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BEFORE THE MISSOURI GAMING COMMISSION  
STATE OF MISSOURI

Meeting  
March 25, 2015  
10:00 a.m.  
Central Office  
3417 Knipp Drive  
Jefferson City, Missouri

COMMISSIONERS PRESENT:

Leland M. Shurin, Chairman  
Diane C. Howard  
Larry D. Hale  
Thomas Neer  
Brian Jamison

REPORTED BY:

Patricia A. Stewart, CCR 401  
3432 West Truman Boulevard, Suite 207  
Jefferson City, Missouri 65109  
573-636-7551

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1 P R O C E E D I N G S

2 CHAIRMAN SHURIN: Okay. The meeting of the  
3 Missouri Gaming Commission will come to order.

4 Angie, please call the roll for a quorum.

5 MS. FRANKS: Commissioner Neer.

6 COMMISSIONER NEER: Here.

7 MS. FRANKS: Commissioner Jamison.

8 COMMISSIONER JAMISON: Here.

9 MS. FRANKS: Commissioner Hale.

10 COMMISSIONER HALE: Here.

11 MS. FRANKS: Commissioner Howard.

12 COMMISSIONER HOWARD: Present.

13 MS. FRANKS: Chairman Shurin.

14 CHAIRMAN SHURIN: Present.

15 The next business, Consideration of Minutes  
16 of the February 25, 2015 meeting.

17 COMMISSIONER HOWARD: I'll move for the  
18 approval of the February meeting minutes.

19 COMMISSIONER NEER: Second.

20 CHAIRMAN SHURIN: Is there any discussion?  
21 If none, please call the roll, Angie.

22 MS. FRANKS: Commissioner Neer.

23 COMMISSIONER NEER: Approved.

24 MS. FRANKS: Commissioner Jamison.

25 COMMISSIONER JAMISON: Approved.

1 MS. FRANKS: Commissioner Hale.

2 COMMISSIONER HALE: Approved.

3 MS. FRANKS: Commissioner Howard.

4 COMMISSIONER HOWARD: Approved.

5 MS. FRANKS: Chairman Shurin.

6 CHAIRMAN SHURIN: Approved.

7 MS. FRANKS: By your vote you've adopted the  
8 minutes of the February 25th, 2015 meeting.

9 EXECUTIVE DIRECTOR SEIBERT: The first order  
10 of business, Mr. Chair, will be the consideration of  
11 Hearing Officer Mr. Charles Steib.

12 MR. STEIB: Good morning.

13 CHAIRMAN/COMMISSIONERS: Good morning.

14 MR. STEIB: May it please the Commission.

15 The first item I have on the agenda is that  
16 of Mr. James Downes.

17 Mr. Downes -- that's Cause No. DC-13-861.

18 Mr. Downes is the holder of a Level II occupational  
19 gaming license.

20 On March 29th of 2013 the Maryland Lottery  
21 Gaming Control Agency dealt with Mr. Downes and  
22 requested certain information from Mr. Downes concerning  
23 his indebtedness. Mr. Downes failed to provide that  
24 information to the Maryland Gaming Commission.

25 Maryland has a similar appellate process as

1 here in Missouri, where he was afforded an opportunity  
2 to come for a hearing, and he did not take advantage of  
3 that. Hence, the Maryland people refused his license  
4 pursuant to 11 CSR 45-4.260.

5           The Missouri Gaming Commission has the  
6 authority to look at any adverse action by a foreign  
7 jurisdiction. And in doing so, the Missouri Gaming  
8 Commission sent notice to Mr. Downes about this fact,  
9 and he was afforded the opportunity for a hearing.

10           At that hearing which was conducted on  
11 December 11th, 2014, upon cross-examination by  
12 Commission's counsel, Mr. Downes made an admission  
13 against interest. To wit, he was asked if he didn't --  
14 speaking of the Maryland information, the statement that  
15 you did not get this information to them, the Maryland  
16 Commission, as requested. That's accurate? And  
17 Mr. Downes' response was, yes, that's accurate.

18           So there is no question he did not, in fact,  
19 supply the information to Maryland.

20           Based on the hearing and the evidence adduced  
21 there at, it is the finding of the hearing officer that  
22 Mr. Downes failed to supply the information to the  
23 Maryland Lottery and resulted in the denial of his  
24 Maryland license.

25           And the finding of the hearing officer is

1 that the Petitioner did not meet his burden of proof  
2 showing clearly and convincingly that he should not be  
3 subject to the discipline as provided by the Missouri  
4 Gaming Commission dated January 22, 2014 and that he  
5 should have a 365-day-calendar suspension.

6 That is the finding of the hearing officer in  
7 this matter.

8 CHAIRMAN SHURIN: Are there any questions by  
9 the Commission?

10 If none --

11 EXECUTIVE DIRECTOR SEIBERT: You can ask if  
12 he is present.

13 CHAIRMAN SHURIN: All right. Sorry. I'm  
14 sorry.

15 Is Mr. Downes present?

16 MR. DOWNES: I am, yeah. Good morning.

17 I would only request that the Commission  
18 consider that I actually voluntarily surrendered my  
19 license on March 14, and that was accepted on March 19th  
20 or 20th, I believe, by the Commission in relation to  
21 this matter. And I apologize to the Commission for any  
22 time that they've had to invest in this matter as well  
23 too.

24 CHAIRMAN SHURIN: Thank you.

25 Any of the Commission members have any

1 questions?

2 MS. KERR: Thank you.

3 Good morning, Commissioners.

4 CHAIRMAN/COMMISSIONERS: Good morning.

5 MS. KERR: As the hearing officer mentioned,  
6 Section 313.812.14, Subsection 4 of RSMo, and  
7 11 CSR 45-4.260, Section (4)(G) -- or Subsection (4)(G)  
8 gives the Commission the authority to discipline a  
9 Missouri licensee if another state denies and rules him  
10 ineligible to hold a gaming license.

11 Maryland denied his application for a  
12 licensee based on his failure to provide the necessary  
13 documentation, and Mr. Downes did not appeal that denial  
14 and it became final.

15 The fact that Mr. Downes surrendered his  
16 license last week does not negate the need or the  
17 authority for this Commission to act on the proposed  
18 discipline today.

19 He could reapply to Missouri at any time, and  
20 if the MGC does not have a record of any discipline  
21 taken against his license, it may not be able to take  
22 that information into account in determining whether to  
23 relicense him in the future.

24 The MGC has this information now, and by  
25 upholding the discipline against him an official record

1 is made and will be maintained.

2 And as I said, the fact that the Maryland  
3 Lottery and Gaming Commission took action to deny him a  
4 license in 2013 is authority in itself under the statute  
5 for the MGC to suspend or revoke his license, because he  
6 was, quote, ruled ineligible by another state or gaming  
7 jurisdiction.

8 The rule authorizes revocation or suspension  
9 of Mr. Downes' license, but possibly because the state  
10 of Maryland would have let Mr. Downes reapply in a year,  
11 the MGC staff had recommended a 365-day or a one-year  
12 suspension.

13 And based on that we believe the evidence  
14 supports the level of discipline recommended by the  
15 hearing officer in this case, and we ask that the  
16 Commission approve the hearing officer's recommendation.

17 CHAIRMAN SHURIN: Thank you.

18 Are there any questions?

19 Mr. Downes, do you have anything further that  
20 you want to say?

21 MR. DOWNES: No, sir. Thank you for your  
22 time.

23 CHAIRMAN SHURIN: No questions from the  
24 Commission, from any of the Commissioners, of Mr. Downes  
25 or counsel?

1           Okay. If there are none, then Chair will  
2 entertain a motion in regard to Mr. Steib's  
3 recommendation.

4           COMMISSIONER HALE: So moved.

5           We probably ought to -- for the record it's  
6 Resolution 15-017.

7           COMMISSIONER HOWARD: I'll second the  
8 approval of Resolution No. 15-017.

9           CHAIRMAN SHURIN: And is there any discussion  
10 on that motion?

11           If there is none, Angie, please call the roll  
12 for a vote.

13           MS. FRANKS: Commissioner Neer.

14           COMMISSIONER NEER: Approve the hearing  
15 officer's recommendation.

16           MS. FRANKS: Commissioner Jamison.

17           COMMISSIONER JAMISON: Approved.

18           MS. FRANKS: Commissioner Hale.

19           COMMISSIONER HALE: Approved.

20           MS. FRANKS: Commissioner Howard.

21           COMMISSIONER HOWARD: Approved.

22           MS. FRANKS: Chairman Shurin.

23           CHAIRMAN SHURIN: Approved.

24           MS. FRANKS: By your vote you've adopted  
25 Resolution No. 15-017.

1                   MR. STEIB: The next item on the agenda  
2 for your consideration, Commissioners, is Cause  
3 No. DC-14-177, in the matter of Ronald Queen.

4                   Mr. Queen has a Level II occupational gaming  
5 license with the Commission. On February 28, 2014 a  
6 meeting was conducted in the Isle of Capri Casino where  
7 Mr. Queen was a count room manager. A count clerk and  
8 one Mr. Ring Bol was also in attendance.

9                   The uncontroverted and credible testimony  
10 given by Mr. Queen at the hearing was that Mr. Bol was  
11 in an agitated state. He had worked some hours.

12                   Mr. Queen suggested that Mr. Bol go home,  
13 come back on Monday to resolve any dispute he may have.  
14 An altercation occurred thereafter between Mr. Queen and  
15 Mr. Bol. That occurred in the office and then moved  
16 later on out into a different spot in the casino.

17                   The credible and uncontroverted testimony is  
18 that Mr. Bol was the aggressor in this matter, not  
19 Mr. Queen.

20                   Mr. Queen attempted to diffuse the situation  
21 first by calming down and suggesting that Mr. Bol return  
22 some days later and also by removing -- attempting to  
23 remove the situation from the site where it initially  
24 occurred.

25                   Based on the testimony that was given at the

1 hearing, the credible evidence showed that the count  
2 room manager, Mr. Queen, attempted to diffuse the  
3 altercation. He attempted to remove it from the site  
4 where it occurred and attempted to calm down Mr. Ring  
5 who became aggressive and, in fact, assaulted Mr. Queen.

6 Based on that testimony and the evidence  
7 adduced, it is the hearing officer's conclusion and  
8 recommendation that Mr. Queen did, in fact, meet his  
9 burden of proof in his testimony when weighed against  
10 the opposed -- of any opposing evidence and leaves the  
11 finder of fact with conviction that the Petitioner,  
12 Mr. Queen, should not be disciplined in this matter as  
13 suggested initially, and that's the finding of the  
14 hearing officer.

15 CHAIRMAN SHURIN: Is Mr. Queen here?

16 Do any of the Commissioners have any  
17 questions of the hearing officer?

18 If there are none, the Chair will entertain a  
19 motion in regard to Resolution 15-018.

20 COMMISSIONER HOWARD: I'll move for the  
21 approval of Resolution No. 15-018.

22 COMMISSIONER JAMISON: Second.

23 CHAIRMAN SHURIN: Any discussion on that  
24 motion?

25 If there is none, Angie, please call the roll

1 for a vote.

2 MS. FRANKS: Commissioner Neer.

3 COMMISSIONER NEER: Agree no discipline.

4 MS. FRANKS: Commissioner Jamison.

5 COMMISSIONER JAMISON: Approved.

6 MS. FRANKS: Commissioner Hale.

7 COMMISSIONER HALE: Approved.

8 MS. FRANKS: Commissioner Howard.

9 COMMISSIONER HOWARD: Approved.

10 MS. FRANKS: Chairman Shurin.

11 CHAIRMAN SHURIN: Approved.

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

13 Resolution No. 15-018.

14 MR. STEIB: The next item on the agenda for  
15 your consideration is Cause No. DC-14-249, in the matter  
16 of Colleen Natoli.

17 Mrs. Natoli on March 18, 2014 submitted a  
18 Level II occupational gaming license. There was a  
19 hearing scheduled originally for August 20 of 2014 at  
20 which Ms. Natoli did not appear. There appeared to the  
21 hearing officer that she was in default as she was.

22 She later contacted the Commission and the  
23 hearing officer, and there was some question about  
24 whether she had received notice of that.

25 In view of that she was afforded an

1 opportunity to have a hearing, and there was, in fact, a  
2 later hearing conducted.

3           At the hearing, based on the exhibits that  
4 were, in fact, introduced into evidence, it was shown by  
5 clear and convincing evidence that the Missouri State  
6 Highway Patrol had determined that on April 23rd, 2013  
7 Ms. Natoli had been arrested for stealing.

8           Mrs. Natoli had neglected to reveal that on  
9 the application, and as these hearings are conducted, it  
10 is evidence always adduced that at least two or three  
11 times the applicant is afforded the opportunity, are you  
12 sure that there were no contacts with any constabulary  
13 force.

14           Mrs. Natoli denied this on each situation;  
15 however, the record reflects that she was arrested on  
16 April 23rd, 2014. The applicant, therefore, failed to  
17 disclose on a Level II application gaming license that  
18 arrest of April 23rd, and it is, therefore, the  
19 conclusion of the hearing officer that the applicant did  
20 not meet her burden of proof to show clearly and  
21 convincingly that she should receive a Level II license,  
22 and the decision of the Commission dated April 10th  
23 denying same, 2014, should be affirmed.

24           CHAIRMAN SHURIN: Is Ms. Natoli here? Is she  
25 present?

1                   If no one isn't here, she's evidently not  
2 here.

3                   Are there any questions of the Commissioners  
4 of the hearing officer?

5                   If there are none, the Chair will entertain a  
6 motion in regard to Resolution No. 15-019.

7                   COMMISSIONER JAMISON: Move for approval of  
8 Resolution 15-019.

9                   COMMISSIONER HALE: Second.

10                  CHAIRMAN SHURIN: Any discussion on that  
11 motion?

12                  If there is none, Angie, please call the roll  
13 for a vote.

14                  MS. FRANKS: Commissioner Neer.

15                  COMMISSIONER NEER: Approved.

16                  MS. FRANKS: Commissioner Jamison.

17                  COMMISSIONER JAMISON: Approved.

18                  MS. FRANKS: Commissioner Hale.

19                  COMMISSIONER HALE: Approved.

20                  MS. FRANKS: Commissioner Howard.

21                  COMMISSIONER HOWARD: Approved.

22                  MS. FRANKS: Chairman Shurin.

23                  CHAIRMAN SHURIN: Approved.

24                  MS. FRANKS: By your vote you've adopted  
25 Resolution No. 15-019.

1                   MR. STEIB: The next item for your  
2 consideration is that of the matter of Ingrid Willis,  
3 Cause No. DC-14-375.

4                   Mrs. Willis applied, submitted an application  
5 on August 6, 2014 for a license. During that interview  
6 she neglected to reflect that she had been arrested.

7                   In fact, the investigation by the Highway  
8 Patrol determined that she had been arrested in  
9 Belleville, Illinois in 2010.

10                  Pursuant to 11 CSR 45-4, the applicant on  
11 these applications is required to divulge that  
12 information on the applicant form.

13                  And as I reiterate to the Commission, the  
14 forms that are required to be executed and initialed and  
15 gone over by these interviewees clearly reflect that  
16 people should let the hearing officer know and the  
17 interviewer at the time that they've had some contact  
18 with the police. Mrs. Willis did not do that and, in  
19 fact, she had been arrested in Belleville, Illinois.

20                  The applicant, although duly notified of the  
21 appointed time, place and the hearing in this situation  
22 failed to appear and by default, in fact, it is the  
23 finding of the hearing officer that she did not appear  
24 and hence did not meet her burden to show clearly and  
25 convincingly that she should be granted an occupational

1 Level II occupational license, and it is the  
2 recommendation of the hearing officer that that  
3 application be denied.

4 CHAIRMAN SHURIN: Is Ms. Willis present?

5 She is not.

6 Are there any questions of Hearing Officer  
7 Steib by the Commission?

8 There being none, is there a motion in regard  
9 to Resolution 15-020?

10 COMMISSIONER HALE: Move for the adoption of  
11 Resolution No. 15-020.

12 COMMISSIONER NEER: Second that motion.

13 CHAIRMAN SHURIN: Is there any discussion on  
14 that motion?

15 If there is none, Angie, please call the roll  
16 for a vote.

17 MS. FRANKS: Commissioner Neer.

18 COMMISSIONER NEER: Approved.

19 MS. FRANKS: Commissioner Jamison.

20 COMMISSIONER JAMISON: Approved.

21 MS. FRANKS: Commissioner Hale.

22 COMMISSIONER HALE: Approved.

23 MS. FRANKS: Commissioner Howard.

24 COMMISSIONER HOWARD: Approved.

25 MS. FRANKS: Chairman Shurin.

1                   CHAIRMAN SHURIN: Approved.

2                   MS. FRANKS: By your vote you've adopted  
3 Resolution No. 15-020.

4                   MR. STEIB: Thank you for your consideration.

5                   CHAIRMAN SHURIN: Thank you.

6                   EXECUTIVE DIRECTOR SEIBERT: Next will be  
7 consideration of Hearing Officer Mr. Bryan Wolford's  
8 recommendations.

9                   MR. WOLFORD: Good morning, Mr. Chair,  
10 Commissioners.

11                  CHAIRMAN/COMMISSIONERS: Good morning.

12                  MR. WOLFORD: The first two resolutions that  
13 the hearing officer will be presenting, I feel it's  
14 necessary to provide a little background information  
15 here.

16                  Prior to 2000 the background checks conducted  
17 by employees applying to obtain a Level II gaming  
18 license were all done on facility at the individual  
19 casino, and there was no standard throughout the state  
20 on how to do that.

21                  After the year 2000 the procedure became  
22 standardized, and the Commission hired investigators  
23 specifically for that purpose of investigating  
24 applicants who wished to obtain a Level II occupational  
25 gaming license.

1                   Now, because of this fact several people who  
2 had obtained a license from 1994, 1993 up until about  
3 2000, some of them obtained a license that should not  
4 have obtained a license.

5                   Specifically some of these folks had pled  
6 guilty to or had been found guilty of a felony, which  
7 pursuant to the statute, Section 313.812.8 of the  
8 Revised Statutes of Missouri, states that the Commission  
9 shall not grant a license to such persons, that is,  
10 people who have pled guilty to or have been found guilty  
11 of a felony. It's a statutory bar that completely  
12 forbids that.

13                   And what has happened since 2000, sometimes  
14 these few employees that kind of fell through the cracks  
15 of the investigation process, they'll apply for transfer  
16 to a new facility, they'll take a job in another state  
17 and then come back and reapply for a Missouri license or  
18 the Commission during an audit of the license discovers  
19 this issue that would have prevented them from obtaining  
20 the license prior to the standardization of the  
21 investigation.

22                   So with that in mind I present for your  
23 consideration Resolution No. 15-021, the matter of  
24 Michael Silas.

25                   Mr. Silas applied on the 30th of October 2014

1 for a Level II occupational gaming license with the  
2 Commission. He had previously held a license from 1994  
3 until 2004 and then he had transferred to Illinois and  
4 held an Illinois license for approximately ten years as  
5 well.

6           During the investigation it was revealed that  
7 Mr. Silas had pled guilty to two felonies on the 16th of  
8 November of 1989 for burglary and stealing.

9           And again, the statute says that the  
10 Commission shall not grant a license to someone who has  
11 pled guilty to or been found guilty of a felony;  
12 therefore, the hearing officer recommends denial of the  
13 license.

14           CHAIRMAN SHURIN: Is Mr. Silas present?

15           The record should show that he is not.

16           Is Mr. Silas working now at a Missouri  
17 casino?

18           MR. WOLFORD: No, Mr. Chairman, he is not.

19           He had let his Missouri license expire when  
20 he took that job in Illinois, and he was working in  
21 Illinois for ten years. So he was seeking to reapply to  
22 a Missouri facility and obtain his Missouri occupational  
23 license.

24           CHAIRMAN SHURIN: Is he currently working at  
25 a casino in Illinois?

1                   MR. WOLFORD: No, he is not. He is currently  
2 unemployed based on the information -- or the evidence  
3 adduced at the hearing.

4                   CHAIRMAN SHURIN: Do you know how old he is?  
5 Do you know his age?

6                   COMMISSIONER NEER: Forty-three, isn't he?

7                   CHAIRMAN SHURIN: Forty-three.

8                   COMMISSIONER NEER: I believe.

9                   CHAIRMAN SHURIN: So these felonies occurred  
10 when he was --

11                   COMMISSIONER NEER: Seventeen.

12                   COMMISSIONER HOWARD: And he's been working  
13 20 years. He's been working his whole life in the  
14 gaming industry.

15                   MR. WOLFORD: Correct. Ten years in Missouri  
16 and ten years in Illinois.

17                   And I believe -- the law in Illinois, it's  
18 slightly different on the felony. He did receive a  
19 suspended imposition of sentence as a result of his  
20 pleas back in 1989, which, of course, under the law  
21 removes a record of conviction but not for the purposes  
22 of the statute, 313.812.8. It says if you have pled or  
23 been convicted of.

24                   COMMISSIONER HOWARD: And we understand.  
25 Unfortunately when he was 17 he received the good

1 counsel of his attorney to go ahead and accept an SIS.  
2 We have no idea of the facts of what he was accused of  
3 when he was 17, but we all know the drill, that some  
4 attorney told him to go ahead and accept an SIS because  
5 it would have no impact on his employability because it  
6 doesn't constitute a conviction. And here he is at age  
7 43.

8 CHAIRMAN SHURIN: Carolyn.

9 MS. KERR: Briefly.

10 And Mr. Silas is 43 according to his  
11 application.

12 As the hearing officer stated, the statute is  
13 mandatory. It reads that a license shall not be granted  
14 if the applicant has pled guilty to a felony.

15 The Commission does not have the authority to  
16 waive a statutory requirement like it might if it was a  
17 regulatory requirement, and because of that mandatory  
18 language, the Commission has to follow the law as harsh  
19 as the circumstances might be.

20 You know, at the time of the hearing he did  
21 testify that he was unemployed. I have no information  
22 whether he's gotten a job since then or not. He is not  
23 listed as working at any casino in Missouri on our  
24 system.

25 COMMISSIONER NEER: Basically this is a new

1 application, correct, the same as a new application?

2 MS. KERR: Yes, it is.

3 CHAIRMAN SHURIN: Is there any question under  
4 Missouri law that this would not be a felony because it  
5 was an SIS?

6 COMMISSIONER JAMISON: No.

7 COMMISSIONER HALE: No conviction.

8 MS. KERR: It's not a conviction.

9 COMMISSIONER JAMISON: Well, it's a felony  
10 he's pled guilty to, and that's the reason that the  
11 verbiage is what it is in the statute to cover SIS's.

12 So the only two ways to get out from under it  
13 would be either go back to his court that issued the  
14 sentence and get it expunged or to get a pardon, but  
15 other than that the conviction stands as it does.

16 And so, I mean, it is what it is and it's an  
17 unfortunate set of circumstances, but SIS's, you know,  
18 don't exactly mean what people perceive them to mean  
19 when it comes to the employment status because of the  
20 way the statute is written.

21 COMMISSIONER NEER: A similar situation  
22 with -- up until a few years ago St. Louis County issued  
23 CCWs to applicants with SIS's, and today there are many  
24 counties in this state that are issuing CCWs under an  
25 SIS.

1                   When St. Louis County started rejecting those  
2 with SIS's, they did not go back and revoke the previous  
3 CCWs they had issued.

4                   COMMISSIONER HOWARD: Well, unfortunately  
5 this is not our first rodeo.

6                   MS. KERR: Correct.

7                   COMMISSIONER HOWARD: We've had more than one  
8 individual who was employed for 20 years. We had a very  
9 similar situation where he applied for a promotion, and  
10 in association from his promotion was being transferred  
11 from one casino to another.

12                   MS. KERR: Right. And that led to -- that  
13 was in December of 2013 I believe.

14                   COMMISSIONER HOWARD: And had been employed  
15 for 20 years and the error was found.

16                   MS. KERR: Right. And based on that the MGC  
17 went back and reviewed all of the people who --  
18 everybody who had applied or granted licenses and were  
19 still employed, licensed as of 2000, they went back and  
20 looked at all of that.

21                   And out of 1,241 Level II application records  
22 that they looked through, they found three licensees  
23 that still held licenses as of January 2014. One of  
24 those is the next case and the two other cases have  
25 already been disposed of.

1                   COMMISSIONER JAMISON: So once we get through  
2 the next case we're done with the audit process as far  
3 as there are no more licensees out there that were  
4 incorrectly licensed?

5                   COMMISSIONER HOWARD: In Missouri.

6                   Our problem is likely our neighbors over in  
7 Illinois, because they're -- if I'm not speaking out of  
8 school, there's a very high exchange rate between our  
9 neighbors in Illinois and in Kansas. They tend to move  
10 back and forth. So many of them maybe were licensed in  
11 Missouri and have gone over to Kansas or have gone over  
12 to Illinois and we'll --

13                   MS. KERR: Right. We might see some new  
14 applications.

15                   COMMISSIONER JAMISON: But as far as people  
16 who are current licensees, this audit should clear that  
17 up?

18                   MS. KERR: It should, yes. And we haven't  
19 found anybody since then who has been licensed.

20                   COMMISSIONER NEER: Since this is basically  
21 an application for a new license or a new applicant,  
22 I've got a little bit of heartburn with it but nothing  
23 major, but I'll probably have more to say on the next  
24 one.

25                   CHAIRMAN SHURIN: I just want the record to

1 be clear that you're telling us that we have no  
2 discretion in this matter?

3 MS. KERR: Correct.

4 COMMISSIONER JAMISON: Correct.

5 COMMISSIONER NEER: Why does it come before  
6 us then?

7 MS. KERR: Because he appealed.

8 COMMISSIONER JAMISON: Because we have to  
9 deny the license. He has the right to -- I mean --

10 COMMISSIONER HALE: Rule on the resolution,  
11 make a decision by the Commission.

12 MS. KERR: I can't put my stamp on it.

13 CHAIRMAN SHURIN: Any further questions?

14 COMMISSIONER HOWARD: The law requires us to  
15 hear it.

16 COMMISSIONER NEER: Yeah, I understand the  
17 law, but if it's black and white.

18 COMMISSIONER HOWARD: Well, we still -- we  
19 can still do something, even though we'd be subject to  
20 review by someone above us.

21 COMMISSIONER NEER: It wouldn't be the first  
22 time.

23 COMMISSIONER HOWARD: We can -- we have the  
24 right to do something wrong. Right? We're just being  
25 advised by --

1                   COMMISSIONER JAMISON: Well, I don't know  
2 that we have the right.

3                   MS. KERR: I'm not going to advise that.

4                   COMMISSIONER HOWARD: We're just being  
5 advised by our good counsel that if we do something  
6 wrong, we'd be wrong. Right?

7                   MS. KERR: Correct.

8                   COMMISSIONER HOWARD: A lot of rights and  
9 wrongs.

10                  CHAIRMAN SHURIN: It wouldn't be the first  
11 time.

12                  COMMISSIONER NEER: No.

13                  CHAIRMAN SHURIN: Is there a motion on  
14 Resolution 15-021?

15                  COMMISSIONER JAMISON: I would move to  
16 approve Resolution 15-021.

17                  COMMISSIONER HALE: Second.

18                  CHAIRMAN SHURIN: Is there any further  
19 discussion on that motion?

20                  Okay. Hearing none, Angie, please call the  
21 roll for a vote.

22                  MS. FRANKS: Commissioner Neer.

23                  COMMISSIONER NEER: Approved.

24                  MS. FRANKS: Commissioner Jamison.

25                  COMMISSIONER JAMISON: Approved.

1 MS. FRANKS: Commissioner Hale.

2 COMMISSIONER HALE: Approved.

3 MS. FRANKS: Commissioner Howard.

4 COMMISSIONER HOWARD: Approved.

5 MS. FRANKS: Chairman Shurin.

6 CHAIRMAN SHURIN: Approved.

7 MS. FRANKS: By your vote you've adopted  
8 Resolution No. 15-021.

9 CHAIRMAN SHURIN: Please.

10 MR. WOLFORD: Mr. Chairman, Commissioners,  
11 for your consideration Resolution No. 15-022. It is the  
12 matter of Cyril Salvo.

13 Mr. Salvo had pled guilty on the 5th of  
14 November 1979 to felony assault second degree.

15 On the 14th of March 1995 he was granted an  
16 occupational gaming license by the Commission. In his  
17 application he did disclose his felony, his previous  
18 felony.

19 And again, because of the circumstances that  
20 were presented earlier, the background information was  
21 not performed correctly and he was allowed to obtain a  
22 license when the statute at that time, as it does now,  
23 prohibited him from being eligible to receive a license.

24 Mr. Salvo is still currently employed in the  
25 gaming industry, has been employed since 1995. The

1 uncontroverted testimony presented at the hearing showed  
2 him to be nothing more than a model employee.

3 He is looked up to by his peers. He is well  
4 respected. He has had one compliance directive in his  
5 entire career with the casino. In fact, the second in  
6 command of the casino testified on his behalf and said  
7 it would take him about three years to train an employee  
8 to be as skillful as Mr. Salvo is in this position.

9 Nevertheless, as Ms. Kerr alluded to, he is  
10 the third one who had been found through this audit  
11 process who obtained a license and should not have  
12 obtained a license; therefore, the hearing officer  
13 recommends that the Commission approve the denial.

14 CHAIRMAN SHURIN: Is Mr. Salvo present?

15 Please come up.

16 MR. SALVO: Good morning.

17 CHAIRMAN/COMMISSIONERS: Good morning.

18 MR. SALVO: Thank you for being here.

19 I'd like to thank you for letting me speak on  
20 my behalf. I've dedicated my life to my profession for  
21 the last 20 years, enhancing my skills, providing  
22 excellent guest service each and every day I work.

23 My career is my livelihood. It's been built  
24 in the gaming industry. I spent years getting to know  
25 the guests who visit, knowing their names, playing in

1 our tables, relaxing and having fun.

2 Many of my co-workers are a family. I have  
3 five people right here who are my family. I watched  
4 their kids grow, and I'm always there if they need a  
5 friend.

6 Throughout my 20 years of dealing I've  
7 received numerous awards for my care and compassion.  
8 I've won team member of the month several times. In  
9 2014 I was a nominee for team member of the year. In  
10 2012 I was honored with being team member of the year.  
11 1,500 employees.

12 I made a mistake in 1979, and I disclosed all  
13 this information. I was told if I disclose all of this  
14 information, everything would be okay.

15 And at the time of my sentence it was reduced  
16 to a second-degree assault. I told -- I was told I  
17 would get three-years probation and everything would be  
18 fine.

19 This is my livelihood and I've dedicated my  
20 life to being the best table games dealer I can be. And  
21 you have to consider how I lived the last 36 years of my  
22 life. This happened in 1979.

23 I'm a very caring person. If somebody needs  
24 me -- one of my friends right here, Kathy, she called me  
25 at three o'clock in the morning. She had a water main

1 break. I'm not a professional on a lot of things, but I  
2 can help on things that I -- I can help. If I can't,  
3 I'll get somebody that can.

4 My other buddy, Mike, I help with everything  
5 I can. We own a boat together. I mean, Greg here, I  
6 fish with him. Jay comes over to my house all of the  
7 time. I mean, I just have so much family in Ameristar  
8 Casino.

9 Dan Murphy, the victim, comes into the  
10 casino. We still talk. I mean, he told me, I'll do  
11 anything I can for you not to lose your job. He would  
12 have been here if I knew I needed him.

13 But you need to put yourself in my position.  
14 I'm going to be 58 years old this year. This is my  
15 livelihood. I can't start a new career at 58 years old.

16 But I appreciate your time. Thank you.

17 CHAIRMAN SHURIN: Do any Commission members  
18 have any questions of Mr. Salvo?

19 Ms. Kerr.

20 MS. KERR: Thank you.

21 Thank you, Commissioners.

22 And just for the record on this case, I just  
23 want to reiterate that Section 313.812.8 RSMo reads a  
24 license shall not be granted if the applicant has pled  
25 guilty to a felony. The statute is mandatory.

1                   And regardless of the fact that Mr. Silas was  
2 previously granted a license -- or that Mr. Salvo  
3 currently holds a license, he cannot continue to hold  
4 that gaming license no matter how compelling his case  
5 may be. The Commission does not have the legal  
6 authority to grant a variance from the statutory  
7 provision and continue to license Mr. Salvo.

8                   And as such I would ask that the hearing  
9 officer's recommendation be approved.

10                   CHAIRMAN SHURIN: Are there any questions by  
11 the Commissioners?

12                   COMMISSIONER JAMISON: I have a comment to  
13 Mr. Salvo.

14                   I would highly recommend that you petition  
15 the parole board for an application of a pardon. I'm  
16 not telling you that that's an easy process, but in your  
17 particular case it would be one that I'm sure would be  
18 considered.

19                   It has to go through the Governor's Office,  
20 so it isn't strictly done by the parole board. But that  
21 is one way to remove this felony conviction and give you  
22 an ability to be licensed again. So I'd just make that  
23 recommendation.

24                   I do understand your circumstances and am  
25 very sympathetic to the position you are in now.

1                   MR. SALVO: Is that trying to get the  
2 Governor's pardon? Is that what you're trying --

3                   COMMISSIONER JAMISON: Yes.

4                   MR. SALVO: That's what I'm trying -- I have  
5 that.

6                   COMMISSIONER JAMISON: You have that in  
7 process?

8                   MR. SALVO: Right.

9                   COMMISSIONER JAMISON: Okay.

10                  COMMISSIONER NEER: Mr. Salvo was working in  
11 the casino the day someone came up and told him they  
12 needed to talk to him about him losing his job.  
13 Correct?

14                  MS. KERR: Yes. He is currently working.

15                  COMMISSIONER NEER: I assume the guidelines  
16 from 1993 up to 2000 as far as backgrounds on applicants  
17 was the same as they are today?

18                  MS. KERR: Well --

19                  COMMISSIONER NEER: Basically.

20                  MS. KERR: The consistency was not the same  
21 as it is today.

22                  COMMISSIONER NEER: In other words, someone  
23 didn't do their job?

24                  COMMISSIONER JAMISON: Correct.

25                  MS. KERR: Correct.

1                   COMMISSIONER NEER: I mean, basically someone  
2 didn't do their job.

3                   COMMISSIONER JAMISON: We incorrectly issued  
4 a license at the time, because, you know, he did  
5 acknowledge the conviction on his application.

6                   Or that's my understanding. Correct?

7                   MS. KERR: Yes. Yes.

8                   COMMISSIONER JAMISON: And so he did.

9                   And so the bottom line is we incorrectly --  
10 we didn't but, I mean, we did as an entity

11                   COMMISSIONER NEER: The State.

12                   COMMISSIONER JAMISON: No. The Gaming  
13 Commission incorrectly granted him a license. And now  
14 it's a situation that we've done the audit and we've  
15 found the error. And the error is not on his part. The  
16 error is on our part.

17                   COMMISSIONER NEER: But he suffers.

18                   COMMISSIONER JAMISON: Unfortunately.

19                   COMMISSIONER NEER: And I understand the law,  
20 believe me. I beat that bush for 40 years. I  
21 understand the law quite well.

22                   But I also have an issue with if the law or  
23 the Highway Patrolman or whomever did that investigation  
24 failed to do their job, this man got his job that he's  
25 done for 20 some odd years.

1                   So with us or the State, whoever you want to  
2 say, failed to do their job, once again, understanding  
3 the law quite well, it is not fair or just for this  
4 individual to now become unemployed because someone made  
5 a mistake, not he, but one of our investigators made a  
6 mistake 20 some odd years ago.

7                   That's just my thought.

8                   MS. KERR: That's fair.

9                   CHAIRMAN SHURIN: Do we have to hear this  
10 today? Can we continue a decision on this? Do we have  
11 a legal right to continue a decision and ask you for a  
12 more defined legal opinion as to whether we have any  
13 flexibility under this statute?

14                   MR. GREWACH: Absolutely. Because under the  
15 rule the Commission has the authority to accept, reject,  
16 modify or remand the case.

17                   And similar to a remand you could direct a  
18 brief to be filed by us, if you want to direct us to get  
19 one from the Attorney General or whatever the  
20 Commission's pleasure would be on this point, if a  
21 motion was made and passed to that effect, you would  
22 have the authority to do so.

23                   CHAIRMAN SHURIN: Anything further from  
24 Mr. Wolford?

25                   Ms. Kerr?

1 MR. GREWACH: I don't, no.

2 CHAIRMAN SHURIN: Okay. Is there a motion on  
3 Resolution 15-022?

4 COMMISSIONER HALE: I would move that this  
5 decision on this resolution be postponed pending a  
6 formal request to the -- I guess the Attorney General's  
7 Office for a legal opinion relative to the options that  
8 the Commission has in passing on this matter.

9 COMMISSIONER NEER: I'll second.

10 CHAIRMAN SHURIN: Is there any discussion on  
11 that motion?

12 COMMISSIONER JAMISON: I mean, I really am  
13 sympathetic with this situation and I really feel bad  
14 for the situation that we're at, but I don't know how  
15 you're going to interpret the statute any differently  
16 than you shall not license someone who has a felony  
17 conviction.

18 I mean, you can ask -- I just don't see what  
19 is going to come from an Attorney General's opinion  
20 other than the statute states what it does, and I don't  
21 think you're going to get the opinion that there is  
22 anything in that statute that gives you any leeway in  
23 that, and for them to rule on a license was erroneously  
24 issued and then you can leave it in place, which is in  
25 violation of the statute, but -- I mean, that's my

1 thoughts.

2 CHAIRMAN SHURIN: Any further discussion on  
3 the motion?

4 Okay. If there is no further discussion,  
5 Angie, please call the roll for a vote.

6 MS. FRANKS: Commissioner Neer.

7 COMMISSIONER NEER: I approve to table the  
8 issue.

9 MS. FRANKS: Commissioner Jamison.

10 COMMISSIONER JAMISON: No.

11 MS. FRANKS: Commissioner Hale.

12 COMMISSIONER HALE: Yes.

13 MS. FRANKS: Commissioner Howard.

14 COMMISSIONER HOWARD: Approved.

15 MS. FRANKS: Chairman Shurin.

16 CHAIRMAN SHURIN: Approved.

17 MS. FRANKS: The motion passes.

18 CHAIRMAN SHURIN: What that means is we are  
19 going to ask the Attorney General for an opinion of  
20 whether or not we have -- for an opinion of this  
21 statute.

22 During that time period, take a month, this  
23 hearing will come back up next month for hearing.

24 MR. GREWACH: Mr. Chairman, just to qualify  
25 that, I mean, it would be up to the Attorney General

1 promptly responding to our request, but we would send --

2 CHAIRMAN SHURIN: Might move not as fast as  
3 we would want to.

4 MR. GREWACH: We would send a notice to  
5 Mr. Salvo, the same as we did of this hearing, when it  
6 was going to be on, be considered.

7 CHAIRMAN SHURIN: What is Mr. Salvo's  
8 position?

9 MR. GREWACH: He continues to hold his  
10 license until the Commission takes its final action.

11 MR. SALVO: So I can hold my license until I  
12 get a decision?

13 COMMISSIONER NEER: Is he currently working?

14 MR. SALVO: Yes, I am.

15 CHAIRMAN SHURIN: I would encourage you to  
16 aggressively pursue whatever it takes to get this off  
17 your record as quickly and aggressively as you can.

18 MR. SALVO: All right. I appreciate your  
19 time. Thank you very much.

20 CHAIRMAN SHURIN: Thank you.

21 MS. KERR: Thank you.

22 CHAIRMAN SHURIN: Okay. Sorry.

23 MR. WOLFORD: Thank you.

24 Mr. Chairman, Commissioners, for your  
25 consideration Resolution No. 15-032, the matter of

1 Paulette McCoy.

2 Ms. McCoy currently holds a Level II  
3 occupational gaming license, and she was employed as a  
4 count team manager at River City Casino.

5 On the 20th of March 2014 she was late to  
6 work, and the BV drop team was already conducting a drop  
7 on the casino floor.

8 There is some regulations that govern what  
9 has to occur in this bill validator drop. The team  
10 members have to have a one-piece jumpsuit without  
11 pockets that is inspected by security before and after  
12 the drop, and that is under the Minimum Internal  
13 Controls and the company's internal controls.

14 And the reason for these internal controls is  
15 basically to safeguard casino assets. Its inspection is  
16 to make sure that there are no alterations or additions  
17 to these jumpsuits, whereby casino assets, being funds  
18 or machinery, could be put at risk.

19 Ms. McCoy was late to work and she went and  
20 retrieved her jumpsuit, put it on, did not have it  
21 inspected, and she proceeded to join the drop team that  
22 was conducting the drop. She did have it inspected  
23 afterwards when she concluded the drop but not before.

24 And the MICS are fairly clear that this  
25 jumpsuit has to be inspected by security both before and

1 after the jump.

2 She did admit at the hearing to failing to  
3 have security inspect her jumpsuit; therefore, the  
4 hearing officer does recommend that the two-calendar-day  
5 suspension be affirmed as appropriate discipline.

6 CHAIRMAN SHURIN: Is Ms. McCoy present?

7 She's not.

8 Are there any questions of the hearing  
9 officer in regard to this matter?

10 Hearing none, is there a motion in regard to  
11 Resolution 15-023?

12 COMMISSIONER HOWARD: I'll move for approval  
13 of Resolution No. 15-023.

14 COMMISSIONER HALE: I'll second that.

15 CHAIRMAN SHURIN: Any discussion on that  
16 motion?

17 There being none, Angie, please call the roll  
18 for a vote.

19 MS. FRANKS: Commissioner Neer.

20 COMMISSIONER NEER: Approved.

21 MS. FRANKS: Commissioner Jamison.

22 COMMISSIONER JAMISON: Approved.

23 MS. FRANKS: Commissioner Hale.

24 COMMISSIONER HALE: Approved.

25 MS. FRANKS: Commissioner Howard.

1 COMMISSIONER HOWARD: Approved.

2 MS. FRANKS: Chairman Shurin.

3 CHAIRMAN SHURIN: Approved.

4 MS. FRANKS: By your vote you've adopted  
5 Resolution No. 15-023.

6 MR. WOLFORD: Mr. Chairman, Commissioners,  
7 for your consideration Resolution No. 15-025, the matter  
8 of Elizabeth Burke.

9 Ms. Burke holds a Level II occupational  
10 gaming license, and she's a table games supervisor at  
11 River City Casino.

12 On the 6th of May 2014 she was training a new  
13 dealer there in Pit No. 3. The trainee noticed a patron  
14 come into the pit, and she observed possible signs of  
15 intoxication on this patron.

16 One minute later Ms. Burke took the trainee  
17 to Pit No. 2 to perform an administrative task. As they  
18 were walking to Pit No. 2, the trainee reported to  
19 Ms. Burke that she believed that this patron may be  
20 intoxicated.

21 Ms. Burke did not take any further action at  
22 that point; that is, she did not return to Pit 3 to  
23 observe this employee, nor did she direct any of the  
24 other staff at Pit 3 to observe this employee for signs  
25 of intoxication.

1                   Approximately ten minutes elapsed and  
2 Ms. Burke is called to a disturbance in Pit 3 involving  
3 this patron. She arrives and does notify security and  
4 notices several signs of visible intoxication in this  
5 patron. That is, he's swaying. He's stumbling. He  
6 can't sit down, dropping his keys, can't pick them up  
7 off the floor. So security was eventually called, and  
8 the patron was removed from the premises.

9                   During the ten minutes that had elapsed from  
10 the time that the trainee let Ms. Burke know that this  
11 person may be intoxicated to the time that the  
12 disturbance erupted, this gentleman was allowed to place  
13 wagers and he was allowed to get into an altercation  
14 with another patron in the pit.

15                   The Code of State Regulations,  
16 45-5.053(3)(B), prohibits licensees from allowing  
17 visibly intoxicated patrons to conduct any sort of  
18 gaming activity on the gaming floor.

19                   In this case the evidence presented at the  
20 hearing shows that Ms. Burke did have notice from her  
21 trainee that the patron was possibly intoxicated and  
22 that she needed to observe the patron for additional  
23 signs of intoxication or contact security at the time  
24 she was notified, not wait the ten minutes until a  
25 disturbance erupted before calling security.

1                   Therefore, the hearing officer recommends  
2                   that the one-calendar-day suspension be approved as  
3                   appropriate discipline.

4                   CHAIRMAN SHURIN: Are there any questions of  
5                   Hearing Officer Wolford?

6                   Is there a motion in regard to -- I'm sorry.  
7                   I should ask, is Ms. Burke present?

8                   Okay. She is not.

9                   Okay. Let's go back.

10                  Then is there a motion in regard to  
11                  Resolution 15-024?

12                  COMMISSIONER NEER: Motion to approve  
13                  Resolution No. 15-024.

14                  COMMISSIONER JAMISON: Second.

15                  CHAIRMAN SHURIN: Is there a discussion on  
16                  that motion?

17                  There is none.

18                  Angie, please call the roll for a vote.

19                  MS. FRANKS: Commissioner Neer.

20                  COMMISSIONER NEER: Approved.

21                  MS. FRANKS: Commissioner Jamison.

22                  COMMISSIONER JAMISON: Approved.

23                  MS. FRANKS: Commissioner Hale.

24                  COMMISSIONER HALE: Approved.

25                  MS. FRANKS: Commissioner Howard.

1 COMMISSIONER HOWARD: Approved.

2 MS. FRANKS: Chairman Shurin.

3 CHAIRMAN SHURIN: Approved.

4 MS. FRANKS: By your vote you've adopted  
5 Resolution No. 15-024.

6 CHAIRMAN SHURIN: Thank you.

7 MR. WOLFORD: Thank you, Mr. Chairman. Thank  
8 you, Commissioners.

9 EXECUTIVE DIRECTOR SEIBERT: Mr. Chairman,  
10 the next is Consideration of Relicensure of Certain  
11 Class A and B Licensees, Tropicana Entertainment,  
12 Class A, and Casino One Corporation doing business as  
13 Lumiere Place Casino, Class B.

14 Presentations will be made by Mr. Bill  
15 Murtha, Mr. Jeff Babinski and Mr. Ron Campbell.

16 MR. CANTWELL: Chairman, Commissioners, we  
17 appreciate your time today. I'm here on behalf of  
18 Tropicana Entertainment, Inc. and Casino One  
19 Corporation, the Class A and Class B licensees that  
20 operate Lumiere Place in St. Louis, Missouri.

21 I'm here basically just to introduce the true  
22 participants in that operation.

23 Bill Murtha from Tropicana corporate is the  
24 General Counsel, and Jeff Babinski, who we all know is  
25 the General Manager of Casino One Corporation.

1 Bill Murtha will present on behalf of  
2 Tropicana Entertainment, Inc., the Class A Licensee.

3 Thank you.

4 MR. MURTHA: Mr. Chairman, members of the  
5 Commission, good morning. Bill Murtha, Senior  
6 Vice-President, General Counsel for Tropicana  
7 Entertainment.

8 Thank you for having us here today to hear  
9 our petition for relicensing.

10 It's been approximately one year since we  
11 last appeared before this Commission when we were  
12 licensed initially and the Commission approved our  
13 acquisition of Lumiere from Pinnacle Entertainment.

14 The closing went very smoothly after that  
15 approval, as well as the transition. We would again  
16 like to thank Mr. Seibert and the Commission staff for  
17 all of their efforts in terms of helping us through that  
18 transition.

19 During the past year we have integrated  
20 Lumiere into the Tropicana family of casinos. We think  
21 that Lumiere has benefited from Tropicana's corporate  
22 oversight, and Tropicana, quite frankly, has benefited  
23 from having Lumiere.

24 There are policies and procedures and  
25 practices that have been in effect at Lumiere since it

1 opened that have been beneficial to Tropicana, and we  
2 quite frankly have utilized those for some of our other  
3 properties at Tropicana.

4 This slide gives you a general overview of  
5 Tropicana. We have six casinos in the United States in  
6 seven different states. We also have a small casino  
7 operation in Aruba.

8 We employ approximately 7,000 employees, with  
9 a little over 5,000 hotel rooms and over 8,000 gaming  
10 positions. The company was formed in 2010, and we've  
11 been acquiring assets and developing the company since  
12 that time.

13 At this point in time -- this past year I  
14 think has been very successful for Lumiere. It's been a  
15 very difficult market, a competitive market from a  
16 marketing standpoint in St. Louis. The property has  
17 held up very well.

18 Quite frankly we're off to a very good start  
19 in 2015, and we're looking forward to a very strong  
20 year. We're also looking forward to working with the  
21 city in 2015. There are a lot of exciting  
22 infrastructure and other developments going on downtown  
23 that we hope to be part of going forward.

24 Mr. Williams is here on behalf of the city,  
25 and again, we're looking forward to working with the

1 city during 2015.

2 I'd like to respectfully request that the  
3 Commission approve the Class A relicensure of Tropicana  
4 Entertainment.

5 And with that I'd like to turn the  
6 presentation over to General Manager Jeff Babinski.  
7 I'll be happy to answer any questions you have.

8 Thank you.

9 CHAIRMAN SHURIN: Thank you.

10 MR. BABINSKI: Good morning, Chairman,  
11 Commissioners, Mr. Seibert. It's a pleasure to be here  
12 this morning.

13 On December 19, 2007 Casino One Corporation  
14 doing business as Lumiere Place opened its doors once we  
15 received approval from the Gaming Commission to the  
16 general public.

17 And part of that requirement was the  
18 Development Agreement that we had to satisfy in order to  
19 receive our license.

20 And as you can see from this slide the  
21 agreement was a minimum of a \$325 million investment,  
22 which we exceeded, and then there were several other  
23 things again that we satisfied to satisfy that  
24 requirement and actually open our doors.

25 Additionally with the city we had a

1 Redevelopment Agreement that we have also satisfied.  
2 And many of those projects, which are listed, included  
3 \$6 million to the National Blues Museum, \$5 million to  
4 the CityArchRiver Project, which is currently underway,  
5 \$500,000 to the St. Louis Police Department for hot-spot  
6 policing, and then we donated land to Great Rivers  
7 Greenway and \$2 million to the Stamping Lofts.

8           Since April 1st when Tropicana took over  
9 ownership and spent 261 million to buy Casino One  
10 Corporation, we have actually put in an additional  
11 \$7 million in capital.

12           And the next slide will actually show you  
13 some pictures of what we've done, and we've done quite a  
14 bit. The casino was in dire need of carpet. We  
15 enclosed the casino with glass, mainly to help with  
16 heating, cooling and smoke, but it also had the added  
17 benefits of controlling those guests who were denied  
18 access from trying to get into the casino over the wall.

19           Additionally we added carpet throughout the  
20 buffet. We remodeled our VIP lounge, and are wrapping  
21 up the hallways that currently needed carpet.

22           Additionally we needed to -- an agreement  
23 with Pinnacle when Tropicana took over ownership. We  
24 needed to rebrand some outlets, and one of them in  
25 particular that we're proud of is Ozzie's Sports Bar.

1                   We partnered with Ozzie Smith, an icon in  
2 St. Louis and throughout major league baseball, and  
3 since then the restaurant has done rather well.

4                   And furthermore, we had an outlet that set  
5 empty, and through many dinners and conversations with  
6 our VIPs the thing that we needed most was a 24-hour  
7 diner, and since then we have opened up a 24-hour diner,  
8 which has done really well.

9                   Additionally, given our location, security is  
10 always top of mind for us. And since I took over as  
11 General Manager in December 2010 we've made several  
12 enhancements. And these next two slides really don't do  
13 it justice.

14                   But we've increased the number of off-duty  
15 officers. We've provided and added the security tower.  
16 We more than doubled the vehicle patrols that we had  
17 throughout the property and outside. And we've  
18 eliminated parking on First Street, which again was an  
19 area that was targeted by criminals.

20                   Additionally we provided an added --

21                   COMMISSIONER HOWARD: I hate to interrupt.

22                   There was a restaurant area that was empty  
23 previously when we were last up there, and is that one  
24 of those --

25                   MR. BABINSKI: The restaurant that sat empty

1 was formerly the Burger Bar, and that is now the  
2 24-hour diner.

3 COMMISSIONER HOWARD: Okay.

4 MR. BABINSKI: We've also, if you've been to  
5 the property, there was an abandoned building just to  
6 the north of us that we've already demolished, and once  
7 the ground dries out we'll be adding an additional  
8 300 parking spots that we much -- we need a lot on the  
9 weekends.

10 Additionally we've also added exterior and  
11 interior cameras and continue to be involved in the  
12 community.

13 This is just a picture of year over year  
14 crime in the downtown area. And last year just at  
15 Lumiere alone we were down 19.4 percent, but really if  
16 you back up to 2011 and beyond 2011 we were down  
17 29 percent in crime at Lumiere Place. 2012 down another  
18 24 percent and then in 2013 we're down 44 percent.

19 So we've done a lot to ensure that -- ensure  
20 the safety of our customers and our employees in and  
21 around the property.

22 Again, another issue that you know we  
23 experience a lot, mainly from the crowd that comes down  
24 from Laclede's Landing, is underage gaming, and we've  
25 done a lot at the property.

1           One of the things that we touched on during  
2 the last presentation, we went from three entrances to  
3 one single entrance, which is essentially located across  
4 from the buffet.

5           We also -- it allowed us to control one  
6 single access as opposed to three, because what we found  
7 is those who are underage or those who were intoxicated  
8 would try to go from entrance to entrance. And by  
9 reducing those from three to one, it has allowed us to  
10 control and monitor it much better.

11           Additionally we have programs in place for  
12 our security officers, that if they identify somebody  
13 who is underage, that they will get a gift card for  
14 identifying him or her.

15           And, you know, over the 2 million patrons  
16 that we had go through our turnstiles last year, we were  
17 99.997 percent accurate.

18           We did see a reduction. In 2013 we had seven  
19 instances where somebody under the age of 21 was allowed  
20 access. Last year was six. So we did see some  
21 improvement.

22           And again based on 2 million through the  
23 turnstiles, the team has really done an amazing job and  
24 I'm very proud of them.

25           This is just a letter from Captain Dan Howard

1 of the Fourth District. We work consistently with them,  
2 and we're part of a task force trying to really figure  
3 out how to improve St. Louis City and reduce crime and  
4 actually get people back down to this great city's bars.

5           Additionally we're very active in the  
6 community. Some of the highlights in the pictures, the  
7 American Cancer Hope Lodge, we've been very active, and  
8 really with that, we go there once a quarter and serve  
9 dinner to those individuals who really can't afford and  
10 are in town for treatment. And then most recently we've  
11 partnered with St. Patrick Center in trying to help  
12 them.

13           But this is just -- this slide doesn't do  
14 enough -- or really tell the story of what we do within  
15 the community.

16           These are just some of our hiring practices.  
17 Again, we're working with St. Patrick Center, the Urban  
18 League, the military, to try to bring in good, sound  
19 employees.

20           And this is just a breakdown of our employee  
21 demographics. Really the highlight on this slide, out  
22 of our total population 59.33 percent of our employees  
23 are minority.

24           The one item that I will point out, and  
25 again, it's an area that has low turnover, is our

1 management group. The percentage is rather low from a  
2 minority or female.

3           And similar to our MBE and WBE purchasing, I  
4 told our team to look -- when a position does become  
5 available, we need to look for a minority or a female to  
6 fill that position. If we cannot find one, I need to  
7 know why we couldn't find one and why there wasn't a  
8 person to fill that spot.

9           So again, once those positions become  
10 available, we'll be actively looking to fill those.

11           And this is just a breakdown. Our analyzed  
12 turnover actually went up a little bit last year. So  
13 this will be a focus of ours throughout 2015. Typically  
14 we've been returning in the 26 to 28 percent range. We  
15 were at 34.8 percent for last year.

16           We had a little bit of turnover, and  
17 obviously with the change in ownership you're going to  
18 see that sometimes. So we expect that number to go down  
19 in 2015.

20           This is our minority and women-owned spend  
21 for 2014. Out of 24 million in spend we spent  
22 5.2 million with minorities and 4.6 million with women-  
23 owned businesses.

24           We've gone from 13.24 percent in 2013 for  
25 minor spend to almost 22 percent in 2014.

1                   And I will say, you know, I have several team  
2 members here with me, but Dan Brinkman, our Director of  
3 Finance, and Nick Pettibone, our Purchasing Manager,  
4 have done an amazing job. So we couldn't have done it  
5 without them.

6                   And this is just some of our practices that  
7 we have. It is some of the best practices. And Cheryl  
8 will speak later on on our results.

9                   And then finally I do want -- there is two  
10 other individuals I wanted to mention. Our Compliance  
11 Officer, Ryan Miller, is with us. And then again based  
12 on a lot of the things we've done to enhance the  
13 security, our Director of Security, Greg Cisna, is with  
14 us.

15                   So if there is any questions for me, I'd be  
16 happy to take those now. Otherwise, I would love to  
17 bring up the Executive Director of St. Louis Development  
18 Corp, Otis Williams.

19                   Are there any questions?

20                   CHAIRMAN SHURIN: Hold on just a minute.

21                   Are there any questions that any  
22 Commissioners have of Mr. Babinski or Mr. Murtha?

23                   COMMISSIONER NEER: Not at this time.

24                   CHAIRMAN SHURIN: I'm sorry. No questions.  
25 Keep going.

1 MR. BABINSKI: No problem.

2 Otis Williams.

3 MR. WILLIAMS: Good morning. My name is Otis  
4 Williams. I'm the Executive Director for the St. Louis  
5 Development Corporation, which is the city's economic  
6 development arm, and I'm here to speak on behalf of  
7 Mayor Slay, the mayor of the City of St. Louis.

8 And one of the things that I wanted to pass  
9 on is that the city views Lumiere Place as a model  
10 citizen, and so we are very happy to come before you to  
11 speak on behalf of their relicensing.

12 They've shown to be a major asset to the  
13 city, and they have maintained a quality product and  
14 continue to try to improve.

15 We are working with them to try and redevelop  
16 an area that is between the East Bridge and the --  
17 actually the East Bridge is the northern boundary of the  
18 Arch grounds, and the area that we are working is  
19 between the East Bridge and the new Mississippi River  
20 bridge.

21 And if you have visited the facility, you  
22 know that it's a blighted area, so we have a major  
23 effort to redevelop that area, and the folks at  
24 Tropicana and Lumiere have been major players in trying  
25 to look forward and trying to get that done.

1                   So I'd be happy to answer any questions.

2                   CHAIRMAN SHURIN: Do any of the Commission  
3 members have any questions of Mr. Williams?

4                   There are none. Thank you very much.

5                   MR. WILLIAMS: Thank you.

6                   EXECUTIVE DIRECTOR SEIBERT: Mr. Chairman, if  
7 there is any public comment, this would be the time.

8                   CHAIRMAN SHURIN: Is there any public  
9 comment?

10                  There is none.

11                  EXECUTIVE DIRECTOR SEIBERT: Then we'll have  
12 the MBE/WBE compliance review from Cheryl Bonner.

13                  MS. BONNER: Good morning, Mr. Chairman,  
14 Commissioners.

15                  On March 3rd, 2015 the Missouri Gaming  
16 Commission staff conducted a 100 percent audit of the  
17 MBE/WBE records for the Class B licensee Lumiere Place  
18 Casino.

19                  The results of our audit and specific details  
20 related to those findings are contained within the  
21 summary report in your possession, and I'll be happy to  
22 answer any questions

23                  COMMISSIONER HOWARD: Cheryl, I see some  
24 pretty -- not necessarily related to the audit, but  
25 pretty dramatically improved, especially MBE, figures,

1 from the 2011 and 2014 and 2013, especially the 2014  
2 figures.

3 Are these using existing vendors or are these  
4 new vendors?

5 MR. BONNER: They are always obtaining new  
6 vendors through vendor fairs.

7 One thing about Lumiere Place, one of the  
8 things -- they kept the same practice as -- they try to  
9 find vendors. They don't let the vendors come to them  
10 through just the vendor fairs. They make an effort to  
11 go out and locate new vendors, and they're obtaining new  
12 vendors at all times.

13 COMMISSIONER HOWARD: Because I see this as  
14 really dramatic. I don't want to take away from the  
15 kudos that are owed to you in this area. These are very  
16 dramatic numbers.

17 MR. BABINSKI: Can I answer, if I may?

18 COMMISSIONER HOWARD: Oh, absolutely.

19 MR. BABINSKI: We added MBE and WBE suppliers  
20 in 2014, which accounted for about \$1.8 million in  
21 spend, and we increased our vendor pool to over  
22 100 suppliers last year.

23 And again, I probably should have touched on  
24 this slide a little more. Partnering and being part of  
25 the Tropicana portfolio, we've also utilized their

1 resources to increase our spend.

2                   And really when you look at 2014 over 2013,  
3 we switched our marketing companies. It used to be a  
4 WBE. We went to an MBE. And then we also added  
5 promotions, and we've also seen an increase in equipment  
6 and supplies from MBE.

7                   COMMISSIONER HALE: So your marketing company  
8 now is an MBE?

9                   MR. BABINSKI: They were. We have since  
10 changed this year.

11                   COMMISSIONER HOWARD: This is good. I mean,  
12 this is -- I mean --

13                   COMMISSIONER HALE: It is impressive.

14                   COMMISSIONER HOWARD: Yes. Nearly tripling  
15 in the last three years. I mean, that's a wow.

16                   COMMISSIONER HALE: I thought your workforce  
17 numbers I thought were the best as well.

18                   MR. BABINSKI: Thank you.

19                   COMMISSIONER HOWARD: Absolutely.

20                   And I know you indicate that there is work to  
21 be done as far as management is concerned, but given  
22 those management figures I think are commendable in  
23 where you are.

24                   MR. BABINSKI: Thank you.

25                   MS. BONNER: Thank you.

1                   CHAIRMAN SHURIN: Investigative summary.

2                   EXECUTIVE DIRECTOR SEIBERT: Yes, sir. We  
3 have the investigative summary which will be given by  
4 Sergeant Tan Davenport.

5                   The grand entrance of Sergeant Tan Davenport.

6                   SERGEANT DAVENPORT: Thank you, sir.

7                   CHAIRMAN SHURIN: Thank you for joining us,  
8 Sergeant.

9                   SERGEANT DAVENPORT: Good morning,  
10 Mr. Chairman and Commissioners.

11                   CHAIRMAN/COMMISSIONERS: Good morning.

12                   SERGEANT DAVENPORT: You will notice under  
13 Tab J the resolution for relicensure of Class A and  
14 Class B licensees, Tropicana Entertainment, Incorporated  
15 and Casino One Corporation doing business as Lumiere  
16 Place Casino.

17                   Tropicana and Casino One Corporation made  
18 applications to the Missouri Gaming Commission on  
19 December 31st, 2014 to renew their Class A and Class B  
20 riverboat gaming licenses.

21                   Tropicana and Lumiere were granted their  
22 original Class A and Class B licenses in April 2014.

23                   Investigators from the Missouri State Highway  
24 Patrol and Missouri Gaming Commission conducted an  
25 investigation of Tropicana and Casino One Corporation to

1 aid in determining the companies' suitability for  
2 relicensure.

3 This investigation consisted of  
4 jurisdictional inquiries, feedback from affected local  
5 government agencies, a financial analysis and a review  
6 of the key persons associated with the company.

7 Tropicana Entertainment, Incorporated and  
8 Casino One Corporation are being presented at this time  
9 for your consideration. A comprehensive summary report  
10 was submitted to the Missouri Gaming Commission Staff,  
11 and you possess a copy of that summary before you.

12 I will answer any questions that you may have  
13 at this time.

14 CHAIRMAN SHURIN: Do any Commission members  
15 have any questions?

16 Hearing none --

17 EXECUTIVE DIRECTOR SEIBERT: Sir, we'll do  
18 these separately, and Staff does recommend approval for  
19 Tropicana Entertainment.

20 CHAIRMAN SHURIN: Okay. Is there any  
21 discussion, any questions that the Commission members  
22 have?

23 Is there a resolution in regard to --

24 COMMISSIONER HOWARD: I'll make a motion for  
25 the approval of Resolution No. 15-025.

1 COMMISSIONER JAMISON: Second.

2 CHAIRMAN SHURIN: Thank you for bailing me  
3 out.

4 COMMISSIONER HOWARD: No problem. I'm here  
5 for you.

6 CHAIRMAN SHURIN: Is there any discussion on  
7 that motion?

8 Hearing none, Angie, please call the roll for  
9 a vote.

10 MS. FRANKS: Commissioner Neer.

11 COMMISSIONER NEER: Approved.

12 MS. FRANKS: Commissioner Jamison.

13 COMMISSIONER JAMISON: Approved.

14 MS. FRANKS: Commissioner Hale.

15 COMMISSIONER HALE: Approved.

16 MS. FRANKS: Commissioner Howard.

17 COMMISSIONER HOWARD: Approved.

18 MS. FRANKS: Chairman Shurin.

19 CHAIRMAN SHURIN: Approved.

20 MS. FRANKS: By your vote you have adopted  
21 Resolution No. 15-025.

22 EXECUTIVE DIRECTOR SEIBERT: Staff also  
23 recommends approval for the Casino One Corporation.

24 CHAIRMAN SHURIN: Is there any discussion on  
25 that?

1                   Hearing none, is there a motion in regard to  
2 Resolution 15-026?

3                   COMMISSIONER HALE: I move that the  
4 Commission adopt Resolution No. 15-026.

5                   COMMISSIONER JAMISON: Second.

6                   CHAIRMAN SHURIN: Any discussion on the  
7 motion?

8                   If there is none, Angie, please call the roll  
9 for a vote.

10                  MS. FRANKS: Commissioner Neer.

11                  COMMISSIONER NEER: Approved.

12                  MS. FRANKS: Commissioner Jamison.

13                  COMMISSIONER JAMISON: Approved.

14                  MS. FRANKS: Commissioner Hale.

15                  COMMISSIONER HALE: Approved.

16                  MS. FRANKS: Commissioner Howard.

17                  COMMISSIONER HOWARD: Approved.

18                  MS. FRANKS: Chairman Shurin.

19                  CHAIRMAN SHURIN: Approved.

20                  MS. FRANKS: By your vote you've adopted  
21 Resolution No. 15-026.

22                  EXECUTIVE DIRECTOR SEIBERT: Next,  
23 Mr. Chairman, is Consideration of Disciplinary Actions,  
24 which will be presented by Mr. Ed Grewach.

25                  MR. GREWACH: Thank you.

1                   Mr. Chairman, Commissioners, under Tab K we  
2 have a preliminary order of discipline directed at the  
3 Argosy Casino for two violations.

4                   One for the improper configuration of an  
5 electronic gaming device in violation of Minimum  
6 Internal Control Standard 1.12, and a second for making  
7 false or misleading statements to the Commission during  
8 the course of the investigation, and the recommended  
9 fine for these two violations is \$250,000.

10                  The Minimum Internal Control Standard that I  
11 mentioned before requires the casinos to utilize valid  
12 configurations as noted in the manufacturer's release  
13 notes.

14                  The setting that is involved in this  
15 particular case is a setting for the progressive award  
16 on some of the electronic gaming devices in the casino.

17                  Now, on these EGDs, slot machines, when you  
18 would sit down to play these, you would see two meters.  
19 One meter would be the credits that you're playing,  
20 showing the money that you put in, your wins or your  
21 losses. And above that you would see a progressive  
22 meter.

23                  Now, that progressive meter, according to the  
24 internal controls, should be set at a specific amount  
25 that is set on the manufacturer's release notes.

1                   Now, those release notes in this case are  
2 found in what's called a probability and accounting  
3 report, which you'll hear us then refer to as a par  
4 sheet.

5                   So the par sheet will tell you when you start  
6 to play, when the first patron sits down to play, what  
7 that progressive amount should be. As play goes on,  
8 that amount in the progressive meter continues to  
9 increase, or you'll hear the term we use, increment, as  
10 the play goes on.

11                   When you hit a certain combination -- for  
12 example, in one of these two games it was if you hit  
13 five stars, then you win whatever this amount is on the  
14 progressive amount.

15                   So if one patron sits down and plays for a  
16 while, that progressive meter will continue to increase.  
17 They don't hit the five stars; they leave. The next  
18 player comes, continues to increase and increase. And  
19 eventually when someone hits the five stars, they win  
20 whatever amount is now shown on that meter.

21                   This case -- and in the par sheets, the  
22 specific notation is on a line labeled P1, on the par  
23 sheet, indicates what that progressive amount should be.

24                   And this case started with a patron  
25 complaint. A patron approached a slot repair shift

1 manager, Mr. Cipolla, and indicated to him that he  
2 thought this progressive reset amount was incorrect.

3 Mr. Cipolla in response to that complaint  
4 then reviewed the par sheet, saw that it wasn't set  
5 where it should have been on P1 and reset that machine.

6 Mr. Cipolla then conducted an audit of all of  
7 the progressive machines on the floor and found four of  
8 them that were not set correctly pursuant to the par  
9 sheet at the line which was labeled P1.

10 Two of those machines were set too low; in  
11 other words, the starting point was below what the par  
12 sheet said it should be. Two of them were too high.

13 Mr. Cipolla then called our gaming  
14 enforcement coordinator -- EGD coordinator, rather,  
15 Kelly Florea, and told her, informed her of that. He  
16 said I found these machines. They were set incorrectly.  
17 I have now reset them to the amount that is shown as P1  
18 on the par sheet.

19 He then followed up with an e-mail, which  
20 you'll see in the preliminary order of discipline,  
21 saying the same thing. I found these machines. They  
22 were set improperly. I've reset those.

23 Now, at this point in time it's a fairly  
24 simple case. It's just a matter of the EGD progressives  
25 not being set correctly.

1                   Now, they had been set incorrectly quite some  
2 time ago, back in 2003, and this setting had just  
3 carried on over time even when they converted to a new  
4 system in that.

5                   So after he made the self-report of the  
6 violation and indicated to us that he had reset that, he  
7 was given a notice of investigation.

8                   Now, that's a form that is a very brief  
9 one-page document just generally outlining what the  
10 matter is and telling the Level II licensee that he's  
11 the subject of a regulatory investigation and asking for  
12 him to respond to that.

13                   Between the time he gets the NOI and the time  
14 that he responds to that, he meets with certain members  
15 of the Argosy management.

16                   When he responds to the NOI, he now changes  
17 his position and says, no. These machines were not set  
18 incorrectly, that there is nothing on the par sheets  
19 that tells me what the progressive reset amount should  
20 be.

21                   The amount that was set incorrectly in 2003,  
22 when we looked at the records, affected 99 patrons, for  
23 a total of a \$141,000 shortage. In other words, those  
24 99 patrons who won the progressive amount should have  
25 got in one machine a thousand more, another machine

1 2,000 more, because that's -- they were set too low by  
2 that amount, than they actually want.

3 The fact that he had now changed his position  
4 on this caused us to launch an investigation to figure  
5 out what exactly was going on in this case.

6 There was an investigation that was done by  
7 our Assistant Deputy Director of Enforcement, Rick  
8 Wilhoit, and our EGD Coordinator, Todd Nelson --  
9 Manager, rather, Todd Nelson, and that consisted of  
10 interviews of some of the people involved, as well as a  
11 document request that was made.

12 The false or misleading statements that were  
13 made in this case generally relate to the fact that the  
14 par sheets did, in fact, indicate what the progressive  
15 reset amount should be.

16 And they're found in the statements that were  
17 made by Cipolla in his response to the notice of  
18 investigation, by the casino in its written response to  
19 us on July 8th, 2014 and August 15th, 2014 and the two  
20 interviews with Mr. Cipolla.

21 And, in fact, between the first interview --  
22 after the first interview then we did the document  
23 request, got the documents, did the second interview and  
24 the statements between the -- in the first and the  
25 second interview were different in significant matters,

1 which are more specifically set forth in your  
2 preliminary order of discipline.

3           The other aggravating circumstance we looked  
4 at in this case was that the discussions with Cipolla  
5 prior to his response to the NOI and the draft of the  
6 two letters I mentioned, the July 8th and August 15th  
7 letter, were both reviewed and edited by upper  
8 management, the General Manager, Compliance Officer,  
9 Deputy Chief Compliance Officer of Penn National, the  
10 Vice-President of Casino Operations of Penn National,  
11 the Senior Vice-President of Regional Operations for  
12 Penn and the General Counsel for Penn.

13           You'll also see when you look at the  
14 preliminary order of discipline, we attempted to put  
15 everything in chronological order as the events happened  
16 to try to best explain what occurred here.

17           You'll see in paragraph 24, it seems out of  
18 that chronological order, but that's just to show that  
19 on February 1st, 2014 we have an e-mail from Mr. Cipolla  
20 to two of his subordinates telling them -- advising them  
21 how to read a par sheet, saying this term P1 means  
22 progressive payout.

23           In response to the 14-day letter the casino  
24 indicated that they should have taken a more immediate  
25 acknowledgement of the responsibility for this event

1 instead of seeking what they termed less plausible  
2 explanations. They indicate that a change in the  
3 property leadership has taken place since this event  
4 happened.

5                   It seemed throughout the interviews that the  
6 general manager, Mr. Chaszar, was one of the driving  
7 forces between trying to assert this position that they  
8 didn't know what the term P1 on the par sheet meant.  
9 They didn't know that the par sheet didn't tell them  
10 where to set the progressive reset amount at.

11                   They further state in their response to the  
12 14-day letter that this is really an aberration and not  
13 reflective of Penn's commitment to compliance -- to  
14 regulatory compliance.

15                   And after reviewing that letter the DRB voted  
16 to continue with the recommendation of a \$250,000 fine.

17                   CHAIRMAN SHURIN: Any questions by members of  
18 the Commission?

19                   COMMISSIONER JAMISON: The only question I  
20 would have, not being on the Commission very long,  
21 historically is this in line with fines historically for  
22 the same kind of actions or is this the first type of  
23 action that we've had that is this egregious or would  
24 this be similar to previous cases with a similar kind of  
25 fine?

1                   MR. GREWACH: This case is rather unique. I  
2 really couldn't point you to a previous case that had  
3 sufficient similarities to this to really make an  
4 adequate comparison.

5                   COMMISSIONER JAMISON: Okay.

6                   COMMISSIONER HOWARD: Well, that was my  
7 thought is it's not ordinary for your office to not get  
8 cooperation in association with investigations.

9                   MR. GREWACH: I would agree with that, yes.

10                  COMMISSIONER HOWARD: I'm being kind when I  
11 use the words not get cooperation, aren't I?

12                  MR. GREWACH: Yes. Initially, right. And  
13 the problem was --

14                  COMMISSIONER HOWARD: They eventually came  
15 around?

16                  MR. GREWACH: Correct.

17                  Like I said, it was a relatively simple case  
18 until Mr. Cipolla changed his story.

19                  COMMISSIONER HOWARD: I mean, we see a lot of  
20 \$10,000 fines or \$15,000 fines, or less, which is what  
21 it might have been.

22                  CHAIRMAN SHURIN: Was this \$141,000  
23 underpayment, was that ever paid out?

24                  MR. GREWACH: No. They -- not to my  
25 knowledge.

1                   The last thing I know is that they disagreed  
2 with that amount and when they -- what we did is we took  
3 the 99 players that hit a progressive amount, and let's  
4 just say on the machine that had -- and so the one  
5 machine that should have been set at 10,000 was set at  
6 8,000.

7                   So everyone who won a progressive jackpot on  
8 that amount, we added \$2,000 to what they should have  
9 won. The other was set a thousand too low. It was set  
10 at three and should have been set at four. Everyone who  
11 won that one we added a thousand dollars.

12                   That's why our number is a very round number  
13 because we just looked at that.

14                   Argosy's approach to it was that once a  
15 progressive, no matter where it started out, got above  
16 the 10,000 on this machine or the 4,000 on this machine,  
17 they took them out of the equation in figuring out what  
18 the restitution should be.

19                   So the restitution that they provided was  
20 approximately 15,000 -- and I'm sorry. I don't have the  
21 number at the tip of my fingers but a little over  
22 15,000.

23                   And what that amounted to were the people who  
24 won a progressive when the progressive was between what  
25 they set it at and what it should have been set at.

1                   So just that sample of those progressive  
2 awards, and that totaled a little over 15,000 and that's  
3 what they reimbursed to patrons.

4                   COMMISSIONER HOWARD: So once a progressive  
5 is won, is it reset back to the original amount?

6                   MR. GREWACH: That's correct. You know, it's  
7 initially set at that amount from day one, and then once  
8 it's won it goes back to that original setting. And if  
9 that original setting was a thousand or 2,000 too low,  
10 then our position is the next person who won it was  
11 shorted that amount, that thousand or 2,000.

12                   COMMISSIONER HOWARD: Well, each time it's  
13 reset, it's reset a thousand dollars off?

14                   MR. GREWACH: Correct.

15                   COMMISSIONER HOWARD: So how many times is  
16 one times a thousand or 2,000?

17                   COMMISSIONER JAMISON: But when you talk  
18 about restitution, were some of their machines set too  
19 high and they were paying out more than what they would  
20 have, and so is that 141 net or is that 141 and then  
21 they had more money that they paid out that they  
22 shouldn't have?

23                   MR. GREWACH: We just looked at the two  
24 machines that were set too low, and that's where the  
25 \$141,000 figure comes from.

1           The two machines that were set too high, on  
2 one of them a progressive was never hit. On the other  
3 two progressives were hit that resulted in a \$19,000  
4 overpayment to those two patrons.

5           Now, when we looked at it, we took the  
6 position that we weren't going to make that subtraction  
7 because you're dealing with different patrons, and in  
8 addition, our view of it was that it was the company's  
9 mistake in setting it too high, that they would have to  
10 just be responsible for absorbing that overpayment.

11           COMMISSIONER JAMISON: Yeah. I just wanted  
12 to know if the 141 was net or if it was just on those  
13 machines.

14           MR. GREWACH: Just on those machines, just  
15 the two.

16           COMMISSIONER JAMISON: Okay.

17           COMMISSIONER HALE: Did I hear you correctly,  
18 I believe Mr. Cipolla, is it, is no longer with --

19           MR. GREWACH: Mr. Chaszar, the General  
20 Manager, who according to some of the testimony was  
21 really one of the driving forces in asserting this  
22 position that we contended was false or misleading.

23           COMMISSIONER HALE: Okay. So Chaszar is no  
24 longer there?

25           MR. GREWACH: He's no longer with them.

1                   CHAIRMAN SHURIN: Any other questions by the  
2 Commissioners?

3                   Is there a motion in regard to DC-15-083?

4                   COMMISSIONER NEER: I make a motion to  
5 approve DC-15-083.

6                   COMMISSIONER HALE: I'll second it, 15-083.

7                   CHAIRMAN SHURIN: Any discussion on that  
8 motion?

9                   Is there any discussion?

10                  Please call the roll, please.

11                  MS. FRANKS: Commissioner Neer.

12                  COMMISSIONER NEER: Approved.

13                  MS. FRANKS: Commissioner Jamison.

14                  COMMISSIONER JAMISON: Approved.

15                  MS. FRANKS: Commissioner Hale.

16                  COMMISSIONER HALE: Approved.

17                  MS. FRANKS: Commissioner Howard.

18                  COMMISSIONER HOWARD: Approved.

19                  MS. FRANKS: Chairman Shurin.

20                  CHAIRMAN SHURIN: Approved.

21                  MS. FRANKS: By your vote you've adopted  
22 DC-15-083.

23                  MR. GREWACH: Under Tab L we have a  
24 preliminary order of discipline directed to Ameristar  
25 Casino Kansas City for allowing a minor on the floor.

1           The 19-year-old female patron was allowed on  
2 the floor on October the 3rd, 2014. The security  
3 officer at the turnstile failed to ask for the patron's  
4 ID. One dealer did ask for the ID but failed to see  
5 that the patron was underage. It was the patron's  
6 actual ID.

7           The significance of that is that the IDs on a  
8 minor -- this was issued out of the state of Kansas --  
9 are vertical instead of horizontal, and they have in red  
10 letters not 21 until and it gives a specific date.

11           So it wasn't a matter of someone having to  
12 look at an ID and do the math in their head and doing it  
13 incorrectly.

14           There were two other persons who  
15 encountered -- another dealer and a floor supervisor,  
16 who encountered the patron while she was on the floor,  
17 and they both failed to ask for the ID also.

18           The patron was on the floor for approximately  
19 two hours. She did gamble but did not consume any  
20 alcohol, and the recommended fine is \$5,000.

21           CHAIRMAN SHURIN: Any questions by the  
22 Commissioners?

23           If no questions, is there a motion in regard  
24 to DC-15-084?

25           COMMISSIONER HALE: I move that the

1 Commission adopt the Staff's recommendation relative to  
2 DC-15-084.

3 COMMISSIONER JAMISON: Second.

4 CHAIRMAN SHURIN: Any discussion on that  
5 motion?

6 Angie, please call the roll for a vote.

7 MS. FRANKS: Commissioner Neer.

8 COMMISSIONER NEER: Approved.

9 MS. FRANKS: Commissioner Jamison.

10 COMMISSIONER JAMISON: Approved.

11 MS. FRANKS: Commissioner Hale.

12 COMMISSIONER HALE: Approved.

13 MS. FRANKS: Commissioner Howard.

14 COMMISSIONER HOWARD: Approved.

15 MS. FRANKS: Chairman Shurin.

16 CHAIRMAN SHURIN: Approved.

17 MS. FRANKS: By your vote you've adopted  
18 DC-15-084.

19 MR. GREWACH: Under Tab M we have a  
20 preliminary order of discipline directed to Ameristar  
21 Casino Kansas City for repeat audit findings.

22 A little background, although I think we may  
23 have had a couple of these in a prior meeting.

24 These are compliance audits that we do on a  
25 routine basis. They're done on a certain schedule.

1           Once the audit is completed a report is  
2 generated and an exit conference is conducted with the  
3 casino's management, where the written findings of the  
4 audit, the violations are presented, and we have  
5 management tell us their plan to correct the violations.

6           After that a followup is done to check and  
7 see if the violations have, in fact, been corrected.

8           In this case there were four findings in the  
9 original report that had not been corrected.

10           The first involved chips being removed from  
11 poker trays and not being proven for surveillance.

12           Now, the process of proving chips for  
13 surveillance is that when they're -- they're set onto  
14 the poker table and they're in stacks. Let's say, for  
15 example, they're in a stack -- stacks of 20 chips each.

16           So then the person conducting -- approving  
17 the chips would then break that down into four stacks of  
18 five chips, and then they would take one of those and  
19 spread them out on to the table so surveillance could  
20 see and count that there are, in fact, five chips on  
21 there.

22           They then gather those five chips up and  
23 stack them back up, and they run their finger across  
24 that stack of five chips to show that they're all level,  
25 that they're all five chips.

1                   They take those and stack them back up into  
2   20 and again run their finger across the stack of 20 to  
3   show that they all are, in fact, 20 chips.

4                   Now, the purpose of this is there is  
5   paperwork at the table and paperwork at the cage, and if  
6   the discrepancy arises between those two, we can go to  
7   surveillance and see where -- you know, where did this  
8   mistake happen, were they miscounted at the cage, were  
9   they miscounted at the table, and this surveillance is  
10  very important for us to prove that.

11                  In the initial audit there was a finding that  
12  the four out of five -- that there was a failure to  
13  prove the chips in the followup.

14                  On August 12, 2014 review of surveillance,  
15  that we found the chips were removed from three poker  
16  tables that were not proven for surveillance.

17                  Then on August 28, 2014 a compliance  
18  directive was issued to -- and the compliance directive  
19  is a written admonition to the supervisor responsible,  
20  telling them, you know, we're not bringing action  
21  against you now but you do need to address this. You  
22  need to get this problem resolved.

23                  So then another followup was done to the  
24  compliance directive on September the 9th, 2014, and in  
25  that case one poker table was found where chips were

1 removed that were not proven for surveillance.

2           The second violation included a problem with  
3 a segregation of duties. The rule prohibits a person  
4 who fills a redemption kiosk from being involved in  
5 reconciling the redemption kiosk later on, and found  
6 originally that a cage supervisor both filled the  
7 redemption kiosk and then also reconciled the cassette  
8 six days later.

9           Conducted a followup on August 11th, 2014.  
10 In this case found a main banker who filled and later  
11 reconciled five cassettes.

12           The third repeat violation involved the  
13 casino not using the proper forms for their monthly  
14 inventory. We did a followup on July the 30th, 2014 and  
15 found that they were still using the incorrect forms at  
16 that point in time.

17           The fourth violation involved employees of  
18 the deli redeeming points without checking photo IDs of  
19 the persons.

20           And the rule requires that if you're going to  
21 redeem points from your player card for anything of  
22 value, that you check the photo ID. And the obvious  
23 purpose of that is to make sure there is no fraud going  
24 on, it's not a card that was taken, stolen, that the  
25 person redeeming the points is, in fact, the person who

1 holds the player card.

2                   So we did a followup on August 2nd, 2014 and  
3 found that they were still failing to check IDs in  
4 85 percent of the instances observed.

5                   A compliance directive was issued to the food  
6 and beverage director on August the 12th, 2014. Then we  
7 did a followup to that. A compliance directive on  
8 August 24, 2014, in which we saw one employee who during  
9 the course of their shift never checked IDs and another  
10 who checked only one of four patrons who used the card  
11 to redeem points for food at the deli.

12                   So then we did yet another followup on  
13 September the 4th, 2014 and observed that ten of the  
14 fourteen patrons had failed to check IDs when redeeming  
15 points for food from patrons.

16                   And the recommended fine is \$15,000.

17                   CHAIRMAN SHURIN: Are there any questions of  
18 any of the Commissioners?

19                   I guess I'm a little concerned and don't  
20 quite understand what seems to me to be the continuing  
21 failure to comply with regulations.

22                   Is this normal to have this many  
23 opportunities or do we have to go back and reaudit this  
24 many times on the same thing that this casino has?

25                   MR. GREWACH: Repeat audit findings are



1 leads you to where you were, just like this case, and  
2 sometimes it's what we call an audit to audit, you know,  
3 from one audit to another. They still don't have it  
4 fixed.

5 But in this particular case I went back and  
6 checked, and it appears that they have now fixed the  
7 problems and are complying at this point in time.

8 CHAIRMAN SHURIN: And based upon the fact  
9 that they've now complied, is it still Staff's  
10 recommendation of a \$15,000 penalty?

11 MR. GREWACH: It is.

12 You know, we would not have brought  
13 discipline had they on our followup to the original  
14 audit finding fixed the problems, and we tend not to  
15 bring discipline if they've shown substantial  
16 improvement from the original audit to the followup.

17 And that's why sometimes I will even give the  
18 percentages or the numbers in the followup to show that  
19 either they haven't shown much improvement or sometimes  
20 they've even gotten worse between the audit and the  
21 followup time.

22 CHAIRMAN SHURIN: Okay.

23 Is there a motion in regard to DC-15-085?

24 COMMISSIONER JAMISON: I move for the  
25 adoption of DC-15-085.

1                   COMMISSIONER HOWARD: I'll second that  
2 motion.

3                   CHAIRMAN SHURIN: Any discussion?

4                   Being no discussion, Angie, please call the  
5 roll for a vote.

6                   MS. FRANKS: Commissioner Neer.

7                   COMMISSIONER NEER: Approved.

8                   MS. FRANKS: Commissioner Jamison.

9                   COMMISSIONER JAMISON: Approved.

10                  MS. FRANKS: Commissioner Hale.

11                  COMMISSIONER HALE: Approved.

12                  MS. FRANKS: Commissioner Howard.

13                  COMMISSIONER HOWARD: Approved.

14                  MS. FRANKS: Chairman Shurin.

15                  CHAIRMAN SHURIN: Approved.

16                  MS. FRANKS: By your vote you've adopted  
17 DC-15-085.

18                  MR. GREWACH: Under Tab N we have a  
19 preliminary order of discipline directed to Harrah's  
20 North Kansas City, and once again, this is for repeat  
21 audit findings.

22                  On April 11, 2014 we presented their written  
23 audit report, had our exit conference. On followup we  
24 found three repeat audit findings. The first involved  
25 table games dealers not clearing their hands when going

1 either to and from their body or entering or leaving the  
2 table area, a violation of Minimum Internal Control  
3 Standard D18.01.

4           Now, clearing the hands involves the process  
5 where they hold their hands away from their bodies with  
6 their fingers spread and rotate them to show that there  
7 are no cards, no foreign substances, anything in there  
8 in their hands.

9           We did followup on July 29th and August 5th  
10 of 2014. We observed five dealers, and they failed to  
11 clear their hands 45 percent of the time during those  
12 observations.

13           The second violation deals with poker dealers  
14 failing to clear their hands in violation of Minimum  
15 Internal Control Standard F13-01.

16           Now, these two requirements are identical.  
17 The reason they come as two different audit findings is  
18 there are two different sections of the Minimal Internal  
19 Control Standards and there are two different sets of  
20 supervisors who were over the poker dealers and the  
21 other table game dealers, and that's why they're  
22 presented as separate findings.

23           The followup was done on July 29, 2014, and  
24 we found that four poker dealers failed to clear their  
25 hands 56 percent of the time when going to or from their

1 body or entering or leaving the table area.

2 The third finding involved casino operations  
3 supervisors failing to log out of the slot accounting  
4 system, which resulted in unauthorized persons being  
5 allowed to access that system.

6 The rules are set up in such a way that only  
7 certain persons have access to that slot accounting system,  
8 and by not logging out the next person who sat down at  
9 that computer would be able, whether authorized or not,  
10 to access the system.

11 We followed up on August 19th, 2014 and found  
12 that they were still not logging out of the system. The  
13 recommended fine is \$10,000.

14 CHAIRMAN SHURIN: Any questions by the  
15 Commission?

16 Hearing none, is there a motion in regard to  
17 DC-15-086?

18 COMMISSIONER HOWARD: I'll move for the  
19 approval of DC-15-086.

20 COMMISSIONER NEER: Second.

21 CHAIRMAN SHURIN: Any discussion on that  
22 motion?

23 There being none, Angie, please call the roll  
24 for vote.

25 MS. FRANKS: Commissioner Neer.

1 COMMISSIONER NEER: Approved.

2 MS. FRANKS: Commissioner Jamison.

3 COMMISSIONER JAMISON: Approved.

4 MS. FRANKS: Commissioner Hale.

5 COMMISSIONER HALE: Approved.

6 MS. FRANKS: Commissioner Howard.

7 COMMISSIONER HOWARD: Approved.

8 MS. FRANKS: Chairman Shurin.

9 CHAIRMAN SHURIN: Approved.

10 MS. FRANKS: By your vote you've adopted  
11 DC-15-086.

12 MR. GREWACH: Under Tab O we have a  
13 preliminary order of discipline directed to Isle of  
14 Capri Cape Girardeau Casino for repeat audit findings.

15 The audit was delivered on January 13th,  
16 2014. On followup we found two repeat findings.

17 The first involved count team members failing  
18 to clear their hands when going to or from the table, a  
19 similar requirement as we talked about with the table  
20 games dealers in the matter of the process that they  
21 have to do.

22 We found in 41 percent of those instances  
23 they failed to clear their hands. We did a followup on  
24 June 25th through 27th of 2014 and found that the count  
25 team members failed to clear their hands 57 percent of

1 the time.

2                   The second violation involved access to the  
3 main bank. The main bank -- there are areas in the  
4 casino that are only allowed to be entered using what we  
5 term sensitive keys, and if you have one of those areas,  
6 the sensitive key is under certain controls.

7                   It has to be kept in a sensitive key box.  
8 There is logs of who has and checks those keys out.  
9 They're tracked through paperwork. There is processes  
10 for who has to be present when a sensitive key is  
11 removed or returned to the box.

12                   This main bank area which required sensitive  
13 keys to enter had a dead bolt lock on that, and when the  
14 dead bolt lock was locked, it required a sensitive key  
15 to open it.

16                   But what happened was that they weren't  
17 consistent in locking that dead bolt lock. So when the  
18 dead bolt lock was left unlocked, employees could use  
19 their proximity card to get into that area.

20                   Now, what a proximity card is is a card  
21 similar to what you'd see to get into your hotel room.  
22 I mean, it's something you just swipe through the  
23 machine and the door opens for you.

24                   But it's not a sensitive key and there is no  
25 controls over that, and that was the problem that we

1 encountered on the initial audit when we looked at this  
2 situation.

3           There are certain areas that we do permit by  
4 rule, and you'll see that in paragraph 14 of the  
5 preliminary order of discipline, where we do allow prox  
6 cards to be used to access sensitive areas, but the main  
7 bank is not one of those areas on the list.

8           And in addition, even when we do, we require  
9 it to be treated as a sensitive key subject to the same  
10 controls and paperwork and documentation that we do the  
11 other sensitive keys.

12           We did a followup on June the 27th, 2014 and  
13 found that they were still not consistently locking the  
14 dead bolt lock; therefore, allowing people to use their  
15 prox card to enter the main bank area.

16           DRB recommended a \$5,000 fine. In the  
17 response to the 14-day letter Isle of Capri stated that  
18 they have retrained their count team members to clear  
19 their hands. They've transferred the worst offender to  
20 another department.

21           And in terms of the main bank they indicated  
22 that they had disabled the proximity lock on the main  
23 bank to prevent the problem from occurring in the  
24 future.

25           In reviewing that response the DRB voted to

1 maintain its recommendation of a \$5,000 fine.

2 CHAIRMAN SHURIN: Any questions?

3 COMMISSIONER HOWARD: Ed, was there any  
4 followup to know whether these two issues that were not  
5 resolved as of the time of the followup --

6 MR. GREWACH: There has been. Last week we  
7 went back and looked. And, of course, as they stated,  
8 the problem with the main bank was resolved, but we  
9 still observed problems with the count team members not  
10 clearing their hands in the count room.

11 COMMISSIONER HOWARD: And that percentage had  
12 actually gone up from the time of the original audit to  
13 the followup?

14 MR. GREWACH: Correct.

15 COMMISSIONER HOWARD: So do you know what the  
16 percentage is now?

17 MR. GREWACH: I'd probably have to -- I'd  
18 have to call on our Compliance Audit Manager Leshia  
19 Kempker to answer that question because I don't know.

20 MS. KEMPKER: Leshia Kempker, Compliance  
21 Audit Manager.

22 From our auditor's check last week, it was  
23 about a 50 percent error.

24 CHAIRMAN SHURIN: I'm sorry. What number?

25 MS. KEMPKER: 50 percent.

1                   COMMISSIONER HOWARD: So still up from the  
2 initial audit. That's the direction we like to see.

3                   MR. GREWACH: Now, that is -- and Ms. Kempker  
4 can correct me if I'm wrong, but that's an item that we  
5 won't address as a separate discipline now but will show  
6 up as another audit finding for the next audit.

7                   This was this property's first audit because  
8 it opened -- this covered the period from the time when  
9 it opened in October of 2012 until November 30th, 2013.

10                   So when it comes back up for an audit, this  
11 continued failure for the count team members to clear  
12 their hands will be addressed in that audit.

13                   COMMISSIONER HOWARD: Am I understanding that  
14 the dead bolt still needs to be turned even with the  
15 prox card being disabled?

16                   MS. KEMPKER: They removed the dead bolt as  
17 well. They replaced the door handles so it  
18 automatically locks.

19                   COMMISSIONER HOWARD: Because I wasn't  
20 understanding the dead bolt issues. So a new locking  
21 system. Okay.

22                   CHAIRMAN SHURIN: Anything further? Any  
23 further questions?

24                   Hearing none, is there a motion in regard to  
25 DC-15-087?

1                   COMMISSIONER HALE: I'll move for the  
2 adoption of Staff's recommendation relative to  
3 DC-15-087.

4                   COMMISSIONER NEER: I'll second.

5                   CHAIRMAN SHURIN: Any discussions on that  
6 motion?

7                   Hearing none, Angie, please call the roll for  
8 a vote.

9                   MS. FRANKS: Commissioner Neer.

10                  COMMISSIONER NEER: Approved.

11                  MS. FRANKS: Commissioner Jamison.

12                  COMMISSIONER JAMISON: Approved.

13                  MS. FRANKS: Commissioner Hale.

14                  COMMISSIONER HALE: Approved.

15                  MS. FRANKS: Commissioner Howard.

16                  COMMISSIONER HOWARD: Approved.

17                  MS. FRANKS: Chairman Shurin.

18                  CHAIRMAN SHURIN: Approved.

19                  MS. FRANKS: By your vote you've adopted  
20 DC-15-087.

21                  MR. GREWACH: Thank you.

22                  CHAIRMAN SHURIN: Thank you.

23                  EXECUTIVE DIRECTOR SEIBERT: Mr. Chairman,  
24 next is Consideration of Relicensure of Certain  
25 Suppliers, GTECH USA, LLC and GTECH Canada, ULC.

1                   The presenter will be Sergeant Jim Bennett.

2                   SERGEANT BENNETT: Mr. Chairman and  
3 Commissioners.

4                   Please refer to the Resolution 15-027 under  
5 Tab P and Resolution 15-028 under Tab Q involving the  
6 relicensure of GTECH USA, LLC and GTECH Canada, ULC.

7                   GTECH USA and GTECH Canada filed applications  
8 with the Missouri Gaming Commission to renew their  
9 supplier licenses in November of 2014 and January of  
10 2015 respectfully.

11                  GTECH USA was granted the original Missouri  
12 supplier's license in 1998 and GTECH Canada in 2009.

13                  The purpose of this investigation was to  
14 determine the GTECH group of companies continued  
15 suitability as a gaming supplier in the state of  
16 Missouri.

17                  Missouri State Highway Patrol and Missouri  
18 Gaming Commission financial investigators conducted a  
19 background investigation to assist the Missouri Gaming  
20 Commission in determining the GTECH group of companies  
21 suitability for licensure.

22                  This investigation consisted of  
23 jurisdictional inquiries, feedback from affected gaming  
24 companies, an evaluation of disciplinary actions,  
25 litigation, credit profiles, financial analysis and a

1 review of the key persons associated with the company.

2 On March 12, 2015 a comprehensive summary  
3 report detailing the results of this investigation was  
4 submitted to the Missouri Gaming Commission Staff, and a  
5 copy of that summary has been provided for your review.

6 If you have any questions, I'll be happy to  
7 entertain them.

8 CHAIRMAN SHURIN: Does anyone have any  
9 questions of Sergeant Bennett?

10 There being none, is there a motion in regard  
11 to Resolution 15-027?

12 EXECUTIVE DIRECTOR SEIBERT: Mr. Chairman,  
13 the Staff does recommend approval on both, and they need  
14 to be done separately.

15 CHAIRMAN SHURIN: I'm sorry?

16 EXECUTIVE DIRECTOR SEIBERT: They need to be  
17 addressed separately.

18 CHAIRMAN SHURIN: So we'll go with Resolution  
19 No. 15-027. Is there a motion?

20 COMMISSIONER JAMISON: I move for adoption of  
21 Resolution No. 15-027.

22 COMMISSIONER HALE: Second.

23 CHAIRMAN SHURIN: Is there any discussion on  
24 that?

25 I note that Commission Neer has stepped out.

1 Should we wait for him to return?

2 Okay. Let's wait for Mr. Neer to return.

3 Okay. We have a motion pending to approve  
4 Resolution No. 15-027.

5 So, Angie, please call the roll for a vote.

6 MS. FRANKS: Commissioner Neer.

7 COMMISSIONER NEER: Excuse my Charley horse  
8 there.

9 I approve.

10 MS. FRANKS: Commissioner Jamison.

11 COMMISSIONER JAMISON: Approved.

12 MS. FRANKS: Commissioner Hale.

13 COMMISSIONER HALE: Approved.

14 MS. FRANKS: Commissioner Hale.

15 COMMISSIONER HOWARD: Approved.

16 MS. FRANKS: Chairman Shurin.

17 CHAIRMAN SHURIN: Approved.

18 MS. FRANKS: By your vote you have adopted  
19 Resolution No. 15-027.

20 EXECUTIVE DIRECTOR SEIBERT: And we recommend  
21 approval also for GTECH Canada, sir.

22 CHAIRMAN SHURIN: Is there a motion in regard  
23 to Resolution No. 15-028?

24 COMMISSIONER JAMISON: I'll also move for  
25 adoption of Resolution 15-028.

1 COMMISSIONER HALE: I'll second.

2 CHAIRMAN SHURIN: Any discussion on that  
3 motion?

4 There being none, Angie, please call the roll  
5 for a vote.

6 MS. FRANKS: Commissioner Neer.

7 COMMISSIONER NEER: Approved.

8 MS. FRANKS: Commissioner Jamison.

9 COMMISSIONER JAMISON: Approved.

10 MS. FRANKS: Commissioner Hale.

11 COMMISSIONER HALE: Approved.

12 MS. FRANKS: Commissioner Howard.

13 COMMISSIONER HOWARD: Approved.

14 MS. FRANKS: Chairman Shurin.

15 CHAIRMAN SHURIN: Approved.

16 MS. FRANKS: By your vote you've adopted  
17 Resolution No. 15-028.

18 EXECUTIVE DIRECTOR SEIBERT: Next order is  
19 closed.

20 COMMISSIONER HOWARD: Why don't I give you a  
21 break on this one.

22 I'll make a motion -- I'm going to give our  
23 Chairman a break -- and make a motion to go into closed  
24 session under Section 313.847, Revised Statutes of  
25 Missouri, for investigatory, proprietary and application

1 of records, and Section 610.021, Subsection 1 of the  
2 Revised Statutes of Missouri for legal actions,  
3 Subsection 3 and Subsection 13 for personnel and  
4 Subsection 14 for records that are protected from  
5 disclosure by law.

6 CHAIRMAN SHURIN: You read that better than I  
7 can.

8 COMMISSIONER JAMISON: Second.

9 COMMISSIONER HOWARD: I've done that a few  
10 times.

11 CHAIRMAN SHURIN: The vote on that motion.

12 MS. FRANKS: Commissioner Neer.

13 COMMISSIONER NEER: Approved.

14 MS. FRANKS: Commissioner Jamison.

15 COMMISSIONER JAMISON: Approved.

16 MS. FRANKS: Commissioner Hale.

17 COMMISSIONER HALE: Approved.

18 MS. FRANKS: Commissioner Howard.

19 COMMISSIONER HOWARD: Approved.

20 MS. FRANKS: Chairman Shurin.

21 CHAIRMAN SHURIN: Approved.

22 WHEREIN, the meeting concluded.

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CERTIFICATE OF REPORTER

I, Patricia A. Stewart, CCR, a Certified Court Reporter in the State of Missouri, do hereby certify that the testimony that appears in the foregoing transcript was taken by me to the best of my ability and thereafter reduced to typewriting by me; that I am neither counsel for, related to, nor employed by any of the parties to the action in which this hearing was taken, and further that I am not a relative or employee of any attorney or counsel employed by the parties thereto, nor financially or otherwise interested in the outcome of the action.

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Patricia A. Stewart

CCR No. 401

**MISSOURI GAMING COMMISSION**  
**Second Open Session Minutes**  
**March 25, 2015**

The Missouri Gaming Commission (the “Commission”) went into open session at approximately 12:55 p.m. on March 25, 2015, at the Commission’s Jefferson City office.

**Commissioner Hale moved to adjourn the open session meeting. Commission Jamison seconded the motion. After a roll call vote was taken, Shurin – yes, Howard – yes, Jamison – yes, Hale – yes, and Neer – yes, the motion passed unanimously.**

The open session adjourned at 12:56 p.m.