

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

MISSOURI GAMING COMMISSION

TRANSCRIPT OF PROCEEDINGS

before Michele L. Sehrt, CSR, CCR, on
the 29th day of September, 2021, at the Chamber
of Commerce, 3003 Frederick Avenue, St. Joseph,
Missouri 64506.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

A P P E A R A N C E S

COMMISSIONERS:

- Mr. Mike Leara, Chairman
- Mr. Pat Conway
- Mr. David W. Hane
- Ms. Jan M. Zimmerman

ALSO PRESENT:

- Judge Peggy D. Richardson, Executive Director
- Mr. Edward J. Grewach, General Counsel
- Ms. Angie Franks, Commission Assistant

1 (The hearing commenced at 9:30 a.m.)

2 MR. LEARA: Okay, we will call the
3 regular meeting of the Missouri Gaming Commission
4 to order. Angie, please call the roll.

5 MS. FRANKS: Chairman Leara?

6 MR. LEARA: Present.

7 MS. FRANKS: Commissioner Conway?

8 MR. CONWAY: Present.

9 MS. FRANKS: Commissioner Hane?

10 MR. HANE: Present.

11 MS. FRANKS: Commissioner

12 Zimmerman?

13 MS. ZIMMERMAN: Present.

14 MR. LEARA: We're ready to go. The
15 first item will be adoption of the agenda.

16 I move for the adoption of the agenda as
17 approved. Is there a second.

18 MR. CONWAY: Second.

19 MR. LEARA: Any discussion? Seeing
20 none, Angie, please call the roll.

21 MS. FRANKS: Chairman Leara?

22 MR. LEARA: Approved.

23 MS. FRANKS: Commissioner Conway?

24 MR. CONWAY: Approved.

25 MS. FRANKS: Commissioner Hane?

1 MR. HANE: Approved.

2 MS. FRANKS: Commissioner
3 Zimmerman?

4 MS. ZIMMERMAN: Approved.

5 MS. FRANKS: By your vote you've
6 adopted the agenda.

7 MR. LEARA: The next item is
8 recognition of our guests. Mr. Conway, would you
9 like to recognize the local --

10 MR. CONWAY: Thank you, Mr. Chair.
11 The Chairman and I had a -- have had a great
12 relationship, not only on the Gaming Commission
13 but in the legislature. Mike was the chair of
14 the appropriation accounts committee for the
15 Republican side and I was ranking member for the
16 Democrat side and I appreciate all that he has
17 done to help us get up here. Governor Parson
18 appointed us on the same day and we've been
19 working on the Gaming Commission together and I
20 think we're moving in the right direction.

21 If I could just make a couple of quick
22 thank yous. First of all, I want to introduce
23 for our guests from out of town, I think
24 everybody in town knows our Pat Lilly, Pat Lilly
25 is the former city manager and executive director

1 or president of the Chamber of Commerce and thank
2 you. Between -- between Covid and closures and
3 everything, Pat was very helpful in getting us a
4 meeting place here. So thank you, Pat.

5 MR. PAT LILLY: It's my pleasure
6 and welcome everyone here to the Chamber and
7 St. Joe and it's great to see that the Commission
8 can get you to put a tie and jacket on. Some
9 things are beneficial all the way around.

10 MR. CONWAY: Thanks, Pat. And I
11 also want to thank our director of the local
12 Convention and Visitors Bureau, Marci Bennett.
13 Marci and her staff have been extremely helpful
14 in organizing, finding locations, and working
15 with our liaison, Angie Franks, in getting
16 everything accomplished, so we appreciate you and
17 your staff and everything you did. And if you
18 would do a quick welcome to the --

19 MS. MARCI BENNETT: Well, we are so
20 glad you're here. One of the things we've always
21 wanted to do is bring organizations like this to
22 St. Joe and not just have them meet in Jeff City.
23 We're much nicer than Jeff City and we give you
24 Cherry Mash.

25 And the other thing that they have done,

1 not only do you have a coat and tie on, but your
2 hair's cut.

3 MR. CONWAY: I did it all for this
4 one.

5 MS. MARCI BENNETT: Thank you for
6 being here and come back.

7 MR. CONWAY: Next I would like to
8 introduce -- when I first got the call from the
9 Governor if I would be willing to serve on the
10 Gaming Commission, after a little preliminary
11 discussion I called Suzanne Bradley and Suzanne
12 is a former chair and member of the Gaming
13 Commission and, Suzanne, we would like to welcome
14 you and thank you for all the work you did in the
15 formative years of the Gaming Commission as we've
16 made the transition and I appreciate all your
17 advice. And if you would like to say a quick word,
18 please do.

19 MS. SUZANNE BRADLEY: Well, I love
20 being here today and especially -- well, it's
21 been a few years since you've been here because
22 it was when I was on the Commission, so it's
23 always good to come to where the casinos are and
24 come back to St. Joseph, love to have you in
25 northwest Missouri.

1 I was telling the Commissioners, I think
2 I'm one of the unusual Commissioners that I
3 covered both sides of the aisle, because I have
4 been appointed by a Republican governor and then
5 appointed by a Democrat Governor, so that means
6 they all liked me and I just try to be fair and
7 impartial and I truly enjoyed being on this
8 Commission, it does great things for the state of
9 Missouri and I think to protect our entertainment
10 and protect our revenue, of course, and doing it
11 all the right way. You guys are doing a great
12 job.

13 MR. CONWAY: Thank you, Suzanne.

14 MS. SUZANNE BRADLEY: Thank you for
15 inviting me.

16 MR. CONWAY: And, lastly, we have
17 three of our elected officials here. First I'd
18 like to recognize our two county commissioners
19 from the Western District, Ron Hook and from the
20 Eastern District, Scotty Burnham. And, you know,
21 they are -- they both have gone through the
22 budget a number of times and they know what the
23 revenue from the casino gaming does for the local
24 communities and not only the revenue, but the
25 jobs and the attractions. So Scotty, Ron, thanks

1 for being here. If you'd like to say a word or
2 two, you're more than welcome.

3 MR. SCOTT BURNHAM: Sure. First of
4 all, welcome to St. Joe, I'm glad to have you
5 here and it's nice to see Republicans and
6 Democrats being able to work together, we haven't
7 seen that in a while, right? And on behalf a
8 Lee, I apologize, he had a prior commitment and
9 wasn't able to be here, Lee Sawyer, the presiding
10 commissioner.

11 I just want to say the revenue we do
12 receive from the gaming we utilize -- I say it's
13 restricted, we treat it as restricted dollars, it
14 really isn't, but we treat it as such and those
15 dollars -- we use those dollars really for
16 outreach to the community. The bulk of it goes
17 to the social welfare board, which they do a
18 tremendous service for the people in poverty here
19 in our community. So, again, we just want to say
20 thank you and welcome.

21 MR. RON HOOK: Yeah, I ditto on
22 what he's saying. I appreciate you guys all
23 coming. Enjoy your time here, St. Joe has a lot
24 to show and if you guys have time to get out and
25 spend a little money while you're here, it really

1 helps us out. But thanks again to Marci and to
2 Pat for allowing them to come and for you guys to
3 be here.

4 And, yeah, Scott touched on exactly what
5 I was going to mention is that money that we
6 receive and the city receives, it doesn't stay to
7 pay bills for the county or the city, it goes to
8 help the community. And that's one caveat that
9 we've put on this, is the money that we receive
10 on that, we want to do everything we can to
11 prolong the enhancement of the community and just
12 do what's best for the community and the people
13 in this community. So it's -- it's not paying
14 salaries, it's helping on outreach to other
15 people. And so thank you very much. I know it's
16 a unique situation, but thank you guys for coming
17 and allowing us to have you guys in our
18 community.

19 MR. CONWAY: And, lastly, I know
20 the mayor, Mayor McMurray, was hoping to get
21 here, I don't think he's been able to arrive yet,
22 if he can. I know the city is a benefactor of
23 the gaming industry also and if he gets in we'll
24 stop and take a little pause and introduce him
25 when he gets here.

1 Lastly, we talk about working across the
2 aisle and Susan has mentioned it, I've mentioned
3 it, I'm not sure I'm going to be living long
4 enough until we get appointed by a Democrat
5 Governor, but working across the aisle there's
6 nobody that has worked better with me personally
7 than Senator Hegeman. Dan started out as a
8 county clerk also, we shared a boundary line, we
9 shared water districts that floated from all
10 different areas in our two counties and the
11 growth of St. Joseph and Andrew County through
12 Country Club Village and other places have been
13 significant. So I appreciate him being here,
14 because he's a great friend of mine.

15 And, secondly, there's nobody that knows
16 what the gaming industry money does more than the
17 budget chair of the Senate and Dan has risen
18 through the ranks to be the chairman of the
19 budget committee which, you know, is -- a lot of
20 people say it's number two or three, I think a
21 lot of people know that it's actually number one
22 on the Senate side.

23 So, Dan, thanks for being here. If
24 you'd just take a minute to tell them what the
25 gaming industry does for the state.

1 SENATOR DAN HEGEMAN: You bet. And
2 thank you, Pat, thank you for your friendship
3 through the years. And Commissioners, it's great
4 to have you in the great northwest part of the
5 state, enjoy the lovely weather we've provided
6 for you yesterday and today.

7 It's been an honor to serve as the
8 Senate appropriations chairman, we call it
9 appropriations on the Senate side, Pat. But the
10 gaming industry really is an integral part of the
11 state of Missouri and it really does provide a
12 lot of resources for our veterans and for our
13 schools in the state of Missouri and we count on
14 those resources to help, you know, our
15 communities out there, not only local communities
16 that we see, but also like the state communities
17 and those instances. So thank you gaming members
18 in the body today for what you do and all your
19 folks and support staff that help in that.

20 I have had some of the gaming bills come
21 to my committee the past couple years, so looking
22 forward to, once again, it looks like we will
23 have them come to my committee again this year on
24 the Senate side, so looking forward to giving you
25 commissioners additional work or maybe not. Just

1 dependent on the fate of those bills that come
2 before us. But that continues to be
3 a -- expansions of gaming continue to be a hot
4 topic in the general assembly and I think will
5 for many years. But, anyhow, thank you very much
6 and it's been a pleasure to serve this part of
7 the region for the past few years and work with
8 my friend, Pat Conway.

9 MR. CONWAY: Thank you, Senator.

10 MR. LEARA: Thank you, Senator.

11 MR. CONWAY: Thank you, Mr. Chair.

12 I know we'll get to some of our local gaming
13 people during the session, so back to you.

14 MR. LEARA: Thank you. Thank you
15 all, it's quite clear you're very enthusiastic
16 and appreciate the gaming industry in your
17 community and we recognize that. So thank you
18 all for attending.

19 Next item on the agenda is consideration
20 of minutes for August 24th. Is there a motion
21 to -- I'll make a motion to approve those
22 minutes. Is there a second?

23 MS. ZIMMERMAN: Second.

24 MR. LEARA: Any discussion on the
25 minutes? Seeing none, Angie?

1 MS. FRANKS: Chairman Leara?

2 MR. LEARA: Approved.

3 MS. FRANKS: Commissioner Conway?

4 MR. CONWAY: Approved.

5 MS. FRANKS: Commissioner Hane?

6 MR. HANE: Approved.

7 MS. FRANKS: Commissioner

8 Zimmerman?

9 MS. ZIMMERMAN: Approved.

10 MS. FRANKS: By your vote you've

11 adopted the minutes of the August 24, 2021,

12 meeting.

13 MR. LEARA: Next item is the

14 minutes from August 25th. I would make a motion

15 to approve. Is there a second?

16 MR. HANE: Second.

17 MS. ZIMMERMAN: Second by Mr. Hane.

18 Any discussion? Seeing none, Angie?

19 MS. FRANKS: Chairman Leara?

20 MR. LEARA: Approved.

21 MS. FRANKS: Commissioner Conway?

22 MR. CONWAY: Approved.

23 MS. FRANKS: Commissioner Hane?

24 MR. HANE: Approved.

25 MS. FRANKS: Commissioner

1 Zimmerman?

2 MS. ZIMMERMAN: Approved.

3 MS. FRANKS: By your vote you've
4 adopted the minutes of the August 25, 2021,
5 meeting.

6 MR. LEARA: Next item on the
7 agenda, consideration of disciplinary action.
8 The first one, only one, Tropicana-St. Louis
9 Disciplinary Action No. 21-045. Mr. Grewach?

10 MR. GREWACH: Thank you.

11 Mr. Conway, Commissioners, under Tab C we have a
12 preliminary order of discipline directed to
13 Lumiere Place Casino for a violation of rules
14 that require pin pads and shadow boxes be
15 provided for patrons who are establishing or
16 resetting their personal identification number,
17 their pin, for their player reward programs.

18 To establish a player reward program you
19 have to set a pin and it's something that's
20 necessary to accumulate rewards and cash-in any
21 rewards or promotions that you have. If an
22 existing player/patron has forgotten their pin,
23 then they have to go to the spot on the casino
24 floor to reset that pin. This is done at Lumiere
25 at the player's club counter.

1 The rules require that patrons be able
2 to independently and confidentially establish and
3 reset their pins. The rules specifically require
4 pin pads and shadow boxes for both establishing
5 and resetting of pins.

6 On December 14 of 2020, in the process
7 of conducting a regularly scheduled compliance
8 audit, an auditor discovered that the pin pads
9 and the shadow boxes had been removed. The
10 auditor's investigation determined that they were
11 removed when Lumiere was closed during the Covid
12 response, but they were not replaced when the
13 casino reopened on June the 1st.

14 What the casino was doing in that
15 interim, between June 1 and December 14th, when a
16 new customer came to establish a pin, the
17 customer was required to verbalize or tell the
18 pin to the casino employee. The rules further
19 prohibit a casino employee from having access to
20 a pin, to the personal identification number, for
21 a player. They also for new players had them
22 write down on a form what they wanted their pin
23 to be. For existing players who forgot their
24 pins, they were required to verbalize or tell the
25 casino employee what they wanted their new pins

1 to be. Obviously, that process violated the
2 rules I mentioned earlier and it had been in
3 place from June 1 to December 14th of 2020.

4 The discipline review board recommended
5 a fine of \$5,000. In response to the 14-day
6 letter the property did not contest the
7 violation, nor the amount of the fine. They did
8 state that it was as a result of the
9 miscommunication between the casino's IT and
10 marketing department, they were on the mistaken
11 belief that the corporate policy for Covid
12 response required removal of pin pads. However,
13 neither casino management, nor the MGC had
14 approved any such measures. They did say that
15 they performed an analysis of redemptions during
16 that time period and did not find what they
17 described as any large discrepancies. After
18 that, the staff's position was to continue with
19 the recommendation of the \$5,000 fine.

20 MR. LEARA: Okay. Questions for
21 Mr. Grewach?

22 MS. ZIMMERMAN: I do, Mr. Chairman,
23 thank you. Mr. Grewach, and I think that you've
24 covered this, but my question was related to
25 whether or not this was a case of self-reporting

1 on the part of the casino or whether it was
2 actually discovered in the audit? In the
3 statement of facts it says on December 14th a
4 player's club supervisor notified the MGC that
5 the patron was uncomfortable verbalizing his
6 personal pin, but then in the response -- in the
7 written response from the Tropicana regarding
8 removal of the pin pads, they stated
9 unfortunately it was a lack of communication and
10 the error wasn't discovered until the MGC
11 auditors were on the property. So I was just
12 trying to figure out, you know, between the
13 conflict between those two statements that would
14 be self-reporting versus us discovering that.

15 MR. GREWACH: I will have the
16 deputy director, Cheryl Alonzo, and correct me if
17 I'm wrong, but I believe the auditor actually
18 found the problem and that statement about the
19 patron came after the auditor discovered the
20 problem. And the statement's in there just to
21 highlight that it was obviously an issue that an
22 established player understood that he really
23 didn't want to give this pin, because if a casino
24 employee has a pin they have the potential to
25 access and take the rewards or points, promotions

1 that are on that individual player's card. So
2 for that particular patron they said, no, I'm not
3 going to give it to you and as they played they
4 didn't accumulate any points, they couldn't cash
5 out rewards because they just didn't have their
6 pin available.

7 MS. ZIMMERMAN: Well, I know
8 sometimes the discipline, perhaps being based on
9 the casino's compliance and in self-reporting to
10 us that they were in violation, you know, may
11 bear on that discipline, so I just wanted
12 clarification to make sure I understood how it
13 was discovered.

14 MR. GREWACH: Yeah, that's how it
15 occurred.

16 MS. ZIMMERMAN: Thank you.

17 MR. LEARA: I want to expand on
18 that a bit. Cheryl, was that reportable event
19 that the patron complained?

20 MS. CHERYL ALONZO: No. Cheryl
21 Alonzo, Missouri Gaming Commission. No, the
22 auditor found it and they actually called me that
23 day and said you're not going to believe we found
24 this. And so they were following up, talking to
25 the staff that worked there and they said, yeah,

1 we had this happen today, this patron was
2 reluctant. So it was one of the staffers at the
3 casino telling -- relaying the story to the
4 auditor.

5 MR. LEARA: But that event was not
6 reportable, the patron's complaining?

7 MS. CHERYL ALONZO: No, no, this
8 was just in conversation that there was an issue.

9 MS. ZIMMERMAN: Sounds like it all
10 happened sort of simultaneously?

11 MS. CHERYL ALONZO: Yeah.

12 MS. ZIMMERMAN: Thank you.

13 MR. LEARA: Any other questions for
14 Mr. Grewach? Thank you.

15 MR. HANE: I do have one. So is
16 this the only -- we just got one consumer
17 complaint?

18 MR. GREWACH: That's all I'm aware
19 of.

20 MR. HANE: This is the only one
21 we're aware of that the patron said, no, I'm not
22 giving you that number?

23 MS. CHERYL ALONZO: Yes.

24 MR. HANE: Okay. But the casino
25 reported. Okay.

1 MR. LEARA: Okay. Any other
2 discussion? Seeing none, I will move for the
3 approval of Disciplinary Action No. 21-045 and
4 look for a second.

5 MS. ZIMMERMAN: Second.

6 MR. LEARA: Second, Commissioner
7 Zimmerman. Any discussion? Seeing none, Angie?

8 MS. FRANKS: Chairman Leara?

9 MR. LEARA: Approved.

10 MS. FRANKS: Commissioner Conway?

11 MR. CONWAY: Approved.

12 MS. FRANKS: Commissioner Hane?

13 MR. HANE: Approved.

14 MS. FRANKS: Commissioner

15 Zimmerman?

16 MS. ZIMMERMAN: Approved.

17 MS. FRANKS: By your vote you've
18 adopted DC-21-045.

19 MR. LEARA: Next on the agenda,
20 consideration of rules and regulations.

21 Mr. Grewach?

22 MR. GREWACH: Thank you,
23 Mr. Chairman. These were drafted in response to
24 industry requests and they all involve
25 surveillance.

1 And the first Item on D1 is an amendment
2 to Rule 7.130. The rule reduces the number of
3 surveillance personnel that are necessary when a
4 casino is closed and there are no drops or counts
5 being conducted. It reduces that number from two
6 to one.

7 Under Item D2 is our amendment to the
8 Minimum Internal Control Standards M, and that
9 chapter deals with surveillance as well and
10 the -- there are some things in the M where they
11 clarify the required surveillance coverage on
12 electronic gaming devices, you know, where the
13 camera, what camera can see, and also hybrid
14 table games, which is new, which I think you've
15 dealt with recently in a rule change at the last
16 meeting to talk about what the surveillance
17 coverage needs to be for that activity. It did
18 reduce the required surveillance personnel in the
19 smaller casinos and the rule change defines those
20 as a property with less than 10 table games and
21 less than 600 electronic gaming devices.

22 Now, under the current numbers we have,
23 that lowers the requirement for surveillance
24 personnel for St. Joe Frontier Casino, Mark Twain,
25 and Century Caruthersville. The reduction is

1 from the previously required three surveillance
2 personnel to two for those smaller properties.

3 These changes and proposed amendments
4 were approved by the Governor's office on
5 August 3rd, 2021. If you approve them today,
6 there will be a 30-day public written comment
7 period, there will be a public hearing on
8 December the 2nd, 2021, and after the comments
9 that are received, the final orders will be
10 presented to you at your January 19th, 2022,
11 meeting. If you approve the final orders on that
12 day they will have an effective date of May 30th,
13 2022.

14 MR. LEARA: Any questions for
15 Mr. Grewach? Seeing none, I move for the
16 approval of Proposed Amendment No. 45-7.130. Is
17 there a second?

18 MR. CONWAY: I'll second.

19 MR. LEARA: Second, Mr. Conway.
20 Any further discussion? Seeing none, Angie?

21 MS. FRANKS: Chairman Leara?

22 MR. LEARA: Approved.

23 MS. FRANKS: Commissioner Conway?

24 MR. CONWAY: Approved.

25 MS. FRANKS: Commissioner Hane?

1 MR. HANE: Approved.

2 MS. FRANKS: Commissioner

3 Zimmerman?

4 MS. ZIMMERMAN: Approved.

5 MS. FRANKS: By your vote you've

6 adopted Proposed Amendment 11 CSR 45-7.130.

7 MR. LEARA: Next, Proposed

8 Amendment No. 45-9.113. I move for the approval

9 of that, is there a second?

10 MR. HANE: Second.

11 MR. LEARA: Second, Mr. Hane. Any

12 discussion? Hearing none, Angie please call it.

13 MS. FRANKS: Chairman Leara?

14 MR. LEARA: Approved.

15 MS. FRANKS: Commissioner Conway?

16 MR. CONWAY: Approved.

17 MS. FRANKS: Commissioner Hane?

18 MR. HANE: Approved.

19 MS. FRANKS: Commissioner

20 Zimmerman?

21 MS. ZIMMERMAN: Approved.

22 MS. FRANKS: By your vote you've

23 adopted Proposed Amendment 11 CSR 45-9.113.

24 MR. LEARA: Next item on the

25 agenda, consideration of resolution approving

1 third-party examiner. Mr. Grewach?

2 MR. GREWACH: Thank you. As
3 Chairman indicated, this is a resolution granting
4 the request of Jeffrey Stephen Boyle to be
5 approved as a third-party examiner.

6 Chapter 6 of our rules require certain
7 inspections of excursion gambling boats by a
8 third-party examiner approved by the Commission.
9 It sets the requirements of that third-party
10 examiner to be a licensed engineer or architect,
11 to have a certain amount of experience in the
12 field, and to have a certain level of insurance
13 coverage.

14 Mr. Boyle meets all those
15 qualifications, he is a licensed architect, he,
16 in fact, has been -- the reason that we're here
17 is there was another company, ABSG Consulting,
18 who had been our third-party examiner for years
19 and they had announced that they were going to
20 discontinue those services in 2022.

21 Now, Mr. Boyle worked as a contractor
22 and conducted inspections on Missouri excursion
23 gambling boats for 25 years. As a matter of
24 fact, I talked to him and I believe he's
25 inspected at one point or another every -- all 13

1 of the casinos, all 13 of the boats we have.

2 MR. LEARA: An inspection, could
3 you describe what that inspection is he's
4 inspecting?

5 MR. GREWACH: Mr. Boyle's actually
6 here and I forgot to mention that part. I think
7 I might call him to answer that.

8 MR. LEARA: Mr. Boyle, you have the
9 floor.

10 MR. STEPHEN BOYLE: Yes, good
11 morning, Mr. Chairman and members of the
12 Commission. Again, my name is Jeffrey Boyle, I
13 would like to thank you for your time and
14 consideration to become an approved third-party
15 examiner so I can continue to present -- to
16 represent the Missouri Gaming Commission while
17 performing the required inspections of the
18 casinos in Missouri. And your question was?

19 MR. LEARA: What are you
20 inspecting?

21 MR. STEPHEN BOYLE: Everything.
22 Mechanical problems, electrical problems,
23 plumbing problems, fire problems. Anything
24 that's in the fire code we look for, anything
25 that's in the building code we look for.

1 I can give you some examples if you'd
2 like. We're very stringent on compliant exiting
3 for the casino patrons to get to the public way.
4 How many times have you been in a casino and
5 there's a car sitting right in front of the main
6 entrance. Happens all the time. So we regulate
7 those types of things.

8 We also do construction inspections when
9 they do a remodel. I'm already heavily involved
10 in Casino KC, Bally's, whatever they're calling
11 it. I actually had a phone conversation with
12 them, a conference call yesterday afternoon and
13 they want to reduce their number of exits during
14 construction from like five to like three and you
15 have to have a minimum of four when you have over
16 1,000 people. So I said no and they need to come
17 back with another, you know, another proposal.

18 So we look at everything. We go in
19 every room -- we don't go in the count room if
20 there's money in there, we inspect it from
21 surveillance. Make sure the fire extinguishers
22 are up to date, the fire alarm devices armed, and
23 make sure the exits aren't blocked. So we can do
24 those kind of things, sometimes from surveillance
25 when it's not allowed.

1 MR. LEARA: Who is your client? Is
2 the client the Gaming Commission?

3 MR. STEPHEN BOYLE: Correct.

4 MR. GREWACH: I might add to
5 Mr. Boyle's presentation that the rule requires
6 the annual inspections and the rule further
7 requires inspections during construction or
8 modifications, so those are the things that would
9 trigger Mr. Boyle doing the work.

10 MR. LEARA: Any questions for
11 Mr. Boyle or Mr. Grewach on this? Seeing none,
12 Mr. Boyle, thank you. Ed, thank you.

13 I will move for the approval of
14 Resolution No. 21-047. Is there a second?

15 MS. ZIMMERMAN: Second.

16 MR. LEARA: Second, Commissioner
17 Zimmerman. Any further discussion? Seeing none,
18 Angie, please call the roll.

19 MS. FRANKS: Chairman Leara?

20 MR. LEARA: Approve.

21 MS. FRANKS: Commissioner Conway?

22 MR. CONWAY: Approved.

23 MS. FRANKS: Commissioner Hane?

24 MR. HANE: Approved.

25 MS. FRANKS: Commissioner

1 Zimmerman?

2 MS. ZIMMERMAN: Approved.

3 MS. FRANKS: By your vote you've
4 adopted Resolution No. 21-047.

5 MR. GREWACH: Thank you.

6 MR. LEARA: Now, the next on the
7 agenda, licensure of key applicants. You have
8 the floor.

9 CORPORAL MASTERS: Corporal John
10 Masters from the Missouri State Highway Patrol.

11 MR. LEARA: Corporal.

12 CORPORAL MASTERS: Mr. Chairman and
13 Commissioners, Missouri State Highway Patrol
14 Investigators along with MGC financial
15 investigators conducted a comprehensive
16 background investigation on a Level One
17 applicant, Michael A. Babinkski, who is the vice
18 president of operations for Hollywood and River
19 City Casinos.

20 This investigation included, but was not
21 limited to criminal, financial, and general
22 character inquiries which were made in the
23 jurisdictions where Mr. Babinski lived and
24 visited, as well as worked.

25 The investigative findings were provided

1 to the Missouri Gaming staff for their review and
2 I'd be happy to answer any questions you have.
3 Thank you.

4 MR. LEARA: Any questions for
5 Corporal Masters?

6 MS. ZIMMERMAN: Mr. Chairman, I
7 don't have a question, I just want to thank
8 Corporal Masters for clarifying some of the
9 information that was contained in the report for
10 me. I appreciate that very much, Corporal, thank
11 you.

12 MR. LEARA: Any other questions,
13 comments? Seeing none, Corporal, thank you.

14 CORPORAL MASTERS: Thank you.

15 MR. LEARA: All right. Well, I
16 will move for the approval of Resolution
17 No. 21.048 of Mr. Boyle. Is there a second?

18 MS. ZIMMERMAN: Second.

19 MR. LEARA: Second, Commissioner
20 Zimmerman. No other discussion? Angie, please
21 call the roll.

22 MS. FRANKS: Chairman Leara?

23 MR. LEARA: Approved.

24 MS. FRANKS: Commissioner Conway?

25 MR. CONWAY: Approved.

1 MS. FRANKS: Commissioner Hane?

2 MR. HANE: Approved.

3 MS. FRANKS: Commissioner

4 Zimmerman?

5 MS. ZIMMERMAN: Approved.

6 MS. FRANKS: By your vote you've

7 adopted Resolution No. 21-048.

8 MR. LEARA: Next item on the

9 agenda, consideration of relicensure of key

10 persons. Sergeant Coulson?

11 SERGEANT COULSON: Sergeant Jeff

12 Coulson.

13 MR. LEARA: You have the floor.

14 SERGEANT COULSON: Mr. Chairman and

15 Commissioners, Missouri Highway Patrol

16 investigators conducted background investigation

17 updates on key person license renewals.

18 The investigations included an

19 application review, as well as civil, criminal,

20 and general character inquiries made in the

21 jurisdictions where the applicants live, work,

22 and frequent.

23 The following renewals are being

24 presented for your consideration: Joseph Walter

25 Marshall, the third, Director, Gaming and Leisure

1 Properties, Inc.

2 Evan Scott Urdang, Director, Gaming and
3 Leisure Properties, Inc.

4 Samantha Fay Ravich, Independent
5 Director, International Game Technology, PLC.

6 James Robert Abrahamson, Chairman, VICI
7 Properties, Inc.

8 Craig Macnab, Director, VICI Properties,
9 Inc.

10 Edward Baltazar Pitoniak, Chief
11 Executive Officer and Director, VICI Properties,
12 Inc.

13 Investigative findings were provided to
14 the Missouri Gaming Commission staff for their
15 review and investigators are available to answer
16 any questions you might have. Thank you.

17 MR. LEARA: These were relicensures
18 so they have been through the lengthy process
19 previously?

20 SERGEANT COULSON: Yes, sir.

21 MR. LEARA: Nothing appears to have
22 stood out. Any questions? Thank you.

23 I will move for the approval of
24 relicensure of key persons, Resolution
25 No. 21.049. Is there a second?

1 MR. CONWAY: Second.

2 MR. LEARA: Second, Mr. Conway.

3 Any further discussion? Seeing none, Angie
4 please call the roll.

5 MS. FRANKS: Chairman Leara?

6 MR. LEARA: Approve.

7 MS. FRANKS: Chairman Conway?

8 MR. CONWAY: Approve.

9 MS. FRANKS: Commissioner Hane?

10 MR. HANE: Approve.

11 MS. FRANKS: Commissioner

12 Zimmerman?

13 MS. ZIMMERMAN: Approve.

14 MS. FRANKS: By your vote you've
15 adopted Resolution No. 21-049.

16 MR. LEARA: Before I make the next
17 motion, we will recognize for the people from
18 St. Joseph our new Executive Director, Judge
19 Petty Richardson and we welcome her aboard.
20 She's been a great asset to us, thank you.

21 JUDGE RICHARDSON: Thank you,
22 Chairman.

23 MR. LEARA: With that, I will make
24 a motion for closed meeting under Sections
25 313.847 of the Revised Statutes of Missouri,

1 Investigatory, Proprietary and Application
2 Records; and Section 610.021, Section 1, Revised
3 Statutes of Missouri, Legal Actions and Matters
4 Subject to Attorney/Client Privilege and Legal
5 Work Product; Sections 3 and 13, Personnel;
6 Sections 12, Contracts; and Section 14, Records
7 Protected From Disclosure By Law. Is there a
8 second?

9 MR. HANE: Second.

10 MR. LEARA: We have a second. Any
11 discussion? Seeing none, Angie?

12 MS. FRANKS: Chairman Leara?

13 MR. LEARA: Approve.

14 MS. FRANKS: Commissioner Conway?

15 MR. CONWAY: Approve.

16 MS. FRANKS: Commissioner Hane?

17 MR. HANE: Approve.

18 MS. FRANKS: Commissioner

19 Zimmerman?

20 MS. ZIMMERMAN: Approve.

21 MR. LEARA: Motion carries, we are
22 now in closed. Thank you all for coming.

23 (The hearing concluded at 10:02 a.m.)

24

25

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

C E R T I F I C A T E

I, Michele L. Sehrt, a Certified Court Reporter for the State of Missouri do hereby certify that I was personally present at the proceedings as set forth in the caption sheet hereof; that I then and there took down in shorthand the proceedings and that the foregoing is a true and correct transcript of such shorthand notes so made at such time and place.

WITNESS my hand and official seal this 13th day of October, 2021.

<%24954,Signature%>
MICHELE L. SEHRT
MO CCR #726

MISSOURI GAMING COMMISSION
Second Open Session Minutes
September 29, 2021

The Missouri Gaming Commission went into the second open session at 12:31 p.m.

Chairman Leara moved to adjourn the second open session meeting. Commissioner Hane seconded the motion, and after a roll call vote was taken, Leara – yes, Conway – yes, Hane – yes, and Zimmerman – yes, the motion passed unanimously.

The closed session meeting ended at 12:32 p.m.