

# **Virginia Racing Commission**

## **MINUTES**

### **OF THE**

#### **COMMISSION MEETING**

**December 15, 2010**

**HORSEMEN'S BUILDING  
COLONIAL DOWNS  
10700 HORSEMEN'S ROAD  
NEW KENT, VA**

#### **In Attendance**

##### **Commission Members:**

Peter C. Burnett, Chairman  
Clinton Miller, Vice Chairman  
Mark Brown  
David Reynolds  
Stuart Siegel

##### **Commission Staff:**

David S. Lermond, Jr., Acting Executive Secretary  
C. Richard Harden, DVM, Equine Medical Director  
Joseph M. Roney, Director of Operations & Enforcement

Peggy E. Mason, Permitting Manager

##### **Attorney General's Office:**

Amy K. Dilworth

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At 9:35 a.m., the regular monthly meeting of the Commission was called to order by Chairman Burnett.

Minutes of the October 6, 2010 VRC special meeting were approved unanimously.

Minutes of the October 26, 2010 VRC regular meeting were approved unanimously as corrected.

Mr. Lermond took a few minutes to thank the staff for all of their hard work. He stated that, “we have a dedicated, talented, loyal, and hardworking group of people working for us and I feel fortunate to be part of such a great team.”

Mr. Lermond gave an overview of the statistics from the 2010 Standardbred Meet. The 2010 statistics were compared to the 2009 statistics using per day and per race averages in order to achieve a more fair and accurate portrayal of this year’s Standardbred Meet as compared to the prior year.

Mr. Lermond presented the Judges Final Report for the 2010 Standardbred Meet prepared by the VRC’s Presiding Judge, George Hickman. Mr. Lermond stated that from a regulatory perspective, the 28 day meet went very well. The VRC instituted a new paddock procedure that helped to better ensure that the only people in the paddock are the people that should be in the paddock by scanning the participant’s badges that enter the enclosure.

Dr. Harden, the VRC’s Equine Medical Director gave a summary of his report on the 2010 Standardbred meet. Dr. Harden stated that there was only one positive test during the meet for a class 4 drug which resulted from a miscommunication between the owner and trainer of the horse in question. Dr. Harden also commended the test barn staff for their efforts and noted that they collected urine samples from 98.86% of the horses that were sent for testing.

Finally, Mr. Lermond reminded the Commission that the ADW licenses for 2010 would have to be extended until the date of the next scheduled meeting when the renewal applications for 2011 would be heard. The extension of the ADW licenses was then approved unanimously by the Commission.

Ian Stewart, President of Colonial Downs showed the Commission a video which was taken on different days during the 2010 Standardbred Meet so everyone could see what it looks like on a live race day at the track on the weekends and also during the week.

Next, Mr. Stewart presented Colonial Downs’ 2011 Request for Race Days. Mr. Stewart stated that Colonial Downs and the respective horsemen groups have been exploring the option of running a combined Thoroughbred and Standardbred Meet in the fall of 2011 and that it would be in the best interests of all three parties to run a combined meet instead of two separate meets. Mr. Stewart went on to say that there are several alternatives being looked at as well as many issues that would need to be addressed in order for a combined meet to be successful. Mr. Stewart asked that the Commission give Colonial and the horsemen until the next scheduled meeting to explore the cost of the different alternatives and the issues of a combined meet in order to determine if a combined meet would be feasible for 2011. Vice Chairman Miller commended Colonial Downs and its staff for thinking out of the box and looking for ways to improve its product. The Commission then unanimously approved an extension of the 2011 race day requests deadline until the next scheduled Commission meeting.

Chairman Burnett then read the following motion, “Pursuant to Virginia Code section 2.2-3711(A) (1) (7), I move that the Commission convene a closed meeting for the purpose of the discussion and consideration of prospective candidates for employment and consultation with legal counsel employed or retained by the Commission regarding specific legal matters requiring the provision of legal advice by such counsel.” This was seconded by Commissioner Brown. All were in favor, saying, “Aye.”

Returning from closed meeting, Chairman Burnett resumed as follows, “I hereby certify, pursuant to Virginia Code section 2.2-3712, that to the best of each member's knowledge, (i) only public business matters lawfully exempted from open meeting requirements under this chapter, and (ii) only such public business matters as were identified in the motion by which the closed meeting was convened, were heard, discussed or considered in the meeting by the Commission. All were in favor, saying, “Aye.”

There being no further business, Tuesday, February 8, 2011 at 9:30 a.m. was set as the date and time of the next meeting to be held at the Horsemen’s Building, Colonial Downs, 10700 Horsemen’s Road, New Kent, VA. The meeting was then adjourned at 11:32 a.m.