

Colorado Racing Commission
September 4, 2024
Meeting Minutes

Call to Order

The regular scheduled meeting of the Colorado Racing Commission (“Commission”) was held on Friday, September 4, 2024, via video conference provided by Zoom. The meeting was called to order at 9:31 AM.

Members Present

Tameka Sampson, Chair
Kjersten Davis, Vice Chair
Jeff Ruebel, Member
Jonathan Horowitz, Member
John Hammes, Member

Members Absent

Donia Amick, Division of Racing Events Director

Racing Staff Present

Michael Phibbs, Interim Director of the Division of Racing Events
Janina Rivera, Business Analyst Division of Racing
Sarah Killeen, Assistant Attorney General for Division of Racing Events
Kelly Haralson, Agent in Charge Division of Racing
Emily Maurer, Criminal Investigator Division of Racing
Brian L. Miller, Veterinarian Division of Racing
Sanela Simic, Auditor Division of Racing
Emmalie Baxter, Compliance Inter Division of Racing
Dania Cobos-Bejarano, Administrative Assistant Division of Racing

1. Approval of meeting minutes 7.24.2024

Meeting minutes approved for 7.24.2024

2. Approval of meeting minutes for 8.14.2024

Meeting minutes approved for 8.14.2024

DECISION ITEMS:

3. Early Release of Thoroughbred Breeders funds - Mike Phibbs, Interim Director, Colorado Division of Racing

Sanela Simic, Division Auditor stated that the Division received a request from the Colorado Thoroughbred Breeders Association requesting early release of one hundred thousand dollars \$100,000.00 and requested the Commission's approval to release the funds.

Motion made by Vice Chair Davis to approve the request from the Colorado Thoroughbred Breeders Association for the early release of funds in the amount of one hundred thousand dollars (\$100,000.00). A second was made by Commissioner Ruebel.

Motion passed unanimously.

4. Bally's Arapahoe Park Simulcast Request dates for 2024-2025 - Shannon Rushton, Bally's Arapahoe Park

Shannon Rushton, Executive Director of Operations/Director of Racing & General Manager at Bally's Arapahoe Park presented the simulcast dates for greyhounds up until September 30, 2024, and for horses starting September 11, 2024, through April 20, 2025, for the in-state off track betting facility only. Due to Bally's Arapahoe Park not participating in HISA this year.

Motion made by Commissioner Hammes to approve Bally's Arapahoe Park Simulcast dates for 2024-2025 for greyhounds only through September 30, 2024, and for horses from September 11, 2024, through April 20, 2025. A second was made by Vice Chair Davis.

Motion passed unanimously.

5. Consideration of request by Miguel Pena concerning Miguel Pena v Colorado Racing Commission Case number 20-0224

Shannon Rushton, Executive Director of Operations/Director of Racing & General Manager at Bally's Arapahoe Park stated that Mr. Pena would like Mr. Rushton to speak on his behalf regarding this request. Mr. Rushton read a letter written by Mr. Pena requested a reduction to his fine from ten thousand dollars (\$10,000.00) to the original fine of twenty-five hundred dollars (\$2,500.00).

Mike Phibbs, Interim Division Director mentioned that the ruling documents submitted to the Commission state there was due process issued. The original ruling was in 2020, and the appeal process went into 2021. After which there were aggravating circumstances that doubled his fine from twenty-five hundred dollars (\$2,500.00) to five thousand dollars (\$5,000.00). Interim Director Phibbs stated by statute the licensee is required to pay the fine within twenty (20) days or make a payment arrangement. Mr. Pena did neither, therefore this action doubled his fine from five thousand dollars (\$5,000.00) to ten thousand dollars (\$10,000.00). Interim Director Phibbs also stated that Mr. Pena is not permitted to be in any licensed area of the track until he pays the fine and the Divisions recommendations is to withhold the current ruling.

Motion made by Commissioner Ruebel to table this matter until the Commission receives additional documents of the case. A second was made by Vice Chair Davis.

Motion passed unanimously.

DISCUSSION ITEM:

6. Location of October Meeting - Mike Phibbs, Interim Director, Colorado Division of Racing

Mike Phibbs, Interim Division Director requested that the October meeting be an in-person meeting hosted by Bally's Arapahoe Park.

Commissioners set Thursday, October 31, 2024, for this meeting at Bally's Arapahoe Park in the Centennial conference room.

OTHER:

7. Interim Director's Report

Mike Phibbs, Interim Division Director stated that the racing licensing office is almost set up and the test barn is up and running. Steward should be arriving this week.

8. Public Comment

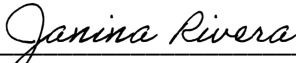
Mark Hillman, Treasurer of the Colorado Thoroughbred Breeders Association (CTBA) commented on the approved condition book that was developed by Bally's Arapahoe Park and the Colorado Horseman Association (CHA).

Shannon Rushton, Executive Director of Operations/Director of Racing & General Manager at Bally's Arapahoe Park responded that the book was reviewed by the Colorado Horsemen Association (CHA) for their input, but it is solely the track's responsibility to approve the book to make it fair for everyone.

Adjournment

The September 4, 2024, meeting of the Colorado Racing Commission was adjourned at 11:29 am.

Minutes Approved by the Commission



Janina Rivera, Business Analyst for the Division of Racing

I certify these minutes were approved by the Commission on the 31st day of October 2024.