



Arizona Department of Gaming

TRIBAL GAMING • RACING • BOXING & MIXED MARTIAL ARTS

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AGENDA

Pursuant to A.R.S. § 38-431.03(A)(3), the Commission may vote to go into Executive Session for the purpose of obtaining legal advice from its attorney on any matter listed on the agenda. Any such Executive Session will not be open to the public.

A. Call to Order of the 662nd Regular Arizona Racing Commission Meeting of May 10, 2018 at 10:00 AM.

Commissioners Present:

Chair Jay McClintock
Vice Chair Rory Goreé
Commissioner David Heiple
Commissioner Thomas Lawless

Also present:

Rudy Casillas, Racing Director
Deanie Reh, Assistant Attorney General
Kristian Fasching, Gaming General Council
Greg Stiles, Division of Racing
Cassie Goodwin, Commission Secretary

B. New Business

The following New Business items are for a status report, presentation, discussion, and possible action by the Commission.

1. J&J Equine Enterprises, LLC dba Yavapai Downs consideration of temporary permit for three (3) years (Fiscal Years 2019, 2020, and 2021).

Commissioner Heiple moved to go into Executive Session for legal advice. Vice Chair Goreé. Motion carried. (Ayes: Goreé, Lawless, Heiple, McClintock.)

**Open Session recessed at 10:01 AM.
Open Session reconvened at 10:11 AM.**

**Bob Hutton, President HBPA addressed the Commission in favor of the Permit.
Kevin Eikleberry, Owner/Trainer/Breeder addressed the Commission in favor of the Permit.**

Lloyd Yother, HBPA and Owner/Breeder addressed the Commission in favor of the Permit.

**Jerry Simms, Owner Turf Paradise addressed the Commission in favor of the Permit.
Jaye Wells, Rillito Park Foundation addressed the Commission in favor of the Permit.
Leroy Gessmann, President National HBPA addressed the Commission in favor of the Permit.**

Loretta Brashear, Executive Director AZ Quarter Horse Association, addressed the Commission in favor of the Permit.

Tom Author, JCORP addressed the Commission.

Greg Stiles addressed the Commission.

Commissioner Lawless moved to approve J&J Equine Enterprises LLC dba Yavapai Downs temporary permit application for three years (Fiscal Years 2019, 2020 and 2021). The 2019 Yavapai Downs live dates as 35 live days (May 24, 25, 26, 27, June 1, 2, 8, 9, 15, 16, 22, 23, 29, 30, July 4, 5, 6, 7, 13, 14, 20, 21, 27, 28, August 3, 4, 10, 11, 17, 18, 24, 25, 31, September 2, and 2. Simulcast Dark days totaling 352 beginning July 1, 2018 through and including June 30, 2019. Vice Chair Goreé second. Motion carried. (Ayes: Goreé, Lawless, Heiple, McClintock)

2. Request from J&J Enterprises, LLC dba Yavapai Downs for Approval of Ann McGovern as General Manager

Greg Stiles addressed the Commission.

Ann McGovern, General Manager J&J Enterprises, LLC dba Yavapai Downs, addressed the Commission.

Vice Chair Goreé moved to approve Ann McGovern as General Manager for J&J Equine Enterprises. Commission Lawless second. Motion carried. (Ayes: Goreé, Heiple, Lawless, McClintock.)

3. Reconsideration of Advance Deposit Wagering between Rillito and Churchill Downs Technology Initiatives Company (dba TwinSpires)

John Egbert, Esq. and Kerry Hodges, Esq. addressed the Commission on Turf Paradise's Brief to Reconsider the Advance Deposit Wagering Agreement between Rillito and Churchill Downs Technology Initiative Company dba TwinSpires the Commission approved at the March 8, 2018 Commission meeting.

Michael Foy, Esq. addressed the Commission on Rillito's Brief Opposing Turf's Motion to Reconsider the Advance Deposit Wagering Agreement between Rillito and Churchill

Downs Technology Initiative Company dba TwinSpires the Commission approved at the March 8, 2018 Commission meeting.

Carter Vance, VP, Associate General Counsel Churchill Downs, Inc. addressed the Commission via telephone.

**Jerry Simms addressed the Commission.
Jaye Wells addressed the Commission**

Commissioner Lawless moved to go into Executive Session for legal advice. Vice Chair Goreé second. Motion carried. (Ayes: Goreé, Lawless, Heiple, McClintock.)

**Open Session recessed at 11:05 AM.
Open Session reconvened at 11:35 AM.**

Jerry Simms addressed the Commission and advised he and Jaye Wells discussed this matter in the hallway, during the Commission's Executive Session, and they are going to see if they can come to a resolution without the Commission taking action today.

Commissioner Heiple moved to table this matter until the next Commission meeting. Vice Chair Goreé second. Motion carried. (Ayes: Goreé, Lawless, Heiple, McClintock.)

C. Information Reports

1. Safety Report(s) (Greg Stiles) – **Greg Stiles addressed the Commission. Vincent Francia, General Manager at Turf and Jaye Wells, Rillito Park Foundation also addressed the Commission.**
2. Budget Report (Director Casillas) – **Director Casillas addressed the Commission.**
3. Legislative Update (Aiden Fleming) – **Aiden Fleming addressed the Commission.**
4. Permittee Reports – **Not to exceed 3 minutes**
 - a. American Greyhound Racing – **Jeff Huff, Temporary General Manager, addressed the Commission.**
 - b. County Fairs – **No report.**
 - c. Rillito – **Mike Weiss, General Manager addressed the Commission.**
 - d. Turf Paradise – **Dave Johnson, Asst. General Manager addressed the Commission.**
 - e. Tucson Greyhound Park – **No report.**
5. Optional Industry Stakeholder Association Updates (limited to officers or officially designated spokesman) – Not to exceed 3 minutes
 - a. Arizona Counties Racing Association – **No report.**
 - b. Arizona Greyhound Association – **No report.**
 - c. Arizona Quarter Horse Racing Association – **Loretta Brashear, Executive Director addressed the Commission.**
 - d. Arizona Thoroughbred Breeders Association – **Debbie Zimmerman addressed the Commission.**
 - e. Horsemen's Benevolent & Protective Association – **Leroy Gessmann, Executive Director addressed the Commission.**
 - f. JACOR Update on Yavapai Downs – **Dave Author addressed the Commission.**

g. Jockey's Guild – **No report.**

D. Commission Reports

1. Summary of Current Events Affecting the Arizona Racing Commission. A.R.S. § 38-431.02(K) – Only Commission Members or the Director may report. No discussion or action may be taken on matters reported unless properly noticed for legal action or discussion. **No report.**
2. Identification of Matters to be placed on future agendas.

E. Call to the Public

Those members of the public wishing to address the Commission must sign the signup sheet and be recognized by the Chair. Time permitting; each presentation will be given approximately two minutes. Action taken as a result of public comment will be limited to directing staff to study the matter or re-schedule the matter for further consideration at a later date. **No one requested to speak.**

F. Announcements

The next regular Arizona Racing Commission meeting tentatively scheduled to be held on **Thursday, June 14, 2018, is CANCELLED.** The next regular Arizona Racing Commission meeting is tentatively scheduled for **10:00 a.m. Thursday, September 13, 2018,** in the Building Conference Room 250, 2nd Floor, located at 1110 West Washington St., Phoenix, Arizona. Please remember to check the Racing Division's website or contact Cassie Goodwin at 602-771-4263 for current information.

G. Adjournment – 12:05 PM