

**MINUTES**  
**South Carolina Athletic Commission**  
**10:00 A.M., January 27, 2009**  
**Commission Meeting**  
**Synergy Business Park**  
**Kingstree Building**  
**110 Centerview Drive, Conference Room 105**  
**Columbia, South Carolina**

**Meeting Called to Order**

Michael Tyler, Chairman, of Lexington, called the meeting of the S.C. Athletic Commission to order at 10:00 a.m. Other commissioners present included: Robert Williams, vice chairman, of Cayce George Cox, of Myrtle Beach; Clyde Jones, of Camden; Paul Kennemore, of Greenwood; Lynda Leventis-Wells, of Greenville.

Staff members participating in the meeting included: Kristy Bell, Administrative Assistant; Randall Bryant, Assistant Deputy Director; Sandra Dickert, Administrative Assistant; Larry Hall, Inspector; Jimmy Knotts, Inspector; and Jim Kyzer, Inspector.

Members of the public attending the meeting included: Connie Cox, David Garrick, Vera Garrick, and Wayne Rush.

Mr. Tyler announced that public notice of this meeting was properly posted at the S. C. Athletic Commission office, Synergy Business Park, Kingstree Building, 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.

**Pledge of Allegiance**

All present recited the Pledge of Allegiance.

**Introduction of Commission Members**

The Commission members introduced themselves.

**Invocation**

Mr. Kennemore delivered the invocation.

**Approval of the October 13, 2008 Meeting Minutes**

**MOTION**

Mr. Jones made a motion the Commission approve the minutes of the October 13, 2008 meeting. Mr. Williams seconded the motion, which carried unanimously.

**Chairman's Remarks – Michael Tyler**

Mr. Tyler asked the members in the audience to introduce themselves.

Mr. Tyler stated a House of Representatives subcommittee meeting will be held on February 3, 2009 regarding the MMA (mixed martial arts) bill.

Mr. Bryant stated a bill was introduced to regulate MMA - Mixed Martial Arts. He further stated organizations have obtained the service of a lobbyist to lobby some members of the General Assembly to secure the passage of a bill to allow MMA in South Carolina. He went on to say

previously the Commission has taken a stance to approve a bill with the same substance as the bill which has been filed. He stated the agency is asking that the unified rules be used as regulations ABC has set forth be adopted. He said the agency is asking the Commission to give a position statement on the bill and to designate a spokesperson to speak at the hearings.

Mr. Tyler stated the House is also asking for a letter from the Commission regarding the Commission's position. Mr. Tyler stated the Commission made a position statement on the bill last year.

#### **Commission Representative's Remarks – Larry Hall**

*Advisory Opinions, If Needed, Office of General Counsel*

*Legislative Update, If Needed, Legislative Liaison Office*

There were no advisory opinions given during the January 27, 2009 meeting.

The legislative update was given during the chairman's remarks.

Mr. Bryant stated in order to comply with transparency requirements the agency has purchased a system which records audio and video of meetings and places the meeting in a databank. He further stated the databank will allow individuals who are unable to attend the meeting to view the meeting at their leisure or to watch the meeting live. He went on to say the agency is currently in a practice mode and will eventually go live.

#### **Unfinished Business**

Mr. Hall said a fighter who participated in an event on January 10, 2009 was apparently not current on his blood work at the time of the fight. He went on to say the results of the blood work were received the week of January 19, 2009; however, the fighter remains suspended since he informed the Commission that he was current with his blood work but will remain under suspension.

Mr. Cox asked Mr. Bryant if the agency has had closure on the Bobby Mitchell matter. Mr. Bryant stated the Office of the Administrative Law Division has affirmed the Commission's decision in the matter. He went on to say Mr. Mitchell may appeal that decision to the circuit court; however, he does not know if Mr. Mitchell would take that route.

Mrs. Leventis-Wells stated the Commission received great coverage on the Toughest and Baldest Brawl during the January 23-4, 2009 event in Anderson. She went on to say the event made front page news and was well attended. She commended Mr. Hall, Mr. Knotts, and Ms. Bell for their hard work during the event.

Mr. Cox questioned staff regarding the MMA event held on Parris Island in October 2008. Mr. Bryant stated the event was held; however, he does not know how the event turned out. He went on to say the promoter had appeared before the Commission during a previous meeting seeking support for MMA legislation in South Carolina. He went on to say the promoter contacted a Georgia Athletic Commissioner to legitimize the event. He noted under federal law a professional boxing event being held in a state or territory where there is not a state commission requires a state with a commission to oversee the event in order for the participants to have a win/loss record being recorded. He stated calls would have been made if staff had known prior to the event that a Georgia Athletic Commissioner would be overseeing the event. He said staff has not heard of any injuries from the event.

Mr. Cox stated it troubles him that the Commission takes great effort to protect combatants and to have the federal government oppose the Commission's efforts to ban an 'illegal' event within the State was unfortunate.

Mr. Bryant stated Mr. Hall issued a Cease and Desist Order on the Commanding General.

Mr. Hall stated he doubts Parris Island would hold another MMA event. He noted the Commanding General was not happy with the press coverage Parris Island received regarding the event.

### **New Business**

1. Assignment of Officials
2. Payment of Officials

Mr. Hall asked the Commission to revisit the assignment of officials. He noted the Commission addressed this matter last year and directed staff to assign the officials and set the pay. He noted there continues to be ongoing problems. He went on to say staff has a lot to do to get the events in order. He noted the officials for the title fights are assigned; however, the promoters for club fights and the Tough Man events attempt to influence staff which officials to assign. He went on to say the officials also have hard feelings toward staff when they don't receive the money they feel they should get. He feels the members should set a fee for the officials and let the promoters work with the officials regarding mileage and hotel rooms.

Discussion on this matter ensued and included, but was not limited to, how North Carolina sets fees and mileage rates for officials and possible disciplinary or criminal issues should the officials 'double dip'. (North Carolina sets 59.5¢ for the first 100 miles followed by 30¢ a mile.)

The Commission agreed to allow the agency handle this matter.

### **Public Comments**

Mr. David Garrick stated he would be present during the March 19, 2009 meeting to back up Mr. Greg Price during his remarks in that meeting. He was with CWA but resigned due to ethical conflicts and is now with another company.

Mr. Bryant stated the remarks are regarding allegations of misconduct which the Commission may hear later. He asked that the complaint process be worked through prior to remarks being made.

Mr. Heinz thanked staff and Mr. Williams for their work and cooperation with the event over the past weekend. He and his brother promoted about 25 events last year. He promoted only three events in South Carolina last year but would like to attempt more events this year. He promotes events mostly in North Carolina. He stated he pays \$2,000 for \$10,000 of medical insurance per event. He noted no insurance claims have been filed against him or his brother. He asked the Commission about reducing the insurance requirements.

Mrs. Leventis-Wells stated Mr. Heinz may not have had a claim yet but there would always be that first time. She asked that the insurance requirements not be reduced.

Mr. Cox read a selection of the minutes from the October 13, 2008 meeting in regard to the discussion on insurance. The Commission suggested Mr. Heinz contact different insurance agencies.

## **Executive Session**

### **MOTION**

Mrs. Leventis-Wells made a motion the Commission enter executive session to seek legal advice. Mr. Jones seconded the motion, which carried unanimously.

## **Return to Public Session**

### **MOTION**

Mrs. Leventis Wells made a motion the Commission return to public session. Mr. Cox seconded the motion, which carried unanimously.

Mr. Tyler noted for the record that no official action was taken during executive session.

The Commission members were presented with the Statement of Economic Interest forms which are to be submitted to the State Ethics Commission by April 15, 2009.

### **MOTION**

Mr. Cox made a motion the Commission reiterate the necessity that staff and the Commission be vigilant and committed in enforcing the Commission's guidelines already in place that serve to protect the health of participants and officials and secondly moved the Commission demand absolute adherence to timelines the Commission has established regarding the licensing of events, promotions, and the payments of fees. If procedures are not followed in a timely fashion, the event shall not be approved. Mr. Jones seconded the motion, which carried unanimously.

## **Election of Officers**

### *Chairman*

Mr. Cox nominated Mr. Williams as chairman. Mr. Jones nominated Mr. Tyler as chairman. Mr. Kennemore seconded Mr. Tyler's nomination. Mr. Tyler was elected chairman by a majority vote.

### *Vice Chairman*

Mrs. Leventis-Wells nominated Mr. Williams as vice chairman. There being no further nominations, Mr. Williams was elected vice chairman by acclamation.

## **Adjournment**

### **MOTION**

There being not further business for discussion, Mrs. Leventis-Wells made a motion the meeting be adjourned. Mr. Jones seconded the motion, which carried unanimously.

The January 27, 2009 meeting of the S.C. Athletic Commission adjourned at 11:00 a.m.