

MISSOURI GAMING COMMISSION

COMMISSION RESOLUTION NO. 22-001-B
REGARDING SETTLEMENT OF BINGO DISCIPLINE
VFW AUXILIARY #2654

May 25, 2022

WHEREAS, the Missouri Gaming Commission issued proposed discipline against VFW Auxiliary #2654; and

WHEREAS, VFW Auxiliary #2654 and the Commission have come to a settlement concerning the issues presented in the proposed discipline which required the licensee to pay a \$1,000 fine to be paid out of non-bingo funds, (a copy of the Settlement Agreement is attached hereto).

NOW, THEREFORE, BE IT RESOLVED, that the Commission hereby approves the Settlement Agreement concerning VFW Auxiliary #2654.

BE IT FURTHER RESOLVED that this Settlement Agreement shall become effective upon the date of this resolution and be considered a final decision of the Missouri Gaming Commission.



Mike Leara
Chairman
Missouri Gaming Commission

SETTLEMENT AND WAIVER OF HEARING

VFW Auxiliary #2654 hereby consents to settle to the violations contained in the February 23, 2022 letter which is attached hereto by paying a fine of \$1,000 from non-bingo funds.

The undersigned persons understand and acknowledge that VFW Auxiliary #2654 has the right to a hearing, but that VFW Auxiliary #2654 has waived the hearing and consented to this Settlement.

Hanni B. Avery, VFW Auxiliary 2654
VFW Auxiliary #2654
By: Hanni B. Avery, President
1347 S. Morley
P.O. Box 1
Moberly, MO 65270

April 22, 2022
Date

Peggy D. Richardson
Peggy D. Richardson
Executive Director
Missouri Gaming Commission

April 22, 2022
Date

⑤
2754



MICHAEL L. PARSON
GOVERNOR

COMMISSIONERS

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CHAIRMAN

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DAVID W. HANE

JAN M. ZIMMERMAN

EGGY D. RICHARDSON
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ENF. FAX (573) 526-4084

BINGO
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TOLL FREE (866) 801-8643
FAX (573) 526-5374

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April 11, 2022

VFW Auxiliary #2654
1347 S. Morley
PO Box 1
Moberly, MO 65270

RE: Check No. 1702 in the amount of \$1,000 payable to the Randolph
County Treasurer.

Thank you for the check for \$1000. In order for us to process it we need you to
sign the settlement agreement enclosed so we can present it to the commissioners
for final approval.

If you have any questions regarding this matter you may contact me at 573-526-
1927.

Sincerely,

Edward J. Grewach
General Counsel
Missouri Gaming Commission

4/20/2022 - Enclosed form signed. Thank you!
Heidi A. [unclear]

RECEIVED

APR 22 2022

MISSOURI GAMING COMMISSION
BINGO DIVISION

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March 18, 2022

VFW Auxiliary 2654
1347 S. Morley
PO Box 1
Moberly, MO 65270

RE: Notice of Violation
B-2385

Dear Bingo Licensee:

Pursuant to 11 CSR 45-13.051(3), this letter shall serve as your notice that the Missouri Gaming Commission (Commission) finds sufficient facts to support disciplinary action against your bingo license, B-2385, for allowing a bingo worker from purchasing pull-tabs and having another player play for them, in violation of 11 CSR 45-30.140(3), allowing a worker to be both a player and a worker during the same game, and allowing a worker to switch from player to worker and worker to player more than once during an occasion in violation of 11 CSR 45-13.051(1). An outline of the specific facts and findings by the Commission were mailed to you on February 24, 2022.

Based on the review of the findings and your response, received March 10, 2022, the Commission staff recommends the following discipline:

- \$1,000 fine to be paid out from non-bingo funds and made payable to the "Randolph County Treasurer".

You have 30 days from the date of this letter to contact this office with a settlement offer. If no response is received from you, the Commission will move forward and request the office of the Missouri Attorney General to file a formal, written complaint with the Administrative Hearing Commission (AHC), pursuant to Section 621.100, RSMo, on its behalf, seeking a finding that a factual basis exists to impose the proposed discipline against your license.

According to 11 CSR 45-13.051(5), once the formal complaint is filed with the AHC, you may request a hearing on the proposed action before the AHC as set forth in Chapter 621, RSMo. If the AHC finds a factual basis to support the Commission's action, or if you fail to request or otherwise waive your right to a hearing before the AHC, the matter will be presented to the Commissioners to determine and impose the appropriate level of discipline, pursuant to 11 CSR 45-13.051(7).

You may also elect to waive your right to a hearing before the AHC as part of a settlement agreement reached with the Commission, pursuant to §§ 536.060 and 621.045, RSMo.

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Proceedings before the AHC are governed by Chapters 621 and 536, RSMo. Pursuant to 1 CSR 15-3.250(3), organizations, corporations, and legal entities must be represented by a licensed attorney before the AHC. All discipline hearings before the Commission shall be governed by 11 CSR 45-13 *et seq.*, and the applicable provisions of Chapter 536, RSMo.

If you have any questions regarding this matter you may contact the Commission at 573-526-5370 or toll free at 866-801-8643.

Sincerely,



Peggy D. Richardson
Executive Director

Certified Mail # 701SD64000751695016

cc: Barbara Whittle

Enclosure

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MICHAEL L. PARSON
GOVERNOR

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February 24, 2022

VFW Auxiliary 2654
1347 South Morley
P.O. Box 1
Moberly, MO 65270

RE: Notice of Violation
B-2385

Dear Bingo Licensee:

After receiving a complaint, dated January 18, 2022, that one of your bingo workers was also buying, playing, and collecting on winning pull-tabs during bingo occasions, MGC staff conducted an on-site inspection during a bingo game sponsored by the VFW Auxiliary on February 6, 2022.

On February 6, 2022, the MGC staff observed the following:

- One of the bingo workers, identified as Becky, purchased pull-tabs for herself and gave them to another bingo player to play for her. Some of those pull-tabs were winners, and the bingo player that was holding those pull-tabs for Becky cashed in the tickets and paid Becky her winnings. This violated 11 CSR 45-30.140(3).
- Becky sold progressive and bonanza papers for the first nine games listed on the program. During the break after the ninth game, Becky gave money to another worker so that she could buy pull-tabs for her. Once Becky obtained the pull-tabs that the worker had bought for her, Becky played the pull-tabs during the break while she also continued to sell progressive and bonanza papers. This violated 11 CSR 45-30.140(1).

The VFW Auxiliary has had prior similar complaints about bingo workers also playing during games and have been given written warnings.

You have 15 days from the date of this letter to respond to the aforementioned allegations. Upon receipt of your response, or if no response is received within 15 days from the date of this letter, MGC staff will review all relevant information and your response, if any, to determine if any corrective and/or disciplinary action may be warranted against your bingo license. Action may include requiring training, a change in supervision, imposing disciplinary action, or any combination of these or other corrective measures.

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If you have any questions regarding this matter you may contact the Commission at 573-526-5370
or toll free at 866-801-8643.

Sincerely,



Peggy D. Richardson
Executive Director

PDR/ck

Certified Mail # 7009 2250 0001 4917 3457