

Colorado Racing Commission
April 22, 2024
SPECIAL Meeting Minutes

Call to Order

The SPECIAL scheduled meeting of the Colorado Racing Commission (“Commission”) was held on Monday, April 22, 2024, via video conference provided by Zoom. The meeting was called to order at 9:32 AM.

Members Present

Tina Estes, Chair
Tameka Sampson, Vice Chair
Dr. David “Lynn” Hoffman, Member
Jefrey Ruebel, Member
Kjersten Davis, Member

Members Absent

None

Racing Staff Present

Donia Amick, Director of the Division of Racing Events
Janina Rivera, Executive Assistant to Division Director
Sarah Killeen, Assistant Attorney General

DISCUSSION ITEMS

1. Follow up on 2024 Conditional meet license for Bally's at Arapahoe Park to provide to the Commission an outline and timeline of the efforts to comply with Arapahoe County and the Division recommendations and provide and additional information, Donia Amick, Director, Division of Racing Events and Shannon Rushton, Executive Director of Operations/Director of Racing & General Manager at Bally's Arapahoe Park

Director Amick stated that this meeting was to discuss updates with Shannon Rushton, Executive Director of Operations/Director of Racing & General Manager at Bally's Arapahoe Park, regarding this season's guidelines and dates to ensure the Division has ample amount of time to perform their regulatory duties.

Shannon Rushton, Executive Director of Operations/Director of Racing & General Manager at Bally's Arapahoe Park, stated that after the last Commission meeting he reached out to Arapahoe County asking them to come out for an informational walkthrough. Mr. Ruston stated that they had a time scheduled for Friday, at 8:00 a.m. but they showed up at 7:00 a.m. instead.

Mr. Rushton stated that he asked Arapahoe County about the findings and that Arapahoe Park stated that they needed to do some research. Mr. Ruston presented a document found by Bally's at Arapahoe Park legal team that contained an executed certificate of occupancy from 1984. Mr. Ruston stated that each barn had a 1984 certificate signed by state inspectors. Mr. Ruston stated that the following Monday he met with Arapahoe County to discuss the 1984 documents. Mr. Ruston stated that Arapahoe County's response was that the documents "meant nothing to them."

Mr. Rushton said that in 1992, Arapahoe County came out to the track and did a walkthrough of the entire facility and said everything was completed and approved, therefore showing the facility was safe. Mr. Rushton said that HISA claimed the facility was also safe. Mr. Rushton asked the Commission to reapprove the conditional approval so the track can continue to work with Arapahoe County to get all the violations corrected. Mr. Rushton stated that this meet would not start in June of 2024 and would get pushed back to the fall of 2024.

Shawn Demoney, Director of Racing/Plant superintendent for Bally's at Arapahoe Park, stated that he has been in contact with FAS, which is the track's fire alarm system vendor. He said FAS has completed their inspection for the year. He said South Metro Fire has completed their inspection and he has received the report. Mr. Demoney mentioned that all of the requirements from the report will be completed this week. Mr. Demoney said the well water issue was corrected and the order was lifted on April 12, 2024.

Chair Estes asked Mr. Rushton if Bally's at Arapahoe Park has applied for any permits through Arapahoe County.

Mr. Rushton responded that they have not applied for permits. Mr. Ruston stated that he was hoping the documents found by the track's legal team would be adequate to allow the track to be "Grandfathered in."

Chair Estes asked Mr. Rushton for a timeline establishing when the necessary requirements will be met as the Commission had not received anything pertaining to a timeline.

Director Amick requested a timeline as well from Mr. Rushton to ensure proper staffing.

Mr. Rushton stated that it was unlikely the track would open before September 1, 2024.

Chair Estes set a Commission meeting date to review all timelines and documentation from Bally's Arapahoe Park for Wednesday, May 1, 2024 at 9:30 a.m.

Commissioner Ruebel requested that the Commission receive something in writing from Arapahoe County regarding their code enforcement. Commissioner Ruebel stated that he has some concerns about Arapahoe County and their requirements..

2. Public Comment

Mark McGregor, commented that he doesn't understand why Arapahoe County is not applying the "Grandfathered" access to Bally's Arapahoe Park. Mr. McGregor stated that it seems Arapahoe County would like the track to close so they can use the land for housing opportunities.

Dr. Jim Dysart, Veterinarian thanked the Commissioners for volunteering their time to sit on the Racing Commission. Dr. Dysart stated, "Racing is in trouble." He continued that he has been in the barns since Arapahoe Park opened and has had no issues with the wiring or is in fear something bad is going to happen to him.

Tami Dotter, commented regarding temporary housing for this season such as wood, metal frames and tie downs with concrete barns.

Chair Estes appreciated Ms. Dotter's comment but did not agree.

Kerry Kemper said the barns are not unsafe and this is a personal agenda against the track.

Commissioner Hoffman thanked Mr. Rushton for everything he is doing to get the track up and running this year.

Adjournment

The April 22, 2024, meeting of the Colorado Racing Commission was adjourned at 10:45 a.m.

Minutes Approved by the Commission



Janina Rivera, Executive Assistant to the Director

I certify these minutes were approved by the Commission on the 12th day of June 2024.