

In The Matter Of:
VIRGINIA RACING COMMISSION
PUBLIC HEARING

Transcript of Proceedings
February 14, 2025

ORTEGA INTERNATIONAL REPORTING
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Min-U-Script® with Word Index

1 VIRGINIA:

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4 VIRGINIA RACING COMMISSION

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6

7 PUBLIC HEARING

8

9

10 Friday, February 14, 2025

11

12 1:00 p.m.

13

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

25 Reported by:

ELIZABETH MINGIONE, RPR

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
(Via videoconference)

6 Stuart C. Siegel

7 Bette Brand

8 Gillian Gordon-Moore

9

10 COMMISSION STAFF:

11 Waqas Ahmed, Executive Secretary

12 Kimberly C. Mackey, Director of Operations

13 Darrell Wood, Director of Marketing At
Colonial Downs

14 Aiden Turnage-Barney, Esq., Virginia Equine
15 Alliance

16 Debbie Warnick, Virginia Harness Horse
Association

17 Frank Hopf, Director of Racing Operations
18 At Colonial Downs

19

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

2 February 14, 2025

3

4 CHAIR NIXON: Good morning.

5 I would like to go ahead and call
6 the February 14, 2025 meeting of the
7 Commission. The first item on the
8 agenda is to take roll. Vice Chair
9 Tanner.10 COMMISSIONER TANNER: Present and
11 participating remotely due to
12 distance.

13 CHAIR NIXON: Commissioner Brand.

14 COMMISSIONER BRAND: Present.

15 Happy Valentine's Day, everyone.

16 CHAIR NIXON: Commissioner
17 Gordon-Moore.

18 COMMISSIONER GORDON-MOORE: Here.

19 CHAIR NIXON: Commissioner
20 Siegel.

21 COMMISSIONER SIEGEL: Here.

22 CHAIR NIXON: And myself,
23 Commissioner Nixon.24 Let the record reflect that we
25 have a quorum. Before we go to the

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

2 next item, I would like to make a few
3 comments.

4 The Virginia Racing Commission
5 would like to recognize the recent
6 passing of long-time owner
7 Larry Johnson. He was a founder of
8 Legacy Farm in Bluemont, Virginia, and
9 also an active board member of the
10 Virginia Thoroughbred Association.
11 His horses amassed over 17 million in
12 purse money from over 3100 starts.

13 Larry was instrumental in shaping
14 the state-bred program in Maryland and
15 in Virginia. He was also part of the
16 work to develop the Virginia Certified
17 Residency Program. Having known
18 Mr. Johnson myself, he was someone who
19 truly loved the sport and game, and
20 his passing is a great loss to
21 Maryland and Virginia, and he will be
22 sorely missed.

23 Also the VRC would like to extend
24 our sincere gratitude to the Office of
25 the State Inspector General for

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

2 delivering a thorough, one-of-a-kind
3 performance review. We truly value
4 the time, detail, and expertise that
5 went into assessing our role and
6 providing guidance on improving the
7 agency.

8 We look forward to continuing the
9 momentum that began a few months ago
10 strengthening many of the controls
11 highlighted in the review. And I also
12 want to thank our executive secretary.
13 The feedback you have provided, work
14 you have put into this, and actions
15 you have already taken have
16 demonstrated your commitment. So,
17 thank you.

18 COMMISSIONER BRAND: I would like
19 to add as well that in the many years
20 that I've worked with both corporate
21 reviews and federal state reviews, I
22 don't know that I've ever seen the
23 final report in the cover letter brag
24 on the work of someone in a position
25 like Waqas. It was amazing. And that

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

2 last paragraph I was surprised, they
3 even said thank you and good luck.

4 So it recognized him for the hard
5 work and for the things that had
6 already been accomplished during the
7 review. And I think that speaks a
8 whole lot of Waqas and his talents,
9 but also I am very grateful that we
10 have him helping us get through these
11 things.

12 Thanks.

13 CHAIR NIXON: Next on the agenda
14 is the public comment. The Commission
15 will now open the floor to members of
16 the public to provide a comment, not
17 to exceed three minutes. While the
18 Commission may sometimes address
19 comments directly, we cannot respond
20 to each and every question during this
21 period. Please keep your comments
22 tailored to the items on the agenda so
23 that we can move through the meeting
24 efficiently.

25 With that in mind, please

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

2 approach the mic if you would like to
3 make a comment. And also please
4 announce yourself for the record.
5 Thank you.

6

7 MR. SCHMITT: Good afternoon,
8 Madam Chair, members of the
9 Commission. Thank you all for your
10 time here today and allowing me to
11 speak.

12 My name is Dan Schmitt, currently
13 service chairman of the board of
14 Henrico County Board of Supervisors.

15 Madam Chair, commissioners, at
16 your December meeting, Commissioner
17 Siegel rightfully asked about the
18 status of the proposed Rosie's
19 historical horse racing project in
20 Henrico County.

21 I'm here today to provide you
22 with an update and some clarification
23 on the county's perspective of the
24 project, and respond to comments that
25 were made by the Commission, to the

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

2 Commission by Rosie's representative.
3 Please know there is significant
4 opposition to this project from the
5 public, through the bipartisan Board
6 of Supervisors, and for the bipartisan
7 Henrico delegation of the General
8 Assembly.

9 In December, a representative
10 from Rosie's informed the Commission,
11 through the transcript I read, that
12 the project had been approved by the
13 county's, quote, planning board. On
14 two occasions, that was stated in your
15 transcript. Please know that is not
16 true. No board in the county has ever
17 approved this project.

18 We've seen on multiple occasions
19 you requested information on this item
20 as you recall in the December meeting.
21 As a matter of fact, you had at one
22 point stated that not -- the answer
23 that you were being given did not
24 answer your question.

25 By way of background, in 2019

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

2 Rosie's made a commitment to this
3 county, Henrico County, that they
4 would not locate anywhere in the
5 county that the county was not
6 comfortable. After years of
7 collaborative back and forth of prior
8 owners, Rosie's new CEO walked back
9 that commitment, which prompted the
10 county to go through a public process
11 creating a new ordinance assuring that
12 the former could be heard.

13 However, just prior to the final
14 enactment of that ordinance, five days
15 prior to a four-month public process
16 in hearing to pass the ordinance,
17 Rosie's did an end run around the
18 proposed process by seeking
19 non-discretionary zoning conformance
20 approval of the project before the
21 ordinance took effect on Tuesday.

22 In other words, Rosie's
23 intentionally avoided the new public
24 hearing process while the county
25 worked publicly to implement it.

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

2 The entire Board of Supervisors
3 asked Rosie's to officially withdraw
4 and simply resubmit the application to
5 go through the public hearing process
6 to hear from the public that they
7 intend to serve. Rosie's failed to
8 respond to that request. Henrico's
9 bipartisan delegation and the General
10 Assembly sent a letter to Rosie's CEO
11 asking for the same, to withdraw and
12 simply resubmit to hear from the
13 public that they intend to serve.
14 Rosie's failed to respond.

15 Because of Rosie's
16 nonresponsiveness to myself or the
17 Board of Supervisors, the county as a
18 whole, and to Henrico's bipartisan
19 General Assembly Delegation, there is
20 currently state legislation pending to
21 require Rosie's to petition the
22 citizens of Henrico for a referendum
23 on the question of whether historical
24 horse racing terminals should be
25 allowed in Henrico.

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

2 Remember the OTB they mentioned
3 in their transcript was voted on by
4 Henrico voters back in the late '90s.
5 Horse racing, which like you all, I
6 grew up with at Monmouth and
7 Meadowlands and Colonial Downs for
8 years. This is different. This is
9 historical horse racing. And Henrico
10 County voters have not had the ability
11 to weigh in on.

12 Again, as we read the transcript
13 from the last meeting, I do not see
14 where this information was provided to
15 you in response to your multiple
16 defense of the question. We as county
17 leaders -- also Madam Chair, if I may,
18 we as county leaders feel it's
19 important for you to have this
20 information, and will be quite happy
21 to provide you with any information
22 the Commission so desires. Suffice it
23 to say for now we will continue to
24 oppose any application until Rosie's
25 goes through a public process, thereby

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

2 allowing the residents of Henrico to
3 have a voice.

4 Madam Chair, thank you for the
5 extra time you clearly extended me.
6 Thank you.

7 CHAIR NIXON: Thank you. Before
8 you leave, Commissioner Siegel would
9 like to comment.

10

11 MR. SCHMITT: Yes, ma'am.

12 COMMISSIONER SIEGEL: Dan, thank
13 you for being here, and the rest of
14 this group. I'm a big advocate
15 obviously for Colonial and for racing,
16 as well as Rosie's.

17 I do agree that they should go
18 through the process. I think that
19 it's only the right thing to do given
20 circumstances. I think for a material
21 standpoint, we want to get along with
22 your county, and this is not the way
23 to set that forward, because there
24 will be other issues that may or may
25 not have the cooperation if we wish.

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

2 I think the only conflict I think
3 I have is that there are multiple
4 locations in Henrico that perhaps
5 would be approved, but I think the
6 legislation in the Commonwealth you
7 are suggesting prohibits Henrico from
8 having any Rosie's.

9

10 MR. SCHMITT: Mr. Siegel, thank
11 you for the opportunity to address
12 that. The legislation in the General
13 Assembly and the ordinance that was
14 passed by Henrico County would allow
15 the use. It would simply require them
16 to go through a provisional use permit
17 to allow the public to be heard.

18 In this particular case, sir, the
19 proximity to residential
20 establishments, the proximity to
21 particular homes that we provide
22 services to with regard to our mental
23 health and disability services, the
24 proximity to this location creates
25 significant concerns for us, this

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

2 particular location. So the ordinance
3 in Henrico County does allow for them
4 to place their business, but it would
5 require a provision of use permit
6 public hearing for the public to weigh
7 in on.

8 COMMISSIONER SIEGEL: Yeah.

9 Again, I'm an advocate for Churchill
10 and for Rosie's as well. I just think
11 we need to do it in proper fashion.
12 And this Commission really doesn't
13 have a seat at that table.

14

15 MR. SCHMITT: Correct.

16 COMMISSIONER SIEGEL: As you
17 know. So I give you my personal
18 opinion, not to -- I'm not speaking
19 for anyone else on the Commission, but
20 that's my own thoughts.

21

22 MR. SCHMITT: Thank you, sir.
23 Yeah. And I understand that the
24 county process is available for them.
25 I'm here today to ask -- to

1 P R O C E E D I N G S
2 respectfully request to object to
3 their issuance of a license at that
4 location. Thank you, sir.

5 CHAIR NIXON: Thank you.
6

7 MR. SCHMITT: Thank you, Madam
8 Chair.

9 CHAIR NIXON: Any other comments?
10 Okay.

11 MR. KATOLKIS: Good afternoon,
12 Madam Chair, members of the
13 Commission.

14 My name is John Katolkis. I'm a
15 Henrico county manager. As county
16 manager, I serve in several roles,
17 including the director of public
18 safety and chief administrative
19 officer. In these capacities it is my
20 responsibility to ensure the safety
21 and welfare of the population, support
22 the growth of our economy, and provide
23 efficient and effective services for
24 our county.

25 As you know, in Henrico we have a

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

2 long-standing reputation for being a
3 business-friendly environment and with
4 a strong commercial tax base. We
5 pride ourselves on building
6 partnerships with our business
7 community, and have a long history of
8 doing just that.

9 Now, our chairman spoke to a
10 number of things. I want to speak to
11 location, because there were a series
12 of conversations going back a number
13 of years. Henrico has never said no
14 to a Rosie's. It was always that we
15 wanted input on location. And so, you
16 know, at the last meeting that you all
17 had, there was some comments that were
18 made that weren't clear.

19 I just want to speak to if you
20 look at the Richmond and New Kent
21 Rosie locations, they are in far less
22 residential areas than the proposed
23 Rosie's location on Glen Side Drive.
24 The New Kent location is distinctively
25 set apart from residential areas.

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

2 Even the Richmond location is in an
3 area of the city that has
4 traditionally housed commercial
5 development.

6 While some residential areas are
7 nearby, access to these areas
8 necessitates turns off the major
9 thoroughfare off Midlothian Turnpike
10 to get to residential areas onto side
11 streets such as Warwick Road or East
12 German School Road.

13 The proposed Rosie's, on the
14 other hand, on Glen Side Drive, and
15 Mr. Schmitt alluded to it, is less
16 than a mile from multiple large
17 apartment complexes with diverse
18 populations and multi-aged residents
19 including families and small children.

20 These complexes have 2,716
21 residential units. The proposed
22 Rosie's is likewise less than three
23 quarters of a mile from a
24 long-established community centered
25 around Penick Road and its side

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

2 streets, and less than one half a mile
3 from a very large neighborhood
4 centered around Hilliard Road.

5 You know, we need -- as Mr.
6 Schmitt noted -- our residents to have
7 a voice. And I thought that we were
8 there. Our entire General Assembly
9 Delegation has said that precisely,
10 and so has our Board of Supervisors.

11 Madam Chair, members of the
12 Commission, I appreciate the
13 opportunity to offer this input and
14 thank you for your service. Thank
15 you.

16 CHAIR NIXON: Thank you for you
17 presentation.

18 Any comments?

19 Thank you.

20 Next we have the approval --
21 anyone else first? Okay. Next we
22 have the approval of the minutes from
23 the previous meeting of the
24 Commission.

25 I would like to entertain a

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

2 motion to approve the minutes drafted
3 for its previous meeting held on
4 December 3, 2024.

5 Do I have a motion?

6 COMMISSIONER SIEGEL: So moved.

7 COMMISSIONER GORDON-MOORE: So
8 moved.

9 CHAIR NIXON: Commissioner Siegel
10 first and Commissioner Gordon-Moore
11 second.

12 Executive Secretary Ahmed is
13 assigned the floor.

14

15 MR. AHMED: Commissioners, in
16 front of you are the minutes prepared
17 by Staff for the December 3, 2024
18 meeting. Staff does not have any
19 further changes for these minutes and
20 recommends approval.

21 CHAIR NIXON: All the
22 commissioners in favor of approving
23 the minutes of the December 3, 2024
24 meeting please indicate by responding
25 yes.

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

2 COMMISSIONER SIEGEL: Yes.

3 COMMISSIONER GORDON-MOORE: Yes.

4 CHAIR NIXON: Any commissioners
5 opposed?

6 Any abstained?

7 Motion carried.

8 Next we will address the reports.

9 Items A through C are informational
10 only, and no action will be taken. I
11 believe the first report is an update
12 from representatives from the Virginia
13 Gold Cup.14 MR. GRIFFIN: Madam Chair,
15 commissioners, my name is Al Griffin.
16 I am co-chair of the Virginia Gold Cup
17 Association along with Dr. Allison,
18 Will Allison. I also serve as the
19 director of racing from Virginia Gold
20 Cup.21 The last time I appeared before
22 this Commission, I gave a PowerPoint
23 presentation on a new idea called the
24 Virginia Equine Alliance. It was over
25 a decade ago. It's nice to see you

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

2 and be here again.

3 Last summer's drought was very
4 significant. And it not only
5 necessitated the moving of the
6 International Gold Cup from its course
7 to a different course, but also there
8 are several other race meets that had
9 to be canceled. That was a
10 significant loss to horsemen
11 opportunity. In December, the
12 Virginia Gold Cup Association tendered
13 its application for two racing dates
14 in 2025: On May 3, which will be the
15 100th running of the Virginia Gold
16 Cup, and on October 25, which will be
17 the International Gold Cup.

18 Subsequently, in January, we sent
19 in a ratified copy of our lease with
20 Great Meadow for the next the two
21 years. Although there was a lot of
22 difficulty over the drought this past
23 year, out of adversity comes
24 opportunity in new leadership with
25 Great Meadow. And to that end they

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

2 have dug two new wells which provide
3 over 100 gallons per minute each, more
4 than enough water to supply the
5 irrigation system there. They have
6 also purchased aeration equipment
7 which will greatly assist in the
8 quality of the turf. This spirit of
9 cooperation is continuing.

10 Virginia Gold Cup Association has
11 hired a turf consultant, Logan
12 Freeman, who's a senior turf
13 consultant for the Maryland Jockey
14 Club. He oversees Pimlico, Laurel,
15 and Gulf Stream turf conditions, and
16 he has been working together with
17 Great Meadow staff, and recently
18 submitted a comprehensive plan that
19 they have put together to secure and
20 ensure that the turf conditions will
21 be optimum come race time.

22 The National Steeple Chase
23 Association has been already on course
24 a couple of times. They'll continue
25 to do so. And any written reports I

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

2 get from them, I'll be submitting to
3 you immediately. At this time I would
4 like to entertain any questions that
5 you might have on our process or
6 anything else.

7 CHAIR NIXON: Commissioners, do
8 you have any comments or questions for
9 Dr. Griffin? Commissioner Tanner?
10 Thank you very much. We look forward
11 to it.

12 MR. GRIFFIN: You too. Thank
13 you.

14 CHAIR NIXON: Next on our report
15 is an update from the Colonial Downs
16 group regarding the Virginia Derby.
17 And I believe Frank Hopf is reporting.

18 MR. HOPF: Afternoon, Madam
19 Chair, Commissioners. We are 28 days
20 away from the Virginia Derby. So we
21 are working hard getting ready, and
22 excited about the big day that's
23 coming and the three days.

24 Just a kind of quick update
25 regarding maybe my earlier

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

2 presentation, just to kind of give
3 some updates where things have landed
4 since we last met. Racing office and
5 staff, again most of this team is
6 coming from Churchill Downs. Our new
7 racing secretary from 2025 is Dan
8 Bork, who is the assistant racing
9 secretary at Churchill Downs and
10 brings years of experience to the
11 role. We have basically retained most
12 of our staff from the summer team, and
13 individuals from Churchill Downs are
14 coming to help us out as assistant
15 starters valets. So we are looking
16 well -- well-staffed for this upcoming
17 meet. Along with that is our mutuels
18 department will be clearly staffed as
19 we staff up for the big day on the
20 15th.

21 Racing program, one thing that --
22 and in conjunction with the horsemen,
23 we were able to increase purses for
24 these three days, open races, maiden
25 special weights and allowance races

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

2 and obviously with the Virginia
3 restricted races. So we have boosted
4 those purses. I think it's certainly
5 drawn some attention for those three
6 days in my conversations with Dan and
7 the racing team. So there is
8 excitement from horsemen from around
9 the country to come up here for the
10 three days. So we are excited about
11 that.

12 A condition book was completed in
13 mid-January, so that has been out in
14 enough time to let horsemen know what
15 the races are and what's -- you know,
16 give them an opportunity to take a
17 look at those. Again previous
18 conversations, you know, with Virginia
19 and Maryland allowing no racing up at
20 Laurel these three days also will be
21 beneficial for the three days that we
22 have here.

23 The team's been traveling,
24 dropping off books, talking to
25 horsemen from the CDI team along with

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

2 our team, just making sure that
3 horsemen know that what we are
4 offering for these three days. So
5 that has been going on. The other
6 thing that I mentioned at Colonial
7 Downs to kind of help horsemen on a
8 quick trip to Virginia in March, that
9 we will be bedding all the stalls for
10 them. So the horsemen do not have to
11 try to make those arrangements. So
12 when they get here, once we allocate
13 stalls, that they will be bedded with
14 shavings. So that will at least be a
15 benefit to them hopefully.

16 The dirt track, so we continue
17 working with Alfredo Laureano from
18 Keeneland who was here last year. We
19 did add two inches of material
20 throughout or across the whole track.
21 So that was a large investment that we
22 made to increase the base along with
23 some extra cushion to the track.
24 Those samples were sent off last week
25 or two weeks ago. We did get those

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

2 back from RTSL. They seem to be in
3 line. We will certainly provide that
4 information to you guys, but they seem
5 to be in line. And we'll be having
6 RSTL on site in two weeks to do their
7 compaction test that they have done in
8 the past. So we are working closely
9 with them. Alfredo will be on site as
10 well to make sure that the track is
11 maintained, it's level, and is in good
12 condition for these three days in
13 March.

14 Obviously weather has been
15 interesting the last couple weeks, but
16 we are working the track. It is being
17 worked today, and then we'll continue
18 to work and deal with what weather
19 comes next week, but I feel that we
20 are in good shape with where the dirt
21 track is.

22 The stable area, again the plan
23 is that this is a race-and-go meet.
24 So we take entry seven days out.
25 Those horses that have entered will be

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

2 the ones that will be able to stable
3 at Colonial Downs. There is no stall
4 application out there. So we are
5 prepared for people to come in the
6 week of. The track will be open.
7 Barn area will open up March 6.

8 Training will be available
9 starting March 7. And we'll have
10 training available every day through
11 March 15. So we'll be ready to go
12 once horses are on property for track
13 operations there.

14 Plan is to have the receiving
15 barn, barns 1, 2 and 3 prepared for
16 the upcoming meet with -- depending on
17 how entries go and what horses are
18 coming, we'll have those prepared for
19 the horses.

20 Dorm rooms are ready to go, being
21 prepared right now. The A/C units do
22 have heaters. So if there are cold
23 nights, those have been checked and
24 operational.

25 Other than that, we started all

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

2 these preparations right after the '24
3 meet. So we've gotten a good head
4 start not only with this meet, but
5 even for the summer meet with some
6 improvements as well back there.

7 Looking at the mutuels
8 operations, we'll have 30 additional
9 machines throughout the facility,
10 along with additional tellers to --
11 for helping out with wagering on the
12 March meet, especially on the 15th.
13 And then with our food and beverage
14 operations, just working our way
15 through that with our concessionaire,
16 having plans in place and having
17 weekly meetings, that will be
18 well-prepared for the crowds that we
19 are anticipating, especially on
20 Saturday.

21 So, a little bit on the
22 marketing. We've done a pretty big
23 agreement with CBS-6, and doing a lot
24 of different ideas with them with
25 in-studio commercials, some things

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

2 with some local party. We have a
3 video that's going out with that. He
4 was out on the property last week
5 shooting a bunch of videos to help
6 promote the day. Virginia This
7 Morning will be back on site, I
8 believe the Friday of the meet, doing
9 a live show at Colonial Downs with
10 some pre-taped information about just
11 the day of racing.

12 And then obviously with ESPN
13 Radio, ongoing in-studio -- or not
14 in-studio, but on-air interviews with
15 myself and some other people. I'll
16 have Churchill Downs recording the
17 day. And then obviously we have got a
18 variety of digital and print going on
19 throughout this Central Virginia and
20 the Hampton Roads area. A lot of that
21 will start really kicking off next
22 week, because the plan is February 17.

23 And the layout here, I just
24 provided some of the different things
25 that we have added for this particular

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

2 day. We will actually add another
3 entrance point to the facility. That
4 will be on the east side of the
5 grandstand. So we are trying to
6 maximize as many entrance points to
7 get the crowd in safely and go through
8 our security checks.

9 We have added a 60-by-90 tent on
10 the far west side of the facility.
11 This will be kind of where the general
12 admission ticket holders will go.
13 There will be music out there, food,
14 drink, and wagering out there. We'll
15 have the picnic tables out there and
16 the bench seating will be out there as
17 well. The track side tent is an
18 enclosed ticketed area this year -- or
19 for this event. It has sold out. So
20 that will be -- that is people that
21 have purchased that area for dining,
22 wagering, and drinks there with a
23 outdoor kind of lounge area for those
24 people to kind of go out and take a
25 look and watch racing from some lounge

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

2 furniture and stuff like that out
3 there.

4 We'll have additional program and
5 merchandise areas along with another
6 change that we did is where the
7 benches have been, they have been put
8 on skids and are being moved to some
9 of these other areas to help with the
10 general admission seating. We have
11 added three tents to this area. And
12 we have sold those as apron box seats.
13 So these were packages of six, seating
14 for six that people can purchase.
15 Those went very quickly, so they are
16 sold out as well. So all three tents
17 are sold. So that was -- hopefully
18 that has been well-received and we put
19 on a good experience for them in
20 there.

21 FanDuel will be here as well all
22 three days doing live commentary on
23 Colonial Downs racing. And obviously
24 we had added some additional seating
25 in the Jockey Club, about 200

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

2 additional seats to the jockey club.

3 So our capacity in there is over 500.

4 That has all been sold, along with
5 areas with the bar areas.6 And the machines on the third
7 floor have been moved, so we have
8 added some additional tables to the
9 back corner there on the east side of
10 the third floor.11 So, to this point we are pleased
12 with how results are. Tickets are
13 gone for seating. We are -- again
14 this is a ticketed event. So, as of
15 this point, we have sold over a
16 thousand general admission tickets.17 Ticket price is only \$5. So we still
18 have some additional tickets to sell,
19 but we are pleased where things are at
20 right now, especially with an outdoor
21 event 28 days away. So we'll
22 certainly hope those numbers will pick
23 up when we get here, but we'll be
24 prepared to sell tickets as well when
25 people arrive, if they haven't

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

2 already.

3 Again, racing Thursday, Friday,
4 first post will be 12:30. Gates will
5 open 11:30. Plan is for 8 to 9 races
6 based on entries. Virginia Derby Day,
7 first post will be 12 o'clock. Gates
8 open 10:30. Plan is to have 10 to 11
9 races highlighted by the Derby and the
10 Oaks. I think I've touched -- oh, the
11 other thing is that we will be giving
12 a commemorative ticket to the first
13 7500 people who attend the races. So
14 it's a little souvenir gift of being
15 the inaugural Virginia Derby with a
16 tie to the Kentucky Derby.

17 Outside of that, I think that was
18 my update for the group. I'm happy to
19 answer any questions with the upcoming
20 week.

21 CHAIR NIXON: Any comments,
22 Commissioners?

23 COMMISSIONER GORDON-MOORE: Yeah.
24 I think it's terrific that you have
25 been able to make a good arrangement

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

2 with Maryland. That's been a long
3 time in coming, and glad to see it
4 there. And are you feeling
5 comfortable that you have enough
6 horses to fill three days of racing.

7 MR. HOPF: Yeah. I've talked to
8 Dan Bork yesterday. I asked him what
9 his feeling is. He, you know,
10 obviously, as everyone knows, you want
11 to optimally -- or cautious
12 optimistic. And I think that's where
13 we are at right now. So we feel
14 pretty good that there's been a lot of
15 positive response from horsemen. And
16 I think we are going to have a nice
17 show and a good turnout from horsemen,
18 obviously from the Maryland and
19 Kentucky area, and then I think maybe
20 some other areas that we are hoping to
21 see come up here.

22 CHAIR NIXON: Any other comments?

23 COMMISSIONER BRAND: I just have
24 probably not a simple question, but
25 the report was very informative.

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

2 There's a lot going on and a lot of
3 things being done.

4 Is there anything that you aren't
5 able to report on? Anything that you
6 are behind on or not given that the
7 weather can change all of that, but
8 anything under the normal that still
9 needs to be done? The tents are okay.

10 MR. HOPF: No. I think we are
11 really in a good spot. The tents will
12 start going up on Monday. There's a
13 lot of small details, you know, on the
14 entertainment. You know, we might do
15 a hat contest. There's some small
16 things that we are still trying to
17 work our way through but, you know, we
18 have had a lot of good conversations
19 with the county, with the EMS team,
20 and the sheriff's office on traffic
21 control.

22 So we have really touched on a
23 lot of subjects that we are -- we are
24 feeling -- we are feeling good about
25 where we are at, just ready for it to

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

2 happen at this point.

3 CHAIR NIXON: Thank you, Frank.

4 Appreciate it.

5 MR. HOPF: Thank you, guys.

6 CHAIR NIXON: The next report is
7 an update from the executive
8 secretary.9 MR. AHMED: Commissioners, I just
10 wanted to share the meeting date for
11 the next meeting, as things will be
12 quite hectic for the next couple of
13 months with racing. So we are looking
14 forward to -- so the next meeting will
15 be on March 26 here at 1:00 p.m. If
16 the location changes, we'll of course
17 send that out.18 We are looking forward to hearing
19 from the Gold Cup, hearing the Gold
20 Cup application once the staff has
21 conducted its review and visited the
22 site. And while we are on that topic,
23 Colonial Downs, in a joint request
24 with HPPA has filed an amendment to
25 its application to also conduct

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

2 steeple chase races with wagering
3 during the summer meeting. I just
4 wanted to recognize Commissioner
5 Gordon-Moores' unique idea that
6 enabled this to happen again this year
7 with wagering. So I just wanted to
8 make sure all the parties knew that.
9 And these are just a few of the agenda
10 items that we'll be looking at at the
11 next meeting.

12 CHAIR NIXON: Thank you. We'll
13 now move into new business. I would
14 like to entertain a motion to address
15 Shenandoah County Agricultural
16 Foundation's limited license to
17 conduct a race meeting in 2025.

18 Do I have a motion?

19 COMMISSIONER SIEGEL: So moved.

20 CHAIR NIXON: Commissioner
21 Siegel.

22 Do I have a second?

23 COMMISSIONER BRAND: Second.

24 CHAIR NIXON: Commissioner Brand.
25 Executive Secretary Ahmed and

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

2 representatives of applicant are
3 assigned the floor.

4 MR. AHMED: I believe we have got
5 applicants for the -- or
6 representatives for the applicant that
7 will be making a presentation for
8 these two items. Are you guys ready
9 with the presentation?

10 MR. WOOD: Good afternoon,
11 everybody.

12 Mr. Ahmed asked us to put
13 together a presentation today that
14 kind of focuses on some of the
15 facility aspects to the grounds we are
16 on, some of the amenities, and most
17 importantly to a new barn that is
18 becoming reality after a couple-year
19 process. But you can see from the
20 first slide, hard to believe this will
21 be the tenth year of racing up in
22 Woodstock, so we have got I think kind
23 of a neat logo that our art folks put
24 together for us.

25 The VEA will run both the meets

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

2 that Mr. Ahmed referenced. Spring
3 Meet's going to go a little bit later
4 than it had been in prior years. We
5 have encountered high winds, some
6 early spring, not great weather. So
7 by bumping it back a couple weeks, we
8 are hoping that we can avoid that.
9 The fall meet stays where it is.

10 These are both 7-week seasons, total
11 of 14 weeks and 28 race days.

12 I included the county fair race
13 meet in here. It's a great tradition
14 at Woodstock. The fair's been running
15 for 106 years with harness racing
16 added. The grandstand itself is 120
17 years old. And there was racing that
18 took place on the grounds prior to the
19 fair coming here. So it's kind of a
20 neat tradition in history. It's a
21 non-wagering meet, but well-attended,
22 and the attendance there has just gone
23 from generation to generation. It's
24 been a part of Woodstock and the
25 Shenandoah Valley.

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

2 The Spring Meet highlights. This
3 will be the first time -- it will be
4 our third Spring Meet, but the first
5 time that we'll be able to offer
6 Triple Crown simulcasting on all three
7 legs. Two years ago we did it on
8 Kentucky Derby. Only last year was
9 Derby and Preakness. This year with
10 the tape revision we can get all three
11 dates in there. Still looking for a
12 way that we can take advantage of
13 these races to get more eyeballs and
14 bodies in the seats to see harness
15 racing. It's still kind of a work in
16 progress.

17 Again the initial application we
18 submitted, we asked for a two o'clock
19 post time on these days, but after
20 discussing with all of us, and the
21 Derby not going on till seven o'clock,
22 we'd like to move that to three
23 o'clock. And I think Mr. Ahmed will,
24 you know, I think agree with us. We
25 have a better shot to just make a

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

2 four-hour program that includes
3 harness racing that will segue right
4 to the Derby and Preakness and Belmont
5 simulcasting. And hopefully we can
6 increase the crowd size.

7 A few of the Spring Meet
8 highlights promotion-wise. We've done
9 Corgi dog races now for several years.
10 It fills the grandstand. Mother's Day
11 racing has really been a nice extra
12 for us, kind of a surprise, but we are
13 looking to enhance that again this
14 year. First time ever that we will
15 race during Memorial Day. And we
16 think there might be a neat
17 opportunity to, again, attract some
18 new fans for that, and then even run
19 some cornhole tournaments for the
20 students at James Madison University
21 and other young folks in the area. So
22 trying to get young and old alike.

23 The VHHA kindly gives us purse
24 money that we can run a
25 own-a-horse-for-a-day promotion. We

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

2 give 24 different fans a chance over
3 three weekends to own a horse for a
4 day. They get to meet their horse,
5 their driver, take pictures, post it
6 on social media. And I think we
7 mentioned this last meeting, four of
8 these contestants have actually gone
9 on to purchase horses and are current
10 horse owners all based in the
11 Shenandoah Valley area. So just that
12 local ownership flavor has been quite
13 helpful for us.

14 This is a good and bad here. The
15 Spring Meet highlights, we are moving
16 the Virginia Breeders Three-Year-Old
17 championships to the spring only,
18 because it's gotten so crowded putting
19 on a champion's day like we have done
20 for a number of years now with the
21 two- and three-year-olds together.
22 The good thing is it gives us a chance
23 to promote a really great event in the
24 spring. And we still will hold the
25 two-year-olds in fall, which is

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

2 exciting but nervous because it's
3 something different than we are used
4 to. We've also got four certified
5 races at \$25,000 each which will be in
6 spring as well.

7 New faces. Frank mentioned about
8 Dan Bork as the race secretary at
9 Colonial. We as well have got a new
10 race secretary, Karen Fagliarone. She
11 has spent 42 years working at Freehold
12 Raceway in New Jersey. Freehold
13 closed their doors December 31.

14 They went out of business, and
15 that freed up Karen to come and help
16 out in Virginia. And I think we are
17 excited to have her on board with her
18 experience, her contacts, not just a
19 horseman but to other personnel if we
20 have an empty pocket we need to have
21 filled.

22 Gary Mills started as track
23 superintendent here last fall. I
24 think the horsemen agree he did a
25 great job. And he'll be back. And we

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

2 have got him a couple new pieces of
3 equipment as well to enhance his, you
4 know, ability to do his job. And
5 Peter Szymanski is our director of
6 racing. Does this remotely, kind of
7 just watches everything that goes on.
8 He's director of racing at Ocean Downs
9 in Maryland as well, and again gives
10 us a really good perspective on
11 putting the races together, and again
12 access to personnel and questions we
13 have.

14 And the most exciting thing now
15 I'll turn over to Debbie. And we are
16 going to have a new barn, and it's
17 going to just make a whole safer
18 experience for the horsemen in
19 Woodstock.

20 MS. WARNICK: Yes. We are
21 excited about -- hold on. The
22 horsemen are excited because the barn
23 has finally gotten started.
24 Demolition is completed. It started
25 just after Christmas, first of

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

2 January.

3 The weather is not cooperating,
4 as you all can well imagine, but they
5 have gotten the layout done. They
6 have started some site work as weather
7 has permitted.

8 This is a layout of what the barn
9 will look like. We call it a barn.
10 It's actually two different barns, but
11 they are connected under one roof at
12 the L. Total will be 139 stalls in
13 this barn. There's 22 wash bays right
14 out on two different sides of it, plus
15 there's existing wash bays on the
16 third side that are near another barn
17 that will remain between the new barn
18 and the two barns that are existing
19 now under roof. We'll have 177, 178
20 stalls under roof, which is
21 drastically different.

22 As you all know, we have
23 previously had to be in tents in the
24 parking lot, which unfortunately
25 because of the weather we anticipate

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

2 we'll have to do that again in the
3 spring, because the contractor just
4 doesn't think this will happen by
5 spring. But we'll be out of the tent
6 area completely with the exception of
7 probably about four tents that will
8 just be used for ship-ins on the day
9 of racing. So there won't be anybody
10 stabled in them overnight.

11 There's the new barn's got lots
12 of electric in it. It's got lots of
13 water outlets, lots of entrances and
14 doors so horsemen can get around and
15 get past each other and all that. The
16 horsemen are really excited to get
17 this going. It will -- it will go --
18 we have contracted with the
19 contractor. We have agreed with the
20 contractor he's going to work on the
21 barn up until the first week of April,
22 and then we'll see what stage he's at;
23 and they'll stop working on it during
24 the race meet so there's no
25 disruption, no interference, no

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

2 bothering the horses, with the
3 exception of things that they might
4 can do inside that don't cause noise
5 or cause any problems.

6 Again that will depend on where
7 we are actually at the first of April,
8 what goes on there. Then they'll
9 resume construction right after our
10 race meet finishes, so around June 9.
11 And then we anticipate it's going to
12 be ready to use for the County Fair
13 meet in August and then for our meet
14 in the fall.

15 MR. WOOD: So the Spring Meet
16 barn area is on the next slide here.
17 What you see in the left-hand picture
18 is what the -- our tent village looks
19 like. These are the stalls that we
20 bring in from Sunset Valley metal
21 crafter out of Pennsylvania. They do
22 a great job. They set this up for us
23 in one day, break down in one day, but
24 this is where we are going to hold 192
25 stalls for the Spring Meet.

1 P R O C E E D I N G S
2

3 To the right of that, you'll see
4 the Robins barn picture. That is the
5 only permanent true barn that we have
6 got on the grounds right now that
7 holds 22 horses. And we have some
8 other structures like the steer barn,
9 test barn and paddock that are under
10 permanent roofing. So they are still
11 safe, but we are just looking forward
12 to this new barn. It's been a many
13 years' discussion that's reality, but
14 bottom line we can accommodate 254
15 horses for the meet this spring and
16 fall.

17 Just quick highlights, a few
18 highlights on the facility itself. In
19 the middle you see the 100-plus year
20 old grandstand that seats 1,200
21 people. Again we'll fill that on
22 weiner dog days and some of the other
23 event days. Again, it's been used for
24 over 100 years.

25 The next slide will show the kind
 of the viewing deck that we made here,

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

2 oh, god, probably four or five years
3 ago, but it gives fans a chance to get
4 right -- right on top of the action.

5 We do try to sell it out to some
6 groups as well. The Farm Bureau was
7 there last year. But really gives
8 kind of an up-close experience if you
9 are at the races.

10 The wagering areas, we've got a
11 concourse area and of course like to
12 take picture on the busiest days, but
13 it's not always like this, but this
14 was a particularly busy day, but we
15 have got five betting stations. We've
16 got seven or eight different
17 subservice machines. And we've got
18 another two or three machines out in a
19 party tent which is out front of the
20 grandstand. And once a year there is
21 a festival called Autumn Fest. And we
22 will put betting available at this
23 remote area in the middle of the
24 festival area, always well-received
25 and biggest handle day of the year.

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

2 Parking area, we have got a main
3 parking area down low. You can see
4 that literally will hold hundreds of
5 cars. The horsemen parking pretty
6 much is inside the licensed area.
7 There's a definite division of where
8 employees and fans park versus
9 horsemen. And we've got three
10 concessionaires. We've got Sugar
11 Creek Ice Cream, which is absolutely
12 the best ice cream anywhere. S&S
13 concessions prepares dogs, burgers,
14 fries, what you would normally find at
15 a concession. And then beer, wine and
16 everything else is provided by the --
17 sold by the Shenandoah County Fair.

18 Aiden's going to take you now
19 through kind of a map of the grounds
20 and some of the things we are doing.

21 MR. BARNEY: Yeah. Good
22 afternoon, Madam Chair, commissioners.
23 So basically here's our new map of the
24 layout at Shenandoah Downs. The
25 biggest change for this year is that

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

2 red line indicates where the
3 restricted area will be on the
4 backside.

5 So in the past we've had multiple
6 entry points in the back side. And
7 under the Commission's request, we've
8 changed that. So now there is just
9 the one entrance on the left side of
10 the track where horsemen will be
11 coming in and out of the facility.

12 You can see the yellow squares are the
13 parking. The horsemen are in the top
14 right. The staff is down closer to
15 the track. And then the big general
16 customer area is in the bottom right
17 corner. Yeah.

18 MR. WOOD: Yes. It's the first
19 time we'll have a single entry access
20 point for horsemen. It's a fair
21 grounds. It's not built to be a race
22 track. It's been an ongoing challenge
23 for us with different footprints every
24 single meet, but this is the first
25 time we are going to have a single

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

2 access point for horsemen with the
3 other entrances closed, which is going
4 to be nice to do.

5 And finally, something we have
6 always done here but never really
7 talked about, but we do provide
8 complimentary straw for horsemen as a
9 way to support us and come race and
10 stable at Shenandoah Downs. We
11 attract horsemen from 14 different
12 states, on the occasion Canada as
13 well, so something we try to do to
14 help the cause. And finally here's
15 our -- another look at a logo we are
16 going to use on T-shirts and apparel
17 to celebrate 10 years.

18 CHAIR NIXON: Thank you. I can't
19 believe it's been 10 years, like you
20 say. I just want to say
21 congratulations on the construction of
22 the new barn. I know that's a big
23 move forward, and I know all the
24 horsemen there will look forward to
25 it. So congratulations on that.

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

2 Any other comments?

3 COMMISSIONER GORDON-MOORE: Will
4 there be any kind of sprinkler system
5 in the new barn, fire sprinklers.6 MS. WARNICK: No, ma'am. There's
7 no sprinkler system at this time.

8 COMMISSIONER GORDON-MOORE: Okay.

9 CHAIR NIXON: Any other comments?

10 Thank you.

11 All commissioners in favor of
12 approving the Shenandoah County
13 Agricultural Foundation's limited
14 license to conduct a rate meeting in
15 2025, please indicate by responding
16 yes.

17 COMMISSIONER SIEGEL: Yes.

18 COMMISSIONER BRAND: Yes.

19 COMMISSIONER GORDON-MOORE: Yes.

20 CHAIR NIXON: Any commissioners
21 opposed?

22 No abstain? Motion carried.

23 We will now address Item B. I'll
24 ask the representatives to stay put
25 for a second.

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

2 Next on the agendas I would like
3 to entertain a motion to address the
4 Virginia Downs Foundation's limited
5 license to conduct a race meeting in
6 2025.

7 Do I have a motion?

8 COMMISSIONER GORDON-MOORE: So
9 moved.

10 CHAIR NIXON: Commissioner
11 Gordon-Moore. Do I have a second?

12 COMMISSIONER BRAND: Second.

13 CHAIR NIXON: Commissioner Brand.
14 Executive Secretary Ahmed and
15 representatives of the applicants are
16 assigned the floor.

17 MR. AHMED: Thank you, Madam
18 Chairman. This is just a second part
19 of this, the Shenandoah Valley's meet.
20 It's the license for Virginia Downs
21 foundation for 2025. So they -- I
22 believe that was just presented it,
23 and if you guys have any other
24 questions I can answer, otherwise
25 submit for approval.

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

2 CHAIR NIXON: Any other questions
3 or comments?

4 COMMISSIONER SIEGEL: Good job.

5 CHAIR NIXON: All commissioners
6 in favor of approving Virginia Downs
7 Foundation limited license to conduct
8 a race meeting in 2025, please
9 indicate by responding yes.

10 COMMISSIONER SIEGEL: Yes.

11 COMMISSIONER BRAND: Yes.

12 CHAIR NIXON: Commissioner
13 Siegel. Second.

14 COMMISSIONER TANNER: Yes.

15 CHAIR NIXON: Any commissioners
16 opposed?

17 Any abstain? Motion is carried.

18 We will now address Item C.

19 I would like to entertain a
20 motion to address the request for
21 distribution of the funds from the
22 Virginia Breeders fund for 2025.

23 Do I have a motion?

24 COMMISSIONER SIEGEL: So moved.

25 CHAIR NIXON: Commissioner

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

2 Siegel.

3 Is there a second?

4 COMMISSIONER BRAND: Second.

5 CHAIR NIXON: Commissioner Brand.

6 Executive Secretary Ahmed and
7 representatives from the VHHA and VTA
8 are assigned the floor.9 MR. AHMED: Thank you, Madam
10 Chair and commissioners. This is
11 something that you all have looked at
12 before. The VHHA and the VTA are the
13 experts on this, so I'm not going to
14 steal their thunder in the
15 presentation, but I do want to just
16 provide some background information on
17 what we are proposing to do.18 So the amount that we are looking
19 at today is approximately \$2.5
20 million. And that's the balance of
21 the Virginia Breeders Fund for 2024.
22 Of course the amounts do administer
23 and promote the fund have already been
24 paid. And those total \$240,000 for
25 2024. So I would ask both

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

2 representatives to swap through what
3 they're requesting here as far as the
4 split of the fund goes and what -- how
5 these funds will be distributed for
6 2024.

7 MS. EASTER: Good morning. Thank
8 you all very much. This is Debbie
9 Easter, executive director of the
10 Virginia Thoroughbred Association. We
11 appreciate the opportunity to update
12 you all and let you know what's going
13 on with the Breeders Fund.

14 And, first off, I'll start with
15 -- agreed with the commissioners
16 before that we appreciate Waqas, the
17 new executive director's work on this.
18 He's had to put in a lot of work and a
19 lot of learning in a short amount of
20 time. So we appreciate that and found
21 it very, very good to work with and
22 very knowledgeable on most all these
23 subjects.

24 We would request, I think
25 Debbie Warnick and myself are going to

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

2 request that Breeders Fund be split
3 80/20; 8 percent to thoroughbred, 20
4 percent to standard bred. That number
5 wasn't pulled out of the blue. We, in
6 our revenue-sharing agreement with
7 HHR, we have an agreement the standard
8 bred and thoroughbred people to split
9 our funds that way. And that's how
10 purses are split, certified money,
11 everything that we do with the VEA.

12 So we thought that seemed like a
13 reasonable way to split the breeder's
14 fund going forward. We are not really
15 sure how it was split in the past, but
16 anyways this seems like a great way to
17 split it going forward. I guess if --
18 I think you all have had -- you all
19 have our reports.

20 I guess I'll just highlight a
21 couple of options, of things about the
22 thoroughbred side of the fund which is
23 we are growing. And that's a very
24 positive thing. I think you have
25 heard me say here before it's hard to

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

2 grow breeding overnight, because it
3 takes a large, long-term commitment
4 from a person to come and invest in a
5 farm, buy mares, and it's a long-term
6 investment to have foals and -- and
7 see the beauty in that, but we are
8 growing.

9 Realize that we have just started
10 a new program with the Breeders Fund
11 for thoroughbred in that prior to 2023
12 all anybody had to do to breed a foal
13 in Virginia was drop a foal here and
14 register it with the VTA. We had
15 probably the most liberal rules in the
16 country only because we didn't have
17 the money to compete, breeder's fund
18 money to compete with states around
19 us. And we were looking at any -- at
20 the most lax rules so that we could
21 get mares here as best we could.

22 With the addition of HHR money to
23 the fund, we are certainly still not
24 the largest breeder's fund in the
25 area, and we'll touch on that in a

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

2 second, but we are much better than we
3 were. And what keeps us going on the
4 thoroughbred side is that it's not the
5 amount of money that we have in our
6 fund, but it's the fact that still we
7 have so few people playing in our fund
8 that the actual percentage of awards
9 is very good and something that we can
10 market. It's also the fact that we
11 are -- we pay year round first,
12 second, and third for anywhere in
13 North America. Offspring, breeders'
14 offspring, when they are first,
15 second, or third anywhere in North
16 America, they will receive a breeder's
17 award.

18 That makes our system year round
19 when we aren't able to necessarily
20 race year round. And so I think
21 that's a big important thing. The
22 other thing that you've heard me talk
23 about before is the addition of the
24 certified program, which has nothing
25 to do with this breeder's program

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

2 because the certified program is paid
3 by the VEA. But I think that the
4 combination of our racing and the
5 quality of racing that we are putting
6 on at Colonial Downs, what we are
7 doing to bring out-of-state people
8 with the certified program and the
9 fact that we are -- our very large
10 awards for the breeder's program are
11 helping to grow our horse population
12 significantly.

13 And so I guess in my last
14 comments what I would do, would
15 encourage us going forward is we think
16 about things in our breeder's
17 committee as we are still far off from
18 having the largest number, the
19 greatest number of funds in our fund.
20 And you can see in my report what
21 states around us are doing, but I
22 think that we ought to take -- look at
23 the overall picture in our going
24 forward with the racing with certified
25 and the breeder's fund, and see how as

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

2 you all know that one of your missions
3 is to grow this industry. And I think
4 it would be a good idea for us to
5 revisit the whole program and see how
6 the Commission and maybe the state
7 could support that to make us grow
8 even larger and faster. And unless
9 there are any questions, that's all I
10 have to say.

11 MR. AHMED: I've just got a
12 follow-up. So on the amount that the
13 fund is currently accruing and will
14 accrue with the addition of the Rose,
15 do you believe that this will be
16 enough to sustain the program or are
17 you saying when you say look at the
18 program going forward, are you talking
19 about maybe increasing the amount that
20 currently goes from the wagering that
21 occurs in Virginia.

22 MS. EASTER: I think that it's --
23 I think we should look at all options.
24 I think we should look at should we
25 increase the amount that comes from

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

2 wagering to the Breeders Fund, but I
3 also think that we ought to look at
4 possibly the certified program as part
5 of that too. As we've discussed in
6 the past, I believe, our boards had to
7 make a decision. We knew we didn't
8 have enough money to compete with the
9 states around us for breeders
10 necessarily, so we tried to pick
11 something that we knew we could do
12 well and we weren't going to have to
13 compete. And that's how we came up
14 with the certified program.

15 And what I think is very unique
16 to our state and what has made us grow
17 is the combination of all these three
18 programs, the racing and the other two
19 programs together. So I think that if
20 we are going to be engaged as a
21 committee later on, I think these are
22 all three things that we should look
23 at and how we can support -- how we
24 can support it all better that helps
25 the industry grown in the state.

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

2 MR. AHMED: And I know,
3 Commissioners, you all have the
4 numbers in front of you, but just for
5 the public the amounts that Debbie
6 referred to, so for Maryland it was
7 \$7.7 million in 2022, Pennsylvania
8 11.3 million in 2024; New York 14.1.
9 And Kentucky just sent out an email
10 three hours ago disbursing over \$20
11 million from their breeder's fund.
12 And we are talking about 2.5 million
13 today, so just to put that in
14 perspective.

15 So I'm going to summarize VTA's
16 request. So, VTA plans to -- correct
17 me if I'm wrong, Debbie -- plans to
18 distribute, if approved by the
19 Commission today, \$1,899,477 for
20 breeders of Virginia breds that place
21 first through third in the races
22 designated by the VRC at its December
23 2023 meeting for the calendar year
24 2024.

25 And this is lower than -- I just

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

2 want to point out that in your letter
3 you had requested 2.1 million, and
4 this amount is slightly lower because
5 of some corrections that we had to
6 make in the balance. And then the
7 remaining amount \$150,000 will be for
8 stallion owners of those Virginia
9 breds in those races for 2024. Okay.

10 COMMISSIONER SIEGEL: Quick
11 question for you.

12 Debbie, not that I need the
13 number, but since you changed the
14 rules to try to get more competitive
15 here, what's been the history of that?

16 Like last year, for example, not
17 '24 -- '23 where were you.

18 MS. EASTER: So, so I think the
19 best way to gauge it is as mares
20 registered in the program. So we
21 started with mares in 2023 for foals
22 in '24. And now we are in our second
23 year. Mares registered in '24 for now
24 the foals that are arriving on the
25 ground --

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

2 COMMISSIONER SIEGEL: This is --
3 right.

4 MS. EASTER: Second-year foals
5 dropping. So we only have data --

6 COMMISSIONER SIEGEL: -- for one
7 year.

8 MS. EASTER: We have mare
9 registration. So the good news is
10 mares' registration data between '23
11 and '24 was about 40, 40 new mares.
12 And while that doesn't sound
13 significant percentagewise, it's very
14 significant. So once I -- once again,
15 it's a long-term commitment. And one
16 of the things that's going to hurt us
17 in the future I think is what chairman
18 -- the chairman spoke of about Larry
19 Johnson, his -- he had returned all
20 his mare and his horses from Maryland.
21 And we were being very involved in
22 that because he realized in the future
23 Virginia had better programs going
24 forward.

25 And that's probably 15 to 20

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

2 mares a year that we potentially may
3 come out of our program, maybe not,
4 hopefully not, but that's we could see
5 a drop. Even though everything
6 positive's happening, we could see a
7 drop because we have still so few in
8 the program.

9 CHAIR NIXON: Thank you, Debbie.
10 And just thank you for all your hard
11 work and continuing to work with us on
12 everything. So thank you.

13 COMMISSIONER GORDON-MOORE: Are
14 we beginning to see growth in the
15 farms and people coming to the state
16 and opening up new places?

17 MS. EASTER: I think it's once
18 again a combo of all our programs. I
19 think it's a -- you know, while we
20 breed, while we are getting up to
21 around about 130 foals versus 100 at
22 our low, we are -- as I've told you
23 before, the certified program was
24 bringing in about 900 horse a year to
25 the state.

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

2 That, as we know, that was
3 helping fill our farms, save our
4 infrastructure. I think it's a
5 combination of all of it, but the
6 beauty is is that we are one of the
7 very positive things, the state of
8 Virginia in the thoroughbred industry
9 is one of the positive things that
10 people can talk about in the
11 thoroughbred industry. And even
12 though the numbers aren't huge like
13 Kentucky, the percentages are growing
14 a lot. But I really do feel it's a
15 combo of everything we are doing well
16 and the fact that this Commission's
17 been able to move and do a good job.
18 As we need to make changes, they have
19 worked with us to make chose changes.

20 CHAIR NIXON: Thank you.

21 Any other comments?

22 All commissioners in favor of --

23 MR. AHMED: We'll just need to
24 hear from the other chair.

25 CHAIR NIXON: Oh, I'm sorry.

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

2 Goodness. You are so quiet over
3 there.

4 MR. AHMED: It's one motion. We
5 are very efficient.

6 CHAIR NIXON: I apologize, Debbie
7 Warnick.

8 MS. WARNICK: That's okay. Thank
9 you.

10 First I would say to echo what
11 Debbie said. Mr. Ahmed has been very
12 helpful and has had a lot of patience
13 and everything in trying to understand
14 how our program's different from
15 thoroughbred. And then he's been very
16 patient and understanding with me
17 trying to explain things to him. Been
18 very helpful.

19 Just going to be a little short.
20 Our program works a little different
21 than the thoroughbreds in that we use
22 the money from the Breeders Fund
23 towards purses in restricted races for
24 Virginia-bred horses. As Darrell
25 mentioned, our program has grown so

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

2 much that we used to just race these
3 races at the fall meet, culminating in
4 one day of champions. And now we are
5 going to have to split them. So we
6 are moving the three-year-olds and the
7 aged horses to the Spring Meet, and
8 the two-year-olds will race in the
9 fall.

10 Just real quick, as it's one
11 note. To show how our program has
12 grown, in 2015 there were 35 foals
13 born and registered as part of the
14 standard-bred breeding program. In
15 2023 there was 105. And last year we
16 had 169. So that just shows that we
17 are growing the programs. We are
18 getting more horses, more breeders.

19 We have started a second separate
20 program but related to the breeders
21 strictly for standing stallions in
22 Virginia. This will be the first year
23 that those horses will race as a
24 two-year-old. And again just show the
25 growth before we made this commitment

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

2 for this program, we had three
3 stallions that stood in Virginia. And
4 the three years since we have started
5 this program, we've had either 19 or
6 20 stallions stand here, which is a
7 lot of stallions.

8 And even in our industry that's a
9 lot of stallions to be in one state.

10 We awarded last year \$1,472,000
11 in purses to horses that raced as part
12 of these Breeders Fund races. This
13 year with addition of the races for
14 this other crop of two-year-olds, we
15 are going to do a little over
16 two-million-one. And in 2026 we
17 anticipate going to two-million-five
18 in purses. And we will also add some
19 bonus programs for just the Breeders
20 Fund horses. We have always -- we
21 have recently gotten up to \$500,000 to
22 use towards that.

23 The rest of the money comes out
24 of the VHHA funds.

25 CHAIR NIXON: Congratulations on

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

2 your growth with the stallions.

3 That's huge.

4 MS. WARNICK: Thank you. We have
5 put a lot of work into that.

6 CHAIR NIXON: That's fantastic.

7 Any other comments or questions
8 for Debbie Warnick?

9 COMMISSIONER GORDON-MOORE: Yeah.

10 I know this is very different from the
11 thoroughbred program, but your
12 stallions are allowed AI, not
13 intelligence, but artificial
14 insemination. So are these horses
15 bred out of state? How are they
16 involved in the program.17 MS. WARNICK: If the stallion is
18 standing here in Virginia, they are
19 allowed to ship semen to other states,
20 because our breed allows artificial
21 insemination. So if they inseminate
22 with semen from a Virginia-registered
23 stallion, then they are part of the
24 program.

25 COMMISSIONER GORDON-MOORE:

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

2 Whether they come to Virginia or not,
3 it's the fact that the stallion is
4 here is what puts them in the program.

5 MS. WARNICK: Yes, ma'am.

6 COMMISSIONER GORDON-MOORE: And
7 the other part, if a mare is owned 100
8 percent by a Virginia resident when
9 bred, that foal is eligible.

10 MS. WARNICK: Yes, ma'am.

11 COMMISSIONER GORDON-MOORE: Is
12 that foal in the state or is that foal
13 --

14 MS. WARNICK: Not always. The
15 Virginia resident has to be here.

16 COMMISSIONER GORDON-MOORE: The
17 resident is here --

18 MS. WARNICK: But the mare --

19 COMMISSIONER GORDON-MOORE: --
20 but the horse doesn't necessarily have
21 to be.

22 MS. WARNICK: Yes, ma'am.

23 COMMISSIONER GORDON-MOORE: Okay.
24 And when the horse is bought at public
25 auction is there a time limit within

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

2 which it has to be in the state.

3 MS. WARNICK: The public auction
4 is for if a Virginia resident buys the
5 horse. If the mare is already
6 pregnant and the Virginia residents
7 buys it at a public auction, we
8 specify that. Then the baby becomes
9 eligible under the same rule as if the
10 resident had bred it to start.

11 COMMISSIONER GORDON-MOORE: Even
12 if the foal is not born in the state.

13 MS. WARNICK: Yes, ma'am. That
14 comes under the Virginia-owned portion
15 of the program.

16 MR. AHMED: So I can summarize
17 for the internal controls, the
18 traceability, so she -- just like
19 Debbie presented total purses for the
20 restricted races conducted in 2024 and
21 see the available fund allocation, so
22 the VHHA intends to apply all of its
23 portion that is calculated today to
24 the purses for the 2024 meetings that
25 it has already paid out of its own

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

2 purse account.

3 So that amount would be 512,000
4 -- \$512,369 for purses and restricted
5 races for Virginia-bred or
6 Virginia-sired horses. I just have to
7 make that known for the record.8 CHAIR NIXON: All commissioners
9 in favor of approving request for --
10 yes.11 COMMISSIONER GORDON-MOORE: We
12 need to --13 CHAIR NIXON: Understand. All
14 commissioners in favor of approving
15 requests for distribution --
16 disbursement of funds from the
17 Virginia Breeders Fund for 2024 please
18 indicate by responding yes.

19 COMMISSIONER SIEGEL: Yes.

20 CHAIR NIXON: Any commissioners
21 opposed?

22 Any abstained?

23 COMMISSIONER GORDON-MOORE: Yes.
24 Pursuant to Virginia Code 2.2-3112, I
25 am abstaining from the vote on this

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

2 matter.

3 CHAIR NIXON: Motion carried. We
4 will now address Item D. Thank you.
5 I would like to entertain a motion to
6 address the joint request to reduce
7 the retainage for 2025 by Colonial
8 Downs in the Virginia HPPA.

9 MR. AHMED: I believe the --

10 CHAIR NIXON: Okay. I would like
11 to entertain a motion to address the
12 joint request to reduce the retainage
13 for 2025 by Colonial Downs in the
14 Virginia HPPA.

15 COMMISSIONER GORDON-MOORE: So
16 moved.

17 CHAIR NIXON: Commissioner
18 Gordon-Moore. Do I have a second?
19 Commissioner Brand. Executive
20 Secretary Ahmed and representatives of
21 Colonial Downs and the VHPPA are
22 assigned the floor.

23 MR. AHMED: Thank you.
24 Commissioners, this is a joint request
25 by Colonial Downs and HPPA to lower

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

2 the take out for the Pick 5, the Pick
3 6 wagers to 12 and 15 percent
4 respectively for both Virginia Derby
5 meet as well as the summer meet. In
6 doing so, the law requires that the
7 amounts distributed to purses,
8 breeders fund and the leftover amount
9 for the licensee be reduced
10 proportionately. However, Colonial is
11 proposing to remit the full one
12 percent, or cover the full one percent
13 from its shares so that this amount is
14 easily tracked and makes the Virginia
15 Breeders Fund whole at the end of the
16 day. So I don't know if we need any
17 further clarifications on that or not.

18 COMMISSIONER SIEGEL: What's the
19 reasoning for the change?

20 MR. AHMED: The change, oh, so do
21 you want to speak to what you are
22 doing?

23 MR. HOPF: Good afternoon again.
24 Yes. So this has been procedure the
25 last couple years of us submitting

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

2 request to lower the take out. The
3 reason to lower the take out in the
4 Pick 6 and the Pick 5 is obviously
5 that is more of the national standard
6 on those particular pools is at that
7 15 and 12 percent.

8 I believe the 12 percent for the
9 Pick 5 has been in place here at least
10 since 2022, maybe even senior. The
11 Pick 6 we lowered last year.

12 So in cooperation with the
13 horsemen, they were in agreement to
14 help again another avenue to promote
15 the races in these particular pools at
16 a lower take out than what is in the
17 statute.

18 COMMISSIONER SIEGEL: So it's
19 consistent with other states.

20 MR. HOPF: Yes.

21 CHAIR NIXON: Any other comments
22 for Colonial Downs or the APBA?

23 All commissioners in favor of
24 approving joint request to reduce the
25 retainage please indicate by

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

2 responding yes.

3 COMMISSIONER SIEGEL: Yes.

4 COMMISSIONER GORDON-MOORE: Yes.

5 MR. TANNER: Yes.

6 CHAIR NIXON: Any commissioners
7 opposed?

8 Any abstained? Motion carried.

9 Thank you.

10 We will now move on to address
11 Item E. I would like to entertain a
12 motion to address the authority of the
13 executive secretary to enter into a
14 voluntary implementation agreement on
15 behalf of the Commission.

16 Do I have a motion?

17 COMMISSIONER BRAND: So moved.

18 CHAIR NIXON: Commissioner Brand.

19 Is there a second?

20 Commissioner Gordon-Moore.

21 Executive Secretary Ahmed and
22 Assistant Attorney General Meyers are
23 now assigned the floor.24 MR. AHMED: Thank you, Madam
25 Chair.

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

2 In 2024 the Commission
3 volunteered its staff such as
4 veterinarian stewards and
5 investigators to oversee medication
6 and safety procedures under HISA's
7 Authority. We also covered the
8 assessment of roughly \$800,000 for
9 that year. And I just want to point
10 out that these assessments are for the
11 calendar year, and we operate on a
12 fiscal year basis.

13 So HISA proposed an assessment of
14 approximately \$1.2 million. It
15 requested its response on whether the
16 VRC is planning to pay that for
17 calendar year 2025, or if it plans to
18 opt out of that. And then also on the
19 staffing that the VRC can provide. As
20 you all know, the federal law only
21 applies to cover thoroughbred racing,
22 and preempts any state rules specific
23 to safety and medication promulgated
24 by HISA. This essentially means that
25 as the authority has established its

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

2 roots and began promulgating rules,
3 certain aspects of what the state
4 racing commissions can perform for
5 safety and medication are now under
6 federal jurisdiction exclusively.

7 The enabling legislation for HISA
8 took advantage of the mechanisms that
9 already exist for safety and
10 medication oversight, particularly the
11 use of stewards and vets that are
12 already employed by the racing
13 commissions, but over time as the
14 rules have expanded and processes have
15 changed, different commissions have
16 seen different impacts on their
17 staffing and resources. And so you
18 have seen across the country certain
19 commissions will opt in partially,
20 provide their staff and pass over the
21 amounts for the assessment to the
22 covered tracks.

23 And so before we could even
24 discuss whether we should enter into
25 this agreement, we had to determine

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

2 whether we had the legal authority to
3 actually participate in the federal
4 mandate. Getting that determination
5 this close to the legislative session
6 was very eye opening for all of us.
7 And I appreciate the Chair and was --
8 everybody involved in that. I really
9 wanted to point out Secretary Lohr
10 (ph) and Deputy Rickman's work in
11 getting us an approval from DPB on
12 that.

13 So now that our counsel has
14 confirmed that under current
15 appropriations we can enter into an
16 agreement and pay the associated fees
17 for 2025, we have to decide today
18 whether the Commission would like to
19 do that. So I am seeking the VRC's
20 authority to finalize the 2025
21 agreement. You have a draft in front
22 of you. It's marked up. It's not
23 ready, but it will be before the
24 Derby, and I'll be able to sign it if
25 you grant me the authority to do that.

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

2 So the authority that I'm seeking
3 today is basically allowing me to sign
4 an agreement that has at least the
5 following elements: The first one is
6 to remit the assessment communicated
7 by HISA for calendar year 2025, which
8 is the \$1.2 million. And the second
9 is to provide the VRC the option to
10 volunteer at least its current
11 full-time staff such as our
12 veterinarians and investigators and
13 any other resources in addition to
14 that we -- we need to retain the
15 ability to assess our racehorses at
16 the time of these meets so that we are
17 not backed into a corner and having to
18 make that decision through the
19 voluntary implementation agreement.

20 So I'm happy to answer any
21 questions. I think at the end of the
22 day this helps Virginia horsemen and
23 helps our sport. So we are happy to
24 recommend this agreement.

25 CHAIR NIXON: Any questions or

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

2 comments?

3 COMMISSIONER BRAND: I have an
4 uneasiness of the amount of increase
5 from one year to the next of the
6 assessment. And my thoughts are do
7 you have any thoughts of where that
8 will go the next year, the amount, how
9 much more they will be asking for?

10 MR. AHMED: I don't know what the
11 amounts will be. I think it's
12 reasonable to assume that they will
13 increase. Whether that's going to be
14 a slight increase from the 1.2 or a
15 dramatic one, the way that the formula
16 works for the assessment is that there
17 -- the total amount of the total cost
18 of regulation that HISA has is divided
19 amongst the different participants,
20 where those participants are located,
21 where they are starting, et cetera.

22 So they have distributed these
23 amounts based off of stars and purses
24 in the past. And then I believe next
25 year they have proposed a rule to

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

2 distribute solely on stars. So that
3 will make it a little bit easier to
4 predict what those -- the
5 distributions will be. But the way
6 that the budget works for HISA, they
7 inform us the amount that we need to
8 -- either we need to pay voluntarily
9 or pass on to the track. I don't
10 believe we'll get that until November
11 of 2025 for 2026. As you know, that's
12 a little bit late for our budgeting
13 process.

14 So I do want to note that one
15 thing that everybody was pretty vocal
16 about when we were determining whether
17 we had this authority or not was in
18 the future, because of how this amount
19 has changed drastically over the last
20 couple of years, we all -- all
21 participants in the industry in
22 Virginia need to take a look at how we
23 can either have this incorporated into
24 the budget next year or have enabling
25 language within our statutes to cover

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

2 these amounts going forward to cover
3 the federal mandate.

4 Otherwise, I don't believe in our
5 -- based off the status quo, I don't
6 think we'll be able to remit the
7 amounts for calendar year 2026, just
8 because we'll be splitting the amount
9 today 1.2 million.

10 Half of that will be paid based
11 off of fiscal year 2025 that we are
12 currently at, and the other half will
13 be assessed to fiscal year 2026, which
14 will start in July of this year. So
15 long, long-winded answer, but --

16 MS. WARNICK: Could I have one
17 interruption that might help, and tell
18 me if I'm out of line, but the big
19 jump you might be seeing this year is
20 because of our rather large jump in
21 race days. And that's probably as
22 large a reason too, so, okay.

23 COMMISSIONER SIEGEL: There's
24 been a lot of controversy around HISA
25 from the very beginning, including

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

2 lawsuits and whatnot. I would be
3 interested in what other states are
4 currently doing. As I recall, some
5 are refusing to pay it. Others are
6 passing it along. What's the general
7 feeling out there?

8 MR. AHMED: I'll speak to it from
9 the perspective of a regulator in the
10 racing commission.

11 I believe that states where --
12 and correct me if I'm wrong, Liz, on
13 this, but the states where HISA is
14 active, majority of them are
15 participating in the voluntary
16 implementation agreement for one
17 reason or another. At the end of the
18 day, yes, it's -- change is hard for
19 everybody. And this is certainly a
20 huge change for the industry. But
21 we've seen -- so, you know, coming
22 from Kentucky, we in the past remitted
23 the -- just the HISA aspect of the
24 assessment which was \$1.2 million back
25 in 2021.

1 P R O C E E D I N G S
2

3 The next year when it jumped to
4 7.5 million, we opted to volunteer our
5 full-time staff, which were about
6 seven veterinarians, five
7 investigators that cover about 230
8 race dates in Kentucky. So Kentucky
9 was in a position to volunteer that
10 staff. And there would be minimal
11 impact once HISA started taking over
12 those processes.

13 In other states, like I believe
14 Ohio and New York, New York obviously
15 doesn't have a racing Commission. It
16 has a gaming commission. So NIRA up
17 there is the one has the track that's
18 providing all the staff and resources
19 to HISA. So those are -- but by far I
20 think the majority of the states have
21 entered into the agreements either to
22 pay and to volunteer the resources or
23 do one of the two that they can do.
24 And it just depends on, you know, if
25 the state has the ability to do that
 based off of its enabling language or

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

2 not.

3 CHAIR NIXON: Okay. All
4 commissioners in favor of authorizing
5 the executive secretary to enter into
6 a voluntary implementation agreement
7 for 2025 as presented, please indicate
8 by responding yes.

9 COMMISSIONER SIEGEL: Yes.

10 COMMISSIONER BRAND: Yes.

11 CHAIR NIXON: Any commissioners
12 opposed?

13 No abstain?

14 Motion carried. Thank you.

15 We will now address Item F. I
16 would like to entertain a motion to
17 address the VHHA's request to withdraw
18 amounts from the purse account related
19 to administration.

20 Do I have a motion?

21 COMMISSIONER SIEGEL: So moved.

22 CHAIR NIXON: Commissioner
23 Siegel.

24 COMMISSIONER GORDON-MOORE:
25 Second.

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

2 CHAIR NIXON: Commissioner

3 Gordon-Moore.

4 Executive Secretary Ahmed and
5 representatives for the VHHA are
6 assigned the floor.7 MR. AHMED: Thank you, Madam
8 Chair.9 Commissioners, this is a request
10 by the VHHA to withdraw from its purse
11 account two percent of the amounts
12 paid in purses for calendar year 2024.13 Debbie Warnick has provided supporting
14 documentation attached that reflects
15 the actual amounts paid for the
16 horsemen's bookkeeper. And there's
17 also a budget proposed for the VHHA
18 for 2025.19 Just full disclosure, their
20 budget far exceeds the amount that
21 they are requesting. And this request
22 only relates to the two percent of the
23 amount paid in purses for calendar
24 year '24. That amount is \$67,096.

25 Debbie, I don't know if you want

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

2 to go through -- or if the
3 commissioners have any questions on
4 the budget.

5 CHAIR NIXON: Anyone have any
6 questions or comments?

7 COMMISSIONER SIEGEL: No.

8 CHAIR NIXON: Thank you. All
9 commissioners in favor of approving
10 the VHHA's request to withdraw amounts
11 from the purse account related to
12 administration, please indicate by
13 responding yes.

14 COMMISSIONER GORDON-MOORE: Yes.

15 COMMISSIONER SIEGEL: Yes.

16 COMMISSIONER BRAND: Yes.

17 COMMISSIONER TANNER: Yes.

18 CHAIR NIXON: Any commissioners
19 opposed?

20 No abstained? Motion carried.

21 We will now address Item G. I
22 would like to entertain a motion to
23 address the VHHA's request to disburse
24 benevolence funds.

25 Do I have a motion?

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

2 COMMISSIONER SIEGEL: So moved.

3 CHAIR NIXON: Commissioner
4 Siegel.

5 Do I have a second?

6 Commissioner Brand. Executive
7 Secretary Ahmed and representatives
8 from the VHHA are assigned the floor.9 MR. AHMED: Thank you, Madam
10 Chair.11 The attached request is the
12 request to disburse amounts from the
13 racing benevolence fund for the VHHA.
14 The request relates to a \$5,000 cash
15 disbursement to one of the horsemen's
16 members for the care of horses while
17 they undergo medical treatment. I
18 won't detail the specifics for
19 privacy.20 If approved, I would condition
21 the approval on the VHHA ensuring that
22 the funds can only be used for the
23 purpose that they are requested. The
24 VHHA can require the receiving party
25 to attest to that fact in writing and

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

2 submit that as a copy to the VRC upon
3 disbursement.

4 Do you have any questions on how
5 that would work?

6 MS. WARNICK: No, I don't.

7 MR. AHMED: Okay.

8 CHAIR NIXON: Any comments,
9 Commissioners? Okay.

10 All commissioners in favor of
11 approving the VHHA request to disburse
12 benevolence funds as presented, please
13 indicate by responding yes.

14 COMMISSIONER SIEGEL: Yes.

15 COMMISSIONER BRAND: Yes.

16 CHAIR NIXON: Any commissioners
17 opposed?

18 No abstained? Motion carries.

19 MS. WARNICK: Thank you.

20 CHAIR NIXON: This concludes our
21 new business. I will now open the
22 floor to members of the public to
23 provide a comment not to exceed three
24 minutes.

25 Please approach the mic if you

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

2 would like to make any more comments.

3 MS. EASTER. Debbie Easter,
4 president of the Virginia Equine
5 Alliance. Just want to thank
6 everybody, you all for your hard work,
7 Colonial Downs for their hard work and
8 really excited about the upcoming
9 Spring Meet.

10 I think it's an opportunity for
11 all of us. We -- it's really going to
12 put us in the national spotlight. And
13 in years past, I think we have fallen
14 short on being able to service our
15 customers on bigger days.

16 And I'm excited to see the effort
17 everybody's put in at it at Colonial
18 Downs, but I think it's incumbent on
19 all of us for that day to make a huge
20 effort to try and make sure that
21 everybody enjoys a sold-out day at
22 Colonial Downs. And looking forward
23 to it, and I just want to remind
24 everybody that we've got to do better.

25 Thank you.

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

2 CHAIR NIXON: Thank you. Anyone
3 else? Before we adjourn --

4 MR. CHANCEY: I'm sorry. Do you
5 mind?

6 CHAIR NIXON: Absolutely.

7 MR. CHANCEY: Sorry.

8 Commissioners, chairwoman, my name is
9 Dan Chancey. I'm actually a Virginia
10 resident, owner and trainer with the
11 harness horsemen. Been involved in
12 horse racing ever since I was a kid.
13 This is actually my first Commission
14 hearing I found I could attend. And I
15 appreciate you guys letting me be
16 here.

17 Just something I just wanted to
18 say while I'm here, because you guys
19 spoke about building the equine
20 industry here in Virginia. I'm 32
21 years old. I've been looking at
22 property and farms and, you know, I
23 don't know how fast or easy it's
24 really going to be in the years ahead
25 for the younger generations to

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

2 actually build, you know, the
3 operations that are existing now.

4 And, like, looking at farms, you know,
5 they are all seven figures for a farm.

6 You go out here and you work.

7 There's no real programs or financial
8 help that you can get, or assistance
9 to try to get a piece of property, a
10 farm, or actually develop anything.

11 And based off all the things that
12 if you were going to try to go down
13 that route of building let's say farms
14 or breeding operations in the state,
15 it's almost impossible. It would take
16 three, four generations to accomplish
17 just to get started.

18 In 2018 I started in Quarter 4
19 with one horse. I currently own over
20 60 horses as of now. I work a
21 full-time job. And, you know, even
22 with personal finances and racing,
23 just last year, the year before, I put
24 over 20 babes on the ground.

25 As Ms. Warnick said, there was

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

2 160 something in that previous year.
3 And over 20 of them were mine. But
4 trying to do that without having your
5 own personal operation, and be able to
6 find a farm -- I have no help. I have
7 a multi-six-figure salary. And even
8 with that and racing combined, I still
9 can't buy a farm. And there's nobody
10 in my family is going to pass anything
11 down to me.

12 So I can only imagine what it's
13 like for other young people coming up
14 in the world that will have the
15 ability and chance to continue this
16 stuff moving forward, because right
17 now where I'm standing, I don't see
18 the vision past the next five or ten
19 years.

20 We keep going and going until
21 what, you know, it's just basically --
22 it's just my personal opinion and
23 input, but I just want you to know it
24 is really hard out here for the
25 younger generation coming up behind

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

2 the people that are already
3 established, trying to move forward
4 and continue on.

5 So I do hope that in the upcoming
6 years and days there is something that
7 we can actually find that will
8 actually give people a chance to get
9 their feet planted and have something
10 that could help them actually achieve
11 and get a piece of land or property or
12 operations so that this will have the
13 potential to carry on forward for the
14 generations to come and not be set up
15 for failure, but hopefully we can set
16 it up for success. But I do
17 appreciate your time letting me speak
18 today. Yes.

19 CHAIR NIXON: Well, thank you for
20 coming, first of all. It's your first
21 meeting. I hope you continue to come
22 back for the next couple meetings.
23 And I think you make a terrific point.
24 I think it's the same probably for the
25 thoroughbred industry too, you know,

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

2 as far as the youngest generation.

3 So I think it stresses the
4 importance for the groups to get
5 together and think about how we can,
6 you know, help promote and educate the
7 next generations. So thank you for
8 bringing that point up. I appreciate
9 that.

10 MR. CHANCEY: Thank you.

11 COMMISSIONER SIEGEL: I would say
12 certainly this body has no control
13 over any of that, but interesting to
14 think about we could perhaps get from
15 the state in terms of some tax
16 write-offs, some help there in terms
17 of being able to avoid some taxes the
18 first number of years that -- if you
19 buy a farm, doesn't necessarily change
20 everything. Doesn't help you come up
21 with the purchase price, but certainly
22 there are some advantages that could
23 be provided by the state if they are
24 willing to do so.

25 MR. TANNER: Madam Chair, may I?

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

2 CHAIR NIXON: Absolutely.

3 Commissioner Tanner.

4 MR. TANNER: I think another
5 limiting factor -- and thank you, sir,
6 for bringing those points to the
7 Commission's attention. Another
8 limiting factor is the availability of
9 equine vets across the state. I'd
10 love to have you come join me on the
11 Eastern Shore where farmland is
12 relatively affordable, but there is no
13 equine veterinarian on the shore.

14 So it's not just a matter of the
15 cost of land. It's also having all of
16 the support services. And I'm hopeful
17 that the legislation that's before the
18 General Assembly on that, if it hasn't
19 passed already, that it will, and that
20 we can continue to work to improve the
21 entire structure, support structure
22 for the equine industry.

23 CHAIR NIXON: Before we adjourn,
24 are there any other final comments
25 from the commissioners?

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

2 I do have to apologize for
3 calling a meeting on Valentine's Day.
4 Being married 35 years, I kind of
5 forget it's a thing, but I do have --
6 and I have to buy our executive
7 director's wife roses, because they
8 haven't even been married two years.

9 So I apologize to you and all of
10 the other newlyweds, but thank you
11 very much, and Happy Valentine's Day.

12 So since there's no other
13 business, I would entertain a motion
14 to adjourn this February 14, 2025
15 meeting of the VRC.

16 Do I have a motion?

17 COMMISSIONER SIEGEL: Yes, ma'am.

18 So moved.

19 CHAIR NIXON: Mr. Siegel.

20 Is there a second?

21 COMMISSIONER GORDON-MOORE:

22 Second.

23 CHAIR NIXON: Mr. Brand.

24 All commissioners in favor of
25 adjourning, please indicate by

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

2 responding yes.

3 RESPONSES: Yes.

4 CHAIR NIXON: Any abstain?

5 Motion carried.

6 Meeting is adjourned.

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8 - - -

9 (The meeting was adjourned at 2:29 p.m.)

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1 C E R T I F I C A T E
2

3 STATE OF VIRGINIA)

4 : ss.

5 COUNTY OF RICHMOND)

6 I, ELIZABETH MINGIONE, a Notary
7 Public within and for the State of
8 Virginia, do hereby certify:9 THAT SAID PROCEEDINGS is a
10 transcript of the Virginia Racing
11 Commission Public Hearing, when held on
12 February 14, 2025, at 1:00 p.m. in
13 Richmond, Virginia.14 I further certify this is a true
15 and accurate transcript to the best of
16 my ability to hear and understand the
17 proceedings and other incidents of the
18 hearing herein as set down to the best
19 of my ability.20 IN WITNESS WHEREOF, I have hereunto
21 set my hand this 24th day of February
22 2025.23 *Elizabeth Mingione*
24

25 ELIZABETH MINGIONE, RPR

<p>\$</p> <p>\$1,472,000 (1) 74:10 \$1,899,477 (1) 67:19 \$1.2 (3) 83:14;86:8; 90:24 \$150,000 (1) 68:7 \$2.5 (1) 59:19 \$20 (1) 67:10 \$240,000 (1) 59:24 \$25,000 (1) 46:5 \$5 (1) 35:17 \$5,000 (1) 95:14 \$500,000 (1) 74:21 \$512,369 (1) 78:4 \$67,096 (1) 93:24 \$7.7 (1) 67:7 \$800,000 (1) 83:8</p> <p>A</p> <p>A/C (1) 30:21 ability (5) 13:10;47:4; 86:15;91:24;100:15 able (12) 26:23;30:2; 36:25;38:5;43:5; 63:19;71:17;85:24; 89:6;97:14;100:5; 102:17 absolutely (3) 53:11; 98:6;103:2 abstain (4) 56:22; 58:17;92:13;105:4 abstained (5) 22:6; 78:22;82:8;94:20; 96:18 abstaining (1) 78:25 access (4) 19:7; 47:12;54:19;55:2 accommodate (1) 51:13 accomplish (1) 99:16 accomplished (1) 8:6 account (4) 78:2; 92:18;93:11;94:11 accrue (1) 65:14 accruing (1) 65:13 achieve (1) 101:10 across (3) 28:20; 84:18;103:9 action (2) 22:10;52:4 actions (1) 7:14 active (2) 6:9;90:14 actual (2) 63:8;93:15 actually (12) 33:2; 45:8;48:10;50:7; 85:3;98:9;13;99:2,10; 101:7,8,10 add (4) 7:19;28:19; 33:2;74:18 added (6) 32:25;33:9; 34:11,24;35:8;42:16</p>	<p>addition (5) 62:22; 63:23;65:14;74:13; 86:13 additional (7) 31:8,10; 34:4,24;35:2,8,18 address (17) 8:18; 15:11;22:8;40:14; 56:23;57:3;58:18,20; 79:4,6,11;82:10,12; 92:15,17;94:21,23 adjourn (3) 98:3; 103:23;104:14 adjourned (2) 105:6,9 adjourning (1) 104:25 administer (1) 59:22 administration (2) 92:19;94:12 administrative (1) 17:18 admission (3) 33:12; 34:10;35:16 advantage (2) 43:12; 84:8 advantages (1) 102:22 adversity (1) 23:23 advocate (2) 14:14; 16:9 aeration (1) 24:6 affordable (1) 103:12 afternoon (6) 9:7; 17:11;25:18;41:10; 53:22;80:23 Again (23) 13:12; 16:9;23:2;26:5; 27:17;29:22;35:13; 36:3;40:6;43:17; 44:13,17;47:9,11; 49:2;50:6;51:20,22; 69:14;70:18;73:24; 80:23;81:14 aged (1) 73:7 agency (1) 7:7 agenda (4) 5:8;8:13, 22:40:9 agendas (1) 57:2 ago (6) 7:9;22:25; 28:25;43:7;52:3; 67:10 agree (3) 14:17; 43:24;46:24 agreed (2) 49:19; 60:15 agreement (13) 31:23;61:6,7;81:13; 82:14;84:25;85:16; 21:86:4,19,24;90:16; 92:6 agreements (1) 91:20 Agricultural (2) 40:15; 56:13 ahead (2) 5:5;98:24 Ahmed (31) 21:12,15;</p>	<p>39:9;40:25;41:4,12; 42:2;43:23;57:14,17; 59:6,9;65:11;67:2; 71:23;72:4,11;77:16; 79:9,20,23;80:20; 82:21,24;87:10;90:8; 93:4,7;95:7,9;96:7 AI (1) 75:12 Aiden's (1) 53:18 AI (1) 22:15 Alfredo (2) 28:17;29:9 alike (1) 44:22 Alliance (2) 22:24; 97:5 Allison (2) 22:17,18 allowance (1) 26:25 allocate (1) 28:12 allocation (1) 77:21; 102:8 allow (3) 15:14,17; 16:3 allowance (1) 26:25 allowed (3) 12:25; 75:12,19 allowing (4) 9:10; 14:2;27:19;86:3 allows (1) 75:20 alluded (1) 19:15 almost (1) 99:15 along (9) 14:21; 22:17;26:17;27:25; 28:22;31:10;34:5; 35:4;90:6 Although (1) 23:21 always (6) 18:14; 52:13,24;55:6;74:20; 76:14 amassed (1) 6:11 amazing (1) 7:25 amendment (1) 39:24 amenities (1) 41:16 America (2) 63:13,16 amongst (1) 87:19 amount (20) 59:18; 60:19;63:5;65:12,19, 25;68:4,7;78:3;80:8, 13;87:4,8,17;88:7,18; 89:8;93:20,23,24 amounts (13) 59:22; 67:5;80:7;84:21; 87:11,23;89:2,7; 92:18;93:11,15; 94:10;95:12 announce (1) 9:4 anticipate (3) 48:25; 50:11;74:17 anticipating (1) 31:19 anyways (1) 61:16 apart (1) 18:25 apartment (1) 19:17 APBA (1) 81:22 apologize (3) 72:6; 104:2,9 apparel (1) 55:16 appeared (1) 22:21</p>	<p>16:90:24 assessments (1) 83:10 assigned (8) 21:13; 41:3;57:16;59:8; 79:22;82:23;93:6; 95:8 assist (1) 24:7 assistance (1) 99:8 assistant (3) 26:8,14; 82:22 associated (1) 85:16 Association (6) 6:10; 22:17;23:12;24:10, 23:60:10 assume (1) 87:12 assuring (1) 11:11 attached (2) 93:14; 95:11 attend (2) 36:13; 98:14 attendance (1) 42:22 attention (2) 27:5; 103:7 attest (1) 95:25 Attorney (1) 82:22 attract (2) 44:17;55:11 auction (3) 76:25; 77:3,7 August (1) 50:13 authority (8) 82:12; 83:7,25;85:2,20,25; 86:2;88:17 authorizing (1) 92:4 Autumn (1) 52:21 availability (1) 103:8 available (5) 16:24; 30:8,10;52:22;77:21 avenue (1) 81:14 avoid (2) 42:8;102:17 avoided (1) 11:23 award (1) 63:17 awarded (1) 74:10 awards (2) 63:8;64:10 away (2) 25:20;35:21</p>
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VIRGINIA RACING COMMISSION PUBLIC HEARING

Transcript of Proceedings February 14, 2025

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**VIRGINIA RACING COMMISSION
PUBLIC HEARING**

**Transcript of Proceedings
February 14, 2025**

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