

MINUTES

South Carolina Athletic Commission

10:00 A.M., September 16, 2002

Board Meeting

Synergy Business Park

110 Centerview Drive, Conference Room 108

Columbia, South Carolina

John "Robbie" Robertson, Chairman, of Irmo, called the regular meeting of the S.C. Athletic Commission to order at 10:00 a.m. Other commissioners present included: Paul Kennemore, Vice Chairman, of Greenwood; Luther Bradley, of Hemingway; George Cox, of Myrtle Beach; Clyde Jones, of Camden; Lynda Leventis-Wells, of Greenville; and Robert Williams, of Cayce.

Staff members participating during the meeting included: Randall Bryant, Assistant Deputy Director; Sharon Dantzler, Deputy General Counsel, LLR-Office of General Counsel; Sandra Dickert, Administrative Assistant; Larry Hall, Investigator; Pat Hanks, General Counsel, LLR-Office of General Counsel; Jimmy Knotts, Investigator; Raymond Lee, Investigator; and Barry Moreland, Administrative Assistant.

Members of the public included: Charlie Hammond, Marge Hammond and Bobby Mitchell.

Mr. Robertson announced that public notice of this meeting was properly posted at the S. C. Athletic Commission office, Synergy Business Park, Kingstree Building, Room 108 and provided to all requesting persons, organizations, and news media in compliance with Section 30-4-80 of the South Carolina Freedom of Information Act. He also noted that a quorum was present.

Pledge of Allegiance

All present recited the Pledge of Allegiance.

Invocation

Mr. Bradley delivered the invocation.

Approval of the February 19, 2002 Meeting Minutes

MOTION

Mr. Cox moved the Commission approve the minutes of the February 19, 2002 meeting as presented. Mr. Williams seconded the motion, which carried unanimously.

Chairman's Remarks - John R. 'Robbie' Robertson

Mr. Robertson stated he would offer the chairman's remarks later in the meeting.

Administrator's Remarks

Mr. Bryant presented the members with an email regarding the hours of operation and phone numbers for Fight Fax. He noted the hours for Fight Fax are Monday through

Thursday, 8:00 a.m. to 8:00 p.m. and Friday, 8:00 a.m. to 6:00 p.m.

Advisory Opinions, If Needed, Office of General Counsel

There were no advisory opinions given during the September 16, 2002 meeting of the S. C. Athletic Commission.

Legislative Update - Re: Introduction of Practice Act

Mr. Bryant presented the members with a copy of the legislation introduced the previous two years and which will be introduced in 2003. He indicated the proposed legislation came close to passing last year, however, Representative Cato tagged an amendment to the bill regarding the licensing of home mortgage brokers. He noted this essentially stopped the bill.

Update on Lawsuit: Estate of Stephan Johnson v. State Athletic Commission

Mr. Bryant advised the commission that the department and the Commission had been serviced with Interrogatories. Mr. Bryant stated that the members who were not on the Commission during 1999 (the year of Mr. Johnson's demise) were not required to answer the Interrogatories. He noted that former Commissioner Bishop, Mr. Robertson, and himself would be required to answer the Interrogatories. He also stated that those Commissioners who were on the Commission but not at the event should answer the questions by indicating they were not at the event and had no knowledge until after the event.

Budget

Mr. Bryant presented the members, for their information, with a copy of the budget. He further stated that only three boards/commissions, the Athletic Commission, the Board of Foresters, and the Board of Veterinary Examiners, were not self-sufficient during the previous fiscal year.

Update on Sugar Ray Leonard v. Mitchell Promotions Case

Mr. Bryant updated the Commission on a complaint regarding the Sugar Ray Leonard fight and Bobby Mitchell Promotions. He indicated a Cease and Desist Order for Sugar Ray Leonard Promotions will be issued and a hearing may be scheduled for a later date.

Update on Unlicensed Wrestling Events

Mr. Bryant stated staff has received numerous complaints of unlicensed wrestling, specifically in the upstate. He further stated staff and the Commission have had somewhat of a confrontational on-going relationship with James Gwinn. He indicated an injunction has been sought and a hearing in this matter may be scheduled for a later date.

Action Items

Unfinished Business

There was no unfinished business to be discussed during the September 16, 2002 meeting.

New Business

Use of Ring and Officials - Charlie Hammond

Mr. Charlie Hammond spoke to the Commission regarding not being able to rent a ring and judge events.

Mr. Robertson stated he was the Commissioner who stated Mr. Hammond could not judge an event and rent his rings for the same event. He indicated it would be a conflict of interest. He further stated Mr. Hammond could either rent a ring or judge an event.

A discussion ensued regarding using the use of rings and individuals judging events.

MOTION

Mr. Cox moved that anyone providing services for profit at an event shall be prohibited from serving in any dual capacity as any type of participant. Ms. Leventis-Wells seconded the motion, which carried unanimously.

Approval of Over-Age Boxer - James Benji Singleton (36 years old)

Mr. Mitchell stated James Benji Singleton has been a licensed fighter since 1993. He is the most experienced fighter in the State. He requested the Commission extend Mr. Singleton's license through the end of this year.

MOTION

Mr. Cox moved to waive the age requirement of Benji Singleton through the end of the year. Mr. Williams seconded the motion. Mr. Jones, Mr. Kennemore and Ms. Leventis-Wells voted nay. The motion did not pass since it must be a unanimous decision of the Commission.

Cheryl Nance

Mr. Mitchell stated there is one more fighter, named Cheryl Nance, he would like to request approval to extend her license through the end of this year. Ms. Nance has five wins and six losses. She is currently 37 years old.

MOTION

Mr. Cox moved to approve the extension of waiver of age for Ms. Nance until the end of the year. Ms. Leventis-Wells seconded the motion. The motion carried unanimously.

Ms. Leventis-Wells stated she was unaware that these motions required unanimous decisions.

MOTION

Ms. Wells moved the Commission further discuss James Singleton. Mr. Bradley seconded the motion, which carried unanimously.

A discussion ensued regarding Mr. Singleton. Mr. Kennemore stated he would like to see documentation on a complete physical on Mr. Singleton prior to making a decision. His

only concern is what the neurosurgeons say at the ABC conventions about repeated blows to the head.

MOTION

Mr. Cox's moved to extend the waiver of age limit for Mr. Singleton to the end of the year; however, upon the expiration of the State license, if he chooses to apply for another license, he must submit a CT Scan to be considered. The motion carried unanimously.

Linda Guedalia

Ms. Guedalia is 40 years old and has been fighting as an amateur. Mr. William Clancy had sent Mr. Bryant an e-mail regarding Ms. Guedalia. Mr. Mitchell presented the Commission with a letter from Ms. Guedalia. Mr. Mitchell stated it is his understanding Ms. Guedalia is licensed in North Carolina, however, she has not been fighting in that State.

Mr. Cox stated he met Ms. Guedalia in Myrtle Beach and has spoken with Mr. Clancy regarding Ms. Guedalia. He is reluctant to endorse Ms. Guedalia until further information is received.

The Commission tabled this matter until further information is received.

Obtaining Promoter License for "The Plex", Charleston, SC - F.Y.I.

Mr. Bryant stated the Commission received a letter from The Plex, dated July 31, 2002, regarding an event Mr. Reggie Barrett wanted to produce. He noted that the event did not take place. He further stated The Plex is a venue for several boxing events on a monthly basis produced by Mitchell Promotions. He went on to say the letter, if interpreted by a lay person, might reply The Plex is the promoter by the way the events are advertised. He noted that he has responded in writing to The Plex, however, he has not heard from the facility. He understands The Plex has sought counsel regarding this matter.

Mr. Robertson stated that The Plex informed two officials that if they worked an event promoted by Reggie Barrett in Mt. Pleasant they would not work any future events at The Plex. He further stated that any officials working an event are state officials through the Commission and they work for the Commission, not for the promoters.

Mr. Mitchell stated The Plex is a little out of line by sending the letter to the Commission. He further stated he has spoken with The Plex regarding this matter. He indicated he is the promoter. He went on to say he had requested The Plex remove his name from the matter regarding the Reggie Barrett matter.

Mr. Robertson stated the event did not meet the Commission's criteria, which is why it could not take place.

Following further discussion, Mr. Bryant suggested to clarify to The Plex the Commission's

wishes as he heard today regarding the role of the promoter in South Carolina.

Recess

The Commission recessed for ten minutes at 11:30 a.m.

Return to Public Session

The Commission returned to public session at 11:40 a.m.

Mr. Robertson stated the Commission should clarify two sections of the law.

Mr. Williams discussed regulation 20-17.7, which deals with the amount of rounds of boxing that promoters shall schedule on one program. This section indicates that a promoter shall not schedule less than 25 rounds or more than 60 rounds on a program. He asked the Commission if exhibition rounds count as part of the program.

Mr. Bryant briefed Ms. Dantzler on the event that took place in Charleston. It had been determined by the Commission to allow the event to move forward, however, the exhibition rounds were used to qualify the event. He indicated the question is whether or not exhibition rounds count in compliance with this regulation or if it is the will of the Commission to give staff that determination. Ms. Dantzler stated she did not know if there was a "yes" or "no" answer under the regulations as they now stand. She further stated the Commission could argue that it is applying to the number of regulated rounds and that the Commission regulates the professional rounds and that the Commission could also argue that it relates to the number of rounds scheduled for the public to observe in the absence of a definition in the statute or the regulations. She indicated it has to be one way or another.

Mr. Cox stated that an exhibition is something less than a combative effort on the part of the participants. He asked Mr. Mitchell if the exhibition rounds count on the record. Mr. Mitchell replied that they do not count. He indicated that there could be the potential for abuse if a promoter had several exhibitions and the Commission could not tell that by going to Fight Fax.

Mr. Cox asked that the chairman poll the members to obtain a consensus as to whether or not the exhibition rounds count. He further stated he would like for the Commission to take the position that exhibition "fights" shall not be included in the mandatory minimum of "at least 25 rounds".

Ms. Wells agrees that the exhibition rounds should not be part of the program.

Mr. Kennemore agrees with Mr. Robertson that all of the fights on the card should be professional and that they should not be exhibitions.

Mr. Williams agrees that the exhibition rounds should not be part of the program,

however, the regulations should be changed to reflect to indicate such.

Mr. Bradley stated that if a fight is announced as an exhibition he feels it should be an exhibition fight, not a Commission regulated fight.

Mr. Jones stated an exhibition should not be part of the minimum 25 rounds.

Mr. Mitchell agrees with the Commission's position, but he asked that exhibition rounds be allowed to remain.

Mr. Robertson briefly discussed regulation 20-19-1, which indicates that "sparring and charity events shall be subject to all rules and regulations; however, the fees may be negotiated." He further stated that is no problem as it gives an individual a right to have the event; however a promoter should not advertise five fights.

The Commission shall take the position that the exhibition rounds shall not be considered to be part of the required minimum of 25 rounds.

Mr. Robertson stated that until a commissioner is at an event from the beginning to the end of an event they don't know what all goes on. He further stated that receiving documentation regarding the medical tests and licensing documentation have become a problem. He indicated that the statute requires the application be submitted to the Commission fourteen days prior to an event. He asked the Commission to determine as policy to require that all documentation be in the office a certain amount of hours prior to the day of the event.

Mr. Mitchell stated if the Commission requires a promoter to have this information to the staff twenty-four hours in advance, he would not have another event in South Carolina. He further stated there would be problems in requiring the promoters to have all of the paperwork in twenty-four hours in advance since the participants do not usually arrive until the day before the event.

Mr. Bryant proposed the promoters have the licensing documentation and any medical documentation available to staff twenty-four hours prior to the event.

Mr. Robertson polled members to see if the doors of the facility where an event is to take place should not be opened until all of the paperwork is in order.

Ms. Wells agrees with not opening the doors of a facility until all of the paperwork is in order.

Mr. Cox does not agree with not opening the doors of a facility until all of the paperwork is in order.

Mr. Kennemore agrees with not opening the doors of a facility until all of the paperwork is in order.

Mr. Williams does not agree with not opening the doors of a facility until all of the paperwork is in order.

Mr. Bradley does not agree with not opening the doors of a facility until all of the paperwork is in order.

Mr. Jones does not agree with not opening the doors of a facility until all of the paperwork is in order.

Discussion Items

There were no discussion items.

Public Comments

There were no public comments made during the September 16, 2002 meeting.

Executive Session

Mr. Cox moved the Commission enter executive session to discuss disciplinary actions.

Return to Public Session to Report on Executive Session

Mr. Robertson stated no motions were made and no votes were taken during the time the Commission was in executive session.

Election of Officers

MOTION

Mr. Cox moved that the term limits of the chairman and the vice chairman run from this date until the end of the fiscal year. Ms. Wells seconded the motion, carried unanimously.

Ms. Wells nominated Mr. Cox for vice chairman. Mr. Kennemore seconded the nomination, which carried unanimously.

Mr. Robertson nominated Mr. Williams for chairman. The nomination was seconded by Mr. Cox and carried unanimously.

Mr. Bryant presented the members with proposed policies for South Carolina Boxing Event Onsite Supervision and Reporting. He asked that the members review the document prior to the next meeting.

Ms. Wells asked if it would be appropriate for her attend to all of the events in Charleston. Mr. Williams indicated he would like for her to attend the meetings.

MOTION

Mr. Robertson moved the Commission submit same legislation as submitted last year.

Ms. Wells seconded the motion, which carried unanimously.

Adjournment

There being no further business to be brought before the Commission at this time, Mr. Robertson moved the meeting be adjourned. Mr. Kennemore seconded the motion, which carried unanimously. The meeting adjourned at 1:15 p.m.