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BEFORE THE MISSOURI GAMING COMMISSION  
EMBASSY SUITES HOTEL  
TWO CONVENTION CENTER PLAZA  
ST. CHARLES, MISSOURI

TRANSCRIPT OF HEARING

June 26, 2024

9:30 A.M.

*JAN ZIMMERMAN, Commission Chairman*  
*DAVID W. HANE, Commissioner*  
PAT CONWAY, Commissioner (via phone conference)  
KEVIN SPAULDING, Commissioner  
HEATHER RICHENBERGER, Interim Executive Director

P R O C E E D I N G S

1  
2 CHAIRMAN ZIMMERMAN: Good morning, everyone, and  
3 welcome to the June meeting of the Missouri Gaming Commission.  
4 I'll call the June 26, 2024 Missouri Gaming Commission meeting  
5 to order.

6 Angie, would you call the roll?

7 MS. FRANKS: Chairman Zimmerman?

8 CHAIRMAN ZIMMERMAN: Present.

9 MS. FRANKS: Commissioner Conway?

10 COMMISSIONER CONWAY: Present.

11 MS. FRANKS: Commissioner Hane?

12 COMMISSIONER HANE: Present.

13 MS. FRANKS: Commissioner Spaulding?

14 COMMISSIONER SPAULDING: Present.

15 CHAIRMAN ZIMMERMAN: We have a quorum, so let's get  
16 started. Before we get into the agenda today, I'd like to  
17 take the opportunity to thank the City of St. Louis and  
18 Embassy Suites for their hospitality, but I especially want to  
19 thank -- and I think I saw him here -- Mike Jerlecki and the  
20 staff of River City for their hospitality and the tour  
21 yesterday. Their facility is absolutely beautiful, and they  
22 showed us a lot there, and we really appreciate that.

23 Next we have Team Member Recognition, and I understand  
24 Deputy Director Nikki Evans will make that presentation.

25 MS. EVANS: Good morning, Chairman and Commissioners.

1 This morning we have two team members that we would like to  
2 recognize.

3 First, Kelly Allen, come on up. Or you can wave,  
4 whatever you want to do. You're not in trouble, you can come  
5 up. Kelly has been with the MGC for ten years and served as  
6 our Electronic Gaming Device Coordinator on the east side in  
7 St. Louis.

8 I do like to call her the EGD encyclopedia because she  
9 has such a vast knowledge of the ins and outs of every aspect  
10 of gaming devices, truly every aspect. I'm not sure I could  
11 store all the acronyms she knows as part of her job in my head  
12 and have room for anything else, but she makes it look easy.

13 Beyond being excellent at her job, Kelly is also an  
14 excellent team player and a great support to the entire EGD  
15 staff. Her co-workers say that not only does she excel at  
16 getting her work done and solving any problem that may come  
17 up, but she genuinely cares about the people that she works  
18 with and she genuinely cares about people around her as well.

19 I've also been told she makes an excellent Vegas tour  
20 guide, so if anybody needs that at any point, she's the one  
21 you want to call.

22 So congratulations to Kelly for ten years of service to  
23 MGC. We're very, very grateful you're here and hope we have  
24 many more years to come with you.

25 CHAIRMAN ZIMMERMAN: Turn around and get your photo op.

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[APPLAUSE]

MS. EVANS: Then we also have Jennifer Casebeer, Jenny, as her co-workers call her. She has been with MGC for 15 years and served as an Electronic Gaming Device specialist. Her co-workers and supervisors described her as the employee that you can rely on for whatever needs to be completed. She offers to help any time the department gets busy and even helped create several checklists for the department to ensure that they all follow the necessary steps and makes sure that nothing gets left behind or forgotten.

She is an asset to MGC and celebrates her 15 years of service to us. And I've heard that you maybe threatened retirement a few times, and we want to keep you around; so we are very, very grateful to your time here and thank you so much.

MS. CASEBEER: Thank you.

[APPLAUSE]

CHAIRMAN ZIMMERMAN: Congratulations to both Kelly and Jenny. We appreciate the service that they've given us all these years.

The first item on the agenda this morning is the Adoption of the Agenda, and I move that we adopt today's agenda. Is there a second?

COMMISSIONER HANE: Second.

CHAIRMAN ZIMMERMAN: Any discussion? Seeing none,

1 Angie, would you call the roll?  
2 MS. FRANKS: Chairman Zimmerman?  
3 CHAIRMAN ZIMMERMAN: Approved.  
4 MS. FRANKS: Commissioner Conway?  
5 COMMISSIONER CONWAY: Approved.  
6 MS. FRANKS: Commissioner Hane?  
7 COMMISSIONER HANE: Approved.  
8 MS. FRANKS: Commissioner Spaulding?  
9 COMMISSIONER SPAULDING: Approved.  
10 MS. FRANKS: By your vote, you've adopted the agenda.  
11 CHAIRMAN ZIMMERMAN: The next item of business this  
12 morning is the Consideration of the Minutes from the May  
13 Meetings. I move that the minutes of the May 29 meeting 2024  
14 be approved. Is there a second?  
15 COMMISSIONER SPAULDING: Second.  
16 CHAIRMAN ZIMMERMAN: Any discussion? Seeing none,  
17 Angie, would you call the roll?  
18 MS. FRANKS: Chairman Zimmerman?  
19 CHAIRMAN ZIMMERMAN: Approved.  
20 MS. FRANKS: Commissioner Conway?  
21 COMMISSIONER CONWAY: Approved.  
22 MS. FRANKS: Commissioner Hane?  
23 COMMISSIONER HANE: Approved.  
24 MS. FRANKS: Commissioner Spaulding?  
25 COMMISSIONER SPAULDING: Approved.

1 MS. FRANKS: By your vote, you've adopted the minutes  
2 of the May 29, 2024 meeting.

3 CHAIRMAN ZIMMERMAN: Next we have Consideration of  
4 Relicensure of the Class B Licensing, Tropicana St. Louis  
5 doing business as Horseshoe St. Louis. And I'd like to begin  
6 by recognizing Horseshoe General Manager Brian Marsh, who will  
7 make the presentation regarding their application for  
8 relicensure.

9 MR. MARSH: Good morning, and thank you, Chairman  
10 Zimmerman, Commissioners, Executive Director Richenberger,  
11 Commission Staff.

12 My name is Brian Marsh. I'm the Senior Vice President  
13 and General Manager at Horseshoe St. Louis, and this morning,  
14 pursuant to Resolution 24-028, we are petitioning for  
15 relicensing of our Class B License at Horseshoe St. Louis.

16 Before I get going, I also want to congratulate Kelly  
17 and Jenny. You guys are great to work with any time you're at  
18 the property, so thank you.

19 Before we get going, I'd like to just do a quick  
20 introduction. As you can see, we've got some team members  
21 here. First off, front row, we've got Ryan Bierbaum; he's our  
22 Director of Marketing.

23 We have our newest member of the team; in fact, he  
24 started last Friday, he actually made it a couple of days and  
25 hasn't left us, so we're happy about that; Andrew Meritt,

1 who's our leader at Surveillance.

2 We have Shawn Holmes, who's our Director of Food and  
3 Beverage.

4 We have our Director of Operations, Dean Lane,  
5 overseeing both table games and slots. We will skip that  
6 person on the end.

7 Josh, as you know, Josh Dunn is our Regulatory  
8 Compliance Officer.

9 We have, I think, the best Director of Finance in the  
10 entire country right here, Dan Brinkman, keeps me in line.

11 We have Carla Shelby, our Director of Human Resources.  
12 I'm very sorry that you had to sit next to Matt Aizzi, our  
13 corporate attorney. We're very thankful to have Matt also on  
14 the team.

15 All right, so what you have in front of you is a  
16 presentation. I apologize we don't have this on a monitor for  
17 you.

18 If you'll go to Page 2, Horseshoe St. Louis is proud to  
19 be part of the largest domestic casino company in the United  
20 States, Caesars Entertainment. We operate 53 properties in 18  
21 states. We have over 50,000 slot machines and 2,700 table  
22 games.

23 Caesars Entertainment industry lead position gives us  
24 the opportunity to leverage a lot of great brands such as  
25 Caesars Rewards, which is our player card system, World Series

1 of Poker, Starbucks, and of course Gordon Ramsay's.

2 Moving into Page 3, I'm going to move pretty quick, so  
3 if there's any point you guys have questions, please stop me.

4 So at Horseshoe Casino, we have 449 team members, we  
5 have 494 hotel rooms, 861 slot machines, 20 electronic table  
6 games, 28 live table games, nine live poker games, and five  
7 restaurants.

8 If you remember, in May of 2020, we rebranded the  
9 property from Lumiere Place to Horseshoe St. Louis. It's been  
10 a great brand, very recognizable. And people can pronounce  
11 it.

12 From 2020 to 2023, we've generated 595 million in gross  
13 gaming revenue, 125 million in wagering tax, 20.1 million in  
14 admission tax. And pursuant to our local development  
15 agreement with the City of St. Louis, we contribute a million  
16 dollars to them annually, and we are in compliance with that.

17 We have a Four Seasons Hotel at the property, as you  
18 know. I'm proud to make the comment that our Four Seasons is  
19 the only hotel in the State of Missouri that has actually  
20 achieved a Five Diamond Level with AAA, so it's a great place  
21 to stay.

22 Examples of our dining options is Morton's Steakhouse  
23 and, most recently, Gordon Ramsay's. We actually did a soft  
24 opening the 18th of April, and the restaurant's doing  
25 fantastic. Cover count is close to 30,000 covers in a 62-day

1 period, so it's really taken hold. And then Friday, we're  
2 actually going to do a grand opening and ribbon cutting.

3 Moving on to Page 4, the total capital investment at  
4 the property is 645 million. Since our 2020 licensing,  
5 relicensing, we've invested 26.7 million, and six and a half  
6 million of that is happening this year.

7 Some highlights: Of course, we did the Horseshoe  
8 rebranding, we created a new Caesars Reward Center right off  
9 the entrance of the main casino, we've completely renovated  
10 all the hotel rooms at Four Seasons along with all the  
11 convention space and meeting rooms. I'll talk about overall  
12 safety in a second.

13 And we effectively dry docked the casino floor, which  
14 was quite a task, so we no longer have water underneath, but  
15 we do have all of our required -- remember that hearing where,  
16 yeah, I had to rely on Matt, that was not good.

17 So going on to Page 5, in addition to our -- what's  
18 considered our normal capital spend and pursuant to Resolution  
19 20-019, which became effective June 24 of 2020, we are  
20 obligated to spend another 12 and a half million dollars in  
21 capital spend specifically for security, safety, and signage.

22 And I'm happy to report as of June of this year, we  
23 are -- we have spent 8.7 million towards that 12 and a half,  
24 we have an additional 3.8 remaining. And as you can see by  
25 the table below, we've taken this very seriously. And just

1 from our standpoint, it's -- you know, it's good to have this  
2 extra money, especially with the things that we deal with, so  
3 it's been very creative to the property, so thank you. I can  
4 answer any questions with regards to capital spend.

5 CHAIRMAN ZIMMERMAN: Brian, I did want to say -- and I  
6 know it's illustrated here in the table that you have -- has  
7 the fence around the property made a significant improvement?

8 MR. MARSH: The fence has made a great improvement for  
9 us, yeah. It's really too bad we had to do it, but it's  
10 working.

11 Going on to Page 6, just three quick photos. The  
12 left-hand side is the logo for Ramsay's Kitchen. If you get a  
13 chance to visit, it's an amazing restaurant. Top right is our  
14 new Caesars Reward Center, which is right on the casino floor  
15 as you enter, and right across from the main entrance is a  
16 full Starbucks operation now, very proud to have those.

17 Heading into Page 7, this is an update to our minority  
18 and women vendor commitments. As you can see from the chart,  
19 our percentages have declined a bit from 2020. The two major  
20 reasons, we made a strategic change coming out of Covid. We  
21 no longer purchase or do gift giveaways at the property, so  
22 that's about three million dollars.

23 And the second is regards to post-Covid, when you think  
24 about food; we don't do a buffet and we closed one of our  
25 restaurants, so that's about a million-six delta there. So

1 again, we're very committed to this, and I can answer any  
2 questions that you may have.

3 As we move into Page 8, so right out of the gate, we  
4 talk about employee demographics. I want to tell you that all  
5 of our leadership is required to participate in DEI, myself,  
6 corporate level, everybody. So in order for us to do things  
7 properly these days, we went through and actually replaced any  
8 language in our job descriptions that was exclusive, made sure  
9 that there was inclusive messaging.

10 We hired qualified candidates, we bring a unique  
11 perspective and ideas. We provide a safe and welcoming work  
12 environment for all diverse teams. I'm happy to answer any  
13 questions in regards to that.

14 Very good. Moving to Page 9, we've spent approximately  
15 300,000 in charitable contributions during the licensing  
16 period, fiscal year '21 through '24. Some highlights, as you  
17 can see on the chart below, it's American Legion, Blues  
18 Museum, Mathews-Dickey Boys & Girls Club, and we continue to  
19 support our St. Louis Police Foundation quite heavily.

20 Going into Page 10, so as it pertains to responsible  
21 gaming, promoting responsible gaming is part of our culture,  
22 it's the foundation of our Code of Commitment, which spells  
23 out the principles that govern the way we do business.

24 Our company's long-standing and continued commitment to  
25 responsible gaming is something we take great pride in.

1 Caesars Entertainment's position on the issue is we want  
2 everyone who gambles at our casinos to be there for the right  
3 reasons, to simply have fun. We believe that any entity  
4 involved in legal wagering has an obligation to promote  
5 responsible gaming and address underage gaming.

6 So that's our principle. In addition to that, we have  
7 a -- in our exclusion program, if you're excluded at any  
8 property in the country, you're also excluded at all  
9 properties, whether it's self-exclusion or involuntary  
10 exclusion. We've provided a link to the actual website that  
11 has all of our public information about responsible gaming on  
12 this, and I'm happy to answer any additional questions.

13 So over the past four years, I want to talk about some  
14 highlights for safety and security, but before I go there, I  
15 just want to talk about how important the state troopers are  
16 with us at the property. The team there is -- they're great  
17 to work with, we -- you know, they understand what we need,  
18 they work very collaboratively with us. When we do something  
19 wrong, we work very cooperatively to get through whatever it  
20 is. And we couldn't do what we do without them, so I'm very  
21 proud to be a part of their world and to help them out and  
22 very happy to have them at the property.

23 We worked closely with the team at the property and we  
24 developed a Critical Incident Response Plan, which I have a  
25 copy of if you guys would like to see it. We actually hold

1 regular tabletop sessions to be prepared for any type of  
2 active shooter or any critical incident. This way, we are  
3 always trained, we know what to do.

4 Sometimes we include SLPD. We've brought East St.  
5 Louis in, we've had FBI, we've had quite a few different  
6 organizations for these trainings, so they've been very good  
7 for the property.

8 CHAIRMAN ZIMMERMAN: Is that annually, Mr. Marsh, or is  
9 it --

10 MR. MARSH: It's ongoing. Sometimes it's twice a year,  
11 just really depends on -- you know, these groups are tough to  
12 get together. It really depends on what's happening and how  
13 we feel about our readiness as we go on, so it could be twice  
14 a year, could be, you know, once a year.

15 CHAIRMAN ZIMMERMAN: And is that training, as new  
16 employees come in, they're given that information?

17 MR. MARSH: Actually, in our new hire orientation  
18 process, we actually do have a pretty comprehensive safety and  
19 security session for it. This is more specific for the  
20 troopers, the security team, and department leads; and that  
21 way, we can go back and make sure that if these events do  
22 happen, we understand what's going to happen on the floor.

23 CHAIRMAN ZIMMERMAN: You want all those responding  
24 elements to be on the same page.

25 MR. MARSH: Exactly. The other thing that we do on a

1 bi-weekly basis, every Monday and Friday, myself and our  
2 Director of Security, we participate in a weekly -- a  
3 bi-weekly conference call with the CID and with the City. And  
4 primarily what this is is business owners and SLPD, and we  
5 talk tactically about what's going to happen that week. Our  
6 captain of the ward explains the ongoing incidents that  
7 they've dealt with; like, for example, we talked about the  
8 shootings that we had the other day downtown and how they  
9 affect everybody.

10 And so it's really a good session for us so that we  
11 know what to expect during the week, we know what their  
12 manning is, we know what we have to prepare to do, and  
13 everything builds up to the weekend. So then we have another  
14 follow-up on Friday as we head into the weekends, so we do  
15 that every week.

16 CHAIRMAN ZIMMERMAN: Do you have special events there,  
17 are there like any off-beat police officers that work?

18 MR. MARSH: Sure.

19 CHAIRMAN ZIMMERMAN: You all hire off-duty for --

20 MR. MARSH: Yeah, we actually do. We have -- we use  
21 The City's Finest, TCF, and we employ armed police officers  
22 off-duty through TCF continuously for the property, so yeah.

23 Then we've provided a chart here for our underage  
24 persons that we've been able to not allow on the property.  
25 We've had a small handful that has gotten on. Again, we

1 handle them accordingly and so forth. So if there's any  
2 questions?

3 Then finally, this is Page 12, it's a letter from  
4 Tishaura Jones in favor of our relicensing. I don't believe  
5 there's anybody here from the City with us. And with that,  
6 any additional questions?

7 CHAIRMAN ZIMMERMAN: Any questions for Mr. Marsh?

8 COMMISSIONER SPAULDING: I don't think so, thank you.

9 MR. MARSH: Again, this is my third relicensing, so I'm  
10 really honored to be a part of the gaming community here,  
11 honored to be a part of MGC and do what we do and, you know,  
12 just really proud to represent a great team and work with the  
13 state. So thank you very much for your consideration on the  
14 petition.

15 CHAIRMAN ZIMMERMAN: You're an old hand at this now. I  
16 did want to for the record mention that we received letters  
17 from St. Louis Mayor Tishaura Jones and the President and CEO,  
18 Neal Richardson, of the St. Louis Development Corporation in  
19 support of Mr. Marsh and the relicensure, just for the record.

20 The Commission will now hear any public comments  
21 regarding the application for Horseshoe. If there's anyone  
22 who would like to come forward, please keep your comments to  
23 three minutes or less.

24 All right, seeing none, we'll now hear from Sergeant  
25 John Masters who will provide the investigatory summary.

1           SERGEANT MASTERS: Good morning, Chairman Zimmerman and  
2 Commissioners.

3           Tropicana St. Louis, LLC, doing business as Horseshoe  
4 St. Louis submitted a renewal application to the Commission on  
5 December 11, 2023, for the renewal of their Class B Riverboat  
6 Gaming license, which is set to expire June 30, 2024.

7           Investigators with the Missouri State Highway Patrol,  
8 along with MGC Financial Analysts, conducted an investigation  
9 to assist the MGC in determining the continued suitability of  
10 Horseshoe to operate as a Class B licensee.

11           This investigation included, but was not limited to,  
12 feedback from local and state governmental agencies, a  
13 financial analysis, a review of disciplinary actions,  
14 litigation, and business credit profiles, as well as a review  
15 of key persons associated with Horseshoe.

16           There were no issues, concerns, or negative information  
17 discovered. The findings of this investigation were provided  
18 to the MGC Staff, and investigative officers are present to  
19 answer any questions you might have. Thank you.

20           CHAIRMAN ZIMMERMAN: Any questions for Sergeant  
21 Masters? Thank you, Sergeant Masters.

22           Next we have Senior Compliance Officer Jenny Hemmel,  
23 who will provide MBE/WBE Compliance Review.

24           MS. HEMMEL: Good morning, Chairman Zimmerman,  
25 Commissioners.

1           In 2024, the Missouri Gaming Commission Staff conducted  
2 an audit of the MBE/WBE records for the Class B licensee,  
3 Horseshoe St. Louis. The results of our audit and specific  
4 details related to those findings are included in your summary  
5 report that you have.

6           I'll be happy to answer any questions about it if you  
7 have any.

8           CHAIRMAN ZIMMERMAN: Any questions? Pat, any  
9 questions?

10          COMMISSIONER CONWAY: I'm here. No questions, but I  
11 did like the report. I thought it was well put together and  
12 very understandable, so I appreciate that.

13          MS. HEMMEL: Thank you.

14          CHAIRMAN ZIMMERMAN: Thank you. And I didn't mention  
15 this, Mr. Marsh, during your portion of the report; really  
16 good numbers as far as your management and your team that you  
17 have together there. I mean you should be very proud of the  
18 diversity that you have in your team.

19          MR. MARSH: I appreciate that. Thank you.

20          CHAIRMAN ZIMMERMAN: We'll now hear from Interim  
21 Executive Director Heather Richenberger regarding Resolution  
22 24-028.

23          INTERIM DIRECTOR RICHENBERGER: MGC Staff is  
24 recommending relicensure of Horseshoe St. Louis.

25          CHAIRMAN ZIMMERMAN: Thank you, Ms. Richenberger. Any

1 questions?

2 COMMISSIONER SPAULDING: No.

3 CHAIRMAN ZIMMERMAN: Thank you. I move to approve  
4 Resolution 24-028. Is there a second?

5 COMMISSIONER CONWAY: Second.

6 CHAIRMAN ZIMMERMAN: Any further discussion? Seeing  
7 none, Angie, would you call the roll?

8 MS. FRANKS: Chairman Zimmerman?

9 CHAIRMAN ZIMMERMAN: Approved.

10 MS. FRANKS: Commissioner Conway?

11 COMMISSIONER CONWAY: Approved.

12 MS. FRANKS: Commissioner Hane?

13 COMMISSIONER HANE: Approved.

14 MS. FRANKS: Commissioner Spaulding?

15 COMMISSIONER SPAULDING: Approved.

16 MS. FRANKS: By your vote, you've adopted Resolution  
17 Number 24-028.

18 CHAIRMAN ZIMMERMAN: Congratulations.

19 MR. MARSH: Thank you very much.

20 CHAIRMAN ZIMMERMAN: Our next item of business is  
21 Consideration of Resolution 24-029 regarding Licensure for  
22 Renewal of Certain Key Person Entity Licensees for Tropicana.  
23 Sergeant Masters, you have the floor again.

24 SERGEANT MASTERS: Thank you.

25 Missouri State Highway Patrol Investigators and MGC

1 Financial Analysts conducted the Key Business Entity renewal  
2 investigation of Tropicana Entertainment, Inc. The Commission  
3 received Tropicana's application on March 18, 2024, and their  
4 license is set to expire June 30, 2024.

5 The investigative findings were provided to the MGC  
6 staff for their review, and investigators are available to  
7 answer any questions you might have. Thank you.

8 CHAIRMAN ZIMMERMAN: I have no questions. Any  
9 questions for Sergeant Masters?

10 COMMISSIONER SPAULDING: No.

11 CHAIRMAN ZIMMERMAN: Seeing none, thank you again,  
12 Sergeant.

13 I move to approve Resolution 24-029. Is there a  
14 second?

15 COMMISSIONER HANE: Second.

16 CHAIRMAN ZIMMERMAN: Any further discussion? Seeing  
17 none, Angie, would you call the roll?

18 MS. FRANKS: Chairman Zimmerman?

19 CHAIRMAN ZIMMERMAN: Approved.

20 MS. FRANKS: Commissioner Conway?

21 COMMISSIONER CONWAY: Approved.

22 MS. FRANKS: Commissioner Hane?

23 COMMISSIONER HANE: Approved.

24 MS. FRANKS: Commissioner Spaulding?

25 COMMISSIONER SPAULDING: Approved.

1 MS. FRANKS: By your vote, you've adopted Resolution  
2 Number 24-029.

3 CHAIRMAN ZIMMERMAN: Our next item of business is  
4 Consideration of Relicensure of Certain Supplier, Genesis  
5 Gaming Solutions, Resolution 24-030. Sergeant Masters, you  
6 have the floor again.

7 SERGEANT MASTERS: On February 2, 2024, the Commission  
8 received an application from Genesis Gaming Solutions, Inc.  
9 to renew its supplier license, which is set to expire on  
10 June 30, 2024.

11 Missouri State Highway Patrol Investigators and MGC  
12 Financial Analysts conducted the relicensing investigation of  
13 Genesis, which consisted of, but was not limited to,  
14 jurisdictional inquiries, feedback from Missouri casinos, a  
15 review of disciplinary actions, litigation, and business  
16 credit profiles, as well as key persons associated with  
17 Genesis.

18 The result of this investigation was provided to the  
19 MGC Staff for their review, and investigating officers are  
20 available to answer any questions you may have. Thank you.

21 CHAIRMAN ZIMMERMAN: Any questions for Sergeant Masters  
22 on Genesis? Seeing none, I think you're off the hook finally  
23 here.

24 SERGEANT MASTERS: Thank you.

25 CHAIRMAN ZIMMERMAN: Thank you. I move to approve

1 Resolution 24-030. Is there a second?

2 COMMISSIONER SPAULDING: Second.

3 CHAIRMAN ZIMMERMAN: Any further discussion? Angie,  
4 would you call the roll?

5 MS. FRANKS: Chairman Zimmerman?

6 CHAIRMAN ZIMMERMAN: Approved.

7 MS. FRANKS: Commissioner Conway?

8 COMMISSIONER CONWAY: Approved.

9 MS. FRANKS: Commissioner Hane?

10 COMMISSIONER HANE: Approved.

11 MS. FRANKS: Commissioner Spaulding?

12 COMMISSIONER SPAULDING: Approved.

13 MS. FRANKS: By your vote, you've adopted Resolution  
14 Number 24-030.

15 CHAIRMAN ZIMMERMAN: Our next item of business is  
16 Consideration of Licensure of Level I Key Applicants,  
17 Resolution 24-031. Sergeant Masters is not presenting this  
18 one; Sergeant Brian Holcomb will be making the presentation.

19 SERGEANT HOLCOMB: Thank you, Chairman Zimmerman. Good  
20 morning, Commissioners.

21 Missouri State Highway Patrol Investigators and  
22 Missouri Gaming Commission Financial Analysts conducted  
23 comprehensive background investigations on Key and Level I  
24 applicants. The investigations included, but were not limited  
25 to, civil, criminal, financial, and general character

1 inquiries that were made in the jurisdictions where the  
2 applicants have lived, worked, and frequented.

3 The following applicants are being presented for your  
4 consideration.

5 Taylor Michelle Hurt, Surveillance Manager, St. Jo  
6 Frontier Casino.

7 Andrea Adolfo Boroli, Director, B&D Holding S.p.A.

8 Investigative findings were provided to the Missouri  
9 Gaming Commission Staff for their review, and investigators  
10 would be glad to answer any questions that you may have.

11 CHAIRMAN ZIMMERMAN: I have no questions. Any  
12 questions for sergeant Holcomb? Seeing none, thank you,  
13 Sergeant.

14 I move to approve Resolution 24-031. Is there a  
15 second?

16 COMMISSIONER CONWAY: Second.

17 CHAIRMAN ZIMMERMAN: Any further discussion? Seeing  
18 none, Angie, would you call the roll?

19 MS. FRANKS: Chairman Zimmerman?

20 CHAIRMAN ZIMMERMAN: Approved.

21 MS. FRANKS: Commissioner Conway?

22 COMMISSIONER CONWAY: Approved.

23 MS. FRANKS: Commissioner Hane?

24 COMMISSIONER HANE: Approved.

25 MS. FRANKS: Commissioner Spaulding?

1 COMMISSIONER SPAULDING: Approved.

2 MS. FRANKS: By your vote, you've adopted Resolution  
3 Number 24-031.

4 CHAIRMAN ZIMMERMAN: Thank you. Our next item of  
5 business is Consideration of Relicensure of Key Persons,  
6 Resolution 24-032. Corporal Don Doza will make the  
7 presentation.

8 CORPORAL DOZA: Thank you. Good morning, Ms. Chairman  
9 and Commissioners.

10 Missouri State Highway Patrol Investigators conducted  
11 background investigation updates on Key Person License  
12 renewals.

13 The investigations included an application review as  
14 well as civil, criminal, and general character inquiries made  
15 in the jurisdictions where the applicants currently reside.

16 The following renewals are being presented for your  
17 consideration.

18 Noel Thomas John Hayden, Equity Holder, Bally's  
19 Corporation.

20 Randy Lee Taylor, President, CEO, and Director, Everi  
21 Payments, Incorporated.

22 There are no pending requests for these investigations.  
23 Investigative findings were provided to the Missouri Gaming  
24 Commission Staff for their review, and I would be glad to  
25 answer any questions you might have. Thank you.

1 CHAIRMAN ZIMMERMAN: Any questions for Corporal Doza?  
2 Seeing none, thank you, Corporal.

3 I move to approve Resolution Number 24-032. Is there a  
4 second?

5 COMMISSIONER HANE: Second.

6 CHAIRMAN ZIMMERMAN: Any further discussion? Angie,  
7 would you call the roll?

8 MS. FRANKS: Chairman Zimmerman?

9 CHAIRMAN ZIMMERMAN: Approved.

10 MS. FRANKS: Commissioner Conway?

11 COMMISSIONER CONWAY: Approved.

12 MS. FRANKS: Commissioner Hane?

13 COMMISSIONER HANE: Approved.

14 MS. FRANKS: Commissioner Spaulding?

15 COMMISSIONER SPAULDING: Approved.

16 MS. FRANKS: By your vote, you've adopted Resolution  
17 Number 24-032.

18 CHAIRMAN ZIMMERMAN: The next item on our agenda is  
19 Consideration of Disciplinary Action DC-24-061, HGI Mark  
20 Twain, LLC in La Grange. Interim Executive Director and  
21 General Counsel Heather Richenberger will be making the  
22 presentation this morning.

23 INTERIM DIRECTOR RICHENBERGER: Good morning, Chairman,  
24 Commissioners.

25 Under Tab G is the Preliminary Order of Discipline

1 directed at Mark Twain Casino. This discipline is the result  
2 of repeat findings related to Mark Twain Casino's failure to  
3 properly train its security personnel and properly document  
4 that training.

5 From January of 2022 through July of 2023, the Mark  
6 Twain Casino Security Department was issued 19 compliance  
7 directives for failure to follow the rules set forth in the  
8 Code of State Regulations and the Minimum Internal Control  
9 Standards.

10 Additionally, there were 43 surveillance incident  
11 reports generated during that same time period for Security  
12 Department violations.

13 Gaming Commission agents had numerous discussions with  
14 the casino's security manager about the lack of security  
15 officer training and documentation of that training.  
16 Ultimately, a compliance directive was issued to the casino's  
17 security manager on October 4 of 2022 for violations of the  
18 Commission's MICS.

19 As a result of the compliance directive, the casino's  
20 security manager agreed to have security staff fully trained  
21 by November 30 of 2022 and to provide each casino security  
22 officer with a security officer training checklist to utilize  
23 and sign during training.

24 On May 6 of 2023, Missouri State Highway Patrol  
25 Corporal Harrison, assigned to the Gaming Commission, reviewed

1 casino surveillance footage and observed instances of security  
2 officers checking patrons' identifications after allowing them  
3 to enter the casino floor.

4 In addition, there were several instances of patrons  
5 being allowed to board while the security officer at the  
6 turnstiles was looking in a completely opposite direction,  
7 therefore not having any observations of the patrons entering.

8 As a result of these observations, Corporal Harrison  
9 reviewed surveillance of the turnstiles from the retention  
10 period through May 6 of 2023. This review showed that during  
11 the time frame of March 31 through May 6 of 2023, there were  
12 573 instances in which the security officer at the turnstile  
13 either failed to observe the patron prior to or while boarding  
14 or the officers checked the patron's ID for age verification  
15 after the patron was allowed to board.

16 In July of 2023, Corporal Harrison requested and  
17 reviewed the training checklist for security employees. Only  
18 nine checklists were provided for the 14 security employees.  
19 These checklists included 68 items of training, each item  
20 included a space to enter the date, the employee's signature  
21 and the supervisor's signature to document that training.

22 Of the nine checklists provided, five were complete.  
23 Of the five completed checklists, four indicated the training  
24 for all 68 items were completed in one calendar day, and the  
25 remaining completed checklist did not include any dates.

1           From July 14 to September 7, 2023, Corporal Harrison  
2 interviewed all but one of the casino's security officers  
3 regarding their training and their understanding of their job  
4 responsibilities. These interviews revealed that the officers  
5 were not properly trained in identifying fake IDs, lacked  
6 training on handling disassociated persons, and many were  
7 unfamiliar with the relevant regulations that governed their  
8 job duties.

9           The officers indicated they felt their training was  
10 inadequate and in many instances they were expected to perform  
11 their job functions on their own with only minimal training.  
12 These failures to properly train casino security officers and  
13 to document the training are a violation of 11 CSR  
14 45-10.030(6) which requires all casino occupational licensees  
15 to have a working knowledge of the Missouri Gaming  
16 Commission's statutes and regulations, including the  
17 Commission's MICS as it pertains to the responsibilities of  
18 their jobs and the MICS Chapter A that requires all training  
19 be documented.

20           In consideration of these violations, the Missouri  
21 Gaming Commission Disciplinary Review Board has recommended a  
22 fine in the amount of \$5,000.

23           In response to this proposed discipline, the casino has  
24 not contested the fine, and the new general manager responded  
25 that he takes the discipline very seriously and has taken

1 steps to address the lack of training, including ensuring that  
2 any outstanding training was completed and has now been  
3 properly documented.

4 He further indicated he was implementing policies to  
5 retain its trained security employees and attract future  
6 security employees by increasing their hourly wage.  
7 Additionally, the general manager stated an intent to add a  
8 new assistant security manager position to add an additional  
9 layer of management experience and supervision to the security  
10 department.

11 Commissioners, if you have any questions, I'd be happy  
12 to answer them.

13 CHAIRMAN ZIMMERMAN: Not a question, I think so much,  
14 Ms. Richenberger, as, you know, maybe a statement; and I'm  
15 certainly going to open it up for discussion from my fellow  
16 Commissioners.

17 I understand, and we've talked at length in previous  
18 meetings, about progressive discipline and starting, you know,  
19 at a level, you know, that would build if the errant behavior  
20 continues. In some instances, though, it is my opinion that  
21 the number and type of violations are serious enough that you  
22 go past that first step of progressive discipline.

23 I'm especially concerned, of course, with the security  
24 violations, the seeming lack of paying the appropriate amount  
25 of attention to those people entering the casino, those 573

1 instances where it was observed that those individuals were  
2 not paying the appropriate amount of attention.

3 And I do want to congratulate our person from the  
4 highway patrol for doing an outstanding investigation and  
5 looking into all of those violations, but there are a number  
6 of other violations in addition to that staggering number that  
7 they had of intoxicated persons, an individual with a gun, the  
8 failure to display the appropriate badges, maintain custody of  
9 appropriate keys, all very serious violations when it comes to  
10 the safety and security of that casino.

11 And so I feel as though there are times, and probably  
12 the majority of the people in this room know that I spent 43  
13 years in law enforcement, that the violation is serious enough  
14 that you step past that first step in the progressive  
15 discipline. So I'll open it up to my fellow Commissioners to  
16 get their sense of how serious this was.

17 COMMISSIONER HANE: Well, I think that our people have  
18 tried to work with them. We had -- you know, they issued 19  
19 compliance directives ahead of this, then there were another  
20 five and then another CD that was issued, again asking for the  
21 training list of the 14 officers from the security manager,  
22 and we were supplied nine of the 14, five of which were  
23 completed. And kind of curious that all of the training of  
24 the 68 items were completed in one day; that's a lot of  
25 training to digest.

1           But Corporal Harrison took the time to interview all  
2 the officers because he felt that something's going on here  
3 and basically discovered that they were clueless.

4           So I -- in reviewing the fixes, I am a little  
5 skeptical. I mean 573 violations in 36 days, the same  
6 violations, 573 in 36 days. You know, 172 by one security  
7 officer, 175 by another, 92, then 50, then 49, 27 and, you  
8 know, 169 of these 573 were committed by shift supervisors.

9           So I think that the discipline needs to be progressive.  
10 My opinion is that we need to start at a little higher level  
11 of progression.

12           INTERIM DIRECTOR RICHENBERGER: And certainly it's the  
13 discretion of the Commission to determine the fine. The  
14 recommendation of the DRB was \$5,000, but the fine is  
15 ultimately at the discretion of the Commission.

16           CHAIRMAN ZIMMERMAN: Ms. Richenberger, perhaps you can  
17 at least advise the rest of the Commission the thought of the  
18 DRB. I understand, and we've talked about progressive  
19 discipline numerous times in the past when we review  
20 disciplinary actions; can you at least let us know maybe the  
21 thought of the DRB at starting at \$5,000?

22           INTERIM DIRECTOR RICHENBERGER: Sure. My understanding  
23 is that this was the first Gaming Report, obviously, to talk  
24 about progressive discipline on the issue that had come before  
25 the Disciplinary Review Board on the issue of these issues

1 with training.

2 The agents had been working with the casino security  
3 department, as you mentioned, and they had issued compliance  
4 directives previously; but just to kind of make you aware, DRB  
5 is not a part of the compliance directives that were issued.  
6 So this was the first time this particular issue was  
7 considered by DRB; and as you noted, DRB typically looks at  
8 issues with a progressive discipline in mind.

9 I would also note that the way that this particular  
10 Gaming Report we call the GR, was written, it focused on the  
11 failure to train and the failure to document that training  
12 rather than on those individual instances that brought the  
13 lack of training concern to the point where a Gaming Report  
14 was written, if that makes sense. Rather than focusing on the  
15 hundreds of instances, this particular Gaming Report came to  
16 DRB focusing on the lack of training and the lack of  
17 documenting that training.

18 CHAIRMAN ZIMMERMAN: well, I do want to say that I can  
19 appreciate the position that the new GM, Mr. Lounsbury, has  
20 found himself in and his endeavoring to take steps to perhaps  
21 add in a new layer of supervision of those individuals, you  
22 know, raising wages. It's hard for all of you to hire good  
23 individuals that will come and stay and, you know, post-Covid  
24 everyone has difficulty hiring good individuals.

25 So I appreciate the fact he's only been there since the

1 beginning of the year, but understand that, you know, my  
2 feeling is sometimes the seriousness and the number of  
3 violations, you know, in addition to the 573, all the other  
4 violations that I mentioned as well, those individuals who  
5 were on the gaming floor and allowed to stay on the gaming  
6 floor that could have caused serious issues for the staff if  
7 they're armed, if they're intoxicated, you know, all of those  
8 things that could have -- thankfully did not cause serious  
9 issues, but could have.

10 Commissioner Spaulding?

11 COMMISSIONER SPAULDING: I just concur with my fellow  
12 Commissioners, this seems particularly egregious, the fact  
13 that, you know, just by the sheer numbers, it seems more  
14 egregious than anything that I've looked at in my short time  
15 here; so I would concur that maybe something a little more  
16 might be appropriate.

17 COMMISSIONER HANE: You brought up the point that this  
18 is the first time that this particular issue has been brought  
19 before the Disciplinary Review Board, and I'm assuming that it  
20 was brought to our attention because the in-house attempts,  
21 the 19 compliance directives that were issued from '22 to '23  
22 were less than -- proved to be less than satisfactory result,  
23 so basically it got to the point that it needed to be  
24 reported.

25 INTERIM DIRECTOR RICHENBERGER: That is my

1 understanding, is that that's how the Gaming Report came  
2 about. If you'd like, you know, real specifics, I do have my  
3 subject matter expert here, Heather Berhorst with the Missouri  
4 Gaming Commission, if that would be helpful, if you'd like to  
5 ask her anything specific.

6 COMMISSIONER HANE: About the process?

7 INTERIM DIRECTOR RICHENBERGER: Yes, about how the  
8 prior compliance directives were issued and the response  
9 thereto and what brought us to the Gaming Report regarding  
10 training.

11 COMMISSIONER HANE: Do you want to hear that?

12 CHAIRMAN ZIMMERMAN: Sure.

13 INTERIM DIRECTOR RICHENBERGER: Heather, if you'd come  
14 forward. This is Heather Berhorst, she's our Table Games  
15 Training and Internal Controls Manager, and she's my subject  
16 matter expert today. Come on over, Heather.

17 MS. BERHORST: I don't know that I have much more to  
18 add. That is my understanding, is they were -- the agents  
19 were issuing the compliance directives and having meetings and  
20 conversations with the security department initially to try to  
21 have some corrective action with the issues, and the Gaming  
22 Report kind of progressive from that because they felt like  
23 those initial actions were not correcting the issue to their  
24 satisfaction, so they brought it before the Disciplinary  
25 Review Board.

1           CHAIRMAN ZIMMERMAN: well, and again, I applaud  
2 Corporal Harrison for doing his due diligence in talking to  
3 each one of those individual security officers to find out why  
4 there were so many issues and why it wasn't being corrected up  
5 to the point that the report was written.

6           INTERIM DIRECTOR RICHENBERGER: Anything else for  
7 Ms. Berhorst?

8           CHAIRMAN ZIMMERMAN: No, thank you.

9           INTERIM DIRECTOR RICHENBERGER: Thank you.

10          CHAIRMAN ZIMMERMAN: Commissioner Conway, are you --

11          COMMISSIONER CONWAY: Yes, Chair, I did have one  
12 question on this one. And that was the -- what is it,  
13 Page 10, the letter dated January 31 to Tim McGrail that  
14 talked about vendors. That's signed by Lance George of the  
15 Argosy.

16          CHAIRMAN ZIMMERMAN: Actually, Commissioner Conway, we  
17 re-synced. That was the wrong letter originally.

18          COMMISSIONER CONWAY: Okay.

19          CHAIRMAN ZIMMERMAN: And so, yeah, there was a letter  
20 from Mark Twain, but it was what, Monday I think, Angie, that  
21 we found that the wrong letter was in. Yeah, you are correct,  
22 that's not the letter that goes with this packet.

23          COMMISSIONER CONWAY: Okay. So -- okay, I'll dig out  
24 the letter. I just was kind of wondering what their response  
25 to the fine was.

1 CHAIRMAN ZIMMERMAN: They were not contesting the fine,  
2 and some of the things that Ms. Richenberger mentioned that  
3 the new GM is looking at, he's personally met with security,  
4 he is raising the hourly rate for those security officers from  
5 13.50 to 14.25, and he's also petitioning for the addition of  
6 an assistant security manager to add another level of security  
7 there. So he did detail some of those things that he was  
8 going to be looking at since he's only been there since  
9 January.

10 COMMISSIONER CONWAY: Okay. So if we do raise the  
11 fine -- and I might be a little presumptuous here -- do they  
12 still get the opportunity to appeal then?

13 CHAIRMAN ZIMMERMAN: Yes.

14 INTERIM DIRECTOR RICHENBERGER: That's correct.

15 COMMISSIONER CONWAY: Okay. That's all my questions.

16 CHAIRMAN ZIMMERMAN: Okay, thank you. So any further  
17 questions for Ms. Richenberger or --

18 COMMISSIONER HANE: I have no further questions.

19 INTERIM DIRECTOR RICHENBERGER: Thank you.

20 CHAIRMAN ZIMMERMAN: So it's my understanding from my  
21 fellow Commissioners that we are at least somewhat in  
22 agreement that the fine be raised.

23 I would make a motion that the fine for Mark Twain at  
24 La Grange be raised to \$10,000 for this violation. Do I have  
25 a second?

1 COMMISSIONER HANE: Second.

2 CHAIRMAN ZIMMERMAN: Any further discussion? No? Pat,  
3 did you have anything else?

4 COMMISSIONER CONWAY: No, I don't believe so. I would  
5 have probably gone about halfway; but if that's the motion,  
6 that's fine.

7 CHAIRMAN ZIMMERMAN: Okay. No further discussion.  
8 Angie, would you call the roll?

9 MS. FRANKS: Chairman Zimmerman?

10 CHAIRMAN ZIMMERMAN: Approved.

11 MS. FRANKS: Commissioner Conway?

12 COMMISSIONER CONWAY: Approved.

13 MS. FRANKS: Commissioner Hane?

14 COMMISSIONER HANE: Approved.

15 MS. FRANKS: Commissioner Spaulding?

16 COMMISSIONER SPAULDING: Approved.

17 MS. FRANKS: By your vote, you've amended the fine on  
18 DC-24-061 to \$10,000. Now we need to vote on it as amended.

19 CHAIRMAN ZIMMERMAN: All right, do you just need to  
20 call the roll again then?

21 MS. FRANKS: No, so you will make the motion as  
22 amended.

23 CHAIRMAN ZIMMERMAN: As amended, okay. I move that we  
24 approve DC-24-061 as amended. Do I have a second?

25 COMMISSIONER HANE: Second.

1 CHAIRMAN ZIMMERMAN: Angie, would you call the roll?

2 MS. FRANKS: Chairman Zimmerman?

3 CHAIRMAN ZIMMERMAN: Approved.

4 MS. FRANKS: Commissioner Conway?

5 COMMISSIONER CONWAY: Approved.

6 MS. FRANKS: Commissioner Hane?

7 COMMISSIONER HANE: Approved.

8 MS. FRANKS: Commissioner Spaulding?

9 COMMISSIONER SPAULDING: Approved.

10 MS. FRANKS: By your vote, you've adopted DC-24-061 as  
11 amended.

12 CHAIRMAN ZIMMERMAN: Thank you. We're now ready to  
13 close our open session.

14 I move for closed meeting under Sections 313.847,  
15 RSMo., Investigatory, Proprietary and Application Records and  
16 610.021(1), RSMo., Legal Actions and Matters Subject to  
17 Attorney Client Privilege and Legal Work Product, (3) and (13)  
18 Personnel, (12) Contracts and (14) Records Protected from  
19 Disclosure by Law.

20 Is there a second?

21 COMMISSIONER SPAULDING: Second.

22 CHAIRMAN ZIMMERMAN: Any further discussion? Angie,  
23 would you call the roll?

24 MS. FRANKS: Chairman Zimmerman?

25 CHAIRMAN ZIMMERMAN: Approved.

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MS. FRANKS: Commissioner Conway?

COMMISSIONER CONWAY: Approved.

MS. FRANKS: Commissioner Hane?

COMMISSIONER HANE: Approved.

MS. FRANKS: Commissioner Spaulding?

COMMISSIONER SPAULDING: Approved.

MS. FRANKS: we're in closed session.

CHAIRMAN ZIMMERMAN: Thank you, everyone.

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REPORTER'S CERTIFICATE

I, Susanne E. Moon, Registered Professional Reporter, Certified Real-time Reporter, and Certified Court Reporter, certify that on June 26, 2024, I was present and reported the proceedings held before the Missouri Gaming Commission, and I further certify that the foregoing 38 pages contain a true and accurate transcription of the proceedings.

Susanne Moon  
Susanne E. Moon, RPR, CRR, CCR #473

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**MISSOURI GAMING COMMISSION**  
**Second Open Session Minutes**  
**June 26, 2024**

The Missouri Gaming Commission went into the second open session meeting at approximately 11:50 a.m. on Wednesday, June 26, 2024.

**Chairman Zimmerman moved to adjourn the second open session. Commissioner Hane seconded the motion, and after a roll call vote, Zimmerman – yes, Hane – yes and Spaulding – yes, the motion passed unanimously.**

The meeting ended at 11:51 a.m.