VIRGINIA RACING COMMISSION

June 29, 2011
10700 Horsemen's Road
New Kent, VA 23124
Commencing at 3:05 p.m.

COMMISSION MEMBERS:
Clinton Miller, Chairman
Stuart Siegel
J. Sargeant Reynolds, Jr.

COMMISSION STAFF:
Bernard J. Hettel, Executive Secretary
David S. Lermond, Jr., Deputy Executive Secretary
Kimberly M. Carter, Office Administrator
C. Richard Harden, DVM, Equine Medical Director
Joseph M. Roney, Director of Security & Enforcement

ATTORNEY GENERAL'S OFFICE
Amy K. Dilworth, Esquire

CAPITOL REPORTING, INC.
REGISTERED PROFESSIONAL REPORTERS
(804) 788-4917
# INDEX

<p>| | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Approval of the minutes of the regular meeting of May 24, 2011</td>
</tr>
<tr>
<td>2.</td>
<td>Commissioners' Comments</td>
</tr>
<tr>
<td>2a.</td>
<td>Update on standing and special committees and study groups of the Commission</td>
</tr>
<tr>
<td>3.</td>
<td>Committee Reports</td>
</tr>
<tr>
<td>4.</td>
<td>Executive Secretary's Report</td>
</tr>
<tr>
<td>5.</td>
<td>Stakeholders</td>
</tr>
<tr>
<td>5a.</td>
<td>Colonial Downs Update on 2011 Thoroughbred Meet</td>
</tr>
<tr>
<td>6.</td>
<td>Public Participation</td>
</tr>
<tr>
<td>7.</td>
<td>Set next meeting -- August 23rd, 2011</td>
</tr>
<tr>
<td>8.</td>
<td>Closed Meeting</td>
</tr>
<tr>
<td>9.</td>
<td>Adjournment</td>
</tr>
</tbody>
</table>

Non-action Item:

<p>| | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Handle Analysis</td>
</tr>
</tbody>
</table>
MR. MILLER: Let the record reflect that Commissioner Dave Reynolds is absent today. Commissioner Mark Brown is not here. If he arrives, we'll reflect it in the record. Okay. But as of now, we have three commissioners present; Commissioner Sarge Reynolds, Commissioner Stuart Siegel, and myself, Commissioner Clinton Miller, constitutes a majority commission, and therefore, a quorum, so I'll call the meeting to order and ask if there's a motion regarding the approval of the minutes of the regular meeting of May 24th, 2011.

MR. S. REYNOLDS: I'll move.

MR. MILLER: Been moved. I'll second that the minutes be approved.

All in favor, say aye.

NOTE: The Commission votes aye.

MR. MILLER: Second item on the agenda is the Commissioners' comments. Item A, update on standing and special committees and study groups of the Commission.

At the last meeting of the Commission, I went through the list of committees as set forth on our website and also with our governance policy, and I think we covered all the committees and determined that certain folks would share the various
committees and bring them up to date regarding membership; that is, purging members that have not participated and are not expected to participate further, adding any new members, if wanted.

The first committee was — Well, I won't go through all the committees. Did anyone follow up on that suggestion of getting their committees squared away? We had the Standard Breeders Fund Advisory Panel. I think Mark was the chairman of that. Virginia Breeders Fund Advisory Committee. Budget Committee is Dave Reynolds. It was just the two of them.

MR. LERMOND: We decided we were happy with just the two of us.

MR. MILLER: Okay. Thank you, Dave.

The Code Revision Rules Committee. That was myself and we struck Jerry Canaan and Steve McKay from that committee. All the others remain the same.

Racing Safety and Medication Committee.

Dr. Harden indicated that Dr. Al Kind would serve.

DR. HARDEN: Yes.

MR. MILLER: And Walter Hyde would be stricken from the committee. All the others are the same.

Security Enforcement Committee. It was
determined that Joe Roney would be the chairman of
that and Jerry Canaan would be stricken from that.

Marketing and Promotion Committee would be the
same. Wagering and Technology Committee, I don't
recall anything particular about that. There's a
list of members.

Then the National Racing Compact. Frank
Petramalo was going to undertake to pull that
together, because that's the one committee that
didn't show any members.

MR. PETRAMALO: We so far have acceptances from
former commissioner and former chairman Peter
Burnett and Ian Woolnough. I haven't yet asked
anyone else, but I think -- I think Dave may have
been serving on the existing committee.

MR. MILLER: There was no one listed on the
record.

MR. PETRAMALO: It's a little -- It's a little
confusing. We are -- Virginia is party to a
compact -- national compact limited to the issue of
licensing, and we used to run that out of the office
here. Robin Williams was the motivating factor in
bringing that compact together, but what
particularly interested me is the movement now afoot
to create a broader compact dealing with medication
rules, et cetera.

Two states have so far passed that; Kentucky, I believe, and Colorado. The moving force is the New York wagering Board, and in particular a lawyer there, and I've been working with that and that's where our committee, I hope, will focus.

MR. MILLER: And the main point being that whenever we do, if we do become a full participating partnership in a national compact, that would have to be approved by various states and the federal government.

MR. PETRAMALO: Yes.

MR. MILLER: We just want to make sure that your committee will be able to pull together the perspective that Virginia should give to that --

MR. PETRAMALO: Yes.

MR. MILLER: -- national committee.

And also, as I told you in the e-mail, you might want to be thinking about -- we might want to be thinking about trying to advise the governor in the best way possible about the wisdom of at least considering someone from the industry or from this commission or the industry to be Virginia's actual formal representative.

MR. PETRAMALO: Right.
MR. MILLER: Well, if everyone will, on all these committees who are working with these committees, will get their information to the executive secretary as soon as you can, just as you flesh out the membership, if you'll get your lists to the executive secretary so he can put it on record --

MR. HETTEL: Right.

MR. MILLER: -- with the office about who serves on which committee, and also, he will then work with each of the various committees regarding some goals and aims and prospective meeting dates in order to pull together whatever information can be derived from the various committees so they can be applied to the totality of what we do here at the Virginia Racing Commission.

Now, any committee reports?

NOTE: There is no response.

MR. MILLER: Hearing none, next item on our agenda is the executive secretary --

MR. S. REYNOLDS: Mr. Chairman, do you want us to talk about new committees that we are forming, or is that later?

MR. MILLER: Yeah. Sure. That is regarding racing.
MR. S. REYNOLDS: I'd like to report.

MR. MILLER: Go ahead.

MR. S. REYNOLDS: The Chairman asked me last meeting to chair a committee to concentrate on the Thoroughbred part of horse racing; more specifically, I guess, the track operations here and how we can enhance racing and make it a better product, and I have formed that committee and I would announce today and I'm very appreciative of those who offered to serve on the committee or accepted my request for them to serve on the committee, and those people are Commissioner Stuart Siegel, Stephanie Nixon, Tyler Picklesimer, Bernie Hettel, Glenn Petty, Frank Petramalo and Ian Stewart, and hopefully, I didn't leave anybody out.

Mr. Chairman, we've scheduled our first meeting for July 14th at three o'clock, I guess right here, and the thinking there is everybody's usually at the track anyway. It's during the current meet and afterwards. Hopefully, we can all go over there and they can give me some tips, because I'd like to make money to pay for my gas money to go back.

MR. PETRAMALO: Not a problem.

MR. SIEGEL: Tips are easy, right?

MR. PETRAMALO: Tips are easy.
MR. SIEGEL: Winners are tougher, aren't they?

MR. MILLER: Well, thank you very much.

MR. S. REYNOLDS: Dave Lermond said he would serve as well.

MR. MILLER: Okay.

MR. S. REYNOLDS: I'm gonna come up with a loose agenda for our meeting, but I don't wanna have it too tight, because the purpose of the meeting is just to, again, start with that white sheet of paper, and you know, just start from there and see if we can't chisel some sort of a recommendation that will eventually make it, I guess, back to you at some point.

MR. MILLER: Thank you very much, Commissioner Reynolds. I appreciate that and I appreciate very much all the persons who have indicated they are willing to serve on that committee.

Anyone else have anything to report?

MR. HETTEL: Mr. Chairman, Commissioner Dave Reynolds sent me an e-mail that was a working document, so I don't want to really announce the membership as of yet, but he has taken an active movement to go ahead and put his committee together, too.

MR. MILLER: Good.
MR. HETTEL: I believe at the next meeting, he'll come and announce the membership and his first meeting. He couldn't make today's meeting.

MR. MILLER: Very good.

MR. MILLER: Well, one other thing before we get to your report.

MR. HETTEL: All right.

MR. MILLER: I did notice, going back over the history of the Commission and things that we are supposed to be doing.

It occurred to me, unless I'm mistaken, we're supposed to have at least annually a working session, what they call a working session of the Commission. We're supposed to do it at least once annually. I don't recall that we had a working session last year. Do you recall?

MR. SIEGEL: I don't remember it.

MR. MILLER: I don't think we did. I should have talked to you about that before the meeting.

MR. HETTEL: Yeah. What is that?

MR. MILLER: Not taking the meeting time to do it, but I'm gonna ask you and we'll talk about it after the meeting.

It says: Not less than annually, the commissioners will schedule a business working
session to monitor and regularly discuss their own processes and performance and will ensure the continuity and advancement of its governance capability by orientation of new commission members and ongoing training and development of all commission members.

MR. HETTEL: Okay.

MR. MILLER: So we'll work on that --

MR. HETTEL: Right. Okay.

MR. MILLER: -- and hopefully set up what we would call a business working session, perhaps sometime in September after the -- When is the harness race?

MR. HETTEL: Harness begins mid September. I think it's the 17th.

MR. WOOLNOUGH: The 17th.

MR. HETTEL: So we could do it maybe after Labor Day, but before the harness meet. That might work for everybody.

MR. MILLER: The reason I'd like to do it in September, if we have a working business session, we come up with some idea that needs to be brought to the attention of the legislature, that would be good to do it at that time, because October is getting a little late to do that.
MR. HETTEL: All right.

MR. MILLER: So let's think about that.

MR. HETTEL: All right.

MR. MILLER: And of course the business working session still has to be a meeting that's noticed to the public. The public has a right to attend and all of you will have a right to attend, but if we have such a meeting, it will be limited to whatever purposes we decide we need to do in a business working session and won't necessarily entail requirement of any kind of report from any licensee.

MR. HETTEL: Will it require an agenda before we start it?

MR. MILLER: Yes.

MR. HETTEL: Okay.

MR. MILLER: We'll pull together some kind of agenda and we'll put it out. Of course, everyone would be welcome and it would be a good opportunity for --

It's kind of an evaluation by us of ourselves during that meeting. It would be a good idea that if you have some criticism or some ideas about how we could do our job differently, it might be good to show up at that working session and we can have discussions about what kind of ideas you may have.
about our operation.

MR. PETRAMALO: I think we had them in past.

We had -- one year, didn't we meet at the Meadow, the new site there?

MR. MILLER: Well, we met one year -- One year, we met --

MR. WOOLNOUGH: Lexington?

MR. MILLER: -- near Charlottesville somewhere?

MR. PETRAMALO: Yeah. I remember.

MR. MILLER: One year, we met at that former Figgy place north of Richmond.

MR. PETRAMALO: Yes.

MR. MILLER: But I don't recall that we did it last year at all.

MR. PETRAMALO: No, we didn't.

MR. MILLER: I thought it was a good meeting. You recall how they were, so we'll prepare an agenda and an appropriate notice and I would really request that all of you who are here and anyone else that gets the notice, if you have ideas that you think could be utilized by this Commission, how we could better do our job, how you could better do yours and how we could better do our jobs together, et cetera, that you attend the meeting when it is set up.

And I don't know where it will be. We could do
it here, or we may come up with an offsite the way we did before. That seems to work. At least it seemed to work in the past. So we'll take care of that.

Now, executive secretary will give his report.

MR. SIEGEL: Mr. Chairman, if this event is on or after the 17th of September, many of this group would need to be here because of the races, and so we might want to have it here. If we do it prior to the 17th, then we could perhaps have it anywhere.

MR. MILLER: Yeah. We'll work out the logistics with the executive secretary.

MR. SIEGEL: Okay.

MR. MILLER: All right. Mr. Hettel.

MR. HETTEL: Yes, sir. Well, I'll be brief, as I think this meeting is probably gonna be.

I attended -- I was invited and attended the medication summit at Belmont Park on the 13th and 14th of June.

It was a learning situation the first day anyway, in terms of what we all think of race day medications. Frank attended with me. He was seated at a different table, but I thought it was a very good, informative meeting.

The complication I had with that meeting and
just about every Thoroughbred meeting I have ever been to, it was non-conclusive.

On Tuesday, they broke into private session and began the work of trying to figure out what the United States needs to do in terms of facing the use of anti-bleeder medication.

And the presentation on Monday, we heard from several other jurisdictions internationally that don't use any race day medication and strictly prohibit it. Somehow, those horses race pretty well without the Lasix.

Of course the other thing, the gorilla in the room was Lasix's an effective medication and 90 percent -- 95 percent of all horses bleed to some degree, so it was one of those kind of we're chasing our tail venues.

We know it's there. We know our horses bleed. We know we can prevent it, so why do we continue to talk about it, other than the public perception? Again, the public perception is, of course, that all horses are doped, for lack of a better term, and most of the sensationalized headlines indicate that. They never really differentiate a therapeutic medication from something that's illegal.

Now, to that point, with the non-conclusive
nature of the closing of that meeting, they have
scheduled another meeting for later this summer. In
that interim, the Racing Medication Testing
Consortium is meeting in July to take the comments
they heard at the summit and then possibly formulate
some kind of situation, including a statement paper
on what they intend to do.

The second thing I've got is I was noticed
about a week ago of the possibility of using a
helmet cam, and I think Tyler Picklesimer will speak
to that at the stakeholders' presentation next on
the agenda.

We've got a tape of it and it's very similar to
a process ABC used for the Triple Crown races about
20 years ago, where they actually attach a camera to
a jockey's helmet and you get it from his
perspective. It's like real time Cinerama you used
to see where you actually thought you were riding a
horse.

One of the criticisms 20 years ago was that you
only see the mane coming back in your face, so the
Jockeys Guild at that time thought it would probably
be prudent to go ahead and put the camera maybe in
the other direction where you see the horses
actually coming to you. We can certainly talk about
that as this idea progresses.

So that's my report and we'll hear more from Mr. Picklesimer here momentarily.

MR. MILLER: Okay. Before we go to the stakeholders, on Commissioner Siegel's point about the possible working session days, what is the date of our meeting for September? What is the schedule?

MR. HETTEL: If you want me to run over to the office, I can tell you.

MR. SIEGEL: I can probably pull it up in my calendar here, if you just give me a minute. I'm slow.

MR. HETTEL: Last Tuesday in September.

MR. SIEGEL: It's Tuesday, the 27th of September.

MR. MILLER: Okay.

MR. SIEGEL: It's set for 9:30 in the morning currently, of course.

MR. MILLER: All right. Well --

MR. SIEGEL: Is that a race day?

MR. WOOLNOUGH: No.

MR. SIEGEL: No. Dark on Tuesday.

But to your point, it could be moved to another day that is a race day, which would be something similar to what we've done today.
Perhaps have your meeting -- We could do the sort of open meeting you described, session, and our final meeting here.

MR. LERMOND: I believe we have combined those in years past, where we started with the regular meeting and went into working session.

MR. SIEGEL: What time is post time?

MR. WOOLNOUGH: One o'clock.

MR. SIEGEL: Do this in the morning and go to the races after lunch.

MR. MILLER: Well, that's good, except the working sessions that we've have had in the past that have been productive have lasted some time, haven't they, Frank? They were several hours long.

MR. PETRAMALO: Yeah. I remember them being in the afternoon, going in the afternoon. I'm thinking specifically one time we were at the Meadow.

MR. SIEGEL: Three hours, four hours?

MR. PETRAMALO: Yeah, probably.

MR. SIEGEL: So it might be too much to do in one day, you're suggesting, right?

MR. MILLER: It might be too much to do if you want to have a regular meeting and a working meeting and go to the races.

MR. SIEGEL: Well, you could have a regular
meeting and working meeting and go to the races at three o'clock and miss the first four races.

MR. MILLER: Well --

MR. HETTEL: It doesn't have to be determined.

MR. MILLER: -- we'll have the executive secretary look into that, the possibilities --

MR. SIEGEL: Yeah.

MR. MILLER: -- and communicate with the commissioners and the various stakeholders and try to arrive at some kind of process that will be most suitable to the most people. Okay.

All right. Next item is our stakeholders. Jim? Ian?

MR. STEWART: At this point, we've completed 12 Thoroughbred race days. Meaningful statistical comparisons to prior years are difficult because these truly aren't comparable given the different days of the week we are racing and the number of races per day.

Overall, I think we are doing better than last year. Live wagering per race at $9,126 versus $7,883 for 12 days last year. This is obviously better than last year, but it represents a significant decline from five years ago when it was $13,833.
Out of state wagering for races is up significantly for the 12 days from 59,395 last year to 72,530 this year. This has been helped by California taking our signal more often, due to the Wednesday, Thursday five o'clock post time schedule.

However, once again, five years ago, it was 106,180. Our horses per race for 12 days, we're averaging 9.4, where last year after 12 days, it was 7.4. So I think we're seeing once again that racing purses improves the quality of the product that is reflected in the increased handle.

While I think we're making progress with the live Thoroughbred meet, the overall picture remains problematic. It's impossible to ignore the continuing decline in handle.

For the year 2010, the Jockey Club noted that the handle declined 7.3 percent versus 2009. In Virginia overall, we declined eight percent or virtually the same.

For the five months into May 31st, overall handle, including account wagering handling, declined 9.2 percent for the five months versus last year. In May alone, it was down 4.7 percent.

We continue to be hurt by the sweepstakes games in the Richmond area, though with the (inaudible) on
Friday, I'm hopeful to see a rebound.

On a positive note, we're continuing to expand our EZ Horseplay kiosks and our EZ Horseplay handle has doubled over the last year.

As I've said before, we've reached a point in Virginia where we're gonna have to make some fundamental changes to deal with industry-wide issues that are confronting us. That's why I believe the work of these committees is critical and I urge that we get started as soon as possible.

I'd like to ask Tyler and Darryl to throw in a few comments as well.

MR. PICKLESIMER: You know, Ian was talking about field size a minute ago. I think we could argue we're probably about the highest field size in the country right now.

MR. STAPLES: Wow.

MR. PICKLESIMER: I'm sorry?

MR. STAPLES: I'm sorry. I said wow.

MR. PICKLESIMER: Okay. Overall, as I said, we're at 9.4 in the dirt. We're at 7.7, and turf only, we're at 9.6, almost 9.7. So I think that's -- a lot of that can be attributed to the full barn area this year. We've actually got some people on hold that we're still trying to get in,
even 12 days into the meet.

But all in all, you know, racing side,
everything is going pretty smooth. Turf cup well
received.

We spoke a little bit about the grading process
they go through back in the spring and the NARC
committee, they basically weight top runners in the
graded stakes and the stakes that are eligible to be
graded and they assign weight, based on whatever a
horse has done in that class. You know, older boys
going along on the turf or whatever, whatever.

So the Turf Cup was weighted by that committee
at 112 or 113 pounds, which puts it in line with
Grade 2 stakes. So another good year with this new
condition, and hopefully, we'll be graded, you know,
in two more years. So it really looks pretty
smooth.

Carl's got a presentation. Students from the
University of Arizona did this at Paradise. It's a
camera they've attached to the helmet of a jockey
and this is sort of a view a jockey gets going
around the race track and we are in the process of
trying to, you know, make sure the horsemen are okay
with it and the jockeys who do this before the end
of the meet.
There's no sound to it, by the way.

CARL: Just a lot of wind and tack smacking around, so.

NOTE: The video is played.

CARL: You get the idea.

MR. SIEGEL: He wasn't concentrating very much, was he?

CARL: The sheet we're passing around has the picture of the camera, which is about six ounces, and the strap used. You attach it to the helmet.

MR. MILLER: Hope that six ounces didn't cause that horse to run that much slower.

MR. PICKLESIMER: Other than that, I think it's fairly safe. There were two runs, maybe, and maybe one of those was a steeple chase horse race. So all in all, I think we'll have a pretty good meet for the meet this afternoon.

MR. SIEGEL: Tyler, how would you use that camera?

MR. PICKLESIMER: Actually, Darryl was talking about using it -- We'll show it after the race, you know, with the replays, and then maybe use it on the website in whatever creative way we can come up with to use it to our advantage.

CARL: Publicity-wise, to get it on the -- I'm
sure all the TV networks locally would use that, too.

MR. SIEGEL: It's gonna be a marketing tool as well?

CARL: I think so. Yeah.

MR. PETRAMALO: Pick a 12 or a 14.

MR. SIEGEL: And the favorite.

MR. MILLER: You didn't want the horse down front to have the camera.

MR. PETRAMALO: No, no. We want a closing horse. That's what we want.

MR. HETTEL: Put a camera on every horse in that race, and then you spare the strategy -- If you had 12 cameras on a 12-horse field, then you put a camera on everybody.

MR. STAPLES: Isn't that what they're talking about doing; putting it on all the horses?

CARL: No, just one.

MR. STAPLES: Just one? But I mean in the future, like the gentleman just said, that'd be wild to have it on all of them. I have heard of the psychology. First time we've seen it, actually. I think it's a good idea.

MR. WOOD: Just from the live racing perspective, the time changes I think have been
beneficial so far. It's running Wednesday and Thursday at five o'clock, versus Monday, Tuesday, Wednesday at four.

I think it's created kind of a vibrancy here that we didn't see last year. Instead of getting 300, 350 people, you know, around 700, 800 during the week and that should grow.

I think the five o'clock post time on Saturday, people are still getting used to it, but initially, we had I think a 25 cent night at Belmont. Together, we partnered those together opening weekend and had about 3,600 people.

We had a great Ladies Night promotion this past Saturday, well-attended.

We did kind of a neat thing with the Thoroughbred Retirement Foundation at James River. Had a equine beauty contest with nine mares that were based there, and through online voting, had the three finalists out here. And I thought we'd struggle to get 500 votes online. We ended up with over 11,000 and it got some national play, too, so I thought that was kind of neat.

Father's Day has become a tradition here that's well-attended, and we still have four of our biggest events still to come, so hopefully we'll keep
trecking upward, you know, through the rest of the meet.

    MR. MILLER: Thank you.

    MR. STEWART: Patrick had something.

    MR. KELLEHER: Gentlemen, Ian said that you were coming over to see me. I think we made arrangements for the suite.

    If you would, if most of you know behind the jocks' quarters, if you park there and come in through the valet, if you have your badges with you, it would help us to get you through and get you banded and be able to get you upstairs. So if you would, if you do have them. If you don't, before you go, just let me know. I'll make sure that they know that you may not have it or whatever and we'll make sure that you, whoever is with you, or whatever can go up.

    MR. MILLER: I don't have a badge. I have my right to remain silent.

    MR. RONEY: If you show them, Commissioner Miller, we'll get you in, sir. Badges don't always help all the time.

    MR. SIEGEL: Which suite?

    MR. KELLEHER: 310.

    MR. MILLER: All right. Thank you. That's all
you have, Ian?

MR. STEWART: It is.

MR. MILLER: Okay. Is there any member of the public present who wishes to make any comments?

NOTE: There is no response.

MR. MILLER: All right. Item Seven is to set our next meeting July the 26th of 2011. It's on the regular schedule.

It's has been suggested that perhaps unless something earth shaking comes up, that perhaps we could eliminate that meeting.

Commissioner Siegel has made a motion that we skip the July 26th meeting and I would second that.

Is there any discussion? Does anyone have any objection to eliminating that meeting and then simply having our next regular meeting at our regular meeting scheduled time in August?

NOTE: There is no response.

MR. MILLER: Realizing, of course, that if something comes up, we could always call a special meeting. No objection?

NOTE: There is no response.

MR. MILLER: All right. All in favor of eliminating the July 26th -- And the reason we're doing this for a formal vote, because that's what it
says in our rules of governance. If we change our schedule as it's set up after the 1st of the year, we have to do it by vote of the majority of the commissioners and a majority is here.

All in favor, say aye.

NOTE: The Commission votes aye.

MR. MILLER: All three present, being the majority, the Commission voted to do away with the July 26th, 2011 meeting.

Thus, our next meeting will be -- Our next regularly scheduled meeting of the Virginia Racing Commission will be at 9:30 a.m. on Tuesday, August the 23rd, 2011.

We have to go into a closed session for not as long as I anticipated, but we do have to go into a closed session for a short period of time.

So in accordance with the provisions of Sections 2.2-3711(A)(1) and 2.2-3711(A)(7), I move that the Commission go into closed meeting for the purpose of discussion or consideration of the assignment, appointment, performance or salary of a specific public officer or appointee or employee of the Commission and for the purpose of consultation with legal counsel or employee retained by the Commission regarding specific legal matters.
requiring the provision of legal advice by such
counsel.

MR. SIEGEL: So moved.

MR. MILLER: All in favor, say aye.

NOTE: The Commission votes aye.

MR. MILLER: All right. We will close. We
will not be long.

NOTE: The hearing observes a recess and
thereafter reconvenes as follows:

MR. MILLER: All right. We're back in session
after the closed meeting today and I move the
adoption of the following resolution:

WHEREAS, the Virginia Racing Commission has
convened a closed meeting on this date, pursuant to
an affirmative recorded vote and in accordance with
the provisions of The Virginia Freedom of
Information Act;

WHEREAS, Section 2.2-3712 of the Code of
Virginia requires a certification by this Commission
that such closed meeting was conducted in conformity
with Virginia law;

NOW, THEREFORE, BE IT RESOLVED, that the
Virginia Racing Commission certifies that, to the
best of each member's knowledge, (i) only public
business matters lawfully exempted from open meeting
requirements under the Virginia Freedom of
Information Act and (ii) only such public business
matters as were identified in the motion convening
the closed meeting were heard, discussed or
considered by the Commission in the closed meeting.

   Just requires a roll call vote.

   Commissioner Reynolds.

MR. S. REYNOLDS:  Yes.

MR. MILLER:  Commissioner Siegel.

MR. SIEGEL:  Aye.

MR. MILLER:  The Chairman votes aye.

Are there any other matters to come before the
Commission?

   NOTE:  There is no response.

   MR. MILLER:  Hearing none, I move that we
adjourn until our next regularly scheduled meeting,
August 23rd -- Tuesday, August 23rd, 2011, at
9:30 a.m.

   MR. SIEGEL:  Good job, Mr. Chairman.

   NOTE:  The hearing is then adjourned at
4:55 p.m.
CERTIFICATE OF COURT REPORTER

I, Sandra G. Spinner, hereby certify that having first been duly sworn, I was the Court Reporter at the meeting of the Virginia Racing Commission at the time of the hearing herein.

Further, that to the best of my ability, the foregoing transcript is a true and accurate record of the proceedings herein.

Given under my hand this 1st day of July, 2011.

____________________________
SANDRA G. SPINNER
COURT REPORTER

CAPITOL REPORTING, INC.
(804) 788-4917