do with the
21 horse industry in the state of Virginia.

22 Next, Aiden.

23 So for those of you, I know Commissioner
24 Tanner, you're very aware of what all of this
25 means, but kind of the gist of it is how many times

1 content is displayed. So we can do metrics based
2 on population and who and where these things are
3 being run and we can kind of come up with numbers
4 based on that metrics of how many people are seeing
5 these adds. Next.

6 So these are more of the numbers and it's just
7 a lot of math, a lot of numbers, but you're seeing
8 where. So this is the NCSA, which is your internet
9 streaming, live-stream content where we've placed
10 this, how many impressions, how many spots were
11 run, and as you can see, that's quite a bit for a
12 short time in October.

13 Next slide.

14 Same for November. Things started to pick up
15 once we got past the election and we were even
16 running more and more of these ads and commercials
17 all across the state of Virginia. So the monthly
18 value versus what we're paying, that's basically
19 what you're getting for, it's a three-to-one ratio.

20 Next.

21 Finally, December. Again keeps increasing,
22 keeps increasing. We saw a lot more play
23 throughout the entire state of Virginia, really
24 concentrating a lot on the Richmond area of course
25 because we want Richmonders and also localities to

1 know they can come to these tracks; northern
2 Virginia, the Harrisonburg area near Shenandoah as
3 well.

4 Next.

5 So this also kind of shows you where the
6 impressions were for January and February. We
7 don't have the complete numbers on February,
8 obviously, as we're still into February and we'll
9 have those probably in about another two weeks, but
10 these are sort of based off of what we saw in
11 January. So again, you see a lot.

12 I know from watching television and my radio
13 is stuck on one station in Charlottesville right
14 now. I hear our ad constantly and it's nice. I
15 hear from a lot of people. They hear it and they
16 see it.

17 That is what this campaign is all about; to
18 get that initial awareness out there and education
19 of the value of the horse industry to Virginia.

20 Next slide.

21 So we are also getting ready start for 2024
22 with Virginia Magazine. We're going to be doing a
23 campaign with them and this is kind of targeting a
24 little bit of a different audience in that Virginia
25 Business Magazine is seen by a little bit of a

1 different demographic; a lot of corporate.

2 So this will be in every kind of company,
3 corporation, every business, and we're doing a
4 three-month campaign with them. We're getting some
5 bonus content with them.

6 They're going to let us run a nice editorial
7 and the first one of these is going to come out in
8 March, which happens to be their annual economic
9 development book. So what better place to have
10 information on Virginia's economy with horses on
11 the Virginia Business Magazine. That's kind of one
12 of the print ones that we've been working on to get
13 more exposure to a different demographic.

14 Next.

15 So there is our summary of just where you've
16 seen radio, television, digital and what that looks
17 like and the impression so far; more than even what
18 we had initially expected.

19 They kind of guarantee you a five-to-one ratio
20 of success rate. We are right now at 29-to-one.
21 So just absolutely exceeded all of our expectations
22 of how this is being viewed and watched.

23 All right, next. The man behind the curtain.

24 So this is our supported media coverage. So
25 this is different. This is basically unpaid. So

1 this is where we go out and work with our team, PR
2 Commonwealth, to push stories and to push
3 information to get traction from where it's local
4 TV, whether it's magazines, whether it's radio,
5 anybody.

6 So we come up with story ideas and push it
7 out. They push it then out to various
8 organizations to try to get them interested to do a
9 story on something associated with, whoops, lost
10 our PowerPoint.

11 So basically to get people interested in what
12 we may have to tell them about and this is sort of
13 what we've seen so far. This is mostly through the
14 end of '23. I do have one slide that has '24 on
15 it.

16 So over 79 unique pieces of coverage were
17 pushed out between Gold Cup, harness racing,
18 Colonial Downs, obviously, and that's how it's
19 divided up around broadcast, online and print.

20 Next slide.

21 So Colonial Downs specifically, we pushed out
22 34 unique pieces. This was print. You see
23 Richmond Times-Dispatch all the way down to the
24 Virginia Pilot. Broadcasts with all of the local
25 networks, whether it was a story promoting the

1 Festival of Racing or on something more specific to
2 a horse, but these are all the networks that we
3 were able to get free coverage, essentially, by
4 pushing out these story lines.

5 Next, Aiden.

6 Shenandoah Downs, the same thing; unique
7 pieces plus social media, a lot of print stories.
8 Darrell Wood and Aiden are just phenomenal in how
9 they push out this information and the work that
10 they do there and it was a very interesting story
11 with Steve Wetzel, who, Darrell, I'll have you just
12 quickly tell that story and how this became so
13 popular.

14 These are the programs the tracks are doing;
15 specifically, Shenandoah Downs, that really shows
16 people how important racing is to the entire state
17 of Virginia.

18 MR. WOOD: Thanks. We had a promotion called
19 Own a Horse for a Day that Debbie Warnick's group
20 sponsors and it gives eight people a chance to own
21 a horse in a race and keep the purse money that
22 their horse wins.

23 Steve Wetzel, three years ago, a local
24 resident, businessman, won the race, won \$2600, but
25 we had a social media influencer there that day

1 and she captured his reaction once the horse
2 crossed the finish line.

3 Long story short, he was so enthralled with
4 harness racing, he gave up his career, partnered
5 with a trainer, learned the whole nuances of
6 harness racing, bought a horse farm in Woodstock,
7 has now got nine or ten horses.

8 He's won at the winner circle at Woodstock
9 during the county fair and the track itself. He's
10 got a trainer license. So it's a story that just
11 fell into our lap. Even with all these things,
12 we've got another Northern Virginia magazine coming
13 out in three weeks. So just a phenomenal story.

14 You always hope that, and we've done this for
15 years and years and years, and you always hope is
16 somebody going to win this promotion and actually
17 become an owner and this guy has just gone to town
18 with it. So every exciting.

19 MS. WARNICK: Darrell, we also got one last
20 year that bought two horses.

21 MR. WOOD: Yeah. Not to the extent, but he
22 has done well, too.

23 MS. BYRNE: So things like that and getting
24 that story out there so people can start to connect
25 the dots. Here is a guy who now has invested in a

1 farm in Virginia because of this promotion at
2 Shenandoah and now Shenandoah is getting all this
3 additional media attention because of the Steve
4 Wetzel story. So it's kind of a great effect.

5 Next.

6 Then steeplechase and Point-to-Point. We do a
7 lot of digital and social media content to support
8 all of these events. Push out news stories on our
9 website, we do lots of stories, banner ads, race
10 sponsorship, on-site activation to promote all of
11 the steeplechase and Point-to-Point in the state of
12 Virginia as well.

13 Next, Aiden.

14 We have Secretariat statues. As everybody
15 knows, it visited Shenandoah, went to the
16 Governor's mansion and ended up here at Colonial
17 Downs.

18 This generated an incredible story. People
19 could not get enough of Big Red and you all know
20 this. Because of a lot of that campaign,
21 everybody's hard work in the state of Virginia, the
22 statue now will be dedicated March 30th.

23 CHAIR NIXON: I was going to mention it later.
24 It's Saturday, March 30th, two p.m. in Ashland near
25 Randolph Macon College.

1 MS. BYRNE: So we took every advantage this
2 past year of Big Red and his association with the
3 state of Virginia to make sure that a lot of
4 stories were pushed out.

5 Because of that, we could tie everything in to
6 what was going on at the time, whether it was
7 racing here at Colonial, Shenandoah, something that
8 tied it back directly to affecting the state of
9 Virginia.

10 Next, Aiden.

11 Additional media coverage. It's very
12 important that we push out not only just about the
13 people that are directly involved with racing and
14 breeding. Of course Amy Moore's Virginia-raised
15 Forte. We had all kinds of attention from
16 Washington television stations to TVG, and NBC
17 Sports did a piece on Forte being raised in
18 Virginia, which was wonderful.

19 The Chincoteague pony, the official state
20 horse of Virginia, thanks to 4-H member Sophia
21 Gullivan. So we thought this was too good of a
22 story not to let the media know about and they did
23 some wonderful stories in magazines on her and now
24 Sophia is going to be a student at the University
25 of Virginia. I think I helped her do that. She

1 was going to go to Georgia. I said, No. You have
2 to stay in Virginia. We need you.

3 Then Colonial Downs intern and Washington and
4 Lee student, Bella Hodge, who had a great time here
5 last summer as a seasonal employee, and that story
6 also was picked up by the Lexington Gazette,
7 talking about her involvement in the horse industry
8 and how important it is that there are so many
9 careers that you can find within the horse
10 industry. So these are just ancillary effects of
11 this campaign that we're pushing out.

12 Next.

13 So some of our initiatives I spoke a little
14 bit about. A real big one, we're doing a website
15 redesign of virginiahorseracing.com, which we
16 really need a quality website that if somebody goes
17 on Google to search Virginia horses, Virginia horse
18 racing, we want the first place they come to to be
19 a website where they can get all of the
20 information, whether it's a fan, a new person that
21 knows nothing about the horse industry or a
22 tried-and-true horseman.

23 So we're completely redesigning this site. It
24 will still have the site to the Colonial Downs
25 Thoroughbred Association; you know, everything on

1 there. It will have a landing page and home page
2 much friendlier to anyone who comes to the site.

3 So this is a fun project that we're working on
4 right now and really looking forward. Hoping to
5 have it pushed out right before Shenandoah opens in
6 April.

7 We do another sponsorship with the Racing Biz,
8 which is an ESPN radio partnership. We just
9 started that two Saturdays ago and that goes every
10 Saturday. We increase it during Colonial Downs to
11 two hours a day and they also do Shenandoah all
12 through the Shenandoah meet.

13 We do a sponsorship with Upperville Horse
14 Show, which we're going to take more advantage of
15 this year in that these TV ads and website videos,
16 they're going to be streaming those, showing them
17 at the Upperville Horse Show.

18 So now again, you're getting a kind of
19 targeted audience that will be seeing how important
20 the horse industry and specifically racing and
21 breeding is to the state of Virginia.

22 Mid-Atlantic Thoroughbred and other trade
23 magazines and our expanded social and digital
24 campaign because of our increase with the website,
25 we'll be able now to host a lot more content on the

1 site. So that's sort of some of the things that
2 we're heading in to for 2024, as well as our Phase
3 Two of television.

4 So we're putting together a new TV ad.
5 Probably going to wait and push that out around the
6 first part of June, end of May. New radio ads are
7 being developed right now as well. So these will
8 be more testimonial. So from maybe it's a farmer
9 and how the horse industry has enabled them to be
10 able to stay in business; more so those kind of
11 issues.

12 Next one, Aiden.

13 As I mentioned, First Lady Suzanne Youngkin is
14 one of our biggest supporters in the state of
15 Virginia. We had a lovely day with her out at
16 Debbie Easter's farm and this is the video that we
17 put together from that.

18 NOTE: Video played for the Commission
19 and the public.

20 MS. BYRNE: What's most amazing about that is
21 it's completely unscripted. She's amazing. So
22 that is our presentation. Any questions?

23 CHAIR NIXON: Thank you. Any questions for
24 Jill?

25 COMMISSIONER BRAND: I'd just like to say how

1 impressive all of this is. Thank you.

2 MS. BYRNE: It's a team effort. As I
3 mentioned, Darrell Wood, Aiden, Debbie, Jeb,
4 everybody in this room. Obviously, the First
5 Lady's office for letting us have her for a day,
6 but everybody in this room responsible for
7 understanding the importance of getting this
8 awareness and education out there.

9 CHAIR NIXON: Thank you, Jill.

10 Next is the Commissioners' comments. Does
11 anyone have anything to comment on?

12 COMMISSIONER SIEGEL: I would just like to
13 commend Colonial and Frank for his report and the
14 good work they're doing to prepare for this year in
15 the capital improvements that are being made to the
16 facility and the marketing plan they have.

17 In addition to that, what is going on with the
18 Equine Alliance and the horsemen's groups. Jill's
19 report really says what they're doing for the horse
20 industry and in particular for horse racing here in
21 the Commonwealth.

22 My overall impression, as I've said before, is
23 how well I think the groups are working together.
24 It wasn't always that way, but it is now going in
25 the same direction and I think it will add to the

1 success of horse racing in Virginia for sure.

2 COMMISSIONER TANNER: I'd like to echo that.
3 I really think 2023 was an outstanding year, but
4 2024 is poised to be even better and that's across
5 all forms of horse racing and I'm just thrilled to
6 be a part of it, to observe it.

7 Congratulations to Jill and the VEA on the
8 marketing. Isn't it fun to be part of something,
9 to invest your time and your talent and your life
10 into something that's going well and with such good
11 people to work with? There's nothing better than
12 this. Thank you.

13 CHAIR NIXON: I'd also just like to echo the
14 comments. It really looks like we're heading in
15 the right direction and I look forward to this
16 summer and for racing. So thank you guys both for
17 the updates.

18 COMMISSIONER GORDON-MOORE: We were talking
19 about landscaping. Is there any plan to do
20 anything to improve the esthetics of the infield;
21 some trees or bushes or anything like that?

22 MR. HOPF: So our new Director of Track
23 Operations is a licensed arborist, so I think once
24 he gets, he's off helping all of the other CDI
25 properties as well, but I think looking into '25,

1 I think we may start looking at the possibilities
2 of improving maybe some of the conditions in the
3 infield as it stands today. So I'll get with him
4 here probably after this season and start talking
5 about that.

6 CHAIR NIXON: Any other comments for the
7 Commissioners?

8 Okay. Next on the agenda is the closed
9 session. We will be going into closed session.
10 I will be seeking a motion.

11 I move that we convene a closed meeting in
12 accordance with the Virginia Freedom of Information
13 Act. The purpose of this meeting is to discuss
14 personnel matters. The subject of this meeting is
15 to discuss job performance of Commission staff.
16 The applicable exemption from open meeting
17 requirements under the Freedom of Information Act
18 is § 2.2-3711.A.1.

19 Seeking a motion.

20 COMMISSIONER SIEGEL: So moved.

21 CHAIR NIXON: Second?

22 COMMISSIONER BRAND: Second.

23 COMMISSIONER TANNER: Second.

24 CHAIR NIXON: All those in favor?

25 NOTE: The Commission votes aye.

1 CHAIR NIXON: All those opposed?

2 NOTE: There is no response.

3 CHAIR NIXON: Thank you. That ends our
4 business. We will reconvene and come back to set
5 the next meeting date and that will conclude our
6 business at this time.

7 NOTE: A closed session is observed.

8 CHAIR NIXON: I think we all are back here.
9 Motion for return from open session.

10 I move that we vote on and record our
11 certification that to the best of each member's
12 knowledge, (i) only public business matters
13 lawfully exempted from open meeting requirements
14 under this chapter and (ii) only such public
15 business matters as were identified in the motion
16 by which the closed meeting was convened were
17 heard, discussed or considered in the meeting by
18 the public body.

19 I need Commissioner Moore to vote in --

20 COMMISSIONER GORDON-MOORE: Gordon-Moore.
21 Aye.

22 CHAIR NIXON: Gordon-Moore. Excuse me.
23 Commissioner Siegel.

24 COMMISSIONER SIEGEL: Aye.

25 CHAIR NIXON: Commissioner Tanner.

1 COMMISSIONER TANNER: Aye.

2 CHAIR NIXON: Commissioner Brand.

3 COMMISSIONER BRAND: Aye.

4 CHAIR NIXON: And myself, Commissioner Nixon.

5 I polled each member and then we just have to --

6 COMMISSIONER BRAND: I believe you have to
7 vote aye.

8 CHAIR NIXON: Oh, I thought I said it. I vote
9 aye. Commissioner Nixon.

10 COMMISSIONER SIEGEL: I'd move to adjourn the
11 meeting.

12 CHAIR NIXON: All right. Second?

13 COMMISSIONER TANNER: Second.

14 CHAIR NIXON: All those in favor?

15 NOTE: The Commission votes aye.

16 CHAIR NIXON: All those opposed?

17 NOTE: There is no response.

18 CHAIR NIXON: Then I believe we have the next
19 meeting date set for -- that was on our meeting
20 agenda -- for May 22nd.

21 COMMISSIONER SIEGEL: Do the horsemen and all
22 know that date as well?

23 CHAIR NIXON: Yes. Yes. We are all good.
24 All right. Thank you.

25 NOTE: This concludes the February 27,

1 2024 meeting of the Virginia Racing Commission.
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1 CERTIFICATE OF COURT REPORTER
2

3 I, Sandra G. Thinnes, hereby certify that I,
4 having been duly sworn, was the court reporter for the
5 meeting of the Virginia Racing Commission on February
6 27, 2024, at the time of the meeting herein.

7 I further certify that the foregoing
8 transcript is, to the best of my ability, a true,
9 accurate and full record of the incidents of the meeting
10 herein.

11 Given under my hand this 1st day of May, 2024.
12

13 *Sandra G. Thinnes*
14 _____

15 Sandra G. Thinnes
16 Court Reporter
17
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