

BEFORE THE
TEXAS RACING COMMISSION
AUSTIN, TEXAS

COMMISSION MEETING
DECEMBER 2, 2010

BE IT REMEMBERED that the above entitled matter came on for hearing on the 2nd day of December, 2010, beginning at 10:35 A.M. at the John H. Reagan Building, 105 West 15th Street, Room 140, Austin, Travis County, Texas, and the following proceedings were reported by SHERRI SANTMAN FISHER, Certified Shorthand Reporter for the State of Texas.

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APPEARANCES

Commissioners: ROLANDO PABLOS
 RONALD F. EDERER
 MIKE MARTIN
 GLORIA HICKS
 SCOTT HAYWOOD
 VICKI WEINBERG
 C. TOM CLOWE, JR.
 ANN O'CONNELL

1 CHAIRMAN PABLOS: Okay. Good morning.
2 The time is 10:35. I'll call today's meeting of the
3 Texas Racing Commission to order.
4 Carolyn, will you please call roll?
5 MS. WEISS: Commissioner Tom Clowe?
6 MR. CLOWE: Present.
7 MS. WEISS: Commissioner Ron Ederer?
8 COMMISSIONER EDERER: Present.
9 MS. WEISS: Commissioner Scott Haywood?
10 COMMISSIONER HAYWOOD: Present.
11 MS. WEISS: Commissioner Gloria Hicks?
12 COMMISSIONER HICKS: Present.
13 MS. WEISS: Commissioner Mike Martin?
14 COMMISSIONER MARTIN: Present.
15 MS. WEISS: Commissioner Ann O'Connell?
16 MS. O'CONNELL: Present.
17 MS. WEISS: Commissioner Vicki Weinberg?
18 COMMISSIONER WEINBERG: Present.
19 MS. WEISS: Vice-Chairman Robert
20 Schmidt? Chairman Rolando Pablos?
21 CHAIRMAN PABLOS: Here.
22 Do we have a quorum?
23 MS. WEISS: Yes, sir.
24 CHAIRMAN PABLOS: Okay. We're going to
25 go ahead and enter into executive session and then

1 we'll be right back out. It won't be a long meeting.
2 So I'll announce that the Commission will now enter
3 executive session under Government Code Section 551.074
4 to deliberate the appointment of an interim and/or
5 permanent executive director.

6 We'll be right back. Thank you.

7 (Recess for executive session from 10:36
8 a.m. to 11:09 a.m.)

9 CHAIRMAN PABLOS: Okay. The time is
10 11:09 and we are reconvening from executive session
11 where we deliberated the appointment of an interim
12 director and a permanent executive director.

13 At this time we'll enter into our general
14 business section. We'll have discussion,
15 consideration, and possible action on the employment of
16 an interim executive director.

17 Mark, would you give us just an overview
18 of where we are on this, please?

19 MR. FENNER: Yes, sir, Chair. With the
20 retirement of Charla Ann King, we are now without an
21 administrative head of this agency. At the last
22 Commission meeting, you designated a committee to
23 interview the potential candidates and to make a
24 recommendation to the full Commission as to the
25 selection of an executive director.

1 I know that the committee has met and has
2 discussed this item, and I understand that they are
3 prepared to make a recommendation.

4 CHAIRMAN PABLOS: Okay. Thank you.

5 Is there anyone signed up to speak on
6 this item at all?

7 Okay. Thank you, Mark.

8 And as you mentioned, I had appointed a
9 committee composed of Dr. Schmidt, Commissioner
10 Schmidt, Commissioners O'Connell and Haywood. And,
11 Commissioner Haywood, I would ask you to please give us
12 a review of your work and the recommendation, please.

13 COMMISSIONER HAYWOOD: Absolutely.
14 Dr. Schmidt chaired this committee. Unfortunately, he
15 couldn't be here today, so I will give a quick
16 presentation on behalf of the committee.

17 We were looking at internal candidates
18 for this position. We had a great meeting with one
19 particular candidate after another one of the
20 individuals decided that they did not want to pursue
21 the position any further.

22 And the committee, Commissioner
23 O'Connell, Dr. Schmidt, and I, met with -- we met with
24 that individual. We had a great conversation over two
25 hours. He has a lot of experience not only with the

1 agency but also has a lot of experience from a
2 management standpoint and I have great confidence that
3 he'll do a great job with the agency. And that
4 individual is Charles Trout.

5 CHAIRMAN PABLOS: Okay. So is that your
6 recommendation?

7 COMMISSIONER HAYWOOD: Yes. The
8 committee would recommend Charles Trout for the
9 position.

10 CHAIRMAN PABLOS: Commissioner O'Connell,
11 do you have any additional remarks or comments?

12 MS. O'CONNELL: I echo Commissioner
13 Haywood's comments.

14 CHAIRMAN PABLOS: Okay. Thank you.

15 So we have a recommendation by the
16 committee. Is there a motion?

17 COMMISSIONER HAYWOOD: I'd offer a motion
18 to appoint Charles Trout to the position of interim
19 executive director at a salary of \$88,000.

20 CHAIRMAN PABLOS: Is there a second,
21 Commissioners?

22 COMMISSIONER EDERER: Second.

23 CHAIRMAN PABLOS: We have a motion by
24 Haywood, seconded by Ederer.

25 Is there any discussion on this,

1 Commissioners?

2 Chuck, would you come up, please?

3 MR. TROUT: Yes, sir.

4 CHAIRMAN PABLOS: Good morning.

5 MR. TROUT: Good morning, sir.

6 CHAIRMAN PABLOS: Well, you've heard what
7 the recommendation is and we have a motion. And so the
8 question is: Given what has been presented, would you
9 accept this position if it were to be offered to you?

10 MR. TROUT: Yes, sir.

11 CHAIRMAN PABLOS: Okay. Thank you very
12 much.

13 MR. TROUT: Yes, sir.

14 CHAIRMAN PABLOS: Any additional
15 comments, Commissioners?

16 Hearing none, I'll take this motion up
17 for a vote. All those in favor please signify by
18 saying aye.

19 COMMISSIONERS: Aye.

20 CHAIRMAN PABLOS: Any opposed?

21 That motion carries.

22 Thank you very much. Congratulations,
23 Chuck. And I'd also like to congratulate Charla Ann.
24 She's not here today obviously. And I want to thank
25 her for all her good work. And, Chuck, we'll look

1 forward to working with you. We were very impressed
2 with your credentials and the committee was extremely
3 impressed with the interview. So welcome on board.
4 Buckle up.

5 Our next item is Item II-B. Now,
6 obviously we have just appointed an interim executive
7 director and so now I'd like to take up the discussion
8 regarding the search for a permanent executive
9 director. And so what I'd like to do first is I'd like
10 to ask the current committee to stay on board and serve
11 and add Dr. Martin to that committee so that now we'll
12 have four members.

13 Obviously I would always be available for
14 any type of assistance or support with respect to the
15 search. We are hopeful that we can expedite the
16 search. We are going to be asking the committee to go
17 through the process of obviously reviewing the job
18 description with staff, posting the job.

19 Mark, could you just walk us through
20 those steps of what will be required for this committee
21 in order to achieve the objective?

22 MR. FENNER: What I anticipate happening
23 is, as you said, the committee would review the job
24 description and then, with the assistance of staff, we
25 would post the job opening. The committee would have

1 to make some decisions as to about where the job would
2 be posted. It would obviously be posted with the Texas
3 Workforce Commission, but there could be outreach
4 efforts towards national publications or RCI or any
5 number of other things that they might want to
6 consider.

7 Once the job is posted and the
8 applications come in, they would be handled through the
9 normal human resources process. They would be handled
10 at the State office to make sure that they meet the
11 minimum qualifications. People who pass the minimum
12 qualifications would be passed up to the committee to
13 review. And the committee would be in a position to
14 select candidates to interview, could conduct
15 interviews, and then depending on how far -- how much
16 progress has been made by that time, they would make a
17 recommendation to the full Commission as to what next
18 steps. That may be further development of the
19 interview and outreach program or it could be bringing
20 you a candidate. We'll just have to see how far they
21 make it.

22 CHAIRMAN PABLOS: Mark, with respect to
23 the posting, does the posting that we have in place --
24 does that reach out nationally or is it just
25 statewide?

1 MR. FENNER: Well, most human resource
2 postings are statewide through the Texas Workforce
3 Commission. Of course, it's on the Internet, so
4 anybody can see it; but it's not the kind of outreach
5 towards the national audience that they may want to
6 consider.

7 CHAIRMAN PABLOS: Is it possible to issue
8 some type of a press release so that it can get picked
9 up or some type of announcement that would maybe reach
10 out outside of Texas?

11 MR. FENNER: Absolutely.

12 CHAIRMAN PABLOS: Okay. Commissioners,
13 are there any comments or questions that you may have
14 with this process?

15 The only direction I would give the
16 committee is to please make this a priority, expedite
17 it as much as you can, be as thorough as you can, and
18 bring back to us for our February meeting either an
19 update or an actual recommendation.

20 Hearing no other comments -- is that
21 correct? Commissioners, members of this committee, do
22 you have any questions with respect to the charge
23 that's been given to you?

24 Okay. Well, at this time, 11:17, I'd
25 like to adjourn today's meeting of the Texas Racing

1 Commission and ask you to stay for our next meeting
2 regarding the state of the horse and greyhound racing
3 industry in Texas.

4 Thank you very much. Commissioners,
5 thank you.

6 COMMISSIONER EDERER: Which will commence
7 in about five minutes.

8 CHAIRMAN PABLOS: In five minutes.

9 (Proceedings concluded at 11:17 a.m.)

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1 STATE OF TEXAS)

2 COUNTY OF TRAVIS)

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4 I, SHERRI SANTMAN FISHER, a Certified Shorthand
5 Reporter in and for the State of Texas, do hereby
6 certify that the above-captioned matter came on for
7 hearing before the TEXAS RACING COMMISSION as
8 hereinbefore set out.

9 I FURTHER CERTIFY that the proceedings of said
10 hearing were reported by me, accurately reduced to
11 typewriting under my supervision and control and, after
12 being so reduced, were filed with the TEXAS RACING
13 COMMISSION.

14 GIVEN UNDER MY OFFICIAL HAND OF OFFICE at Austin,
15 Texas, this 10th day of December, 2010.

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SHERRI SANTMAN FISHER, Texas CSR 2336

Expiration Date: 12-31-11

22

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