



**ARIZONA DEPARTMENT OF GAMING**  
TRIBAL GAMING • RACING • BOXING & MIXED MARTIAL ARTS

---

**Douglas A. Ducey**  
Governor

**Daniel H. Bergin**  
Director

**Rudy J. Casillas**  
Racing Division Director

1110 W. Washington St, Suite 450  
Phoenix, Arizona 85007  
Tel 602.771.4263  
Fax 602.255.3883  
www.azgaming.gov

AMENDED AGENDA

**A. Call to Order of the 644<sup>th</sup> Regular Arizona Racing Commission Meeting of May 12, 2016 at 10:00 AM**

**Commissioners Present:**

**Chair Rory Goreé**  
**Vice Chair Bill Feldmeier**  
**Commissioner Tom Lawless - Telephonically**  
**Commissioner David Heiple - Telephonically**  
**Commissioner Jay McClintock**

**Also present:**

**Camila Alarcon, Esq. for Items B1, B2, and B3 only**  
**Chris Hering, Esq. for Items B1, B2, and B3 only**  
**John Tellier, Assistant Attorney General**  
**Rudy Casillas, Deputy Director Division of Racing**  
**Greg Stiles, Division of Racing**  
**Cassie Goodwin, Commission Secretary**  
**Sheri Koss, Hearings Coordinator**

**B. Appeals of Director's Decisions**

Jeremy E. Simms' Appeal to the Arizona Racing Commission of the Director's Ruling to Grant a Racing License to Ronald A. Simms, Case No. 14A-020-RAC. The following items are for Discussion only and possible action by the Commission.

**Chair Goreé asked if anyone were opposed to moving Items B1-B3 to the end of the meeting. All were in favor of moving Agenda Items B1-B3 to the end of the meeting.**

1. Ronald Simms' Motion Regarding the Commission's Review of the Record on Appeal dated April 20, 2016.

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

**Open Session recessed at 10:57 AM.  
Open Session reconvened at 11:27 AM.**

**Chair Goreé stated the Commissioner will be limiting the documents under review in the appeal to what was presented to the Administrative Law Judge in the Office of Administrative Hearing's offices. There was no further discussion on this matter.**

2. Ronald Simms' Request for the Commission to Rule on the Amended Motions to Dismiss and to set a Hearing on Ron's Amended Motion to Dismiss Appeal for Lack of Jurisdiction and Standing dated May 6, 2016.

**Vice Chair Feldmeier stated anyone that wants to talk about these issues can do so during their time allotted during the June 28 hearing. Chair Goreé agreed with Vice Chair Feldmeier and stated the parties can make it part of their oral argument at the upcoming hearing. There was no further discussion on this matter.**

3. Procedural issues and deadlines regarding this matter.

**Chair Goreé indicates everything has been set.**

**Stacy Harrison addressed the Commission, indicating there was a request for action on motions previously filed and she was seeking a ruling since they were "simply tabled" and no action was taken.**

**Chair Goreé advised everyone has the dates and understands the time limit set as one hour each. The Commissioners may ask questions during the oral argument by raising their hand. The speaker should be prepared to finish the statement and address those questions as they arise.**

### **C. New Business**

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

1. Turf Paradise Applications for Additional Wagering Sites:
  - a. DG Baseline, LLC dba Dos Gringos 1958 S Greenfield Rd., Mesa, AZ 85206

**Vice Chair Feldmeier moved to approve DG Baseline, LLC dba Dos Gringos located at 1958 S Greenfield Road, Mesa, AZ as an approved Off-Track Betting location. Commissioner McClintock second. Motion carried. (Ayes: Goreé, Feldmeier, Lawless, Heiple, McClintock)**

b. ROJ, LLC dba K O'Donnell's Sports Bar & Grill 14850 N Northsight Blvd, Scottsdale, AZ 85260

**Vice Chair Feldmeier moved to approve ROJ, LLC dba K O'Donnell's Sports Bar & Grill located at 14850 N Northsight Blvd, Scottsdale, AZ as an approved Off-Track Betting location. Commissioner McClintock second. Motion carried. (Ayes: Goreé, Feldmeier, Lawless, Heiple, McClintock)**

2. Application of Edward Charles Braunger as General Manager of American Greyhound Racing, Inc.

**Commissioner McClintock moved to approve Edward Charles Braunger as General Manager of American Greyhound Racing, Inc. Vice Chair Feldmeier second. Motion carried. (Ayes: Goreé, Feldmeier, Lawless, Heiple, McClintock)**

3. Tucson Greyhound Park Request to Amend Racing Schedule from Remaining Live Racing to Dark Day Simulcasting

**Greg Stiles addressed the Commission.  
Michael Rossi addressed the Commission.  
Lloyd Yother, President of the HBPA, addressed the Commission.**

**Vice Chair Feldmeier moved to accept the language Mr. Rossi provided that the racing dates of Tucson Greyhound Park are modified as requested subject to the additional understanding that all animals will be appropriately and properly relocated. Commissioner McClintock second. Motion carried. (Ayes: Goreé, Feldmeier, Lawless, Heiple, McClintock)**

4. Approval of Land Survey of Cochise County Fair and Association Track

**Commissioner McClintock moved to approve the land survey of the Cochise County Fair and Association track. Vice Chair Feldmeier second. Motion carried. (Ayes: Goreé, Feldmeier, Lawless, Heiple, McClintock)**

#### **D. Information Reports**

1. Legislative Update (Christopher Kotterman)
2. Tucson Greyhound Park Permit (Greg Stiles)
3. Permittee Reports – **Not to exceed 3 minutes**
  - a. American Greyhound Racing – **No report**
  - b. County Fairs – **No report**
  - c. Rillito – **Jaye Wells, Executive Director, reported**
  - d. Tucson Greyhound Park – **No report**
  - e. Turf Paradise – **Vincent Francia, General Manager, reported**
4. Optional Industry Stakeholder Association Updates (limited to officers or officially designated spokesman) – **Not to exceed 3 minutes**
  - a. Arizona Greyhound Association – **No report**
  - b. Arizona Quarter Racing Association – **Lloyd Yother, President of HBPA provided report**
  - c. Arizona Thoroughbred Breeders Association – **Dove Ward, Executive Director reported**
  - d. Horsemen's Benevolent & Protective Association – **Lloyd Yother reported**
  - e. Jockey's Guild – **No report**
  - f. Arizona Counties Racing Association – **Greg Stiles read report from Sharon Denham**

## **E. 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.

**None Reported**

2. Identification of Matters to be placed on future agendas.

**Financial update requested**

**Tucson Greyhound Park update on dog adoptions**

## **F. 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.

**Stacy Harrison, Esq. addressed the Commission regarding Items B 1, B2, and B3.**

**Jim Torre, Esq. addressed the Commission regarding Items B1, B2, and B3.**

## **Announcements**

The next regular Arizona Racing Commission meeting will be held on **Thursday, June 9, 2016, at 10:00 a.m.** in the Building Conference Room 250, 2<sup>nd</sup> Floor, located at 1110 West Washington St., Phoenix, Arizona.

**Adjournment at 11:31AM.**