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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

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Non-action Item:
 Handle Analysis

1 MR. MILLER: Let the record reflect that
2 Commissioner Dave Reynolds is absent today.
3 Commissioner Mark Brown is not here. If he arrives,
4 we'll reflect it in the record. Okay. But as of
5 now, we have three commissioners present;
6 Commissioner Sarge Reynolds, Commissioner Stuart
7 Siegel, and myself, Commissioner Clinton Miller,
8 constitutes a majority commission, and therefore, a
9 quorum, so I'll call the meeting to order and ask if
10 there's a motion regarding the approval of the
11 minutes of the regular meeting of May 24th, 2011.

12 MR. S. REYNOLDS: I'll move.

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

15 All in favor, say aye.

16 NOTE: The Commission votes aye.

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

21 At the last meeting of the Commission, I went
22 through the list of committees as set forth on our
23 website and also with our governance policy, and I
24 think we covered all the committees and determined
25 that certain folks would share the various

1 committees and bring them up to date regarding
2 membership; that is, purging members that have not
3 participated and are not expected to participate
4 further, adding any new members, if wanted.

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

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

15 MR. MILLER: Okay. Thank you, Dave.

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

20 Racing Safety and Medication Committee.
21 Dr. Harden indicated that Dr. Al Kind would serve.

22 DR. HARDEN: Yes.

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

25 Security Enforcement Committee. It was

1 determined that Joe Roney would be the chairman of
2 that and Jerry Canaan would be stricken from that.

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

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

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

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

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

1 rules, et cetera.

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

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

12 MR. PETRAMALO: Yes.

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

16 MR. PETRAMALO: Yes.

17 MR. MILLER: -- national committee.

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

25 MR. PETRAMALO: Right.

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

8 MR. HETTEL: Right.

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

17 Now, any committee reports?

18 NOTE: There is no response.

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

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

24 MR. MILLER: Yeah. Sure. That is regarding
25 racing.

1 MR. S. REYNOLDS: I'd like to report.

2 MR. MILLER: Go ahead.

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

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

23 MR. PETRAMALO: Not a problem.

24 MR. SIEGEL: Tips are easy, right?

25 MR. PETRAMALO: Tips are easy.

1 MR. SIEGEL: Winners are tougher, aren't they?

2 MR. MILLER: Well, thank you very much.

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

5 MR. MILLER: Okay.

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

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

18 Anyone else have anything to report?

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

25 MR. MILLER: Good.

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

4 MR. MILLER: Very good.

5 Well, one other thing before we get to your
6 report.

7 MR. HETTEL: All right.

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

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

17 MR. SIEGEL: I don't remember it.

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

20 MR. HETTEL: Yeah. What is that?

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

24 It says: Not less than annually, the
25 commissioners will schedule a business working

1 session to monitor and regularly discuss their own
2 processes and performance and will ensure the
3 continuity and advancement of its governance
4 capability by orientation of new commission members
5 and ongoing training and development of all
6 commission members.

7 MR. HETTEL: Okay.

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

9 MR. HETTEL: Right. Okay.

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

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

16 MR. WOOLNOUGH: The 17th.

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

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

1 MR. HETTEL: All right.

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

3 MR. HETTEL: All right.

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

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

14 MR. MILLER: Yes.

15 MR. HETTEL: Okay.

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

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

1 about our operation.

2 MR. PETRAMALO: I think we had them in past.
3 We had -- one year, didn't we meet at the Meadow,
4 the new site there?

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

7 MR. WOOLNOUGH: Lexington?

8 MR. MILLER: -- near Charlottesville somewhere?

9 MR. PETRAMALO: Yeah. I remember.

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

12 MR. PETRAMALO: Yes.

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

15 MR. PETRAMALO: No, we didn't.

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

25 And I don't know where it will be. We could do

1 it here, or we may come up with an offsite the way
2 we did before. That seems to work. At least it
3 seemed to work in the past. So we'll take care of
4 that.

5 Now, executive secretary will give his report.

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

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

13 MR. SIEGEL: Okay.

14 MR. MILLER: All right. Mr. Hettel.

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

17 I attended -- I was invited and attended the
18 medication summit at Belmont Park on the 13th and
19 14th of June.

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

25 The complication I had with that meeting and

1 just about every Thoroughbred meeting I have ever
2 been to, it was non-conclusive.

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

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

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

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

25 Now, to that point, with the non-conclusive

1 nature of the closing of that meeting, they have
2 scheduled another meeting for later this summer. In
3 that interim, the Racing Medication Testing
4 Consortium is meeting in July to take the comments
5 they heard at the summit and then possibly formulate
6 some kind of situation, including a statement paper
7 on what they intend to do.

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

13 We've got a tape of it and it's very similar to
14 a process ABC used for the Triple Crown races about
15 20 years ago, where they actually attach a camera to
16 a jockey's helmet and you get it from his
17 perspective. It's like real time Cinerama you used
18 to see where you actually thought you were riding a
19 horse.

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

1 that as this idea progresses.

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

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

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

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

13 MR. HETTEL: Last Tuesday in September.

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

16 MR. MILLER: Okay.

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

19 MR. MILLER: All right. Well --

20 MR. SIEGEL: Is that a race day?

21 MR. WOOLNOUGH: No.

22 MR. SIEGEL: No. Dark on Tuesday.

23 But to your point, it could be moved to another
24 day that is a race day, which would be something
25 similar to what we've done today.

1 Perhaps have your meeting -- We could do the
2 sort of open meeting you described, session, and our
3 final meeting here.

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

7 MR. SIEGEL: What time is post time?

8 MR. WOOLNOUGH: One o'clock.

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

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

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

18 MR. SIEGEL: Three hours, four hours?

19 MR. PETRAMALO: Yeah, probably.

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

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

25 MR. SIEGEL: Well, you could have a regular

1 meeting and working meeting and go to the races at
2 three o'clock and miss the first four races.

3 MR. MILLER: Well --

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

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

7 MR. SIEGEL: Yeah.

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

12 All right. Next item is our stakeholders.

13 Jim? Ian?

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

20 Overall, I think we are doing better than last
21 year. Live wagering per race at \$9,126 versus
22 \$7,883 for 12 days last year. This is obviously
23 better than last year, but it represents a
24 significant decline from five years ago when it was
25 \$13,833.

1 Out of state wagering for races is up
2 significantly for the 12 days from 59,395 last year
3 to 72,530 this year. This has been helped by
4 California taking our signal more often, due to the
5 Wednesday, Thursday five o'clock post time schedule.

6 However, once again, five years ago, it was
7 106,180. Our horses per race for 12 days, we're
8 averaging 9.4, where last year after 12 days, it was
9 7.4. So I think we're seeing once again that racing
10 purses improves the quality of the product that is
11 reflected in the increased handle.

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

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

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

24 We continue to be hurt by the sweepstakes games
25 in the Richmond area, though with the (inaudible) on

1 Friday, I'm hopeful to see a rebound.

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

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

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

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

17 MR. STAPLES: Wow.

18 MR. PICKLESIMER: I'm sorry?

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

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

1 even 12 days into the meet.

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

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

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

18 Carl's got a presentation. Students from the
19 University of Arizona did this at Paradise. It's a
20 camera they've attached to the helmet of a jockey
21 and this is sort of a view a jockey gets going
22 around the race track and we are in the process of
23 trying to, you know, make sure the horsemen are okay
24 with it and the jockeys who do this before the end
25 of the meet.

1 There's no sound to it, by the way.

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

4 NOTE: The video is played.

5 CARL: You get the idea.

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

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

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

13 MR. PICKLESIMER: Other than that, I think it's
14 fairly safe. There were two runs, maybe, and maybe
15 one of those was a steeple chase horse race.

16 So all in all, I think we'll have a pretty good
17 meet for the meet this afternoon.

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

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

25 CARL: Publicity-wise, to get it on the -- I'm

1 sure all the TV networks locally would use that,
2 too.

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

5 CARL: I think so. Yeah.

6 MR. PETRAMALO: Pick a 12 or a 14.

7 MR. SIEGEL: And the favorite.

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

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

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

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

18 CARL: No, just one.

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

24 MR. WOOD: Just from the live racing
25 perspective, the time changes I think have been

1 beneficial so far. It's running Wednesday and
2 Thursday at five o'clock, versus Monday, Tuesday,
3 Wednesday at four.

4 I think it's created kind of a vibrancy here
5 that we didn't see last year. Instead of getting
6 300, 350 people, you know, around 700, 800 during
7 the week and that should grow.

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

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

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

23 Father's Day has become a tradition here that's
24 well-attended, and we still have four of our biggest
25 events still to come, so hopefully we'll keep

1 trekking upward, you know, through the rest of the
2 meet.

3 MR. MILLER: Thank you.

4 MR. STEWART: Patrick had something.

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

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

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

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

23 MR. SIEGEL: Which suite?

24 MR. KELLEHER: 310.

25 MR. MILLER: All right. Thank you. That's all

1 you have, Ian?

2 MR. STEWART: It is.

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

5 NOTE: There is no response.

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

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

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

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

18 NOTE: There is no response.

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

22 NOTE: There is no response.

23 MR. MILLER: All right. All in favor of
24 eliminating the July 26th -- And the reason we're
25 doing this for a formal vote, because that's what it

1 says in our rules of governance. If we change our
2 schedule as it's set up after the 1st of the year,
3 we have to do it by vote of the majority of the
4 commissioners and a majority is here.

5 All in favor, say aye.

6 NOTE: The Commission votes aye.

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

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

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

17 So in accordance with the provisions of
18 Sections 2.2-3711(A)(1) and 2.2-3711(A)(7), I move
19 that the Commission go into closed meeting for the
20 purpose of discussion or consideration of the
21 assignment, appointment, performance or salary of a
22 specific public officer or appointee or employee of
23 the Commission and for the purpose of consultation
24 with legal counsel or employee retained by the
25 Commission regarding specific legal matters

1 requiring the provision of legal advice by such
2 counsel.

3 MR. SIEGEL: So moved.

4 MR. MILLER: All in favor, say aye.

5 NOTE: The Commission votes aye.

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

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

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

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

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

22 NOW, THEREFORE, BE IT RESOLVED, that the
23 Virginia Racing Commission certifies that, to the
24 best of each member's knowledge, (i) only public
25 business matters lawfully exempted from open meeting

1 requirements under the Virginia Freedom of
2 Information Act and (ii) only such public business
3 matters as were identified in the motion convening
4 the closed meeting were heard, discussed or
5 considered by the Commission in the closed meeting.

6 Just requires a roll call vote.

7 Commissioner Reynolds.

8 MR. S. REYNOLDS: Yes.

9 MR. MILLER: Commissioner Siegel.

10 MR. SIEGEL: Aye.

11 MR. MILLER: The Chairman votes aye.

12 Are there any other matters to come before the
13 Commission?

14 NOTE: There is no response.

15 MR. MILLER: Hearing none, I move that we
16 adjourn until our next regularly scheduled meeting,
17 August 23rd -- Tuesday, August 23rd, 2011, at
18 9:30 a.m.

19 MR. SIEGEL: Good job, Mr. Chairman.

20
21 NOTE: The hearing is then adjourned at
22 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