

BEFORE THE MISSOURI GAMING COMMISSION

Meeting
August 21, 2019
9:30 a.m.
3417 Knipp Drive
Jefferson City, Missouri

BEFORE: Mike Leara, Chairman
 Brian Jamison
 Daniel P. Finney, III
 Pat Conway

Reported by:
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1 (Start time: 9:30 a.m.)

2 PROCEEDINGS

3 CHAIRMAN LEARA: We'll call the regular
4 meeting of the Missouri Gaming Commission to order.

5 Please call the roll.

6 MS. FRANKS: Commissioner Conway.

7 COMMISSIONER CONWAY: Present.

8 MS. FRANKS: Commissioner Boulware.

9 (No response.)

10 MS. FRANKS: Commissioner Finney.

11 COMMISSIONER FINNEY: Present.

12 MS. FRANKS: Commissioner Jamison.

13 COMMISSIONER JAMISON: Present.

14 MS. FRANKS: Chairman Leara.

15 CHAIRMAN LEARA: Present.

16 EXECUTIVE DIRECTOR GROTHAUS: Mr. Chairman,
17 I'd like to start the meeting with some presentations if
18 that's okay.

19 CHAIRMAN LEARA: That would be fine.

20 Proceed.

21 EXECUTIVE DIRECTOR GROTHAUS: Deputy Director
22 Tim McGrail will make some MGC presentations, following
23 with Captain Plunkett, the Highway Patrol.

24 DEPUTY DIRECTOR MCGRAIL: Good morning,

25 Mr. Chairman, Commissioners. We have certificates of

1 appreciation for years of service, and these are
2 milestone years of service.

3 So if I could have Tony Brooks and Faith
4 Anderson come forward first, please.

5 Tony is in our IT department. He does a lot
6 of the help desk and support for our IT and five years
7 of service with the Missouri Gaming Division.

8 And then Faith is in our administrative
9 section. She handles many of our DAPs, as far as
10 disassociated person list, as well as a lot of the
11 administration and financial duties as well. Faith has
12 also five years of service with the Missouri Gaming
13 Commission.

14 Tony has previous years as far as with the
15 Veterans, and Faith has been in State government for a
16 number of years. She actually worked for me when I was
17 over at the Missouri Highway Patrol, and then she left
18 me unfortunately but then I followed her.

19 MS. ANDERSON: We're playing tag.

20 DEPUTY DIRECTOR MCGRAIL: Congratulations to
21 both of them.

22 (Applause.)

23 DEPUTY DIRECTOR MCGRAIL: Ten years, and this
24 is for Kathy Flannigan, if she'd come forward, please.

25 Kathy has been here for ten years. She works

1 in our enforcement section, but she gets a lot of the
2 documents that we get, just a few of the documents that
3 come in from the licensing agencies, and makes copies
4 and retains those for us. So she keeps the downstairs
5 very much in order, because many times we may have to go
6 back and look at previous documents, and Kathy has that
7 responsibility, as well as helping up front.

8 But she has ten years of service with us,
9 and, again, we appreciate all of the years that she has.
10 (Applause.)

11 DEPUTY DIRECTOR MCGRAIL: The final milestone
12 is for 20 years, and again, this is 20 years, which is a
13 lot of time having spent with the Missouri Gaming
14 Commission. If Doug Blevins would come forward.

15 I'm not sure if Doug has been in bingo and
16 charitable games the whole time.

17 MR. BLEVINS: I have.

18 DEPUTY DIRECTOR MCGRAIL: Doug has been one
19 of our auditors in bingo. So he goes out -- him and
20 Rachel go out to all of these bingo establishments,
21 doing the audits on them and making sure that they're
22 complying with all of the rules and regulations. And
23 again, we never have any problems with that, but they
24 stay on top of it.

25 So again, congratulations to Doug for

1 20 years.

2 (Applause.)

3 DEPUTY DIRECTOR MCGRAIL: And the last one is
4 the employee of the quarter. This is always one that we
5 always look at because this is a selection of an MGC
6 employee that has been selected by their peers for the
7 work that they do. So I'll announce, as far as I'll
8 read, the employee of the quarter.

9 Our employee of the quarter was nominated by
10 more than four people for his outstanding work and his
11 cheerful attitude.

12 If I could have Shannon Huddleston come
13 forward. You are our employee of the quarter. If you
14 would come forward.

15 (Applause.)

16 DEPUTY DIRECTOR MCGRAIL: Shannon is one of
17 our IT managers. He's responsible for the web
18 development section, and he does a lot more to help the
19 Missouri Gaming Commission. He creates and revises
20 forms on our website and is always ready to help at any
21 time. He never complains. He may roll his eyes
22 occasionally, but he never complains and he's willing to
23 offer his service and those of his section. He is
24 reliable and responsive to the needs of this agency and
25 applies his work to the MGC core values, which is

1 service, integrity and professionalism.

2 During this last quarter Shannon has
3 completed forms for bingo, public information in the
4 administrative section. All had to be created and
5 revised with more than just a few changes. He always
6 kept working, always with a smile. He's had that can-do
7 attitude.

8 So again, congratulations to Shannon for our
9 employee of the quarter.

10 (Applause.)

11 DEPUTY DIRECTOR MCGRAIL: With that, if the
12 Executive Director still is abiding by that, you do get
13 a free lunch for being employee of the quarter.

14 So congratulations.

15 CAPTAIN PLUNKETT: Could I get Rebecca
16 Libbert to come up.

17 I'm sorry. Good morning, Commissioners.

18 CHAIRMAN/COMMISSIONERS: Good morning.

19 CAPTAIN PLUNKETT: Well, I will tell you as
20 Director of the Gaming Division, I can tell you one of
21 the great parts of my job is to get to work with such an
22 outstanding group of people, and over here at the Gaming
23 Division we are actually blessed. We are a majority of
24 uniform officers, but we are blessed with three
25 outstanding ladies over here that do their best to make

1 us look good, and that is not an easy task.

2 I can tell you that they handle hundreds of
3 reports for our officers in the field. They make
4 corrections. They call those guys back. They make sure
5 everything looks as good as it can. They're an
6 important part of what we do. As any officer in our
7 unit, we're very appreciative of that. We've had some
8 struggles. We've had trouble keeping those positions
9 staffed.

10 But we've had a couple ladies that have
11 really stuck with us through thick and thin, and it's
12 Rachel and Rebecca, and we have a great new addition
13 back there with Stephanie. Things are really great, so
14 stay right where you're at. We do appreciate them.

15 Every year we're asked to nominate an
16 employee of the year. There's a civilian side. There
17 is also a trooper of the year award. And being such a
18 small unit we don't always just nominate a name to
19 nominate a name.

20 But I tell you, last year we ran into a
21 unique challenge. We have a huge backlog that is
22 created by some of the shortages that we had in the
23 staffing in that unit. We had some people dealing with
24 some medical issues, and we got down for a while to just
25 being Rebecca.

1 She was doing all of the reports. She was
2 making all of the corrections. She was calling all of
3 the police officers out there in the boats and trying to
4 do all of that. And then she got asked to be my
5 assistant for a period, and that's not easy taking care
6 of me. I can assure you that.

7 So she'd only been with the division about a
8 year and a half at that time, and I want to tell you, I
9 just can't imagine that anyone would have done a better
10 job than what she did. She came in every day with a
11 great attitude, which she always has. She was good at
12 asking questions when she needed to. She handled things
13 after being instructed one time.

14 It was just really an amazing job that you
15 did, and I can't tell you how much that was a help to me
16 and my staff, and because of that you were nominated to
17 be the civilian of the year for the Missouri State
18 Highway Patrol. Now, that's your nomination. But the
19 great part about that is while you didn't get the
20 civilian of the year for the Highway Patrol, that makes
21 you the automatic winner of the civilian of the year for
22 the Gaming Division.

23 You're not walking away a loser. You're a
24 big winner. I'm going to tell you everybody really
25 wants this award.

1 But because of that we wanted to have
2 something made up for you, just something for you to
3 remind you that we really do appreciate what you do.
4 And we ask a lot for not a lot of pay and not a lot of
5 recognition, but we wanted you to know that it did mean
6 a lot for what you did for us.

7 So I think your dad is here, if you'd like to
8 come up.

9 Her father is also an employee of the
10 Missouri State Highway Patrol. And as we've talked
11 about a lot here, this is a family deal. And her mother
12 also works for the Missouri State Highway Patrol. So if
13 we go out of business, I don't know what is going to
14 happen, but hopefully that's not going to happen.

15 But truly we are blessed to have great
16 employees like that, and I can't thank you enough. So
17 with that we'll let you have that.

18 Thank you so much.

19 (Applause.)

20 CAPTAIN PLUNKETT: Bill Oliver.

21 Bill Oliver is our supervising sergeant at
22 Argosy Casino over on the Kansas City side. Bill has
23 been with the Highway Patrol 20 what years?

24 SERGEANT OLIVER: 22 years.

25 CAPTAIN PLUNKETT: 22 years.

1 Bill is just one of those guys that if you
2 need something done, you give him a call. And he has
3 been very active in SWAT. He was a big DWI guy back in
4 his day on the road.

5 He's taken a big interest in making the work
6 environment safe for employees in the last year or so,
7 gotten involved with training our officers out in the
8 casinos, how to best take care of a situation if we had
9 an active shooter at a boat.

10 And he has provided lead instructions all
11 across the state at all of our casinos, so our officers
12 are much better prepared because of Bill's efforts and
13 expertise to react to that situation and eliminate that
14 threat as soon as possible.

15 And I think given what you see in the news
16 today, we all understand how important that is. Bill
17 has also started going out and training civilian
18 employees about how to react, the same thing. He's done
19 that training at MGC. I think you've done it at four or
20 five troops and I think a few other State agencies. But
21 once the word got out about Bill, people wanted that
22 training to come to them.

23 We're very proud that we have somebody on our
24 staff that not only has gotten the training that he
25 wants to apply, he is sincerely engaged in making sure

1 that all of you are as safe as possible each and every
2 day you get to work.

3 On top of that Bill is very active in his
4 church. He's been a youth leader for, like, 17,
5 18 years now. He also takes a mission trip once a year
6 to train other police officers, I believe Costa Rica --

7 SERGEANT OLIVER: Yes.

8 CAPTAIN PLUNKETT: -- takes a week or so out
9 of his vacation schedule every day to volunteer his time
10 to make those people better police officers and make
11 those communities even safer and better.

12 Those are just a few of the accomplishments.
13 And on top of that how he gets that all done with six
14 children I don't know.

15 Bill just recently received the peace officer
16 of the year award, and I got an opportunity to meet that
17 family, and they're just an outstanding group of people.
18 So we are very blessed and very thankful.

19 Bill, once again you were nominated for the
20 trooper of the year award. While you didn't get that
21 one for the Missouri State Highway Patrol, you did get
22 the Gaming Division's officer of the year. And we're
23 very grateful for you and how you represent the Missouri
24 State Highway Patrol and this division.

25 So with that you get that award. I

1 appreciate it.

2 SERGEANT OLIVER: Thanks.

3 (Applause.)

4 CHAIRMAN LEARA: Thank you, and
5 congratulations to all of the recipients. It seems like
6 we have some fine people working with us.

7 We'll move on to the next item on the agenda,
8 Consideration of Minutes for May 28th and May 29th.

9 Any discussion?

10 I'll ask for a motion on the May 28th.

11 COMMISSIONER JAMISON: So moved.

12 COMMISSIONER FINNEY: Second.

13 CHAIRMAN LEARA: Please vote.

14 MS. FRANKS: Commissioner Conway.

15 COMMISSIONER CONWAY: I'll pass.

16 MS. FRANKS: Commissioner Finney.

17 COMMISSIONER FINNEY: Approve.

18 MS. FRANKS: Commissioner Jamison.

19 COMMISSIONER JAMISON: Approved.

20 MS. FRANKS: Chairman Leara.

21 CHAIRMAN LEARA: Approved.

22 MS. FRANKS: By your vote you've adopted the
23 minutes of the May 28, 2019 meeting.

24 COMMISSIONER JAMISON: I'll move for adoption
25 of the May 29th meeting.

1 COMMISSIONER FINNEY: Second.

2 CHAIRMAN LEARA: Please call the roll.

3 MS. FRANKS: Commissioner Conway.

4 COMMISSIONER CONWAY: Pass.

5 MS. FRANKS: Commissioner Finney.

6 COMMISSIONER FINNEY: Approved.

7 MS. FRANKS: Commissioner Jamison.

8 COMMISSIONER JAMISON: Approved.

9 MS. FRANKS: Chairman Leara.

10 CHAIRMAN LEARA: Approved.

11 MS. FRANKS: By your vote you've adopted the

12 minutes of the May 29, 2019 meeting.

13 CHAIRMAN LEARA: Thank you.

14 The next item on the agenda is No. 3,

15 Consideration of Relicensure of Class A Licensee Boyd

16 Gaming.

17 EXECUTIVE DIRECTOR GROTHAUS: Mr. Chairman,

18 Ted Bogich, the Executive Vice President of Operations

19 from Boyd Gaming, would like to step forward.

20 CHAIRMAN LEARA: That would be fine.

21 Proceed when you're ready, gentlemen.

22 MR. BOGICH: Good morning, Mr. Chairman and

23 fellow Commissioners, Executive Director Grothaus and

24 other members of Missouri Gaming Commission.

25 It is a pleasure to be here today and to be

1 able to make this presentation on behalf of Boyd Gaming
2 Corporation. I have several colleagues joining me this
3 morning that I would like to introduce.

4 But first my name is Ted Bogich. My position
5 with the company is Executive Vice President of
6 Operations. That role is oversight of Boyd Gaming's
7 property outside of the state of Nevada, which are
8 comprised of 17 properties in nine states, including the
9 two Ameristar properties here in Missouri, and then I
10 have a couple corporate functions or enterprise
11 functions that report up to me as well, and that is
12 Marketing and Design and Construction.

13 Joining me today is Keith Henson. Keith is
14 our Senior Vice President of Operations and General
15 Manager of the Ameristar Kansas City property, and Keith
16 also has oversight of our Kansas Star Casino property in
17 the Wichita, Kansas area.

18 We're also joined by Ward Shaw, who is our
19 Senior Vice President of Operations and General Manager
20 of Ameristar St. Charles, and Ward also has oversight of
21 two other properties, Belterra Casino in Florence,
22 Indiana and Belterra Park in the Cincinnati, Ohio area.

23 And then also joining us today is Shawn
24 Ledbetter, who is our Director of Regulatory Compliance
25 at Ameristar St. Charles.

1 So I'm going to start with a little bit of
2 history of the company. It is unique in the way that
3 Boyd Gaming has been around for 44 years. Sam and Bill
4 Boyd formed the company back in 1975 with the California
5 Hotel and Casino in Downtown Las Vegas, started very,
6 very small, and I think it's one of the few companies,
7 especially of its size, that still has the same
8 management in place.

9 Bill Boyd is our Executive Chairman and still
10 very active in the company, comes to work every day,
11 visits our properties on a regular basis. And most
12 companies, especially over that period of time, have
13 changed hands many, many times. So it's a company that
14 has been very, very stable. Started small and in 1993
15 became a public company and continued to grow.

16 Today we have 29 casinos in ten states. That
17 includes a route operation in Illinois, 25,000 team
18 members, about 38,000 electronic gaming devices and
19 about 11,000 hotel rooms. So it's grown into a fairly
20 large organization.

21 A little bit about our culture. You know, it
22 started as a family-owned business, very small. We try
23 to maintain that culture. We know our team members. We
24 visit our properties. Even though it's 25,000 team
25 members, they have a feeling that they're part of a

1 family and not just a number in a large organization.

2 A very stable and experienced management
3 team. And I have a couple slides coming up where I'll
4 go through that, and you'll see the amount of tenure
5 that these different individuals have with the company.

6 Our core values are very, very important to
7 us, and we live by those. I'd say at the heart of that
8 is integrity, and it's in everything that we do. We
9 value our relationships, and that is with our team
10 members, our guests, our communities, regulators, our
11 vendors and really anybody who we come in contact with
12 in the course of operating our businesses.

13 We strive to exceed expectations, and that's
14 just being the best that we can do at what we do, and
15 particularly the experiences we provide for the guests
16 who visit our different properties, and then work smart.

17 We have a very strong focus on regulatory
18 compliance and responsible gaming, and we're committed
19 to enhancing and giving back to our communities and
20 having our communities where we do business better off
21 because we are there.

22 In 2018 total amounts provided as funding to
23 different charitable and civic organizations was about
24 \$15 million for the organization.

25 I'll go through and introduce the senior

1 executives of the company, starting with our Executive
2 Chairman.

3 Mr. Boyd started the company 44 years ago,
4 has about 57 years total in the gaming industry. Keith
5 Smith, our President and CEO, 29 years with the company,
6 a little over 35 years total in the industry. Marianne
7 Johnson, our Vice Chair, Executive Vice President, Chief
8 Diversity Officer for 42 years with gaming. Brian
9 Larson who is our Executive Vice President and General
10 Counsel, 26 years.

11 You can see the amount of tenure with the
12 company is quite extensive.

13 Josh Hirsberg our Executive VP and Chief
14 Financial Officer, 11 years with the company. He's our
15 most junior at 11 years. And he has about 20 years in
16 the industry. Willie Boyd, company Vice President, and
17 he's a Board member as well, 42 years. Steve Thompson,
18 Executive Vice President of Operations for our Nevada
19 region, 36 years. And, of course, myself, and I'm also
20 a junior member with 15 years but 31 years in the
21 industry.

22 And I actually had the pleasure of being in
23 Missouri at, you know, one other time. I was a general
24 manager of the Harrah's North Kansas City property from
25 2001 to 2004, so it's great to be back here.

1 So a little bit about our company growing.
2 We have California Hotel and Casino in Downtown
3 Las Vegas, Sam's Town Hotel and Casino, Las Vegas, and
4 Atticus, but our company has grown primarily through
5 acquisition. You can see starting with the Stardust and
6 Freemont back in 1985 and several property acquisitions
7 through the '90s and into the 2000s.

8 And then in the mid 2000s and later 2000s we
9 started to do acquisitions with larger organizations in
10 multiple properties, the Coast casinos in 2004, the
11 Peninsula in 2012.

12 2018 was a very busy year for us. We did
13 Lattner Entertainment, the route operator in Illinois,
14 the Valley Forge Casino Resort, King of Prussia,
15 Pennsylvania, which is just outside of Philadelphia.

16 And, of course, we participated in the
17 acquisition of Pinnacle where we acquired the four
18 properties, including the two Ameristar properties here
19 in Kansas City. And, of course, we are absolutely
20 thrilled to have all four of those properties, including
21 the two Ameristar properties.

22 So this slide is hard to read but the main --
23 I think what this really illustrates is the geographic
24 diversification of the company. And all of the states
25 shaded in blue are where we have properties. And, of

1 course, highlighted in red there is Missouri where we
2 have the two Ameristar properties.

3 But it gives you kind of a visual of how
4 spread out we are with the different properties in the
5 ten states.

6 Bconnected is our company's loyalty program,
7 and we did migrate the four Pinnacle properties,
8 including the two Ameristar properties, to Bconnected
9 back in January, and the Commission staff was very
10 helpful as we made that transition. It's fairly complex
11 but it went very, very smoothly.

12 And I'm going to talk a little bit about our
13 two properties here in Missouri.

14 We are delighted to have them as part of the
15 Boyd portfolio. They are very high quality, well-
16 managed properties. From a culture standpoint I think
17 it was a great fit. We are all true to the same core
18 values in how we operate.

19 These properties have wonderful amenities for
20 the guests. They're well kept up. We've been delighted
21 on what we've seen so far in these properties and the
22 management teams as part of our company now. They're
23 market leaders in each of their respective manners.
24 They lead in gross gaming revenue.

25 We are very happy that we've been able to

1 retain the leadership teams. They have tremendous
2 talent. They have made our organizations stronger.
3 And really including Ward and Keith who lead these
4 properties and other properties for us, the management
5 teams. And the team members have stayed with us, and
6 that's been very, very good for us, and we're very proud
7 of the work that they do.

8 The transition and integration process was
9 very complex, and many members of the staff who I'd like
10 to commend for their help through that process would
11 understand just how difficult it was.

12 There was a lot of coordination and
13 cooperation between Penn, Boyd and Pinnacle that was
14 just necessary given the complexities of the
15 transaction, and we worked well together to get through
16 everything. There was a lot of work with the IT
17 systems.

18 As that transaction was completed -- Penn
19 really acquired the Pinnacle infrastructure, so we had
20 to develop that to support the four properties,
21 including the two Ameristar properties kind of on its
22 own. And at the point of when the transaction closed we
23 actually had to transition and kind of unplug from the
24 Pinnacle network and replug into the infrastructure that
25 was created by Boyd Gaming. And given the complexities

1 involved in that it went very, very well. And again,
2 our thanks to the Commission staff in working through
3 that.

4 We've continued to work through the
5 integration process, and currently we're going through
6 the tasks of disconnecting from the current network that
7 was developed for those properties and connecting to the
8 Boyd network. And so just IT work that continues to
9 happen, and, again, the Commission staff is helping us
10 with that and we're navigating through that quite well.

11 And the last point on this slide is our
12 approach has been to really work with Keith and Ward and
13 their respective leadership teams to understand these
14 businesses, understand their respective market and learn
15 from them and learn from each other, leverage our
16 talent.

17 We had Keith and Ward and other executives
18 that have always had an impact on our company in sharing
19 their thoughts and ideas and bringing things, different
20 ways of thinking about things, how they provide in how
21 we operate. We never approach that from that Boyd
22 Gaming has the best way of doing things, and, therefore,
23 we're going to convert to those ways.

24 It's more about what are the best practices
25 from all of our different operations and how do we then

1 leverage those across the enterprise, and we've been
2 absolutely thrilled with the exceptional talent and
3 their contributions and the way in which these
4 properties operate under Keith and Ward's leadership.

5 So in kind of wrapping up the presentation,
6 that, you know, 44 years, going very strong, started
7 very small and along the way we have not lost sight of
8 our core values and in how we got started, and we strive
9 to maintain that culture of a family-owned business.

10 And so that concludes my presentation, and
11 I'm happy to answer any questions that you may have.

12 CHAIRMAN LEARA: Any discussion?

13 COMMISSIONER JAMISON: No, sir.

14 CHAIRMAN LEARA: Seeing none, thank you.

15 MR. BOGICH: I thank you for your time and
16 the opportunity to make this presentation, and on behalf
17 of Boyd Gaming Corporation we respectfully request your
18 approval today of our Missouri Class A license.

19 Thank you.

20 CHAIRMAN LEARA: Thank you.

21 Investigative summary.

22 EXECUTIVE DIRECTOR GROTHAUS: Yes. Assistant
23 Director Maggie White will step forward and give the
24 summary.

25 MS. WHITE: Mr. Chairman, Commissioners, good

1 morning.

2 CHAIRMAN/COMMISSIONERS: Good morning.

3 MS. WHITE: Boyd Gaming Corporation is being
4 presented for relicensure, Resolution No. 19-035.

5 Boyd Gaming Corporation is a Class A licensee
6 which owns and operates the following two casinos in
7 Missouri: Ameristar Casino Kansas City and Ameristar
8 Casino St. Charles.

9 Boyd Gaming Corporation was initially
10 licensed by the Commission in Missouri on August 29,
11 2018 and is being presented for consideration of renewal
12 on its first anniversary.

13 Missouri Gaming Commission conducted the
14 relicensing investigation, which consisted of review and
15 analysis of SEC filings and financial statements,
16 evaluation of other financial metrics, examination of
17 disciplinary actions, litigation and business credit
18 profiles, feedback from affected gaming company clients
19 and criminal history checks to determine the suitability
20 for relicensure.

21 Thank you.

22 EXECUTIVE DIRECTOR GROTHAUS: Mr. Chairman,
23 the staff recommends relicensure.

24 CHAIRMAN LEARA: Any discussion on the
25 recommendation?

1 COMMISSIONER FINNEY: No, sir.

2 COMMISSIONER JAMISON: No, sir.

3 CHAIRMAN LEARA: Thank you.

4 Seeing none, I would entertain a notion to

5 approve Resolution 19-035.

6 COMMISSIONER JAMISON: So moved.

7 COMMISSIONER FINNEY: Second.

8 CHAIRMAN LEARA: Please call the roll.

9 MS. FRANKS: Commissioner Conway.

10 COMMISSIONER CONWAY: Aye.

11 MS. FRANKS: Commissioner Finney.

12 COMMISSIONER FINNEY: Approved.

13 MS. FRANKS: Commissioner Jamison.

14 COMMISSIONER JAMISON: Approved.

15 MS. FRANKS: Chairman Leara.

16 CHAIRMAN LEARA: Approved.

17 MS. FRANKS: By your vote you've adopted

18 Resolution No. 19-035.

19 CHAIRMAN LEARA: Thank you.

20 EXECUTIVE DIRECTOR GROTHAUS: Mr. Chairman,

21 the next item is the Consideration of Disciplinary

22 Actions, and General Counsel Ed Grewach will present.

23 MR. GREWACH: Mr. Chairman, Commissioners,

24 under Tab D we have a Preliminary Order of Discipline

25 directed at Eldorado Resorts, Incorporated.

1 In April of 2018 Eldorado announced an
2 agreement to acquire Tropicana Entertainment,
3 Incorporated, an 1.8 billion dollar deal, that involved
4 seven casinos in six states. That agreement also had a
5 provision in which Gaming and Leisure Properties,
6 Incorporated, GLPI, would acquire the real estate of
7 those casinos and then lease them back to Eldorado for
8 their operation.

9 At that point in time, and still, four
10 casinos in the St. Louis, Missouri metropolitan area,
11 and at that point in time GLPI owned as landlord three
12 of those casinos.

13 Shortly after the announcement was made the
14 Commission expressed some concerns about GLPI owning as
15 landlord all four of the St. Louis, Missouri casino
16 properties.

17 After extensive negotiation --

18 CHAIRMAN LEARA: What were those concerns?
19 What were the concerns about owning the property?

20 MR. GREWACH: The concern was about owning
21 the properties by the nature of the lease with one
22 exception. The consent of GLPI would be necessary for
23 the lessee to transfer their property. And it would put
24 GLPI in a position as landlord, their consent would be
25 required, except for the one exception that was in the

1 lease, and the concern was that that could hamper the
2 property's ability to transfer their operations to a new
3 tenant.

4 CHAIRMAN LEARA: Okay. I'm not following you
5 real well but it seems like a complex issue.

6 MR. GREWACH: It is, and I can go into detail
7 if you'd like. It was a very complex issue involving
8 the structure of the lease.

9 CHAIRMAN LEARA: I will let you continue. I
10 need to hear more about this. You know, the findings of
11 fact and so forth has only been presented to me in a
12 matter of hours.

13 MR. GREWACH: Absolutely. Sure.

14 CHAIRMAN LEARA: Please.

15 MR. GREWACH: The concern was that the lease
16 had a provision that -- and it was a master lease. It
17 was a unitary lease. So if there were going to be seven
18 properties in it, the lessee could not sell one of the
19 properties in this case, just say Lumiere by itself.

20 It could assign the entire lease, the whole
21 package, the whole seven, to another lessee that met
22 certain standards of financial viability under the terms
23 of the lease.

24 And the concern in that aspect was, as we've
25 seen, different mergers take place, as the Boyd Pinnacle

1 merger for example. It seems to be the trend that it's
2 very rare where there's an acquisition where every
3 property of the acquired company can be transferred to
4 the acquiring company for either economic reasons or for
5 FTC reasons on concentration of ownership of operators.

6 And that's what led to actually Pinnacle
7 divesting itself of the two Ameristars here in Missouri,
8 to alleviate any FTC concerns.

9 So when you look at that and you say, well,
10 you know, will someone else be able to come into the
11 St. Louis, Missouri market, it would be speculating
12 whether or not there would be a new, you know, lessee
13 that could step in and would be in a position without
14 running into any of those types of hurdles to acquire
15 the entire package, all seven, in this case, properties
16 in the unitary lease.

17 The other concern was the leases had a
18 provision in them that at the end of the lease the
19 lessee was required to sell all its operating assets,
20 including its customer list, to a successor tenant that
21 was selected by a process set forth in the lease itself.

22 And those are basically the concerns that
23 were expressed by the Commission as they evaluated this
24 transaction in the first place.

25 CHAIRMAN LEARA: Okay. It seems like a

1 complex issue. I feel that I need some more time to
2 study the findings of fact. As I said, it's a complex
3 issue and I'm not comfortable taking a vote on this, but
4 I think I need much more time to study this issue before
5 we move forward with it.

6 Do you have anything else to add to that? Is
7 that something --

8 MR. GREWACH: That's really it. Because I
9 can tell you as we prepared this Preliminary Order of
10 Discipline we started at the point where we agreed to
11 the agreement to restructure.

12 COMMISSIONER JAMISON: And I would comment on
13 that there was a lot of back-and-forth negotiation
14 between the Gaming Commission and the parties of this
15 lease and this real estate transaction.

16 This discipline comes not from the discussion
17 of should they be able to have all of the properties or
18 should they not.

19 The Commission had made the determination
20 that the Commission was not comfortable with them having
21 all of the properties in the St. Louis area, and so the
22 agreement was made that they would do these particular
23 things in agreement with the Missouri Gaming Commission
24 to accomplish what we had agreed upon with them.

25 What this discipline is alleging is that they

1 made changes to that agreement without any consultation
2 or agreement by the Missouri Gaming Commission.

3 And so the first part of this is kind of the
4 background of the agreement that we had with the
5 licensee on what should transpire, but then once that
6 agreement was made and their presentation was made to
7 the Missouri Gaming Commission, then when we were
8 presented with the documents, the documents had been
9 changed and the terms of the loan had been changed from
10 what we had agreed to as a Gaming Commission and the
11 licensee, and this discipline comes from the fact that
12 those changes were made after an agreement was in place,
13 if that helps a little.

14 CHAIRMAN LEARA: It does help. It does help
15 considerably. Thank you.

16 COMMISSIONER JAMISON: All right.

17 CHAIRMAN LEARA: Do you have something to add
18 there?

19 COMMISSIONER JAMISON: Well, we could go into
20 closed if you wanted to, and if we want to get into some
21 more detail than that, we could go into closed to
22 discuss it any further, which the closed meeting would
23 be the Commission members.

24 But I'm just trying to clarify that the
25 question on if they should own all of the properties or

1 not is kind of not the crux of the discipline. That was
2 kind of a ten-month discussion that went back and forth
3 and everybody came to an agreement, and then at the end
4 of that the terms of the agreement were changed and
5 submitted in paperwork to the Commission without
6 consultation with the Commission, and that's where this
7 discipline is stemming from.

8 Now, I don't have a disagreement with you
9 that you may want more information than that, so I'm
10 trying to give you a clarification.

11 CHAIRMAN LEARA: No. And it helps me
12 tremendously. Thank you. And, like I said, just having
13 this for a matter of hours, I'm uncomfortable with
14 taking action on this today. I'm fine with moving it to
15 the agenda for the next meeting. If the Commission
16 would entertain that, I would appreciate that
17 consideration.

18 COMMISSIONER FINNEY: I would so move that we
19 transfer this item.

20 CHAIRMAN LEARA: Just in order for me to
21 study and get more details.

22 COMMISSIONER FINNEY: I think that makes a
23 lot of sense. It's a complicated issue with a
24 significant --

25 COMMISSIONER JAMISON: You might as well do

1 both items.

2 COMMISSIONER FINNEY: So that would be --

3 CHAIRMAN LEARA: Let me ask this, gentlemen.

4 In Item No. 4 on the agenda there are three
5 items, D, E and F. Help me understand. How is NRT
6 connected?

7 COMMISSIONER JAMISON: D and E are related.

8 F isn't.

9 CHAIRMAN LEARA: That's fine.

10 And then I would ask that we move D and E to
11 the next meeting for an agenda item, and I don't know if
12 that requires a motion.

13 It does require a motion.

14 I would make that motion if that's
15 appropriate and ask for a second.

16 COMMISSIONER FINNEY: Is that appropriate?

17 MR. GREWACH: Yes.

18 COMMISSIONER FINNEY: Okay. I'd second it.

19 CHAIRMAN LEARA: All right. Please call the
20 roll.

21 MS. FRANKS: Commissioner Conway.

22 COMMISSIONER CONWAY: Aye.

23 MS. FRANKS: Commissioner Finney.

24 COMMISSIONER FINNEY: Approved.

25 MS. FRANKS: Commissioner Jamison.

1 COMMISSIONER JAMISON: Approved.

2 MS. FRANKS: Chairman Leara.

3 CHAIRMAN LEARA: Approved.

4 MS. FRANKS: By your vote you have tabled
5 Items D and E until our next meeting.

6 CHAIRMAN LEARA: Mr. Grewach, proceed with
7 the next item.

8 MR. GREWACH: Yes.

9 Item F is a Preliminary Order of Discipline
10 directed to NRT Technology Corporation.

11 NRT holds the supplier license. It's alleged
12 they violated our Rule 4.250(1), which requires
13 suppliers to file their renewal application at least
14 120 days prior to the expiration of their license.

15 The purpose of this rule is to give the
16 Commission staff adequate time to conduct whatever
17 investigation is necessary and to provide that report to
18 the Commissioners in advance of the meeting prior to
19 that expiration date.

20 They had a two-year term that was set to
21 expire on April 30th, 2019, so, therefore, the renewal
22 application was due on January 1st, 2019. However, it
23 was not received by us until February 15th, 2019, which
24 was 46 days late, 74 days prior.

25 CHAIRMAN LEARA: So can I ask a question on

1 that and interrupt you?

2 MR. GREWACH: Sure.

3 CHAIRMAN LEARA: Does that mention that their
4 license had lapsed for that period of time?

5 MR. GREWACH: No. It wasn't set to expire
6 until April.

7 CHAIRMAN LEARA: Thank you.

8 MR. GREWACH: And what they did is they just
9 filed their renewal late, didn't give us enough time to
10 complete an investigation.

11 CHAIRMAN LEARA: Okay.

12 MR. GREWACH: And there is a rule that allows
13 the Chairman to extend any license for up to 60 days.
14 That rule then says that once the Chairman exercises
15 that, then it has to be approved at the next Commission
16 meeting.

17 Their late filing in this case did require
18 that. The Chairman did, in fact, extend the license
19 from the April 30th expiration date. The Commission
20 then ratified that at the next meeting, and then they
21 were, in fact, renewed at the May 29th, 2019 meeting.

22 The difficulty here in particular when the
23 discipline review board looked at this was that this is
24 the third time they had been late with a filing. They
25 were late -- they were 21 days late in their 2015

1 renewal, 31 days late in the 2017 renewal.

2 The staff recommended a fine of \$5,000.

3 There was no response to the 14-day letter by the
4 company.

5 CHAIRMAN LEARA: In 2017 or in '19? You said
6 they were late in '17, recommended a \$5,000 fine?

7 MR. GREWACH: No. For this particular case
8 there was disciplinary action taken for the 2015 and
9 2017 late filing.

10 CHAIRMAN LEARA: That's what I was
11 clarifying. Thank you.

12 And the staff has recommended a \$5,000 fine
13 for consistently filing late?

14 MR. GREWACH: That's correct.

15 CHAIRMAN LEARA: That would be fair?

16 MR. GREWACH: Yes.

17 CHAIRMAN LEARA: Any discussion?

18 COMMISSIONER JAMISON: I move for approval of
19 DC-19-078.

20 COMMISSIONER FINNEY: Second.

21 CHAIRMAN LEARA: Please call the roll.

22 MS. FRANKS: Commissioner Conway.

23 COMMISSIONER CONWAY: Approved.

24 MS. FRANKS: Commissioner Finney.

25 COMMISSIONER FINNEY: Approved.

1 MS. FRANKS: Commissioner Jamison.

2 COMMISSIONER JAMISON: Approved.

3 MS. FRANKS: Chairman Leara.

4 CHAIRMAN LEARA: Approved.

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

6 DC-19-078.

7 CHAIRMAN LEARA: Thank you.

8 EXECUTIVE DIRECTOR GROTHAUS: The next item
9 on the agenda, Item No. 5, Consideration of Rules and
10 Regulations.

11 CHAIRMAN LEARA: Once again, I don't know if
12 I have any problem with these, so I may ask a number of
13 questions in the first few that I'm not well versed on.
14 So if I ask to move that, please consider it.

15 MR. GREWACH: And I might say to follow up to
16 that, Mr. Chairman, that a number of these involve,
17 like, electronic gaming devices, and what I would
18 normally do in this circumstance is just give you a
19 general description of the purpose of the rule and then
20 we have electronic gaming device specialist, Cody
21 Hanavan, to answer any specific questions you might have
22 as opposed to me attempting to do that.

23 And again, these are final Orders of
24 Rulemaking. The proposed Orders were approved by the
25 Commission on April the 24th. There was a public

1 comment period, a public hearing held on July the 2nd,
2 2019.

3 CHAIRMAN LEARA: And I see some of these
4 there was no reply and a few of them there were replies.

5 MR. GREWACH: We did receive some replies.

6 And by statute you'll see both the comment and our
7 response in there. All but one of the responses from
8 Scientific Games were asking for clarification. Does
9 this really do what we think it does? And our response
10 in every one of those cases was, yes, you're correct.
11 Your concluding is correct.

12 There was one rule where they did suggest
13 some alternative language to Rule 9.105, and you'll see
14 our response there that we determined it was not in our
15 best interest to make that particular change.

16 If you do vote to approve these final Orders
17 of Rulemaking, then the effective date of the rule would
18 be December 13th, 2019.

19 I might say as far as not taking them up
20 today, by statute all rules are on a very strict
21 schedule of the filing rule decision on final rules. If
22 they're not approved today, we really have to go back to
23 the starting point and start over with the rule writing
24 proposition.

25 CHAIRMAN LEARA: Any opposition would have

1 come up to this point, any substantial opposition? We
2 typically don't have it in these hearings. Is that
3 correct?

4 MR. GREWACH: That's correct.

5 CHAIRMAN LEARA: However, let me interrupt,
6 and I apologize.

7 If somebody chose to come today, would they
8 have the opportunity to voice their opinion?

9 MR. GREWACH: They would not under the
10 statute, and that's what the public hearing and the
11 public comment period was for.

12 COMMISSIONER JAMISON: This isn't the first
13 time that they've been presented at the Gaming
14 Commission meeting. They were presented at a Gaming
15 Commission meeting and voted on by the Commission to go
16 forward and then the published hearing date was
17 established and then the hearings were held and then
18 this next process after that.

19 CHAIRMAN LEARA: Okay. Thank you,
20 Mr. Jamison.

21 MR. GREWACH: I might add that in addition to
22 the statutory requirements, as a practice our policy
23 group who writes the rules sends them out to industry
24 for comment even in the drafting stage, and we'll get
25 input back from the industry during the drafting stage.

1 And so by the time we get to the proposed
2 Order of Rulemaking we have already been in some
3 discussion and had some input in replying back from the
4 industry.

5 CHAIRMAN LEARA: I'm cautious just because
6 I've been caught before. This amendment really doesn't
7 mean much and then after it's passed people say what did
8 you do, you know, what that did? That's why I'm
9 cautious on adding additional rules or changing them,
10 and I want to be very clear on what we're doing.

11 MR. GREWACH: Sure.

12 And so with your permission I'll kind of go
13 over a summary of some of those rules.

14 Items 1 and 3 under G involve us permitting
15 certain games that have detectable tendencies in their
16 play operation.

17 This was again a request shown by the
18 industry to place these games in Missouri. These types
19 of games are approved in other states. Our existing
20 rule would have prohibited them. And so what we did is
21 we amended our rule to allow these types of games. We
22 set up certain safeguards there, for example, to send us
23 what we call a white paper outlining how it operates.
24 We review that and make sure we don't have any concerns.

25 And I can tell you our electronic gaming

MISSOURI GAMING COMMISSION
Second Open Session Minutes
August 21, 2019

The Missouri Gaming Commission (the “Commission”) went into open session at approximately 11:22 a.m. on August 21, 2019, at the Missouri Gaming Commission, 3417 Knipp Drive, Jefferson City, Missouri.

Commissioner Finey moved to adjourn the open session meeting. Commissioner Jamison seconded the motion. After a roll call vote was taken, Conway – yes, Finney – yes, Jamison – yes, and Leara – yes the motion passed unanimously.

The meeting ended at 11:23 a.m.

1 changed to say, well, the supplier of the game needs to
2 tell the casino what the mechanism for reconciling the
3 games are and then the casino needs to follows those.

4 So that just kind of took a step out, our
5 intermediate step, and let the instructions come
6 directly from the supplier.

7 When you look at Item 4 is another one, kind
8 of maybe to follow up on your question. It does some
9 technical things, clarifying that days means calendar
10 days and also specifies the information in the shipping
11 request.

12 But one thing in that particular rule, we did
13 eliminate at the industry's request a restrictive
14 regulation that we had.

15 We required before this change that the
16 software for an electronic gaming device be shipped
17 separate from the gaming device itself. Concern
18 originally behind that rule was we didn't want a fully
19 functional slot machine to roll off the back of a truck
20 somewhere, you know, and end up somewhere.

21 But the safeguards were comfortable with --
22 or in place from the process from shipping to receipt
23 and, you know, that we can track that.

24 The difficulty the industry, you know,
25 presented us with was that, first of all, other states

1 allow them to ship it embedded in the machines already
2 installed in the machine.

3 And the second is when you ship it
4 separately, now you have software being installed in the
5 machine off the site, the controlled site of the
6 manufacturer's facility. It gave rise to the
7 possibility of some problems, mistakes, issues, and plus
8 the cost of them having somebody there on site
9 installing the software.

10 So you'll see in that rule in 5.237 in
11 paragraph 3 where we've done away with that restriction
12 and we now allow them to ship -- if this is approved,
13 ship the electronic gaming device with the software
14 embedded in the machine.

15 The sixth item, Chapter E, was really just an
16 electronic gaming device cleanup. There's a reason, for
17 example, that a reel strip test is necessary. Many, if
18 not most, EGDS don't actually have physical reels. It
19 talked about, again, days means calendar days, not
20 business days.

21 Most of the clean-ups -- Mr. Hanavan could go
22 into more detail -- were either just a cleanup language
23 or to make it consistent with the other CSR changes that
24 you saw in the first few items.

25 Items 7 and 8 deal with liquor licenses. By

1 statute we are the sole licensing for excursion gambling
2 boats and any property adjacent to the boat that is
3 owned and operated by the Class A Licensee.

4 CHAIRMAN LEARA: When you say sole licensing
5 of the liquor, no ATF jurisdiction there?

6 MR. GREWACH: Correct.

7 CHAIRMAN LEARA: Really?

8 MR. GREWACH: Statutory provisions.

9 So as a result of that then we drafted our
10 own set of regulations in Chapter 12 to regulate our
11 liquor licensees.

12 What has happened in these two particular
13 cases is there will be changes in the State liquor
14 control regulations. And a theme that the industry has
15 continually come to us with is they would really like to
16 be in a level playing field with their neighbors who
17 they're competing against who hold state liquor
18 licenses.

19 And these two particular changes, the --
20 well, No. 8 dealt with hours of operations, where we
21 made our hours of operation coincide with what their
22 competitors are, changed the starting time from
23 8:00 a.m. to 6:00 a.m.

24 In Item 7 we required -- I believe that in
25 the old rule that you could not sell individual beers.

1 It had to be in a pack of -- I can double-check but I
2 think in a pack of three. State Liquor Control changed
3 where a gift shop could sell an individual beer or quick
4 stop could sell an individual beer. So we're changing
5 our rule to coincide with State Liquor Control to make
6 sure -- again, to provide a level playing field.

7 CHAIRMAN LEARA: It was completely clear on
8 those last three.

9 Any discussion?

10 COMMISSIONER JAMISON: No, sir.

11 COMMISSIONER FINNEY: No.

12 CHAIRMAN LEARA: So how do we proceed with
13 approval of these rules? Do we do them in a package or
14 each individually?

15 MS. FRANKS: As a group.

16 COMMISSIONER JAMISON: I'll move to pass the
17 complete docket under Item G as a whole.

18 CHAIRMAN LEARA: Do we have a second?

19 COMMISSIONER FINNEY: That's to approve --

20 CHAIRMAN LEARA: To approve the whole docket.

21 COMMISSIONER FINNEY: Second.

22 CHAIRMAN LEARA: Call the roll, please.

23 MS. FRANKS: Commissioner Conway.

24 COMMISSIONER CONWAY: Approved.

25 MS. FRANKS: Commissioner Finney.

1 COMMISSIONER FINNEY: Approved.

2 MS. FRANKS: Commissioner Jamison.

3 COMMISSIONER JAMISON: Approved.

4 MS. FRANKS: Chairman Leara.

5 CHAIRMAN LEARA: Approved.

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

7 Final Orders of Rulemaking: 45-5.190, 5.200, 5.210,

8 5.237, 8.140, 9.105, 12.020 and 12.080.

9 MR. GREWACH: Thank you.

10 EXECUTIVE DIRECTOR GROTHAUS: The next item

11 on the agenda is the Consideration of Relicensure of

12 Certain Fantasy Sports Operators, and presentation will

13 be by Assistant Director Maggie White.

14 MS. WHITE: Mr. Chairman, Commissioners.

15 The Missouri Gaming Commission conducted

16 financial review and analysis, including examination of

17 financial statements, income tax returns, application

18 reviews and verification of statutory compliance for the

19 following fantasy sports operator which has applied for

20 relicensure: RealTime Fantasy Sports, Inc, Resolution

21 No. 19-036.

22 Thank you.

23 EXECUTIVE DIRECTOR GROTHAUS: Staff

24 recommends relicensure.

25 CHAIRMAN LEARA: Any discussion?

1 Seeing none, do we have a motion to approve?

2 COMMISSIONER CONWAY: I'll make the motion to
3 approve.

4 CHAIRMAN LEARA: Do we have a second?

5 COMMISSIONER JAMISON: Second.

6 CHAIRMAN LEARA: All right. Please call the
7 roll.

8 MS. FRANKS: Commissioner Conway.

9 COMMISSIONER CONWAY: Approved.

10 MS. FRANKS: Commissioner Finney.

11 COMMISSIONER FINNEY: Approved.

12 MS. FRANKS: Commissioner Jamison.

13 COMMISSIONER JAMISON: Approved.

14 MS. FRANKS: Chairman Leara.

15 CHAIRMAN LEARA: Approved.

16 MS. FRANKS: By your vote you've adopted
17 Resolution 19-036.

18 EXECUTIVE DIRECTOR GROTHAUS: The next item
19 on the agenda is the Relicensure of Certain Suppliers,
20 and Assistant Director White will remain to present.

21 MS. WHITE: Mr. Chairman, Commissioners. Two
22 supplier companies currently licensed in Missouri are
23 being presented for relicensure.

24 Missouri Gaming Commission conducted the
25 relicensing investigations, which consisted of review

1 and analysis of SEC filings and financial statements,
2 evaluation of other financial metrics, examination of
3 disciplinary actions, litigation and business credit
4 profiles, feedback from affected gaming company clients,
5 and criminal history checks to determine the suitability
6 for relicensure.

7 The following supplier companies are being
8 presented for your consideration: Gaming Partners
9 International USA, Inc., Resolution No. 19-037, and also
10 United States Playing Card Company, Resolution
11 No. 19-038.

12 CHAIRMAN LEARA: Okay. Discussion?

13 COMMISSIONER JAMISON: None.

14 CHAIRMAN LEARA: Seeing none -- I think we
15 approve these individually. Would that be correct?

16 MS. FRANKS: Yes.

17 CHAIRMAN LEARA: Let's entertain a motion for
18 approval of Resolution No. 19-037.

19 COMMISSIONER FINNEY: Motion to approve.

20 CHAIRMAN LEARA: Do we have a second?

21 COMMISSIONER JAMISON: Second.

22 CHAIRMAN LEARA: Please call the roll.

23 MS. FRANKS: Commissioner Conway.

24 COMMISSIONER CONWAY: Approved.

25 MS. FRANKS: Commissioner Finney.

1 COMMISSIONER FINNEY: Approved.

2 MS. FRANKS: Commissioner Jamison.

3 COMMISSIONER JAMISON: Approved.

4 MS. FRANKS: Chairman Leara.

5 CHAIRMAN LEARA: Approved.

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

7 Resolution No. 19-037.

8 CHAIRMAN LEARA: The next item, 19-038.

9 COMMISSIONER JAMISON: I move for approval.

10 CHAIRMAN LEARA: We have a motion. Do we

11 have a second?

12 COMMISSIONER FINNEY: Second.

13 CHAIRMAN LEARA: Please call the roll.

14 MS. FRANKS: Commissioner Conway.

15 COMMISSIONER CONWAY: Approved.

16 MS. FRANKS: Commissioner Finney.

17 COMMISSIONER FINNEY: Approved.

18 MS. FRANKS: Commissioner Jamison.

19 COMMISSIONER JAMISON: Approved.

20 MS. FRANKS: Chairman Leara.

21 CHAIRMAN LEARA: Approved.

22 MS. FRANKS: By your vote you've adopted

23 Resolution No. 19-038.

24 CHAIRMAN LEARA: The next item on the agenda

25 is Consideration of Relicensure for Level I/Key

1 Applicants, Resolution 19-039.

2 CHAIRMAN LEARA: Please when you're ready.

3 MS. WHITE: Chairman, Commissioners. The
4 Missouri Gaming Commission conducted comprehensive
5 background investigations on multiple Key and Level I
6 applications for licensure.

7 The investigations consisted of financial
8 review and analysis, including examination of bank and
9 security accounts, net worth, tax returns, general
10 character inquiries made in the jurisdictions where the
11 applicants lived, worked and frequented, and criminal
12 history checks to determine the suitability for
13 licensure.

14 The following individuals are being presented
15 for your consideration: Kenneth Joseph Goetz, Jr.,
16 Argosy Riverside Casino, Director of Table Games;
17 Jeffrey Antone Theis, Argosy Riverside Casino, Director
18 of Surveillance; Sylvia R. Summers-Couder, Aristocrat
19 Leisure Limited, Non-Executive Director; David Scott
20 Krasn, Boyd Gaming Corporation, Vice President Internal
21 Audit; Ian Patrick McNerney, Boyd Gaming Corporation,
22 Internal Audit Manager; Michelle Lee Bushore, Caesars
23 Entertainment Corporation, Executive Vice President,
24 General Counsel, Chief Legal and Risk Officer and
25 Corporate Secretary; Luke Kenneth Orchard, IGT,

1 Secretary; Christopher Clark Spears, IGT Global
2 Solutions Corporation, Senior Vice President and
3 Secretary; Lewis Jackson Hill, IOC-Caruthersville, LLC
4 doing business as Lady Luck Casino, Slot Manager; Gary
5 Donald Herman, St. Jo Frontier Casino, Director of
6 Gaming Operations.

7 Thank you.

8 Mr. Grothaus, have you ever had anybody speak
9 in opposition of these types of licenses of individuals?

10 EXECUTIVE DIRECTOR GROTHAUS: Not since I've
11 been here.

12 CHAIRMAN LEARA: Just curious. Okay. I
13 didn't know if you had other industry or businesses or
14 individuals.

15 Okay. Thank you.

16 EXECUTIVE DIRECTOR GROTHAUS: I don't believe
17 that would be common.

18 CHAIRMAN LEARA: Do you have any comments on
19 this?

20 EXECUTIVE DIRECTOR GROTHAUS: No, sir.

21 Staff recommends relicensing.

22 CHAIRMAN LEARA: Okay. Do we have a motion
23 to approve?

24 COMMISSIONER JAMISON: I move for approval of
25 Resolution 19-039.

1 CHAIRMAN LEARA: Second?

2 COMMISSIONER CONWAY: Second.

3 CHAIRMAN LEARA: Please call the roll.

4 MS. FRANKS: Commissioner Conway.

5 COMMISSIONER CONWAY: Approved.

6 MS. FRANKS: Commissioner Finney.

7 COMMISSIONER FINNEY: Approved.

8 MS. FRANKS: Commissioner Jamison.

9 COMMISSIONER JAMISON: Approved.

10 MS. FRANKS: Chairman Leara.

11 CHAIRMAN LEARA: Approved.

12 MS. FRANKS: By your vote you've adopted

13 Resolution No. 19-039.

14 CHAIRMAN LEARA: I will entertain a motion to

15 go into closed session.

16 COMMISSIONER JAMISON: I move for a closed

17 meeting under Sections 313.847 and 313.945, Revised

18 Missouri Statutes, investigatory, proprietary and

19 application records, and 610.021, Subparagraph 1,

20 Revised Missouri Statutes, legal actions, Subparagraph 3

21 and Subparagraph 13 personnel and Subparagraph 14

22 records protected from disclosure by law.

23 CHAIRMAN LEARA: Do we have a second?

24 COMMISSIONER FINNEY: Second.

25 CHAIRMAN LEARA: Please call the roll.

1 MS. FRANKS: Commissioner Conway.
2 COMMISSIONER CONWAY: Approved.
3 MS. FRANKS: Commissioner Finney.
4 COMMISSIONER FINNEY: Approved.
5 MS. FRANKS: Commissioner Jamison.
6 COMMISSIONER JAMISON: Approved.
7 MS. FRANKS: Chairman Leara.
8 CHAIRMAN LEARA: Approved.
9 WHEREIN, the meeting concluded at 10:35 a.m.
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3 CERTIFICATE OF REPORTER

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5 I, Patricia A. Stewart, CCR, a Certified
6 Court Reporter in the State of Missouri, do hereby
7 certify that the testimony taken in the foregoing
8 transcript was taken by me to the best of my ability and
9 thereafter reduced to typewriting under my direction;
10 that I am neither counsel for, related to, nor employed
11 by any of the parties to the action in which this
12 transcript was taken, and further that I am not a
13 relative or employee of any attorney or counsel employed
14 by the parties thereto, nor financially or otherwise
15 interested in the outcome of the action.

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Patricia A. Stewart

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MISSOURI GAMING COMMISSION
Second Open Session Minutes
August 21, 2019

The Missouri Gaming Commission (the “Commission”) went into open session at approximately 11:22 a.m. on August 21, 2019, at the Missouri Gaming Commission, 3417 Knipp Drive, Jefferson City, Missouri.

Commissioner Finey moved to adjourn the open session meeting. Commissioner Jamison seconded the motion. After a roll call vote was taken, Conway – yes, Finney – yes, Jamison – yes, and Leara – yes the motion passed unanimously.

The meeting ended at 11:23 a.m.