

In The Matter Of:
VIRGINIA RACING COMMISSION
PUBLIC HEARING

Transcript of Proceedings
June 4, 2025

ORTEGA INTERNATIONAL REPORTING
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1 VIRGINIA:

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4 VIRGINIA RACING COMMISSION

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7 PUBLIC HEARING

8
9
10 Wednesday, June 4, 2025

11
12 1:00 p.m.

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14
15 When heard at:

16
17 State Corporation Commission

18 Tyler Building, Courtroom C

19 1300 East Main Street

20 Richmond, Virginia

21
22
23
24 Reported by:
25 JUAN ORTEGA, CCR

1 A P P E A R A N C E S:

2

3 COMMISSION MEMBERS:

4 Stephanie B. Nixon, Chair

5 John F. Tanner, Jr., Vice Chair

6 Stuart C. Siegel

7 Bette Brand

8 Gillian Gordon-Moore

9

COMMISSION STAFF:

10

Waqas Ahmed, Executive Secretary

11

Kimberly C. Mackey, Director of Operations

12

Aiden Turnage-Barney, Esq., Virginia Equine
Alliance

13

Frank Hopf, Director of Racing Operations
At Colonial Downs

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1 P R O C E E D I N G S

2 June 4, 2025

3
4 CHAIR NIXON: I call to order --
5 good morning. How is everybody doing
6 this morning? Or afternoon, sorry.
7 Sorry about that.

8 I call to order the June 4th,
9 2025, meeting of the Virginia Racing
10 Commission. The first item on the
11 agenda is to take roll.

12 Vice Chair Tanner.

13 COMMISSIONER TANNER: Present.

14 CHAIR NIXON: Commissioner Brand.

15 COMMISSIONER BRAND: Present.

16 CHAIR NIXON: Commissioner
17 Gordon-Moore.

18 COMMISSIONER GORDON-MOORE:
19 Present.

20 CHAIR NIXON: And Commissioner
21 Siegel.

22 COMMISSIONER SIEGEL: Present.

23 CHAIR NIXON: Let the record
24 reflect that we have a quorum.

25 Before we move on to the official

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agenda, Commissioner Gordon-Moore would like to provide some takeaways from a recent meeting that she attended on behalf of the Commission.

COMMISSIONER GORDON-MOORE: Hi, I went to the Association of Racing Commission International Conference in Louisville, Kentucky about two weeks ago, and it was very educational and a lot of great networking. And we discussed that a lot of the problems that everybody has, and some of the solutions, we all have a vet shortage. And a lot of it is lifestyles and issues and college loans. We all have track surface issues. These issues were discussed and it seems like there's a lot of answers to all of these things.

And track safety has been very prevalent with fewer breakdowns and we're hoping that that gives us all a better image. There are racing issues that other states have that we may or

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1
2 may not have. Mat tracing in the
3 Southwest was a big deal. It's hard
4 to enforce because there are horses
5 sneaking across the border bringing in
6 diseases. It's totally unregulated.
7 And they asked me if we have these in
8 Virginia and I don't think so. But if
9 I'm wrong, I'd like to know about it.

10 And now we have HISA searching
11 for picograms and they do a great job
12 in a lot of things, but the
13 environment is completely contaminated
14 in our whole world. Water systems all
15 over the country have picograms of
16 terrible things in them. And
17 contamination is a big issue that
18 needs to be discussed.

19 A lot of good things came out of
20 it. There's a lot of educational
21 programs. The American Quarter Horse
22 Association has a youth program and
23 they give scholarships and they go to
24 racetracks and they said they've even
25 become -- willing to go to other

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states. And there's a lot of that going on and it is good because our future workforce comes from teaching people how to do it.

The hard -- harness breeding program is expanding which I did not know. The aftercare is a big subject and it's getting better but it's not there yet. And everybody needs to make some plans.

Everybody was very envious of our HHR status because we seemed to be the state with the most positive things going on. I still write about the slot -- the HHR machines that look like slot machines and have no reference to horse racing. I think somebody can do a little bit better with that.

One last thing, Katie Bo Lillis, Robin Williams's daughter, she was a commissioner about 20 years ago, wrote a wonderful book called The Death of a Racehorse. And it's not anything

P R O C E E D I N G S

1 P R O C E E D I N G S
2 you'd -- like you'd expect. I opened
3 it up and thought, "Well, I'm a
4 racetracker, I know a lot about this."
5 By page 2, I realized she was coming
6 from a completely different angle.
7 And it's an excellent book and I think
8 everybody in this room would benefit
9 from reading it.

10 And that kind of is a very brief
11 summary of a lot that I learned.

12 CHAIR NIXON: Thank you for
13 going. I appreciate that and giving
14 us an update on everything.

15 Now, I will open the floor to
16 members of the public to provide a --
17 the public comment period not to
18 exceed three minutes.

19 And I believe the mic is up here.
20 Is this where we are set up right up
21 front?

22 MR. AHMED: Yes.

23 CHAIR NIXON: While the
24 Commission may sometimes address
25 comments directly, we cannot respond

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to each question during this period.
Please keep your comments tailored to
the items on the agenda so that we can
move forward through the meeting
efficiently.

Would anyone like to speak at
this time?

MR. BERMAN: Good morning.

CHAIR NIXON: Good morning.

MR. BERMAN: As you guys
probably, many of you already know, I
evaluate the benevolence budgets every
year for the last, oh, 15 years. I
was around when the benevolence fund
was created. And in 2023, I noticed a
new line item, dental, and it was
budgeted for, like, \$40,000, and at
the end of the year, the actual money
spent was \$47,000 on dental work.

The following year in 2024, I
think it was budgeted for -- it was
combined with medical and optical.
And these items had been on the budget
in the past but never have exceeded

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1
2 more than 5 or \$10,000. But it was
3 grouped with the dental all three
4 together and there was budgeting for
5 like 50 grand, and I think at the end
6 of the year, \$57,000 was actually
7 spent.

8 This year, the budget comes out
9 and it's \$60,000 budgeted for this.
10 So in my way of thinking, if most of
11 this money is being spent on dental,
12 that's like \$140,000 in the last three
13 years that have been spent on dental
14 work. And I was hoping that
15 Mr. Berman, when he gets up and talks
16 about the benevolence budget today
17 could enlighten us on who's getting
18 all that dental work and why that has
19 all of a sudden cropped up and become
20 such a large expenditure.

21 In all these years, I've never
22 seen a line item that's been that
23 large. So, like I said, I was just
24 hoping that we might be able to get
25 some answers today and find out, you

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2 know, what that's all about. That's
3 all.

4 CHAIR NIXON: Thank you,
5 Mr. Berman.

6 Perhaps when the HBPA gets up to
7 speak, they can talk about that.
8 Thank you.

9 Anyone else?

10 Okay. Next on the agenda is the
11 approval of the minutes from the
12 previous meeting of the Commission.
13 I'd like to entertain a motion to
14 approve the minutes drafted for the
15 meeting held on March 26th, 2025.

16 Do I have a motion?

17 COMMISSIONER SIEGEL: So moved.

18 CHAIR NIXON: Commissioner
19 Siegel.

20 COMMISSIONER BRAND: Second.

21 CHAIR NIXON: Second,
22 Commissioner Brand.

23 Director Mackey is assigned the
24 floor.

25 MS. MACKEY: Thank you.

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2 Chair Nixon, the staff recommends
3 approval of the meeting minutes from
4 March 26th.

5 CHAIR NIXON: Are there any
6 amendments from the Commission?

7 All commissioners in favor of
8 approving the minutes as presented
9 please indicate by responding yes.

10
11 NOTE: Commissioners respond yes.

12
13 CHAIR NIXON: Any commissioners
14 opposed?

15 Motion carries.

16 Next we will address the reports.
17 And I believe the first report is the
18 update regarding the 2025
19 Colonial Downs summer race meet. And
20 I believe representatives from the
21 Virginia Horsemen's Benevolent and
22 Protection Association and the
23 Colonial Downs group are presenting.
24 And it looks like you're going
25 first.

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2 MR. HOPF: If there's more of
3 them, I'll allow them to go first.

4 CHAIR NIXON: Okay.

5 MR. BERMAN: Well, everything
6 seems to be in good order. We're
7 racing more dates, as everybody knows,
8 this year. And so, everything that
9 we're doing is multiplied by whatever
10 the number is. And the track is in
11 good condition. We did a walk at the
12 backstretch yesterday. Things look
13 good.

14 The things that need some repair
15 will be repaired according to Frank.
16 And we've got the new drum rooms which
17 is very nice and will, you know, give
18 us the ability to have more space for
19 help to come which helps to bring more
20 trainers in. And we've got one our
21 help has someplace to stay.

22 We care about the kitchen a lot
23 as horsemen. And there's some
24 improvements that we're trying to get
25 done there to make sure that the

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1 kitchen operates efficiently. And as
2 far as the calendar goes, the race
3 schedule looks good. The condition
4 book was a much easier process this
5 year than it was last year. I can't
6 speak for previous years, but last
7 year was a struggle to get a book out.

8 This year with the new racing
9 secretary, it went very smoothly. He
10 appears to be very experienced and
11 cooperative. We suggested the --
12 doing the Claiming Crown Preview day.
13 And he and Churchill were all for it.
14 So we got a special day, it's going to
15 be a Claiming Crown Preview that
16 they're already advertising which
17 gives local horsemen an opportunity to
18 not only run for those purses Claim
19 horse.
20

21 The horses that ran through a
22 certain tag during the year run for
23 these purses and, potentially, the
24 winners, I think the first and
25 second-place horse get automatic entry

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1 into the Claiming Crown in the fall
2 and trip the balance. And we're going
3 to pay for -- the HBPA is going to pay
4 for the winner if they enter and run
5 shipping costs.
6

7 So -- and we thought about other
8 things that we might want to do this
9 year that we haven't finalized yet.

10 But a much more cooperative and
11 effective communication regarding the
12 book this year. And I think that this
13 racing secretary would be able to
14 pivot as needed to make sure horsemen
15 have a better chance to race their
16 horses.

17 CHAIR NIXON: Anybody else have
18 any questions for Mr. Berman before --
19 are you speaking next, Frank?

20 MR. HOPF: Yes.

21 CHAIR NIXON: Yeah. Okay.
22 Anyone have any questions?

23 COMMISSIONER BRAND: Would this
24 be the time to address the budget?

25 CHAIR NIXON: That's in the

1 P R O C E E D I N G S

2 budget down later. I thought we could
3 do it during the budget.

4 COMMISSIONER BRAND: Okay.

5 CHAIR NIXON: Thank you.

6 MR. BERMAN: Thank you.

7 CHAIR NIXON: It's all yours,
8 Mr. Hopf.

9 MR. HOPF: Good afternoon,
10 commissioners. Madam Chair. Thank
11 you. My name is Frank Hopf, senior
12 director of racing at Colonial Downs.
13 I do have a PowerPoint presentation.
14 I believe hard copies were printed.

15 So I just want to go over some of
16 the items and things that we've been
17 working on since March. Training will
18 start three weeks from today. So that
19 time between March and now has come
20 very quickly. A lot of things that
21 we're still working on and finalizing,
22 but I think we have a fairly strong
23 plan to move forward with -- for the
24 upcoming summer season.

25 So I just included with the

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calendar here to start, so it just kind of goes over, obviously, the race dates that Glen alluded to with additional more racing.

One thing that we're trying to highlight for this coming season to avoid some confusion that we experienced last year is the steeplechase races and the post times. So we're trying to make sure that's very clearly marked on the calendar, that our fans are aware that the jump races will start at 10:45 on those seven Thursdays for the upcoming season.

So, again, there's -- trying to keep -- keep the communication in the line of information as clean as we can. So you'll see that on this calendar as well. Another thing you'll see is the -- some of the more significant motions that we're doing as well with the big race days. So that's the racing calendar. I'll make

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sure that I e-mail this out to Waqas so he has that and pass that out and disseminate as needed.

Just going over the race days, again, four days a week. Wednesday and Thursday, first post will be 12:30 p.m. We'll open the gates to the public at 11:30. The plan is for eight races based on entries. Friday, first post will be 4:00 o'clock. Gates will open at 3:00. Eight races, again, based on entry. Eight will be the minimum races that we will run. So don't -- that does not mean that we're going to run seven races. That means eight and then, obviously, if entries are going strong then we'll pivot accordingly.

Saturday, first post will be 12:30. Gates, 11:30. We do plan to run nine races on Saturday. So, obviously, that's our bigger days. We got a lot of stake races that I'll talk about here shortly. We'll

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definitely be running nine races on Saturday. If opportunity presents itself for one more, we'll certainly do that.

Labor Day racing returns this season. First post, 12:30. Again, eight races. Glen and I were talking yesterday just as a reminder, if we were to lose a day of racing due to weather or what have you, the plan is to move that entire card to default to that Sunday. So if we lose a card on Wednesday, we'll move that entire card on Sunday. So try to make it a little more cohesive not only for the horsemen, but for the betting public as well. So that is the plan this year if we were to, hopefully, not have to deal with that. But it's summertime in Virginia, so we're prepared if that does occur.

Expanded stakes schedule.

Obviously, Deb and the VEA has worked very closely with Maryland and the

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1
2 horsemen and have devised some
3 additional stake races to our program.
4 So we're looking forward to that.
5 Stake schedules changed. We will have
6 stake races every Saturday. So that's
7 a little different from previous or at
8 least from last season. So looking
9 forward to having some -- some premier
10 event stake racing on every Saturday
11 of racing.

12 The festival racing returns
13 August 9th. We will run at 12:00
14 o'clock that day. Again, we'll
15 feature the six-stakes races. And
16 some of the pageantry that has come
17 with previous festival racing from the
18 last couple of years will continue.

19 Glen alluded to the Claiming
20 Crown showcase. We will be running --
21 it encompasses eight races for the
22 Claiming Crown showcase.

23 It that right, Glen?

24 MR. BERMAN: Yes.

25 MR. HOPF: So really looking

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forward to be the host of that. We were trying to find the correct date to run this. Obviously, we were looking at Saturday the 23rd. That's obviously Travelers Day. The Friday the 22nd is Charlestown Classic Day. So with the evening post, we'll probably lose a little sting with FanDuel going to the betting public there. So we've kind of targeted on this Thursday.

Obviously, this will give us an opportunity to kind of be the main -- main racing card out there that day and we'll make sure that we promote it as such that we think it's an opportunity to get some additional eyes on it than being buried on a -- on a Saturday against Travellers. So looking forward to having that. That's a nice addition to our racing program so thanks to the horsemen for working on that as well.

The Old Dominion Derby,

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1
2 September 6th. So this is the
3 re-branded Virginia Derby. It
4 encompasses the same six stake races.
5 The Old Dominion Derby will remain a
6 great three. The Old Dominion post is
7 still listed. So, again, that is
8 still the day that we ran the last
9 couple of years. Really looking
10 forward to having with a new name
11 and -- and the excitement that comes
12 around with that day from my last
13 couple of years as well.

14 Working on finalizing some of
15 these promotions but I think it's
16 important that, you know, each day we
17 try to have a promotion, if it's food
18 or a beverage promotion. Just when
19 the customers come out to the track.
20 So Wednesdays with the first post at
21 12:30, we're looking at some Mules,
22 High Noons, and Margarita specials
23 with maybe some -- some street tacos
24 for food for the guests. Still
25 finalizing some of the pricing.

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2 Thirsty Thursday will return with
3 some beer specials. Party at the
4 Downs, again, will continue with the
5 happy hour from 4:00 to 6:00 right
6 now.

7 There is a special event that we
8 do have on the calendar this year, it
9 is Camel, Ostrich, and Zebra racing.
10 Clearly from my past at the -- my
11 previous work, I posted many of these.
12 It is a popular event. The group is
13 actually, I believe a national weekend
14 before and they kind of squeezed us in
15 before they have to head over to
16 Minnesota.

17 So that's why it's on Friday. I
18 figured a Friday evening would be a
19 much better opportunity to kind of
20 jump-start racing and have the day
21 here to try to bring more of the
22 novice crowd which it hopefully will
23 from my experience. So it's certainly
24 interesting if anyone has not seen it
25 before.

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2 COMMISSIONER BRAND: Are the
3 camel and ostriches being ridden and
4 who rides them?

5 MR. HOPF: So camels can be
6 ridden by anyone. Ostriches and I
7 believe zebras have to be ridden by
8 professionals. So --

9 CHAIR NIXON: Probably will be
10 your biggest draw.

11 MR. HOPF: It's quite possible,
12 yes.

13 COMMISSIONER BRAND: Can we
14 nominate people?

15 MR. HOPF: We can nominate anyone
16 here. I'd like to get Glen on the
17 camel.

18 COMMISSIONER GORDON-MOORE: Is it
19 breed-specific? Do the camels race
20 camels and the ostriches race
21 ostriches?

22 MR. HOPF: Yes. It is
23 breed-specific, so yes. So we'll --
24 we'll intermix them between the --
25 between the racing, obviously, and,

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1 P R O C E E D I N G S
2 you know, again it's -- it'll
3 certainly bring a nice crowd out to
4 the -- to the track and, obviously,
5 some earn media opportunities to lean
6 into opening weekend. So -- I don't
7 know why I'm doing it again, but I am.
8 So, luckily, Jack approved it.

9 Looking at Saturdays, still
10 pending on finalizing a couple of
11 the -- some of the promotions. But
12 every Saturday we'll either have a
13 petting zoo, pony rides, and
14 additional kid activities this
15 upcoming season with the Junior Jockey
16 Club. Again, trying to reach out to
17 some of the -- to the kids and get
18 them more engaged with racing.

19 Opening Saturday, we're looking
20 at doing RVA day. So in the past,
21 we've kind of done the
22 Flying Squirrels. We've done VCU. We
23 kind of had these kind of Saturdays
24 with -- with local groups. So what
25 we're doing is kind of combine some of

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2 the more sports-oriented groups in
3 Richmond and have them come out to the
4 track and have some fun with mascot
5 races and have them set up and
6 promote, you know, just kind of make
7 it kind of an encompassing day for the
8 area. So that's what we're looking at
9 there.

10 July 26th, we're going to -- the
11 second time, we're going to do the
12 sunrise at Colonial. This event will
13 open up to the public starting at 7
14 o'clock in the morning for training.
15 Donuts and coffee, and we'll have
16 trainers and riders come talk to the
17 group. Last year we had about 100
18 people come out for the day and we're
19 looking to build up on that. We kind
20 of put that together quickly last
21 year, so --

22 CHAIR NIXON: Is that on the back
23 side or front side?

24 MR. HOPF: We did it on the front
25 side but we may -- we may expand.

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Maybe start on the back side and then at break maybe take them over to the front side. So we're working on that. Looking forward to that. And that also coincides with PDJF Day. So we are going to kind of expand what we started last year with a little more engagement with riders and try to drive up some more donations for them and -- and have their opportunity to discuss their cause for the day.

Festival Race Day, working on finalizing some live music as well with the festival with Grayson Torrence, she's the recent American Idol top 20 singer from New Kent. So she does have a band, so she'll be coming out and performing in between racing just to add a little more element to the day and, hopefully, with her following and bringing those -- those people out to the track as well.

Weiner dog racing returns

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1 August 23rd. Obviously, that was a
2 popular event last year. I know
3 Shenandoah Downs does it. So we'll
4 continue the trend here with that day.
5 Old Dominion Derby Day, again, to add
6 on to the -- just to the day, we'll
7 have live music again from the
8 Deloreans. They performed on
9 Virginian Derby Day. They wanted to
10 come back. We got a positive response
11 to them being on site so they're going
12 to come back for that day.
13

14 And then working on some details
15 for College Day on closing Saturday.
16 Obviously, it's closing day but
17 colleges are more back in session and
18 that is our opportunity to really talk
19 to them about March 2026 is the plan
20 there as well. So that's what our
21 Saturdays are looking like.

22 Looking at the racing operations
23 in its totality, the racing office and
24 staff, Dan Bork, who was here, as Glen
25 mentioned is returning as the racing

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secretary for Colonial Downs. I'm really looking forward to having him for the whole season.

Stall applications are still actually coming in. So we're over 1,100 stalls. That's probably close to 1,200 stalls that were applied for. Right now we're right about the 840 mark for stalls being allocated. So that is 1 through 14 are -- we're allocating stalls right now. That list, obviously, will move a little bit in the next week or so, but we're working diligently on that, making sure that we're accommodating everyone who has applied as best as we can, along with the dorms.

Again, with the track operations teams, second year with Leif and -- and having Kelly and Justin in their roles. So looking forward to having that first season under their belt and moving on to year two. One thing that we -- that's actually going through

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orientation right now is we have hired Roy Smith who has almost 50 years of race track superintendent experience.

He was the track superintendent at Indiana Grand or Horseshoe, whatever they call themselves now, for the last ten years. He actually retired in February and moved to Providence Forge. So I have talked him out of retirement for the summer. And he'll be helping out Kelly and Leif and making sure that we're doing everything we can with the dirt track with everything we've done since last summer and continue to improve it as we move forward. So looking forward to having Roy there.

Again, the material that we added to the track leading into March, we still have material on site from that purchase. So if that is taken, we have the ability to add more to this upcoming season.

Front side operations will

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1
2 continue to kind of restructure the
3 operations in itself. The racing
4 operation manager, Emily, will be
5 overseeing ticketing, event sales, and
6 the horsemen's booking office.

7 We have hired a racing marketing
8 manager. She started today, as well,
9 going through orientation. And food
10 and beverage, we are moving to a new
11 food service provider this year. Our
12 agreement ended with the previous one.
13 So we are moving forward with a new
14 group that we will, hopefully, have a
15 contract done here in the next week or
16 so working with them as we lead up to
17 the season.

18 COMMISSIONER SIEGEL: Did the old
19 former people want to come back or
20 not?

21 MR. HOPF: The --

22 COMMISSIONER SIEGEL: The
23 provider before, the food provider
24 before. Did they want to come back or
25 you just didn't want them back?

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2 MR. HOPF: We decided to move
3 away -- move on from them, yes.

4 COMMISSIONER SIEGEL: And what
5 would change with this new provider?

6 MR. HOPF: The company that we're
7 moving towards is Levy which operates
8 at Churchill Downs and was at
9 Arlington Park. So, obviously, Tony
10 Petrillo has experience with them as
11 well. So -- yeah, so we're moving
12 forward with them.

13 Capital expenditures, some of
14 these I talked about in the past, in
15 the March meet I believe. The new
16 dormitory is fully operational now.
17 It does look -- turned out very nice.
18 Looking forward to having -- get
19 people's feedback on that -- those who
20 will be living back there. Working on
21 the final phase of the turf irrigation
22 project that's been four years of
23 projects. We put in another 100,000
24 in racing equipment, saddling, padded
25 pavers and other 60,000 to continue to

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replace some of the ones that are not in good shape. So those projects are all happening as we speak or will be complete before the end of the month.

Facilities and operation improvements, you know, we were able to do some more work in the paddock itself with the grass and landscaping. We've expanded the Jockey Club seating that we did for March. That will continue for the summer meet.

Terminals from the third floor where we moved. So that will maintain moving into the season. Improved -- trying to improve the Ticketmaster purchasing process including -- we are working on putting suites on sale as well as online. So hopefully that will help drive up the local business as well.

New menus are in development, obviously, with their new food provider for all locations. And we're still working on the website, adding

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1
2 some new elements there. One thing
3 that I just got yesterday is a race
4 day calendar. So when you go through
5 a particular day of the month during
6 the race season, it will highlight,
7 obviously, everything that we've got
8 going on that day along with the way
9 to purchase tickets. So a little
10 informative to those who are looking
11 to come out and alleviate some
12 questions that they have.

13 Marketing, again, we're going to
14 continue our partnership with CBS6. I
15 think that worked well in March with a
16 variety of elements there. ESPN
17 Radio, again, call-ins on Thursdays.
18 And they'll be doing a live broadcast
19 every Friday during live racing from
20 3:00 to 6:00. Social media, we are
21 working on finalizing a little bit of
22 a campaign. Something that we started
23 a little late for the March meet but
24 found some positive -- positive
25 traction with it. So we're coming up

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with kind of -- kind of targeting multiple items that we can experience while you are at the race -- a day at the races.

So from horse racing to family fun, just to having a good nice fun day at the track. So we're working on that and I'll present that or I'll e-mail that to Waqas to share once we get that final. So we're going to send that out quite a bit. Not only through our platforms but also to the ones that we utilized here in March with Richmond and Regional Tourism and some of those other groups around the -- around the state as well.

And then digital print, again, same -- same planning of digital, you know, targeted marketing throughout the area with audio, video, or streaming services like that.

CHAIR NIXON: Thank you, Frank.

MR. HOPF: That's it.

CHAIR NIXON: Commissioner

1 P R O C E E D I N G S

2 Gordon-Moore and I were on the back
3 side and did the tour with the
4 horsemen and I think we both agree
5 that, you know, it looks like you guys
6 are getting close to being ready and
7 look good. I thought the dorm room
8 was very nice. I was going to see if
9 our executive director could let us
10 have a room, you know, maybe there at
11 night, you know.

12 MR. AHMED: Absolutely.

13 CHAIR NIXON: The ambient looked
14 really good. So looked great. So
15 thank you.

16 Any other comments?

17 COMMISSIONER SIEGEL: I'll just
18 make a couple of comments and a
19 question.

20 Frank, you and your staff should
21 be receiving congratulations. You've
22 been proactive about issues and
23 addressed them and you've been ahead
24 of the game in trying to create new
25 ideas and programming and whatever.

1 P R O C E E D I N G S

2 So it's pretty optimistic going
3 forward. So congratulations there.

4 Racing 47 days this year; is that
5 right? Do you have --

6 MR. HOPF: 44.

7 COMMISSIONER SIEGEL: What's
8 that?

9 MR. HOPF: 44.

10 COMMISSIONER SIEGEL: 44, I'm
11 sorry.

12 MR. BERMAN: Plus three from
13 March.

14 COMMISSIONER SIEGEL: Oh, from
15 March, I'm sorry. So really the
16 question is, next year based on the
17 HHR machines expansion, you'll be
18 racing how many days?

19 MR. HOPF: So that's one question
20 that I'm looking to have those
21 discussions I'm sure with CDI along
22 with probably the horsemen where we're
23 going to land with race days.
24 So notices -- I have not been part of
25 those discussions yet.

1 P R O C E E D I N G S

2 COMMISSIONER SIEGEL: But there's
3 a requirement.

4 MR. HOPF: Yes.

5 COMMISSIONER SIEGEL: So you'll
6 meet the requirement whatever that is.

7 MR. HOPF: Whatever the
8 requirement is, yes.

9 COMMISSIONER SIEGEL: Would you
10 anticipate that you increase to five
11 days or more or you'll add weeks to
12 the meet?

13 MR. HOPF: I think if you ask me
14 right now, I don't think we could
15 expand the five days a week, that's
16 quite a bit.

17 COMMISSIONER SIEGEL: I agree.

18 MR. HOPF: And from an
19 operational standpoint, it's very
20 difficult to do.

21 COMMISSIONER SIEGEL: Less
22 expensive to do that it would seem.

23 MR. HOPF: Yes, from a financial
24 standpoint, it's much more --

25 COMMISSIONER SIEGEL: So you

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2 would likely increase--

3 MR. HOPF: We would have to take
4 a look at what -- where those extra
5 race dates would fall. So, obviously,
6 those are the discussions that we are
7 going to have here shortly.

8 COMMISSIONER SIEGEL: Right.
9 Okay.

10 MR. BERMAN: And of course, for
11 racing opportunities, we'd be
12 interested in a couple of extra weeks.

13 COMMISSIONER SIEGEL: Okay.

14 MR. AHMED: I've got a question.
15 So what about tracking attendance? I
16 know for March meet, we sold tickets
17 and can do that. But, you know, where
18 we were last year looking at a review
19 of the meet, the attendance was a
20 point of contention.

21 And I know that our stakeholders,
22 like the governor's office will all
23 say, the chief deputy, Matt Fridas
24 back there in attendance. So how can
25 we ensure that attendance numbers are

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2 correct and something that we could,
3 you know, will hold mustard at the end
4 of the day?

5 MR. HOPF: Yeah. So I know
6 that's been kind of an ongoing item
7 even for us to try to really --
8 outside of what we sell through
9 Ticketmaster, that's -- that's easy to
10 figure out. And like I said, with us
11 putting suites on sale, everyone is
12 going to be provided tickets. So
13 we'll have a good ticket count,
14 attendance count there.

15 The challenge that we have is the
16 general admission. The free general
17 admission days. That, you know,
18 obviously, we have people coming
19 through the HHR facility. We have
20 those that come through the -- we get
21 good counts at those from the saddling
22 paddock entrance. Those that come
23 through the HHR go watch a race or two
24 and then play the HHR machines before
25 they head out for the day.

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2 So I'm happy to get with -- what
3 we have done is, during racing hours,
4 we have done clicks of people that
5 come through both the Grandstand
6 saddling, paddock entrance and the
7 main building. But if we want to sit
8 down with Dan and kind of go over our
9 plan before season starts, of course
10 I'm happy to do that.

11 MR. AHMED: Yes, maybe it's
12 something that, you know, you guys can
13 look at how businesses, other
14 entertainment businesses responded to
15 COVID.

16 I know back then, two, three
17 years ago, Costco, Lowe's, when you
18 walked in, they would use the clicks.
19 And government entities were okay with
20 that system. The reason why I'm
21 asking is I know we had a lot of
22 discussion about twilight racing, and
23 so next year, I want to be able to
24 say, "This is what changed." This is
25 the difference between day racing and

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twilight racing and not be in the same boat, you know, pulling anecdotes that we can at the end of the day back up.

So I encourage you all to come up with a process on that and work with our staff to make sure that it is properly done so I can make my reports better.

The next question is, so you guys presented a brief promotional plan. We heard from the VEA they had requested a \$650,000 grant. Now, albeit, that was for all -- the entire industry. So I know the VEA representatives are here.

I would love to know their thoughts on what you presented today. You hired a marketing manager and we'd love to know how you all are planning to work together on this and what are the things that Colonial will do as a track versus VEA, they are going to take care of other things.

Is that something that either

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2 party could speak to?

3 MR. HOPF: I mean, I'm happy to
4 speak on the Colonial's behalf. You
5 know, we -- I know we have not talked
6 with VEA about, here's what we're
7 doing, here's our plans, and what
8 their -- what their thoughts and
9 processes are. So we have not had
10 those discussions.

11 So -- but from our standpoint,
12 again, we are -- we continue what we
13 have done the last couple of years and
14 expand upon our advertising avenues as
15 well. So I'm certainly happy to meet
16 with the VEA and talk strategies,
17 making sure that we're not crossing on
18 the same pass.

19 CHAIR NIXON: Okay. Jeff, did
20 you have --

21 MR. HANNUM: Well, yeah. So I'm
22 not sure if the money actually has
23 been processed yet.

24 CHAIR NIXON: It hasn't. No,
25 it's pending with the director of

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2 planning and budget.

3 MR. HANNUM: Okay. So once that
4 comes through, that will be helpful.
5 Do you know what the timeline is on
6 that?

7 MR. AHMED: It's -- I don't. I'm
8 supposed to be getting a check-in
9 later this week. I checked in earlier
10 this week and I think with the --
11 obviously, we processed it in April.
12 We had to vet it and everything after
13 that meeting. And the director of
14 planning and budget is very involved
15 with the budget cycle and things like
16 that. So we're hoping that this week
17 I can get some kind of input from
18 them. But the -- for our purposes,
19 we've done everything, we've vetted
20 it, and we set it on.

21 My question, the reason why I'm
22 asking is the -- I know even before
23 the -- you all's plan for promotion
24 started back in January, right? So
25 what are -- what's your reflection on

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2 what they're proposing?

3 Is it -- do you think there's
4 going to be synergy there, are you all
5 going to work together, or are there
6 any points that you'd like the track
7 to improve when it comes to the
8 marketing aspect?

9 MR. HANNUM: Right. So I thought
10 Frank's, you know, presentation was
11 great. It's the first time I've seen
12 it. So Jill Byrne, as you all know,
13 spearheads the VEA's promotions. So,
14 you know, we're -- as Jill has talked
15 about over the years, you know, we're
16 more at the macro level looking at the
17 horse industry.

18 And so, these are not, you know,
19 programs that are operating in
20 separate silos by any means. You
21 know, so we're sort of at the macro
22 level. You know, Frank and his team
23 are at the micro level doing the
24 racetrack stuff. So, obviously, we
25 will be working together.

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2 I think either Jill and Frank I
3 know will sit down and look at this
4 and can report back at the next
5 meeting in a more detailed way. But
6 we don't see these as separate but two
7 different aspects of promoting, you
8 know, the industry as a whole and
9 coming down and looking at Shenandoah.
10 You know, looking at steeplechase
11 meets, and then looking at the flat
12 meets. So it's all connected. So we
13 appreciate the Commission's support on
14 being able to do the macro piece as we
15 talked about previously.

16 MR. AHMED: So that -- that makes
17 sense. So macro piece, you're talking
18 about the entire industry, or focused
19 on all three meets. Colonial's
20 responsibility is directly for
21 bringing up the track attendance and
22 things like that.

23 So based off of that, and I'll
24 stop after this -- but, you know,
25 there were comments in the past by

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1
2 some commissioners about reaching out
3 to the Navy crowd, reaching out to
4 other areas within Virginia as well as
5 go north. So is there a plan to do
6 that with the new marketing manager
7 that you all have hired, and if so,
8 what -- what can we expect?

9 MR. HOPF: Yes, so part of our
10 plan that's been in place is to reach
11 those areas outside of, you know, New
12 Kent and Richmond. So we're in the
13 Tidewater area, Norfolk. So we have
14 certainly listened to the feedback
15 that we've gotten and trying to
16 implement more of a reach-out to that
17 part of the state.

18 So we'll continue to do that.
19 And, you know, I think with having a
20 new racing marketing-specific manager,
21 she'll be able to really kind of focus
22 on some of these things and expanding
23 upon just Colonial Downs on the racing
24 side as a whole and reaching some new
25 demos for us as well. So, again,

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2 happy to sit down once with VEA
3 when -- when the time is right and
4 make sure we're all hitting the
5 same -- the same marks.

6 MR. HANNUM: So -- and just --
7 it's great that this individual has
8 been hired by the track. So that's
9 great. But, you know, and the
10 money -- I can just speak to the VEA.
11 But the money that the Commission has
12 approved now for the second time for,
13 you know, for marketing spend, you
14 know, I very much see it's an
15 investment and just it takes time to
16 get this going.

17 And we know in Shenandoah, you
18 know, there's people there in the
19 stands that are there, never been to a
20 Harness meet before, but they are
21 there because they saw a TV spot. Or
22 they heard a radio spot. And, you
23 know, we're also close to it but, you
24 know, it takes a long time for these
25 things to, you know, sort of sink in

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2 and for people to make plans and -- I
3 mean, that's obvious what I'm saying.

4 But it just takes time for this
5 to sort of permeate for people to know
6 that track is open again. You know,
7 that Colonial is open again. That we
8 are having Harness racing, you know,
9 two different times a year, et cetera.

10 So all of this takes time and,
11 you know, we will be working
12 hand-in-hand with Frank and his team.
13 Absolutely.

14 MR. AHMED: Thank you.

15 CHAIR NIXON: Any other --

16 COMMISSIONER BRAND: Yes, I'd
17 just like to add to that. I
18 understand the macro and the micro and
19 there's a specific focus on Churchill
20 Downs and the racing and then the
21 overall horse industry. But I think
22 you can get a lot more -- both of the
23 funds will get a lot more bang for
24 their buck if there is that
25 collaboration.

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2 And if they are somehow conveyed
3 in that messaging that everybody is
4 working together. That it's not
5 Shenandoah Downs competing with
6 another -- and I've -- I've been very
7 closely following all of the social
8 media with -- with everyone and I
9 don't know how you do it, but if there
10 was a way to make sure that there's a
11 connection and that -- yeah.

12 There has to be a separation
13 because everybody has different
14 interests. But by the same token, we
15 don't want to just spot -- promote
16 things with -- and our audience.
17 Because at the end, the audience is
18 the same. Even though it's macro, I
19 mean, you really want to get every
20 Virginian informed and engaged.

21 So I would think that would be
22 where you'd start with your common
23 ground. And then also, the work that
24 Churchill is doing on attendance and
25 numbers and those kinds of things, I

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2 would think would help with the
3 metrics that you are asking VEA to
4 share with us and the updates from the
5 fund once it's received and then
6 deployed that that collaboration could
7 also be helpful so that we have better
8 numbers and measurable things that
9 we've been asking for. Thanks.

10 MR. HANNUM: Yes.

11 CHAIR NIXON: Commissioner
12 Gordon-Moore.

13 COMMISSIONER GORDON-MOORE: I'd
14 like to back up just a little bit to
15 the dorm which we saw yesterday, and I
16 think it's terrific. It's really well
17 done. It's in a good location. But I
18 keep going back to one thing. There's
19 one lady's room. There's many men's
20 rooms. And, usually, that's a bad
21 combination.

22 And as a footnote, possibly, if
23 it becomes a problem, maybe put up a
24 tent on the western side with a couple
25 of porta-potties or some places where

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2 people can sit out of the weather.

3 And I just see the restroom situation
4 maybe jumping up later as a problem.

5 MR. HOPF: Yes, we'll
6 certainly -- from that. I know we
7 discussed this yesterday a little bit
8 and, obviously, get a better grasp of
9 what the ratio or sat -- or people who
10 are living back there. What
11 percentage is female versus male. I
12 know we have a lot more female
13 trainers are being allocated all this
14 year. So, obviously, we'll -- we'll
15 take a look and make sure that, you
16 know, we're providing them proper
17 space and restroom opportunities for
18 everybody.

19 COMMISSIONER GORDON-MOORE: Yes,
20 just so it doesn't jump up later as a
21 real problem. Just -- it can be fixed
22 with temporary facilities, but knowing
23 how ladies' rooms work, it may be a
24 problem.

25 CHAIR NIXON: Thank you, guys. I

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1 appreciate it.

2 Next is the report from the
3 representatives for the
4 representatives from the Virginia Gold
5 Cup Association as well as the Great
6 Meadow Foundation.
7

8 MR. GRIFFIN: Racing
9 commissioners and Madam Chair, good
10 afternoon. My name is Al Griffin.
11 I'm co-chair of the Virginia Gold Cup
12 Association. I'm racing director as
13 well. I'm joined today virtually by
14 Dulany Morison who is the co-chair of
15 Great Meadow, owner of the racecourse
16 that we run. And also,
17 Barbara Shannon who is our business
18 manager.

19 We ran our Virginia Gold Cup, our
20 hundredth running of our race meet on
21 May 3rd. And I would say from event
22 standpoint, it was very very
23 successful. We had between 30 to
24 35,000 people in attendance. That
25 rise in attendance I'm sure was helped

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in great part by the opportunities that the Virginia Equine Alliance provided us in terms of advertising. It's much appreciated.

Let me explain that the Virginia Gold Cup and in the fall, the International Gold Cup, are two of 28 base meets running under the auspices of the National Steeplechase Association. The two Gold Cups are the only ones, however, that because of their parimutuel status have different licensing requirements and restrictions in terms of the jockey sequestration, access to the paddock, and the racecourse, et cetera. And in the past, that's been somewhat problematic for people week in and week out to have one set of rules. And then they come to Gold Cup, and they have another.

However, this past -- before this past race meet, we worked with Waqas and also Izzy to create a little bit

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different way of going. To create an opportunity to maintain good security while diminishing pressure at the pressure points if you will. And I'd like to tell you that it was very successful. I'd like to thank Izzy and Waqas for their efforts for getting this much improved. Thank you, guys.

As I said, the race meet itself was very successful as an event. From a racing perspective, we did have some problems. We did have some slippage of -- on the turns. That was mitigated throughout the day but in terms of modifying the core surface and also slightly changing the course itself to help alleviate some of those problems. But it's still something that we are in -- in great need of addressing.

The north turf especially has always been problematic at Great Meadow since its inception. Some

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things have changed over the years in terms of racing. One is there's been a shoe change in horseshoes to -- to take away some of the grip that was there, and that was done a number of years ago. I think has changed our way of going. But also, horses are faster. There are no longer \$2,500 claimers. There are now -- people are spending 2 and \$300,000 on their jump horses. So there's a need to address this, and we are.

This Sunday morning, after racing, we were on the course evaluating not only the course as it existed but also alternatives along those lines. The horse turns, especially the north turn is counter-banked. It's not banked appropriately. And, again, it's been that way since its inception. We are looking to permanently modify that.

Also, I would say that within a week of our race meet, Great Meadow

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2 reached out to us and asked for a
3 meeting in which we sat down, and they
4 were very proactive in their desire to
5 make things right. And I'll ask
6 Dulany to address that in just a
7 second.

8 In addition to that, the
9 following week, I went to Iroquois
10 races, considered one of the best race
11 meets in America. And -- and walked
12 in with the stewards, two of which
13 were the same as we had at Gold Cup.
14 Also, I secured the information
15 typographical data from that race
16 course that's been in existence since
17 1940. They run very successfully,
18 their bank turns, et cetera. They
19 also promised to be of great
20 assistance to us. I consider Dwight
21 Hall, their chair, an expert in course
22 design.

23 The following week, went up to
24 Far Hills, the second race meet that
25 is one of the best meets in America.

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1
2 And again, reviewed their course. Got
3 the -- the commitment from their race
4 chair to provide us with any
5 information. And they -- that -- that
6 chair there, Guy Torsilieri, has built
7 five or six racecourses in addition to
8 maintaining his own. So I feel those
9 two and their access to the race meets
10 will be great information as we look
11 to work on the Great Meadow
12 racecourse.

13 I'd like Dulany Morrison to weigh
14 in on what he perceives as the efforts
15 moving forward.

16 MR. MORRISON: All right. Well,
17 hopefully, you all can hear me. But
18 thank you, Al.

19 Good afternoon, everyone. As Al
20 said, my name is Dulany Morison and
21 sorry I'm not with you guys today but
22 I do appreciate your time and
23 opportunity to share a few remarks.
24 So as Al said, our relationship with
25 Gold Cup Association remains strong.

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We were very pleased to have the Gold Cup back at Great Meadow last month for their historic 100th running. And as of now the May race is behind us, we are launching our next phase of our complete comprehensive racecourse renovation which as Al said, is to address the north and south turns. We aim to do that with a complete overhaul.

And we want to move that plan forward as quickly as possible but also, obviously, evenly are interested in performing maximum diligence along the way. In addition to working with VGCA, we are going to be bringing in respected course consultants including the folks that Al mentioned. And also, leading trainers and as many industry experts, if you will, as we can with the commitment of checking every box so that the end result is celebrated by everyone in the entire racing industry. As many as possible.

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1
2 And the short -- short version is
3 expanding both -- both terms to have
4 three racing lanes which will give us
5 flexibility to have more races while
6 reducing turf damage. For example, if
7 the admissions are particularly low
8 for one race, you can divide the races
9 up between the lanes. And also
10 expanding wide in the turns will
11 create a more gradual turn radius
12 which, obviously, has a multitude of
13 benefits for the horses and the
14 riders.

15 And as Al said, most importantly,
16 we're going to regrade the turns to
17 shift the pitch of the course in favor
18 of the horses to give them the support
19 they need when they take those turns
20 at high speeds. This is the biggest
21 part of the project and will require
22 county permitting and a few of the
23 hurdles, but it's important stuff that
24 will significantly improve horse and
25 rider safety.

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2 So throughout the effort we are
3 going to pay, obviously, special
4 attention to ensure earth consistency
5 so that we keep the dirt conditions
6 uniform across the entire course. So
7 if we have to truck in additional
8 dirt, for example, Pete Maybach, our
9 dirt consultant who attended in March,
10 he'll make sure that we match it to
11 the existing soil type that we have on
12 site.

13 So we've already met with one
14 respected engineer company and we're
15 meeting with a second one shortly, and
16 once we have that team hired, we aim
17 to develop a detailed proposal that
18 takes into account the expert feedback
19 that we have received. And we will
20 then take that and filter it through
21 other stakeholders to get their
22 opinion before we hit the go button.

23 And, obviously, this renovation
24 is going to take time to complete.
25 Not only the renovation, but we need

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1
2 to make sure the grass restructure
3 becomes sufficiently established for
4 the run on it. So we -- we know it's
5 at least a year. We're going to be
6 prepared for as long as two years.
7 And in the interim, Al and his team
8 have been reviewing ideas for a
9 temporary route that will avoid the
10 disturbed areas until the new turns
11 are ready to go. Which I'm not sure
12 if he can speak to that further.

13 But this has been a long time
14 coming. It's always been on our wish
15 list. But we're ready to move forward
16 now in sort of the next major phase of
17 improving Great Meadows. We look
18 forward to provide the best conditions
19 possible for steeplechase racing.

20 So that -- that's where we stand
21 at present and we look forward to
22 having more, you know, as we move this
23 project along, so --

24 MR. GRIFFIN: Thanks, Dulany.

25 And if I may, Dulany alluded to

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the two-year time frame to accomplish this. In the interim, we've evaluated alternative routes on the turns, and there is a route going that we've evaluated for several different days now that will allow us to run with a slightly appropriate bank in certain areas. We'll just have to change some distances here and there.

But to prove that point, not only have we brought in the top riders and some trainers to define that for us instead of just our opinion, but also we're going to hold a schooling day of hurdle racing at the beginning of September that will allow trainers to bring their horses and jump over the -- the adjusted or the temporary course. Four or five horses per -- per race, if you will, to give us an idea that this is good.

Not only for our own edification, but to actually gain the confidence of the trainers that this is an

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2 appropriate venue for this
3 high-quality of racing. I've gotten a
4 very enthusiastic response from the
5 horsemen in this regard.

6 I'd be glad to entertain any
7 questions.

8 CHAIR NIXON: Commissioners, do
9 you have any comments or questions?

10 MR. AHMED: I'll ask a question.
11 So has that worked, the schooling day?
12 I think that's new to Virginia, right?

13 MR. GRIFFIN: Yes, it is.

14 MR. AHMED: So how -- because
15 what you're trying to do is get that
16 trust back from the trainers and
17 everybody. So just talk about how has
18 that worked.

19 MR. GRIFFIN: So they did this in
20 Springdale racecourse down in Camden,
21 South Carolina last spring. And,
22 basically, they make an announcement
23 to the trainers that they will be
24 holding a schooling day where sets of
25 four to five horses at a time will run

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1 over the racecourse half speed. And
2 this was very popular at Springdale at
3 the beginning of -- or prior to the
4 beginning of our season in the spring.
5 So we're timing it to the beginning of
6 the fall season.

7 I've already received initial
8 positive responses from trainers when
9 we floated this idea. While
10 Springdale charged a fee for this,
11 we're going to do it on a revised
12 basis to the trainers. Obviously, I
13 think it's in everybody's interest.
14 It gives us good information in terms
15 of not only pretrial where the horse
16 will be walking the course and giving
17 us their input. But also during, and
18 then after, evaluating the course
19 itself after it has been run.

20 It was -- again, proved to be
21 very successful at Springdale. They
22 hold one up at Shawan in Maryland.
23 They've done for the last three or
24 four years. It's also been highly
25

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attended and very positive. So we're trying to use that vehicle, if you will, to gain knowledge and trust.

MR. AHMED: I think that's a fantastic idea. It's a simple approach but I think great. I would love to see it. I know Commissioner Gordon-Moore would probably want to see that, too. And yeah. So great job.

MR. GRIFFIN: Well, as soon as we have the date defined, I'll make sure you're there and give you tickets.

COMMISSIONER GORDON-MOORE: It sounds like a great idea to help promote positiveness in all of this. And the two new wells should really move things up.

MR. GRIFFIN: I'm very excited about that. I also need to say that immediately after the race, Great Meadow reached out to us and said, "Let's get together." We did within a week. Five days later, we met and it

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was a function of, basically, said,
"What can we do to help? How can we
fix this?"

And that was -- that was very not
only well received but very much
appreciated by Gold Cup.

CHAIR NIXON: Thank you -- thank
you both. And congratulations on the
increase in the attendance. We
haven't had those numbers for quite a
while, so that's great. Thank you
very much.

MR. GRIFFIN: Thank you.

CHAIR NIXON: Thank you.

Let's see. Shenandoah is
wrapping up their spring race meet
this weekend. So I've asked for them
to report at our next meeting.

Let's see. Next on the agenda,
I'd like to entertain a motion to
address a request related to the 2025
Colonial Downs summer race meeting.

Do I have a motion?

COMMISSIONER GORDON-MOORE: So

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2 moved.

3 CHAIR NIXON: Commissioner
4 Gordon-Moore.

5 Is there a second?

6 COMMISSIONER BRAND: Second.

7 CHAIR NIXON: Commissioner Brand.

8 Executive Secretary Ahmed and
9 representatives of the applicant are
10 assigned the floor.

11 MR. AHMED: So Israel Saavedra
12 will actually be presenting this item.
13 I just forgot to change our motions.

14 So while Frank is getting set up
15 there, Israel has been promoted to the
16 director of licensing and
17 investigation role, so you'll be
18 seeing him a lot more running these
19 types of requests. And just very
20 briefly about him, he has 21 years of
21 experience in the gaming industry as
22 well as operations. And so, he's been
23 with us for the last three years.

24 And I think for the last six
25 months or so, he has been already

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overseeing licensing and investigations. I don't know if he has had a day off in the last couple of weeks. He's at Shenandoah and then back in the office five days a week as well. So very glad to have that. So forgot to mention that at the beginning and just wanted to make sure he was heard.

But why don't you go up and present, Israel?

MR. SAAVEDRA: Good afternoon.

My name is Israel Saavedra.

Right now, I'm the compliance officer with the Virginia Racing Commission. I have been promoted, like Waqas said. Thank you so much for the opportunity. I'm glad to be here with all of you.

I'm presenting you this memorandum, summarizing three requests from Colonial Downs regarding their upcoming summer 2025 race meet. The first item is the roster of the racing officials. Colonial Downs has already

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submitted its proposal list of officials for the 2025 summer meet. They have fulfilled the -- its regulatory obligation as a licensed operator.

The Commission staff has already reviewed the list and has notified Colonial Downs of any individual who will new permit or renew their permits. The VRC will help Colonial Downs and assist all the applicants with their requests.

The second is the approval of the Pick 6 carryover and wagering takeout rates for Colonial Downs. Colonial Downs has requested approval to roll over funds from early and late Pick 5 pools into their respective pool of the next scheduled race within the same meet. Additionally, Colonial Downs seeks approval for a just takeout percentage. 12 percent for early and late Pick 5, and 15 percent for the Pick 6 pool.

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2 To offset this lower rate,
3 Colonial Downs will allocate a portion
4 of its share of the takeout to ensure
5 that 1 percent of the pool is
6 contributed to Virginia British fund.

7 The Virginia Racing Commission
8 recommends to approve all these
9 requests as submitted.

10 CHAIR NIXON: Thank you.

11 Commissioners, do you have any
12 comments or questions pertaining to
13 this?

14 COMMISSIONER SIEGEL: I take it
15 that you reviewed this pretty
16 carefully?

17 MR. AHMED: Yes, I've reviewed
18 this and just to confirm, Frank,
19 you're proposing for the carryovers
20 under method one to go to the late
21 Pick 5 pool the next day from both
22 pools on the prior day. So the early
23 and the late Pick 5 on day one,
24 there's a carryover. Both will be
25 combined and go to the late. Nothing

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2 will go to the early, correct?

3 MR. HOPF: That is correct. So
4 if we have a carryover after the first
5 Pick 5, the early Pick 5, that will
6 carry over to the next day's late Pick
7 5. If there's a carryover -- if we
8 have double carryover, early and late
9 on a particular day, that -- those two
10 carryovers would go into the late Pick
11 5 of the next corresponding day. So
12 this is the same -- same thing we did
13 last year as well.

14 MR. AHMED: And is the rhetoric
15 there just to market those races later
16 on in the card, why not the undercard
17 races? Couldn't that use as much
18 carryover as possible?

19 MR. HOPF: It does help from a
20 standpoint of notifying customers
21 that, "Hey, there's going to be a
22 carryover. We're going to your late
23 Pick 5." It's very --

24 MR. AHMED: It's just more time
25 for them to --

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2 MR. HOPF: More time to -- you
3 cannot -- to do an early to a late,
4 there's no time with eight or nine
5 race cards, you're almost overlapping
6 at some point.

7 MR. AHMED: So I think at
8 Turfway, they tried that and people
9 just weren't paying attention.

10 MR. HOPF: Yes. It's a little
11 trickier that way. So yes.

12 MR. AHMED: Thank you.

13 CHAIR NIXON: Any other questions
14 or comments?

15 All commissioners in favor of
16 approving requests related to the 2025
17 Colonial Downs summer race meeting
18 please indicate by responding yes.

19

20 NOTE: Commissioners respond yes.

21

22 CHAIR NIXON: Any commissioners
23 opposed?

24 Motion carried. Thank you very
25 much.

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2 We will now address Item B. I
3 would like to entertain a motion to
4 address the 2025 Virginia HBPA
5 benevolence budget.

6 Do I have a motion?

7 COMMISSIONER BRAND: So moved.

8 COMMISSIONER SIEGEL: Second.

9 CHAIR NIXON: Commissioner Brand,
10 Commissioner Siegel.

11 Executive Secretary Ahmed and
12 representatives of that applicant are
13 assigned the floor.

14 MR. AHMED: Thank you, Madam
15 Chair.

16 Before I hand it over to the
17 representatives for the HBPA, I just
18 wanted to respond to an earlier
19 comment in the public comment period.

20 So this breakage amount comes
21 from a statutory tax on all wagers.
22 Sorry, it doesn't come from the tax,
23 it is delineated in the tax statute
24 and it says, "A legitimate breakage
25 from each parimutuel pool for live,

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historical, and simulcast racing shall be split 70 to 30."

And that 30 percent is what we're talking about today. That 30 percent is actually split further, 80 and 20, between the harness folks and the thoroughbred folks. So we're talking about 80 percent of that 30 percent to date from wagers in 2024.

I do want to note, nationally, you know, coming from Kentucky, breakage typically goes to the track and it's usually used to offset things like minus pool and things like that. And, obviously, with the historical horse racing, it's great to see that this breakage is being utilized for things like capital improvement improvements which I will say to the track that that is subject to the approval of the Commission as well, and I plan to sit down with the track to understand what kind of improvements they've done for their 70

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percent.

But to date, we're talking about the 30 percent for the benevolence fund. And the Virginia HBPA in response to several of the commissioners' comments that the December meeting have provided the actuals as well as the budget for 2025 and 2024. And the staff in response to the OSIG findings to have better oversight over these breakage funds has thoroughly vetted the budget and has looked at the audited financials submitted by the HBPA and submitted a line of 13 different questions to clarify several things within this budget.

And over the last couple of days, the HBPA has been very willing to work with us and provide us some of the answers. And so, today I will say I think most of my questions have been answered by the HBPA.

Mr. Berman at the comment period

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1 told about the dental aspect. I
2 will just note that's dental, medical,
3 and optical line item which was a
4 \$50,000 budget item for 2024. And for
5 2025, it's \$63,000. So as we're
6 listening to them talk about, you
7 know, details about each one, they've
8 got food program, transportation,
9 chaplain. I've asked Mr. Aidan --

11 MR. TURNAGE-BARNEY:

12 Turnage-Barney.

13 MR. AHMED: Turnage-Barney.

14 Okay. It's a hyphenated name. Mr.
15 Turnage-Barney, he will go through and
16 provide with specific examples of
17 who's providing the food program,
18 who's that targeting, things like that
19 so it doesn't just look like that
20 we're throwing money at a problem
21 here. We're actually -- there's going
22 to be results and things like that.
23 So, again, this is our first time,
24 first year looking at this thoroughly
25 and it's obviously going to get

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1
2 better. But I just wanted to give you
3 all that roundup.

4 And the statutory categories, by
5 the way, for this, so it's up to the
6 Commission to approve this, whatever
7 they propose today. The statute, the
8 legislature intended for this amount
9 to go towards gambling addiction and
10 substance abuse counseling. So that's
11 one category. Recreational,
12 educational, or other related
13 programs.

14 Now, I will say, I'm not seeing a
15 ton of gambling and the substance
16 abuse counseling. And I'm assuming
17 that's because there's already a fund
18 for that set up. I actually serve as
19 the Virginia Racing Commission's
20 representative on the Problem Gambling
21 Counsel and one of the things that --
22 because I know there will be a
23 question about that, why that's not
24 part of this.

25 There's a huge amount of money

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2 going towards that fund. What we're
3 trying to figure out as a part of that
4 counsel, how to use that money wisely.
5 You can't -- that's such a marginal
6 group of people who are overlooked and
7 sometimes operators just throw money
8 at the problem and think if we
9 dedicate 2 or \$3 million, it's going
10 to fix the problem. That's not how it
11 works.

12 And so, that group, which
13 Mr. Berman actually shows up to a lot
14 and gives really solid advice to that.
15 So we're looking at ways to improve
16 that including filing budget
17 amendments going forward to be able to
18 use the money that's already deposited
19 into that fund. Which, of course, as
20 you know, it doesn't matter what your
21 cash balance is. You have to
22 appropriate funds to be able to use
23 them.

24 So I'm hoping that in the future
25 as we're able to utilize more of those

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2 moneys, that part of this will go
3 towards parimutuel gambling counseling
4 and things like that. I hope that we
5 can join the -- the fight there
6 because that is a very important
7 cause. Virginia Lottery is paving the
8 way on that.

9 I believe Generals is putting out
10 constant reminders on that. So I just
11 wanted to do that little shout-out to
12 that marginalized group. It's a very
13 important thing and I hope to work
14 with you all on that going forward.

15 So now I'll turn it over to you
16 all to just go through each of the
17 items and tell us, you know, put a --
18 put a vendor to the name and things
19 like that.

20 COMMISSIONER SIEGEL: Aidan, will
21 you also address the growing dental
22 expense that Mr. Berman asked about
23 earlier?

24 MR. TURNAGE-BARNEY: I'll do
25 that.

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Okay. Yeah. So just going through the list that you all have in front of you, the first item is the food program. So what we do there, Miguel Paz, he's a kitchen guy up in Maryland, in Laurel. He comes out and helps us out for the summer. He does not get any kind of a salary from us for the race track so we give him a small subsidy at the beginning of the meet to help him get his initial groceries and things like that.

And then we provide about 15 meals to backstretch and foot workers on the deck. Miguel delivers those out to people who are, you know, in poor situations and can't maybe afford to get lunch that day.

Also, we have some small events. We have our Open House Day July 11th before the first Friday night of racing. Also Gamble and You Day to get everybody there, have our general HBPA membership meeting and feed

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everybody.

Transportation. So we pay for a van, a 12-passenger van and a driver, Arnulfo Rangel, and insurance for the van. So, basically, that van is used for the horsemen to get to the grocery store, to the gas station, to the dentist, to the doctor's office.

Wherever they need to go. A lot of these folks come in on horse trailers and with our remote location in New Kent, they're not able to get to the place that they need to sustain.

The chaplain. So the chaplain, we pay his salary, his expenses, and for his golf cart which he used to take around. He does a church service on every Tuesday night. We feed people, they come out, and he does prayers for people. And he also has become probably our most important asset in terms of counseling for individuals on the back side.

My first year here on the back

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side, we tried to do an AA class under the recommendation of a horseman on the back side. And he was the only person who attended. So we talked to Chaplain J about that individually and he goes to these individuals while he is riding around and talks to them about their problems. He comes to us with things they may need for support or just individually spends time with them to help them take care of it. So that's been very very helpful.

The groom wards. So we offer \$50 best haired-out horse at every race. So, you know, the grooms who walk them over, they do a good job taking care of the horse. They get this little reward.

Medical, optical, and dental care, I think I'll get to that at the end.

Clothing. So we do hats and shirts at the beginning of the meet so that all the horsemen who come in,

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often, they don't have an opportunity to get new clothing. So they can at least get a new hat and shirt once a year. Backstretch workers, yes.

Um, training programs. So we provide the Groom Elite course. I'm in negotiation with Reid McLellan about that right now. So they come in and teach a course. This is aimed to get people who are starting at the hot-walking groom level and being able to advance their knowledge so they can build more of a career as a trainer or heading up the ladder. And also for people who have never spent any time on the back side.

So last year we had a class of, I think eight individuals. None of them had worked on the back side before, and I hear from lots of them that they have jobs coming back this year or they've been traveling up and down the East Coast trying to find work for it. It's -- it's an important piece to

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trying to get people involved into our industry who otherwise may not have had a way to take that first step into it.

The Disabled Jockey's Benefit.

So we have a golf tournament every year to benefit the PBJF as well as Shannon Campbell, a local base jockey who had an accident a couple of years ago. That's good bet of events to, you know, do our part to help benefit the jockeys who have had those situations.

Miscellaneous. So we do things on the back side to try to make it a more comfortable place for the grooms such as the tents that are in between all the dorm buildings. The picnic tables, various things like that to make the backstretch more livable. You know, we got rods for curtains two years ago so there's something to stop the sun going into the dorm rooms before they had all those.

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And then individual benevolence.

So that's kind of the, you know, the odd situation. The guy who gets traded on the back side and needs a bus ticket to get back to another racetrack or something like that, the individual situations that we're able to help people out with.

MR. BERMAN: As far as the dental, medical, and optical. As you know, I started here last year and I just continued the program. As it's been, my thought is that I should observe and see how these programs work and then make modification after I see what's going on and how effective it's been.

The optical, pretty simple, people need a pair of glasses. We're going to limit -- I think we are going to limit now to one pair of glasses. I was getting people coming in with bills for multiple -- two -- two pairs of glasses. It didn't seem like that

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made sense to me.

What seemed to be happening a lot last year was people were going to providers because they were used to it and they knew who they were without necessarily stopping at our office first. So that's going to change this year. Nobody is going to be allowed to go to the dentist and get dental care before they stop into the office and tell us what their issue is and get a piece of paper that they take to the dentist this year.

Medical is pretty simple. If somebody has a medical problem, we're going to do something about it. We've had people over in the past that have truly needed help right away. And we're there. And they come to us. So if we need an ambulance to come, we're going to call an ambulance and whatever care they need.

And so, as far as the dentist goes, in addition to not allowing

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1 people to just go to the dentist
2 without coming through us first to try
3 to stop that from happening, we're
4 switching dentists this year. We
5 are -- we've used a dentist in, I
6 believe it was in West Point. And
7 we're going to have a dentist in
8 New Kent, close -- closer to the track
9 for people.

11 Second, I don't believe that the
12 dental program should be for
13 preventive dental care. And I think
14 maybe that was happening too much.
15 Now, I'll say this, when I started at
16 Gulf Stream many years ago and I
17 walked into that program, everybody
18 was getting dental care and we were
19 spending over \$200,000 a year. And
20 that's a year-round program, but
21 that's a lot of dental care going on
22 there.

23 And so, at some point, I said,
24 "Only -- this is for people who need
25 to see the dentist. They have a

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toothache. They have a problem."

This isn't I'm going for my annual checkup kind of thing. And what happened was people were coming into my office holding their mouth and moaning.

And so, it didn't quite work the way you -- you know, they wound up going to the dentist anyway. I can't tell whether they really needed a dentist or not. But I am told that our previous dentist has told us that many of the people that come to see the dentist, is the first time they've seen the -- even seen a dentist in their life. And so, they may have lots of problems going on that need attention. And most dentists are not going to turn somebody away and tell them, "Go take care elsewhere" when they have a problem and they need to be taken care of.

So we're going to continue doing that. We are going to make sure that

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1
2 we have better control, better
3 communication with the dentist so that
4 we know as it's happening what the
5 bill is. And as I attempted to do
6 last year per the limit, nothing over
7 my -- my -- my rule last year was,
8 anything over \$1,000, you call me
9 before you start doing any work.

10 It wasn't happening last year.
11 It's going to happen this year with
12 the new dentist. And I think that
13 amount should come down but we have
14 more people here this year. We have a
15 full barn situation that we didn't
16 have last year. We have more days
17 which means more people are going to
18 be here.

19 And so, I think what I'll be
20 doing to try to keep a handle on this
21 thing might be offset a little bit by
22 the increase in days and the increased
23 number of people here. So I think the
24 budget amount that we've asked for is
25 appropriate. We've spent a little

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over \$40,000 last year on dental. It was 41 or \$42,000 of the 57. The other 15 went to medical and eyeglasses.

And so, we asked for 63 this year figuring there's going to be an increase just by the nature of what we're -- you know how many days we have running and how many people are going to be here. Hopefully, it'll be less but we don't want to be short.

So that's my explanation of dental.

CHAIR NIXON: Thank you.

Do the commissioners have new questions or comments?

COMMISSIONER SIEGEL: I'll just mention that you -- you said it got a little out of hand last year and now you've put in ways to become more efficient in the way you've evaluated. So we encourage you to continue to do that and we'll see what you come back with next year. Perhaps you'll be

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2 under budget next year and everybody
3 will be happy.

4 MR. BERMAN: In the perfect
5 world, the only people who go to the
6 dentist are people that need dental
7 care now. They're not -- and I find
8 that some places are more lenient with
9 their dental care. Some race tracks.
10 And some are less.

11 And sometimes you get these
12 people that if they think that it's
13 easy to get dental here or, like, in
14 Florida, it was easy to get dental
15 care there, they wait. And wait until
16 they came to those places where -- who
17 is simpler to get the dental care. We
18 don't want to keep people that need to
19 see the dentist from going. But we
20 also want to make sure they come
21 through us first.

22 COMMISSIONER SIEGEL: Glen, it
23 sounds like you may need to have a
24 conversation with a new dentist.

25 MR. BERMAN: We have. We already

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2 have. We've interviewed --

3 COMMISSIONER SIEGEL: And say,
4 "If someone comes to you just for a
5 checkup, you need to send them back."

6 MR. BERMAN: Absolutely.

7 MR. TURNAGE-BARNEY: Yeah, I went
8 and to talked to them a couple of
9 weeks ago. You know, they're only
10 going to be able to take our folks on
11 Mondays and Tuesdays and she is very
12 clear that she's not willing to do it
13 even if they were to go and do that.
14 So very much so emergency dental care
15 two days of the week with reserved
16 spots for our people.

17 MR. AHMED: So just two
18 clarification points for the record.
19 So you've got \$28,000 budgeted for
20 miscellaneous. I would advise that
21 you keep meticulous records and I talk
22 to Mr. Petromola this morning. I
23 believe you all were paying all
24 evidence -- all invoices and
25 everything related to this budget for

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2 five years. When the Racing
3 Commission audits this later on this
4 year, perhaps early next year, we will
5 be looking to make sure that \$28,000
6 falls under the statutory categories.

7 And so, I would advise if at any
8 point you feel the need to expend
9 moneys from that account, that you
10 reach out to us and we can work with
11 our assistant attorney general to
12 confirm that things are, if approved
13 by the Commission today, that they are
14 under the proper category and we want
15 to make sure that things aren't going
16 outside of the statutory purposes.

17 The second sort of just -- if you
18 could quickly -- just minding the time
19 here. Just quickly answer, do any of
20 your board members -- this is a
21 conflict of interest question. Do any
22 of the board members or staff of the
23 HBPA benefit from any of the amount
24 that this budget would be approving?

25 MR. BERMAN: No.

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2 MR. AHMED: Okay. And the second
3 question is --

4 MR. BERMAN: I take it back, they
5 might get a T-shirt.

6 MR. AHMED: Okay. I would look
7 into that and just confirm.

8 My second question is, when these
9 requests come in, you know, I believe
10 the VHHA, they would have the board
11 sort of opine on certain things. They
12 have a much lower budget, obviously,
13 and dedicated to a couple of different
14 things. But I believe you said that
15 you make the decision on the request
16 and things like that; is that correct?

17 Are those approvals that you do,
18 are they -- can they be ratified by
19 your board at any point?

20 MR. BERMAN: I've got kind of an
21 internal rule. Any requests over
22 \$1,000 goes to the board.

23 MR. AHMED: Got it. Okay. So
24 there you have that delegation as the
25 executive director.

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2 MR. BERMAN: Yes.

3 MR. AHMED: Perfect. Thank you.

4 I have no further comments.

5 CHAIR NIXON: Thank you.

6 All commissioners in favor of
7 approving the 2025 Virginia HPBA
8 Benevolence Budget please indicate by
9 responding yes.

10

11 NOTE: Commissioners respond yes.

12

13 CHAIR NIXON: Any opposed?

14 Motion carried.

15 Thank you, guys.

16 This concludes new business. I
17 will now open the -- the Commission
18 will now open the floor to members of
19 the public to provide a comment not to
20 exceed three minutes. If you'd like
21 to speak, please approach the mic.

22 Anyone willing to comment?

23 Okay. We will be going into
24 closed session, but before I call for
25 that, any other comments from the

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2 commissioners?

3 COMMISSIONER BRAND: Do we have a
4 next meeting date set?

5 MR. AHMED: We don't. Not right
6 now. It will most likely be in August
7 but we're tackling a workforce right
8 now, we're hiring additional positions
9 and things like that. So I don't want
10 to commit to anything. But most
11 likely August or late July.

12 COMMISSIONER BRAND: Thank you.

13 CHAIR NIXON: Commissioner
14 Tanner, anything else you would like
15 to comment on?

16 COMMISSIONER TANNER: No, thank
17 you.

18 CHAIR NIXON: Next, we will have
19 closed session. I'd like to entertain
20 a motion to convene in closed session.

21 COMMISSIONER SIEGEL: So moved.

22 COMMISSIONER BRAND: Second.

23 COMMISSIONER GORDON-MOORE: I
24 move that we convene a closed meeting
25 in accordance with the Virginia

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2 Freedom of Information Act. The
3 purpose and subject of this meeting is
4 to discuss personnel matters and
5 consultation by staff and legal
6 counsel.

7 The applicable exceptions from
8 open meeting requirements under the
9 Freedom of Information Act is
10 Section 2.2-3711.A.1. And
11 Section 2.2-3711.A.8.

12 CHAIR NIXON: I believe
13 Commissioner Siegel seconded; is that
14 correct?

15 COMMISSIONER SIEGEL: I think I
16 moved and Brand seconded.

17 CHAIR NIXON: All right. All
18 commissioners in favor of convening in
19 closed session please indicate by
20 responding yes.

21

22 NOTE: Commissioners respond yes.

23

24 CHAIR NIXON: Any opposed?

25 Okay. Motion carried.

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2 We'll come back to adjourn.

3 Thank you.

4
5 NOTE: Whereupon the hearing is
6 held in closed session and reconvenes
7 as follows:

8
9 CHAIR NIXON: I would like to
10 entertain a motion to convene in open
11 session and provide certification on
12 the matters discussed in closed
13 session.

14 I move that we vote on and record
15 our certification that to the best of
16 each member's knowledge only public
17 business matters lawfully exempted
18 from open meeting requirements under
19 this chapter and only such public
20 business matters as were identified in
21 the motion by which the closed meeting
22 was convened were heard, discussed, or
23 considered in the meeting by the
24 public body.

25 CHAIR NIXON: Is there a second?

1 P R O C E E D I N G S

2 COMMISSIONER SIEGEL: Second.

3 CHAIR NIXON: I'll do a roll call
4 vote for the certification.

5 Commissioner Tanner.

6 MR. AHMED: That's on mute. So
7 he doesn't hear any of that.

8 CHAIR NIXON: Okay.

9 MR. AHMED: Jeff, are you there?

10 COMMISSIONER TANNER: I am, yes.

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

23 Is there a second?

24 COMMISSIONER SIEGEL: Second.

25 CHAIR NIXON: Commissioner

1 P R O C E E D I N G S

2 Siegel.

3 I'll do a roll call vote for the
4 certification.

5 Commissioner Tanner.

6 COMMISSIONER TANNER: Yes.

7 CHAIR NIXON: Commissioner Brand.

8 COMMISSIONER BRAND: Yes.

9 CHAIR NIXON: Commissioner
10 Gordon-Moore.

11 COMMISSIONER GORDON-MOORE: Yes.

12 CHAIR NIXON: Commissioner
13 Siegel.

14 COMMISSIONER SIEGEL: Yes.

15 CHAIR NIXON: And Commissioner
16 Nixon voted yes for the record.
17 Motion carried and certified.

18 Since there's no other business,
19 the Chair would entertain a motion to
20 adjourn this June 6th, 2025, meeting
21 of the VRC.

22 COMMISSIONER SIEGEL: So moved.

23 CHAIR NIXON: Do I have a motion?

24 COMMISSIONER SIEGEL: So moved.

25 COMMISSIONER GORDON-MOORE:

1 P R O C E E D I N G S

2 Second.

3 CHAIR NIXON: Commissioner Siegel
4 and Commissioner Gordon-Moore.

5 All commissioners in favor of
6 adjourning please indicate by
7 responding yes.

8

9 NOTE: Commissioners respond yes.

10

11 CHAIR NIXON: Motion carried.
12 Meeting adjourned.

13

14 NOTE: This concludes the June 4,
15 2025, meeting of the Virginia Racing
16 Commission.

17

18 HEARING CONCLUDED

19

20

21

22

23

24

25

C E R T I F I C A T E

STATE OF VIRGINIA)

: ss.

COUNTY OF RICHMOND)

I, JUAN ORTEGA, a Notary Public
within and for the State of Virginia,
do hereby certify:

THAT SAID PROCEEDINGS is a
transcript of the Virginia Racing
Commission Public Hearing, when held on
June 4, 2025, at 1:00 p.m. in Richmond,
Virginia.

I further certify this is a true
and accurate transcript to the best of
my ability to hear and understand the
proceedings and other incidents of the
hearing herein as set down to the best
of my ability.

IN WITNESS WHEREOF, I have hereunto
set my hand this 18th day of June,
2025.



JUAN ORTEGA, CCR

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