

DRAFT MINUTES

Charitable Gaming Board
Department of Agriculture and Consumer Services (VDACS)
Electronic Meeting via WebEx
Tuesday, June 15, 2021

CALL TO ORDER

Mr. Charles Lessin called the meeting to order at 11:00 a.m.

Mr. Lessin asked Mr. Michael Menefee to call the roll.

MEMBERS PRESENT:

Mr. Charles Lessin, Chair
Ms. Amy Solares, Vice-Chair
Ms. Lasonja Black
Ms. Tanya Conrad
Mr. Clay Dawson
The Honorable William Feasenmyer
Mr. Samuel Kaufman
Ms. Lea Roberts
The Honorable Ryant Washington

MEMBERS ABSENT:

Mr. Mark Cooper
Mr. James Lewis

VDACS STAFF PRESENT:

Mr. Larry Nichols, Director, Division of Consumer Protection
Mr. Kevin Schmidt, Director, Office of Policy, Planning and Research
Mr. Joel Maddux, Deputy Director, Division of Consumer Protection
Mr. Michael Menefee, Program Manager, Office of Charitable and Regulatory Programs
Ms. Erin Williams, Senior Policy Analyst, Office of Policy, Planning and Research

OFFICE OF THE ATTORNEY GENERAL STAFF PRESENT:

Ms. Heather Hays Lockerman, Senior Assistant Attorney General/Section Chief
Mr. Justin Bell, Assistant Attorney General, Office of the Attorney General

Mr. Menefee informed Mr. Lessin that a quorum was present.

ELECTION OF CHAIR & VICE-CHAIR

Mr. Lessin moved into the first order of business, which is the election of the Board's Chair and Vice Chair positions. He also restated the eligibility requirement for the Board Chair position pursuant to §2.2-2455(C) of the *Code of Virginia*.

Mr. Lessin asked for nominations for Board Chair. The Honorable Ryant Washington nominated Mr. Lessin for Board Chair, which the nomination was seconded by The Honorable William Feasenmyer. Mr. Lessin asked for any further nominations of which there were none.

Mr. Lessin accepted the nomination and he asked Mr. Menefee to call the roll in order to record each member's vote.

Member	Vote on the Motion
Lessin	Yes
Solares	Yes
Black	Yes
Conrad	Yes
Feasenmyer	Yes
Kaufman	Yes
Roberts	Yes
Washington	Yes

Mr. Menefee informed Mr. Lessin that the vote was eight ayes, no nays and no abstentions. Mr. Lessin announced to the members that he was elected as Board Chair for a two-year term.

Mr. Lessin asked for nominations for Board Vice-Chair. Ms. Lea Roberts nominated Ms. Amy Solares for Board Vice-Chair, which the nomination was seconded by Ms. Lasonja Black. Hon. Washington nominated Mr. Clay Dawson for Board Vice-Chair, but he withdrew it since Mr. Dawson was not present during this portion of the meeting. Mr. Lessin asked for any further nominations of which there were none.

Ms. Solares accepted the nomination and Mr. Lessin asked Mr. Menefee to call the roll in order to record each member's vote.

Member	Vote on the Motion
Lessin	Yes
Solares	Yes
Black	Yes
Conrad	Yes
Feasenmyer	Yes
Kaufman	Yes
Roberts	Yes
Washington	Yes

Mr. Menefee informed Mr. Lessin that the vote was eight ayes, no nays and no abstentions. Mr. Lessin announced to the members that Ms. Solares was elected as Board Vice-Chair for a two-year term.

APPROVAL OF MINUTES

Mr. Lessin informed members that the Board will vote on the draft minutes from May 11, 2021 Board meeting.

Mr. Lessin asked members to review the draft minutes of the May 11, 2021 Board meeting after which, he asked for a motion to approve them. Ms. Tanya Conrad motioned approval of the draft minutes, as presented. Ms. Solares both seconded the motion and Mr. Lessin asked Mr. Menefee to call the roll in order to record each member’s vote.

Member	Vote on the Motion
Lessin	Yes
Solares	Yes
Black	Yes
Conrad	Yes
Feasenmyer	Yes
Kaufman	Yes
Roberts	Yes
Washington	Yes

Mr. Menefee informed Mr. Lessin that the vote for the motion to approve the draft minutes was eight ayes, no nays and no abstentions. Mr. Lessin announced to the members that the motion passed and the minutes were approved.

REPORT FROM BOARD MEMBERS

Mr. Lessin asked members whether they had any reports for the Board. With no remarks from members, Mr. Lessin moved onto Old Business.

OLD BUSINESS

Mr. Lessin asked staff to provide an update to the Board on the Texas Hold’em poker tournament regulations and as such, Mr. Larry Nichols informed members that due to pending litigation related to the Texas Hold’em poker tournament regulations, and on the advice of legal counsel, the agency is unable to comment or answer any questions regarding the regulations.

Mr. Lessin asked a follow-up question of Mr. Justin Bell regarding the licensing of a company, which would provide poker chips and playing cards in the Commonwealth and what action the agency can and will take. Mr. Bell and Mr. Nichols stated they would have to get together and look into the matter before commenting any further.

Hon. Feasenmyer asked who was suing VDACS over the Texas Hold’em poker tournament regulations. Mr. Bell stated that an organization called Cheers is suing VDACS, three members of VDACS and Secretary of Agriculture and Forestry Bettina Ring.

Mr. Lessin asked Mr. Menefee for an update on the status of the review by the Office of the State Inspector General (OSIG). Mr. Lessin then advised the Board that he did modify the verbiage in the letter he was going to send to the OSIG and he did send the modified letter to them. Mr. Menefee informed members that he did not have an update for the Board on the review being conducted by OSIG. Mr. Nichols stated that the work performed by OSIG is confidential, and any communications or discussions with VDACS regarding this review are confidential until the report is completed and issued. Ms. Heather Hayes Lockerman explained that OSIG conducts their investigation and completes their report, keeping the details of their investigation confidential as to not impair the investigator from doing their job until the report is issued. Mr. Lessin asked Ms. Lockerman on the date the report need to be completed by and she replied that the report needs to be complete by October 1, 2021.

Mr. Lessin asked for an update from VDACS on the Joint Legislative Subcommittee, as mandated by Senate Bill 1127. Mr. Menefee stated that VDACS has not received any communication regarding the Joint Legislative Subcommittee nor has it received any communication on who has been selected to serve on the Joint Legislative Subcommittee.

Mr. Chris Peterson, who represents the Virginia Charitable Gaming Council stated that the Joint Legislative Subcommittee had been selected and he would send the membership listing to Mr. Lessin and Mr. Menefee.

NEW BUSINESS

Mr. Lessin asked the Board if any members had any new business, and there was none.

PUBLIC COMMENT

Mr. Lessin asked for public comments and there was none.

Mr. Lessin discussed with members on scheduling the next Board meeting. Mr. Lessin suggested the next meeting be a WebEx meeting and is tentatively scheduled for August 10, 2021, at 11:00 a.m. Mr. Bell stated that if the state-wide public emergency was lifted prior to the next board meeting, then the ability to meet by WebEx might no longer be available.

Mr. Bell also mentioned that there will most likely be a special session of the General Assembly in the near future and it might present the Board an opportunity to speak with their elected state officials in regards to the budget amendment that paused the Texas Hold'em poker tournament regulations. Mr. Lessin stated that once the date is set for the special session, he will call a special board meeting to discuss this issue.

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The Board adjourned at approximately 11:37 a.m.

Respectfully submitted,

Michael Menefee

Program Manager

Office of Charitable and Regulatory Programs

DRAFT MINUTES

Charitable Gaming Board
Department of Agriculture and Consumer Services (VDACS)
Varina Library
Meeting Room
1875 New Market Road
Henrico, Virginia
Tuesday, August 10, 2021

CALL TO ORDER

Mr. Charles Lessin called the meeting to order at 1:01 p.m.

Mr. Lessin asked Mr. Michael Menefee to call the roll.

MEMBERS PRESENT:

Mr. Charles Lessin, Chair
Ms. Amy Solares, Vice-Chair
The Honorable William Feasenmyer
Ms. Lea Roberts

MEMBERS ABSENT:

Ms. Lasonja Black
Ms. Tanya Conrad
Mr. Mark Cooper
Mr. Clay Dawson
Mr. Samuel Kaufman
Mr. James Lewis
The Honorable Ryant Washington

VDACS STAFF PRESENT:

Mr. Larry Nichols, Director, Division of Consumer Protection
Mr. Joel Maddux, Deputy Director, Division of Consumer Protection
Mr. Michael Menefee, Program Manager, Office of Charitable and Regulatory Programs

OFFICE OF THE ATTORNEY GENERAL STAFF PRESENT:

Mr. Justin Bell, Assistant Attorney General, Office of the Attorney General

Mr. Menefee informed Mr. Lessin that a quorum was not present.

MESSAGE FROM THE CHAIR

Mr. Lessin stated that he sought clarification whether the Board may meet electronically for its next meeting. Mr. Justin Bell explained to members on the current limits with meeting electronically. Mr. Bell further explained that in order for the Board to meet electronically, then it will need to assemble physically in a quorum. With no further remarks, Mr. Lessin moved onto the next item on the agenda.

APPROVAL OF MINUTES

Since a quorum was not present, Mr. Lessin informed members that the approval of the draft minutes for the June 15, 2021, Board meeting was deferred until the next Board meeting.

REPORT FROM BOARD MEMBERS

Mr. Lessin asked members whether they had any reports for the Board. With no remarks from members, Mr. Lessin moved onto Old Business.

OLD BUSINESS

Mr. Lessin asked members whether they had any old business for the Board. With no old business from members, Mr. Lessin moved onto New Business.

NEW BUSINESS

Mr. Lessin asked Mr. Menefee to make his presentation on the 2020 annual financial reports filed by licensed charitable gaming organizations. Mr. Menefee made his presentation to the Board. At the conclusion of the presentation, Mr. Lessin asked members whether they had any question for Mr. Menefee. With no questions, Mr. Lessin moved onto the next item under New Business.

Mr. Lessin discussed use of proceeds where he stated that he supports the dual track concept, which is setting the use of proceeds requirement percentage on the gross receipts generated from bingo and electronic pull-tab devices differently from one another. He further stated that the current universal use of proceeds requirement percentage prevents the use of electronic pull-tab devices during the bingo session. As such, Board was looking into changing the use of proceeds percentage through the dual track concept. Mr. Lessin stated that the Board may wish to consider a triple track concept, which is setting the use of proceeds requirement percentage on the gross receipts generated from bingo, electronic pull-tab devices, and Texas Hold'em poker tournaments differently from one another. Mr. Lessin stated the Board should consider making a recommendation to the joint legislative subcommittee on the use of proceeds requirement.

Ms. Solares encouraged organization to speak with the joint legislative subcommittee. With no further remarks, Mr. Lessin moved onto the next item on the agenda.

PUBLIC COMMENT

Mr. Lessin asked for public comments and there was none.

Mr. Lessin discussed with members on scheduling the next Board meeting. Mr. Lessin informed members that the next meeting is scheduled for November 16, 2021, at 1:00 p.m.

The Board adjourned at approximately 1:53 p.m.

Respectfully submitted,

Michael Menefee
Program Manager
Office of Charitable and Regulatory Programs