MINUTES OF SPECIAL MEETING

A public meeting of the Arizona Racing Commission was convened on Friday, October 28, 2011, beginning at 10:30 a.m. in the Arizona Department of Racing Hearing Conference Room, Suite 260, at 1110 West Washington Street, Phoenix, Arizona 85007.

Present:	**Chair**	**Erin Owens (Telephonically)**
	Vice-Chair	**A. Melvin McDonald (Telephonically)**
	Commissioner	**Thomas E. Kelly**
	Commissioner	**Burton S. Kruglick**
	Commissioner	**Jay McClintock**

Also Present: Lonny T. Powell, Director (telephonically), Joyce Cozby, Assistant Director Policy & Administration, and Cassie Goodwin, Commission Secretary.

A. Call to Order

Chair Owens called the Special Meeting of the Arizona Racing Commission to order at 10:30 a.m. The following matters were discussed, considered and decided at the meeting:

B. New Business

1. Director Search

Chair Owens asked Director Powell if a representative from the Attorney General's office needed to be present. **Director Powell** advised if there was a need to go into Executive Session then a call would be made for assistance.

a. Process for New Department Director Search. Chair Owens asked if there had been any changes from when the last director search occurred. **Director Powell** advised nothing had changed on the provision. As previously and currently outlined in statute, he read A.R.S. § 5-101.01(C) into the record:

> C. Within sixty days after a vacancy occurs in the position of director, the commission shall forward a list of three candidates for appointment as director to the governor. The governor may request one additional list to be submitted by the commission. In the event the governor does not appoint the director within thirty days following receipt of the list submitted by the commission, the commission shall select a director for the department. In the event that the commissions fails to submit the lists requested by the governor, the governor may appoint any qualified person to the position of director.

Chair Owens agreed with Director Powell and requested that the process begin now and not wait until the position is officially vacant. If someone can be brought in before, or as close as possible to his departure, Director Powell leaves, then there can be a smoother transition of the position. This would be very beneficial to the new Director. **Director Powell** agreed to start the search process as soon as possible. **Chair Owens** asked if there were any questions specific to the process. No one had any. **Chair Owens** then asked where the position will be posted. **Director Powell** advised it will be posted at the Arizona Department of Administration (ADOA) website, the Department website as well as on the electronic publications of *Racing Commissioners International*, and, possibly, *Blood Horse, Thoroughbred Times, and American Quarter Horse Association*. **Chair Owens** asked if there were any other questions and, with none forthcoming, moved to the next Agenda Item of the Search Committee.

b. Chair Appointment of Two (2) Person Search Committee

Chair Owens asked for volunteers to create a team to screen and check resumes for the panel interview process. She would like to have a two person committee of two commissioners to review and screen the most qualified applicants which would then be scheduled for interviews with the entire Commission who can then make the short list of three candidates to send to the Governor's office. **Commissioner McClintock** volunteered to be on the committee. **Chair Owens** volunteered to be on the committee.

Commissioner McDonald stated the last time there were 10 people interviewed in one day which was brutal. He would like to have the committee recommend five (5) but no more than six (6) candidates for the entire Commission to interview. Of these five or six the three best qualified will then be referred to the Governor. **Commissioner Kruglick** agreed with this and would also like the Committee to give consideration to all applicants including any that may come from those currently residing in Arizona and current Department employees. **Chair Owens** assured Commissioner Kruglick that the committee will give the same consideration to all applicants that meet the requirements and qualify for the position regardless of where they reside and are currently employed.

c. **Review and Comments Regarding Job Description. Director Powell** referred the Commissioners to the Draft Job Announcement he received from the Governor's office and ADOA and asked for comments. **Chair Owens** asked for clarification on the Director serving both the Governor and the Commission, as the current information indicates serves at the Governor's pleasure only. **Director Powell** asked Assistant Director Cozby to research this matter and suggest this, and any other changes as appropriate, be considered by ADOA in the reviewed position announcement. **Commissioner McDonald** said the description looks good to him. **Director Powell** said as long as there are no other issues/concerns he will do one more review before sending the information to the ADOA and the Governor's office for their final decision in order to get the advertising for the position, hopefully, out within a week.

d. **Information Regarding Designation of Interim Director Beginning January 2, 2012. Director Powell** advised the Commission he will not be staying past December 31, 2011 so there needs to be someone in place in case an appointment isn't made by January 1, 2012. He discussed his concerns with the Governor's office and Senior Staff and it has been decided that Bill Walsh, Chief Steward/Senior Supervisor of Wagering and Officials, will serve as an Interim Director until the appointment is made or unless advised differently from the Governor's office at a later date. **Chair Owens** said she is in agreement with this and asked if there was any formal approval needed from the Governor's office. **Director Powell** advised that since this had come from the Governor's office they are okay but will double check if a formal letter is needed. **Commissioner McClintock** advised he is in agreement with this. **Director Powell** suggested that the Commission open the process as soon as possible, hopefully next week, give a thirty-day period to pull the first resume check and leave the position open if necessary. **Commissioner McClintock** questioned the publication deadlines for print notification. **Director Powell** explained that ADOA posts electronically as do most of the publications he mentioned so he doesn't see a problem with getting the word out to the community. He is concerned with the fact that Kentucky is also searching for a Director which will make this very competitive for Arizona. **Chair Owens** indicated if the position is posted next week then the review of resumes will likely be at the end of November.

Announcements: Chair Owens announced November 09, 2011 is the next regularly scheduled meeting of the Commission at 10:00 AM.

Adjournment:

Chair Owens Adjourned the meeting.

This public meeting adjourned at 10:56 a.m.

Dated this 9th day of November, 2011

Arizona Racing Commission

By _____

Cassie Goodwin, Commission Secretary