

**STATE OF TENNESSEE
DEPARTMENT OF COMMERCE AND INSURANCE
TENNESSEE ATHLETIC COMMISSION
500 JAMES ROBERTSON PARKWAY
DAVY CROCKETT TOWER
NASHVILLE, TN 37243**

Thursday, February 12, 2009

Call to order by Vice Chairman Joe Smith 10:02 a.m.

Roll Call present via teleconference – Commissioner Stuart Howard

Present: Commissioners Scott White, Joe Smith, Neal Frauwirth M.D., Teri Mast, Steve Hannah, Chuck Clark. Assistant Commissioner Steve Majchrzak, Assistant Attorney General Leslie Bridges, Deputy General Counsel Wayne Pugh.

Absent: Kurt Spindler M.D., Chairman Jack Sammons

Rulemaking hearing presided over by Wayne Pugh, called to order at 10:06 a.m.

Public members in attendance: Melissa Bast, Shane Messner, Stephen Zito and Rep. Curry Todd.

Statement of Economic Impact by Deputy General Counsel Wayne Pugh. Motion to adopt statement by Commissioner Clark, second by Commissioner Mast 2nd to adopt. Motion carried. Motion to adopt rules, carried.

Rulemaking hearing concluded 1:01 p.m.

Approval of January 8, 2009 minutes. Motion by Commissioner Hannah, second by Commissioner Clark, motion carried. **Approval of January 12, 2009 minutes.** Motion by Commissioner Mast, second by Commissioner Frauwirth, motion carried.

Staff Report

- ❖ **Update on first pro-MMA event, February 20th in Knoxville** by Commissioner Hannah and Assistant Commissioner Steve Majchrzak. Motion to send three representatives from the commission to the event by Commissioner White, second by Commissioner Clark. Motion carried.

Motion by Commissioner Hannah to allow a change made to the rules today regarding number of people allowed on ring/cage apron to stand for this event, and also allow the rule change regarding referees to stand for this event. Second by Commissioner Clark. Motion carried.

Commissioner Frauwirth moved to select one bout from the event for random drug-testing, Commissioner Hannah seconded. Motion carried.

- ❖ **Update on Executive Director search** by Commissioner White. All three final candidates removed their names for consideration. He asked the commission to allow the personnel sub-committee to reconvene and review current resumes.

Commissioner Clark stated that Jeff Mullen was willing to reconsider, but wants to work out of Memphis. Assistant Commissioner Majchrzak and the personnel committee will contact Jeff Mullen to confirm this and the commission will reconvene via telephone on Wednesday, February 18, 2009 to discuss. Commissioner Clark moved to follow the above course of action, Commissioner White seconded. Motion carried.

- ❖ **International Sport Combat Federation**

The commissioner received an email that ISCF is receiving inquiries intended for IKF and asked that the commission correct this. Commissioner Hannah moved to replace ISCF with IKF, the correct sanctioning organization. Need clarification that IKF was indicated rather than ISCF when sanctioning organizations were listed. Commissioner Frauwirth seconded, and the motion carried.

New Business

DiBella owes the commission money from the November HBO event under TV contract. They have already received payment from HBO. At a minimum, they owe \$45,000, including a penalty fee for failure to pay on time. There was no response to a demand letter requesting payment. The Attorney General can file a suit to collect the money. Assistant Commissioner Majchrzak will inquire one more time and then the matter will be pursued civilly. Commissioner Clark moved to instruct Steve Majchrzak to call DiBella one more time, and if unsuccessful, transfer the matter to Leslie Bridges to file a suit. Commissioner Mast seconded, motion carried.

Commissioner White moved to approve an event permit for a March 13, 2009 charity event in Franklin, TN contingent upon the promoter receiving his license and completing all other application requirements. Commissioner Hannah seconded, motion carried.

Commissioner Clark moved to approve the April 1, 2009 UFC April 1 fight at the Sommet Center in Nashville. Commissioner Frauwirth seconded, motion carried.

Adjourn via motion by Commissioner Clark at 2:21. Commissioner Mast seconded, motion carried.

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Wednesday, February 18, 2009

Tennessee Athletic Commission Meeting

The commission reconvened on February 18, 2009 at 3:30 p.m. All commission members were present via teleconference except for Commissioner Kurt Spindler, M.D. Present in the Andrew Jackson tower conference room: Assistant General Counsel Ed Scudder, Deputy General Counsel Wayne Pugh, Assistant Commissioner Steve Majchrzak, and Nicole Canter for minutes.

The commission first determined by unanimous vote that the teleconference was necessary to discuss and consider the potential employment of a new executive director requiring timely action of the commission; a physical quorum of the members was not possible. Commissioner Mast made a motion to accept the statement of necessity, second by Commissioner White. The motion passed via a unanimous roll call vote.

Commissioner Scott White, chair of personnel committee: the personnel committee met by teleconference on February 17, 2009. Jeff Mullen was present on the call, and expressed a desire to accept the executive director position, but work out of Memphis. The personnel committee discussed the situation and recommends that Mullen be hired as executive director at a salary of \$55,000/yr. and be allowed to work out of Memphis area provided details can be worked out without incurring cost to the commission.

Commissioner Clark moved to hire Jeff Mullen as executive director of the Athletic Commission, offering a salary of \$55,000 and official work station as Memphis. Commissioner Frauwirth seconded, clarifying that Mullen can no longer officiate events. After discussion, a roll call vote was taken.

Clark Y
Frauwirth Y
Hannah Y
Howard Y
Mast Y
Sammons Y

Smith Y
White Y
Spindler absent.

Motion passed unanimously.

Commissioner Smith off the call at 4:40 p.m. The meeting was adjourned at 4:42 p.m.