

Southwestern Fair Commission, Inc
Regular Meeting Minutes
September 12, 2019

The Meeting of the Board of Directors/Members of the Southwestern Fair Commission, Inc., a nonprofit corporation, was duly called and held at the Pima County Fairgrounds La Cantina Meeting Room on Thursday, September 12, 2019.

Directors Present: Marvin Selke, President; Alan Levin, Director; Jim Murphy, Director; Ronald Allen, Director; Garrett Ham, Director.

Staff Present: Jon Baker, Executive Director; Julia Heavner, Administrative Assistant; Bryon Lopez, CFO; Bert Rodriguez, Maintenance; Launa Rabago, Marketing and Phyllis Ellis, Concessions.

Others in Attendance: Aaron Herman, Elite Guns; Dorothy Niemi(sp), Mikki Niemi(sp), Guy DeRusyn(sp), Roger Gilbert, Thomas Teague, Michael Metz, Brad Johns, Sarah Stek, Kirk Stek, Wayne Puczkowski(sp), Caroline Cowan, Brad Cowan, TJ Dieh(sp), Fred Keller, Benjamin Reyes, Don Maxham(sp), Roy Koontz, James Schmidt, Brandon Martin, Richard Brooks, Deanne Dickson Cal Lewallen(sp), Roy Dickson, Bob Bardoy, Matt Dickey, Nicole Kirkpatrick, Joseph Smith, Art Del Cueto, Dan Dewey(sp), Jim Williams, Clark Acton, Keith Kowalski, Yimirg Zheny(sp), Ivan Collano(sp), Pete Preum(sp), Alfonso Urias, James Hetherington, Kathy Ross, Deanna Cermak, Dr. William Ward, Bob Templeton, Crossroads of the West; Lynn Templeton, Crossroads of the West; Mike Martyna, Sally Luso, David Zibbon, Clifton Payne, Hugh Simerson, Jim Ealey, Mark Versluin(sp), Jim Lippert, Michael Leslie, Robert Zoreler, Deborah Gilbert, Joe Capanear, Martin Huy, Greg Napier, Jason Goggin, Matt DeYoung, Tucson Dragstrip; Daniel Hammer, Mike Polak, Duane Bernard, Ron Benjamin, Karen Russo, Philip Russo, Elaine Paral, Thomas Paral, Teri Keefe, AZone Training; Charlie Ritter, Dave Ciaramitaro(sp), Nancy Bowman, Dennis Bachman, Paul Fites, Kent Lash, Molly McKassen, Richard Heusitt, David Childress, Daniel Cermak, Rory George(sp), Joe Schmitz, Terri Haag, Diane Frisch, Pima County Attractions and Tourism.

- a. **Call to Order:** Marvin Selke called the meeting to order at 9:34 a.m. followed by the pledge of allegiance.
- b. **Roll Call:** Judy Patrick, Secretary, absent; Mark Cowley, Treasurer, absent.
- c. **Call to the Public:** A large number of individuals were present wanting to speak during the Call to the Public. Chairman Marvin Selke indicated that one hour would be allotted for individuals to address the Board. Matt DeYoung voiced concerns about the track surface at the dragstrip and asked that the subject be placed on the next meeting agenda. Molly McKasson and Nancy Bowman voiced their objections to gun shows because of sales by private individuals without background checks being done and called for the SWFC to stop allowing gun shows at the Fairgrounds. Daniel Hammer, Mike Polak, Duane Bernard, Ron Benjamin, Michael Leslie, James Schmidt, Brad Johns, Lynn Templeton, Bob Templeton, Cal Lewallen(sp), Benjamin Reyes, Brad Cowan, Art Del Cueto, Philip Russo, Brandon Martin, Mark Versluin(sp), Caroline Cowan, Fred Keller, Donovan Hoover, Kirk Stek, Mikki Niemi(sp), David Childress, Aaron Herman, Teri Keefe, William Ward, Dan Hammer, Mike Martyna and Terri Haag voiced support for gun shows stating that gun owners were following their second amendment rights, that there were many layers of security that participants at gun shows went through to ensure that all laws

were followed, some shared personal stories of how they had felt the need for a gun for personal protection and that gun shows offered the opportunity to purchase many other items besides guns.

Chairman Selke explained that: 1) That the SWFC is a private non-profit corporation that operates the Fairgrounds under a Management Agreement with Pima County. 2) That the Board can't make laws that are more stringent than the state and federal laws that currently exist regulating gun shows. He emphasized that the Commission does not make laws but follow laws. 3) SWFC policies allow a wide variety of interested groups to utilize our facilities. There are legal opinions and court cases that indicate that the Commission can't decide who can and cannot put on events at our facility based on any prejudice or personal agendas. 4) He indicated that since the SWFC does not have the authority to deny gun shows use of the facilities, the SWFC will not have a future agenda item on the topic of allowing gun shows. The SWFC can only consider matters within its purview.

He thanked all of those who spoke to express their concerns.

The Board took a break at 10:45 a.m. and reconvened at 10:58 a.m.

2. Staff Reports:

a. Executive Director

i. IAFE Convention

Jon Baker reminded the Board and Staff that the Convention was approaching soon and if they needed to book a flight or reserve their hotel to do it as soon as possible. If they had any questions or concerns to touch base with Julia Heavner.

ii. RV Rallies

Jon Baker spoke about the upcoming RV Rallies for the month of October. He mentioned that Bert Rodriguez and Travis Osborne visited the Family Motor Coach Association RV Rally in Minot, North Dakota and met with the facility operators and FMCA organizers to make sure that the Fairgrounds are ready accommodate their events in October and March.

iii. AZ Modelers

Jon Baker mentioned a few safety concerns that he addressed with the AZ Modelers Club. He stated that just a month ago a plane crashed outside the restricted area of the Fairgrounds and landed on the dragstrip. The AZ Modelers delivered a letter in response to Jon's concerns.

iv. Fairgrounds Projects

Jon Baker mentioned that there are just a few projects this year. The newest building, the Palo Verde Room is waiting on approval from the Fire Marshall to install the new sprinkler system. Jon mentioned focusing on the maintenance of the grounds which will include improvements such as landscaping, painting, road work, weeds and trimming of trees.

v. Corona de Tucson Fire Agreement

Jon Baker mentioned the Corona de Tucson Fire Agreement has been approved and will allow the Fire district to respond quicker to the 1 square mile of the Fairgrounds. He also indicated that Pima County will update the agreement and will be paying the annual agreement fee each year

vi. Community Outreach Programs

Jon Baker mentioned the Board helped staff reach out to local non-profit organizations. He mentioned Launa Rabago and Julia Heavner coordinating with SARSEF, Arizona State School's for the Deaf and the Blind and the Community Food Bank to build partnerships. He stated that the community food drive collects enough food during the Fair to provide 80,000 meals every year.

vii. Pima County Sewer Line Connection

Jon Baker mentioned that the new Sewer Line was being added along Rita Rd and could be done by February 2020. He briefly mentioned meeting with Jackson Jenkins regarding the connection fee, user fee and utility fee and that they were higher than he anticipated. Jon is working with Yves Khawam on getting a new proposal with a lower connection fee and user fee from Wastewater Management.

b. C.F.O

i. Financial Report

Bryon Lopez mentioned that Audit Reports, the County Report, Governor's Fund and Line of Credit will be completed very soon. He went over the financial and balance sheet highlighting cash, fixed assets, current liability and net income. He also went over the profit and loss sheet focusing on three events that have been profitable and three events that have not been profitable.

3. Consent Agenda:

a. Review, discussion and possible action on minutes of the 06/27/2019 Board meeting.

Alan Levin made a motion to accept the Consent Agenda as presented. Jim Murphy seconded the motion. The motion was approved.

4. Old Business:

a. Review, discussion, and possible action on the agreement with RCS, the carnival company. This agenda item relates to legal advice, contracts and/or lease of real property, and may be discussed in executive session pursuant to A.R.S. Sec 38-431.03

Jon Baker mentioned that he was pleased with the outcome of the Ray Cammack Show Agreement. He stated that he and Launa Rabago will be visiting the LA County Fair next week to work on upcoming promotions with Charlene Levitt from RCS.

b. Review, discussion and possible action on the process for renewal or replacement of two board seats expiring on 12/31. This agenda item relates to discussion or consideration of appointment of a member, director, officer or appointee of the Pima County Fair Commission, and may be discussed in executive session pursuant to A.R.S. Sec. 38-431.03

(A) (3) (1). Marvin Selke mentioned that he received individual emails from Judy Patrick and Mark Cowley. They both requested to be reappointed. Garrett Ham made the motion "I move that we, as SWFC Directors, recommend to the Pima County Fair Commission the names of Judy Patrick and Mark Cowley to be reappointed to their Pima County Fair Commission seats which expire on 12/31/2019". Jim Murphy seconded the motion. The motion carried.

c. Review, discussion and possible action on the Tucson Speedway contract compliance with START-Tucson, Inc. This agenda item relates to legal advice, contracts and/or lease of real property, and may be discussed in executive session pursuant to A.R.S. Sec. 38-431.03 (A) (3), (4) and/or (7). Jon Baker mentioned the difficult time Bryon Lopez had collecting information from John Lashley. He stated that John did receive a safety violation from Pima County and was informed that he was to remove all buried tires he had on the property. Jon stated that he has been in touch with the County and is aware of the terms and responsibility SWFC would have if the safety issue isn't taken care of. He also has heard that the October 26, 2019 race could be the last race of the year.

5. New Business:

a. Review, discussion and possible action on employee profit sharing contribution. This agenda item relates to employee compensation and benefits and may be discussed in executive session pursuant to A.R.S. Sec. 38-431.03 (A)(1). Marvin spoke about the different options for profit sharing. Jim Murphy made the motion "I move that we accept Option D with the Pension Plan of 15% and the cash payment of 7.5%". Garrett Ham seconded the motion. The motion passed.

4. Old Business:


d. Review, discussion and possible action on Compensation Review and subsequent Employee Survey. This agenda item relates to employee compensation and benefits and may be discussed in executive session pursuant to A.R.S. Sec. 38-431.03 (A)(1). Marvin Selke mentioned that he would like to continue with this agenda item for the next Board Meeting on November 5th, 2019.

6. Closing Matters:

a. Announcements: Jon Baker announced that the Crossroads Gun Show will be this weekend and the group of opposing citizens stated that they would be present. He mentioned that the Fairgrounds have a designated area for protesters and that they do have to pay for parking just as anyone else attending the Gun Show. Jon also stated he has admission passes and that Julia has parking passes for any Board Member who would like to attend.

b. Adjournment: Ron Allen made a motion to adjourn the meeting at 12:16 p.m. Alan Levin seconded the motion. The motion carried. A meeting of the Pima County Fair Commission was not conducted.

Respectfully Submitted,



Julia Heavner
SWFC Administrative Assistant