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BEFORE THE MISSOURI GAMING COMMISSION  
STATE OF MISSOURI

Meeting  
September 23, 2015  
10:00 a.m.  
Central Office  
3417 Knipp Drive  
Jefferson City, Missouri

COMMISSIONERS PRESENT:

Brian Jamison, Chairman  
Larry D. Hale  
Thomas Neer

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

|    | AGENDA   | page  |
|----|--|-------|
| 1  |  |       |
| 2  |  |       |
| 3  | I. Call to Order   | 3:2   |
| 4  | II. Consideration of Minutes   |       |
| 5  | A. August 25, 2015   | 3:15  |
| 6  | B. August 26, 2015   | 4:6   |
| 7  | III. Consideration of Hearing Officer Recommendations  |       |
| 8  | C. Kevin J. Meyer  |       |
| 9  | 1. Resolution No. 15-051   | 5:2   |
| 10 | D. Marian L. Garren  |       |
| 11 | 1. Resolution No. 15-052   | 8:6   |
| 12 | E. Sherretta Briggs  |       |
| 13 | 1. Resolution No. 15-053   | 13:18 |
| 14 | F. Jimmy Caton   |       |
| 15 | 1. Resolution No. 15-054   | 16:16 |
| 16 | IV. Consideration of Disciplinary Actions  |       |
| 17 | G. Aristocrat Technologies, Inc.   |       |
| 18 | 1. DC-15-266   | 19:21 |
| 19 | H. Gaming Partners International USA   |       |
| 20 | 1. DC-15-297   | 21:22 |
| 21 | I. Lady Luck Casino, Caruthersville  |       |
| 22 | 1. DC-15-298   | 23:25 |
| 23 | V. Consideration of Licensure of Level I/<br>Key Applicants  |       |
| 24 | J. Resolution No. 15-055   | 25:24 |
| 25 | X. Motion for Closed Meeting under<br>Sections 313.847, Revised Statutes of<br>Missouri, Investigatory, Proprietary and<br>Application Records and 610.021(1) Revised<br>Statutes of Missouri, Legal Actions,<br>(3) & (13) Personnel and (14) Records<br>Protected from Disclosure by Law | 29:8  |

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

2 CHAIRMAN JAMISON: I'll call the  
3 September 23rd Missouri Gaming Commission to order.

4 Angie, would you please call the roll.

5 MS. FRANKS: Commissioner Lombardo.

6 (No response.)

7 MS. FRANKS: Commissioner Neer.

8 COMMISSIONER NEER: Here.

9 MS. FRANKS: Commissioner Hale.

10 COMMISSIONER HALE: Present.

11 MS. FRANKS: Chairman Jamison.

12 CHAIRMAN JAMISON: Present.

13 Having a quorum, we're ready to proceed with  
14 the meeting.

15 The first item would be Consideration of  
16 Minutes for the August 25th meeting that we held.

17 Is there a motion to approve those minutes?

18 COMMISSIONER HALE: Mr. Chairman, I move to  
19 approve the minutes of the August 25th, 2015 meeting.

20 COMMISSIONER NEER: I'll second.

21 CHAIRMAN JAMISON: First and seconded.

22 Angie, would you call the roll, please.

23 MS. FRANKS: Commissioner Neer.

24 COMMISSIONER NEER: Approved.

25 MS. FRANKS: Commissioner Hale.

1 COMMISSIONER HALE: Approved.

2 MS. FRANKS: Chairman Jamison.

3 CHAIRMAN JAMISON: Approved.

4 MS. FRANKS: By your vote you've adopted the  
5 minutes of the August 25th, 2015 meeting.

6 CHAIRMAN JAMISON: Okay. And I would also  
7 entertain a motion on the Consideration of Minutes of  
8 the August 26th, 2015 meeting.

9 COMMISSIONER NEER: Motion to accept the  
10 minutes for August 26th.

11 COMMISSIONER HALE: Second.

12 CHAIRMAN JAMISON: Okay. First and seconded.  
13 Angie, would you please call the roll.

14 MS. FRANKS: Commissioner Neer.

15 COMMISSIONER NEER: Approved.

16 MS. FRANKS: Commissioner Hale.

17 COMMISSIONER HALE: Approved.

18 MS. FRANKS: Chairman Jamison.

19 CHAIRMAN JAMISON: Approved.

20 MS. FRANKS: By your vote you've adopted the  
21 minutes of the August 26th, 2015 meeting.

22 EXECUTIVE DIRECTOR SEIBERT: Mr. Chairman,  
23 the first order of business will be the Consideration of  
24 Hearing Officer Recommendations.

25 Mr. Steib will be presenting.

1                   CHAIRMAN JAMISON: Okay.

2                   MR. STEIB: Good morning, gentlemen. May it  
3 please the Commission.

4                   The first item I have on the agenda is that  
5 of Mr. Kevin Meyer. Mr. Meyer appeared at a hearing in  
6 July of this year, July 22nd.

7                   Mr. Meyer currently holds a Level II  
8 occupational license as a slot performance manager at  
9 the Hollywood Casino in St. Louis.

10                  Electronic gaming devices have a mechanism  
11 whereby they lock up and become unplayable at certain  
12 limits. And while Mr. Meyer does not physically adjust  
13 those limits he has the supervisory role in making sure  
14 that those limits have been properly set.

15                  That is done so that the machine will lock up  
16 and a W2 can be handed out to the player.

17                  On this particular gaming device, that being  
18 B004/5605, that jackpot limit was at \$1,299.99. That  
19 machine was placed into storage on July 7th, 2013.

20                  The normal setting for that machine is  
21 \$1,199.99, thereby setting the \$1,200 limit which causes  
22 the lock-up.

23                  On June 15th of 2013 Mr. Meyer received a  
24 compliance directive saying that you are directed to  
25 comply with gaming regulations or controls by taking the

1 following action; to wit, due to an incident which  
2 occurred Mr. Meyer was to make sure that all of the  
3 machines on the floor and those coming out of storage  
4 had the proper jackpot limit.

5 On November 5th, 2013 that particular machine  
6 was brought back out onto the floor and the jackpot  
7 limit was incorrectly set at \$1,299. Mr. Meyer admitted  
8 under oath that the limit was incorrectly set.

9 The two compliance directives that had been  
10 received by Mr. Meyer, one on June 15, 2013 and one on  
11 August 21, 2014, instructing him to make sure that all  
12 of the machines on the floor and coming out of storage  
13 were properly set were also admitted into evidence,  
14 adduced without objection from Mr. Meyer.

15 Based on the evidence that was adduced at the  
16 hearing and the exhibits, the Preliminary Order for  
17 Disciplinary Action was that Mr. Meyer be suspended for  
18 two days, and based on the information that was received  
19 at the hearing by clear and convincing evidence  
20 Mr. Meyer did not show that he should not be disciplined  
21 for that particular situation.

22 And hence, it is the recommendation of the  
23 hearing officer that Mr. Meyer do, in fact, receive that  
24 discipline; to wit, that he be suspended for two  
25 calendar days.

1                   CHAIRMAN JAMISON: Okay. Is Mr. Meyer  
2 present here today?

3                   Okay. Are there any questions from the  
4 Commissioners?

5                   COMMISSIONER HALE: I have none.

6                   COMMISSIONER NEER: No.

7                   CHAIRMAN JAMISON: The Chair would entertain  
8 a motion on Resolution No. 15-051.

9                   COMMISSIONER HALE: Mr. Chairman, I would  
10 move for adoption of Resolution No. 15-051.

11                  COMMISSIONER NEER: Second.

12                  CHAIRMAN JAMISON: It's been first and  
13 seconded.

14                  Angie, would you call the roll.

15                  MS. FRANKS: Commissioner Neer.

16                  COMMISSIONER NEER: Approved.

17                  MS. FRANKS: Commissioner Hale.

18                  COMMISSIONER HALE: Approved.

19                  MS. FRANKS: Chairman Jamison.

20                  CHAIRMAN JAMISON: Approved.

21                  MS. FRANKS: By your vote you've adopted  
22 Resolution No. 15-051.

23                  CHAIRMAN JAMISON: Just one moment before you  
24 start.

25                  Is Ms. Garren here?

1                   Okay. I just didn't want to start this -- I  
2 knew you were on your way, and I didn't want to start  
3 until I was sure that you were present.

4                   Thank you.

5                   MS. GARREN: Thank you.

6                   MR. STEIB: The next item on the agenda,  
7 Commissioners, is that of Marian Garren, Case No.  
8 DC 14-463.

9                   Ms. Garren also appeared at a hearing in July  
10 of 2015. Mrs. Garren currently holds a Level II  
11 occupational license as a beverage server at River City  
12 Casino in St. Louis.

13                   Surveillance video of the casino on  
14 September 20th, 2014 at 11:09 reveals that a Mr. Bobby  
15 Colburn, C-o-l-b-u-r-n, while walking through the  
16 turnstile, had some difficulty with swaying side to side  
17 as he tried to move through the turnstiles.

18                   Between 11:47 p.m. and 12:45 a.m., some  
19 58 minutes, Mr. Colburn was served two mixed drinks and  
20 two beers by the licensee.

21                   After the licensee served Mr. Colburn one  
22 drink, he summarily drank the entire drink while the  
23 server was present and then dropped some money.

24                   Subsequent to that, at about 1:19 a.m.,  
25 Mr. Colburn entered the men's room in the casino, where

1 he was later found somewhat unconscious. He was very  
2 combative, had to be restrained and was put under arrest  
3 for third-degree assault as a result of that  
4 confrontation.

5           The licensee in this matter, Ms. Garren, is  
6 dual rated as both a bartender and a server, and her  
7 testimony was that she has been a bartender for  
8 15 years; hence, one would think has some familiarity  
9 with alcohol in patrons.

10           At the hearing on July 22nd Ms. Garren  
11 testified that she was not happy that the gentleman must  
12 have been intoxicated as a result of viewing the video.

13           Of course, Mrs. Garren did not see the video  
14 before she was serving the gentleman, but after seeing  
15 the video she recognized and admitted that he, in fact,  
16 had been intoxicated.

17           At the hearing adduced and admitted into  
18 evidence without objection was also that surveillance  
19 video showing Mr. Colburn entering the turnstiles.

20           Based on the evidence adduced and admitted,  
21 it is the recommendation of the hearing officer that  
22 Ms. Garren did not meet her burden of proof to show by  
23 clear and convincing evidence that she should not be  
24 subject to discipline, that Preliminary Order for  
25 Discipline being a one-day suspension, and it is the

1 recommendation of the hearing officer that that should  
2 be affirmed by the Commission.

3 CHAIRMAN JAMISON: Ms. Garren, I know you're  
4 here and I think you desire to speak to the Commission.  
5 Is that correct?

6 MS. GARREN: Yes.

7 CHAIRMAN JAMISON: Okay. I'll give you that  
8 opportunity in just a moment.

9 Are there any questions of the hearing  
10 officer from the Commission?

11 COMMISSIONER HALE: I have none.

12 COMMISSIONER NEER: Not at this time.

13 CHAIRMAN JAMISON: I have one to clarify.

14 When we talk about in the report that the  
15 surveillance video was viewed, that was as a result of  
16 Mr. Colburn being arrested and then they went back and  
17 viewed the surveillance video. Correct? It's not that  
18 anyone observed him intoxicated prior to contact by  
19 Ms. Garren. Is that correct?

20 Does that make sense, what my question is?

21 MR. STEIB: Would you rephrase the question,  
22 please?

23 CHAIRMAN JAMISON: Well, the reason that the  
24 surveillance video was viewed was because of the suspect  
25 being arrested for a misdemeanor assault, not

1 necessarily that someone observed at the time that he  
2 walked through the turnstile that he was intoxicated?

3 MR. STEIB: I think that's probably true.

4 CHAIRMAN JAMISON: And so nobody up until the  
5 time that she had contact with him viewed him in an  
6 intoxicated state that someone should have taken note  
7 that we had an intoxicated person on the floor?

8 MR. STEIB: There was no testimony at the  
9 hearing regarding that.

10 CHAIRMAN JAMISON: Okay.

11 Ms. Garren, I'll give you an opportunity to  
12 address the board --

13 MS. GARREN: Yes.

14 CHAIRMAN JAMISON: -- or the Commission.

15 MS. GARREN: Yes, sir.

16 We saw the video after the altercation where  
17 the guy was charged, but when I served him, he was  
18 seated at the poker table and he was acting like a  
19 normal poker player, with no indication that he was  
20 having any problems whatsoever.

21 And I have -- you know, I have dialogue with  
22 the people in the poker room, the workers there, the  
23 poker host and the dealers if somebody is acting weird.

24 And I -- in my personal experience I observe  
25 people. They're seated. They're speaking clearly.

1 That's all that I had to go on.

2 So, I mean, I didn't have any indication, but  
3 looking at the video he did look like he was a little  
4 off. That was after the fact though. You know, that  
5 was not something that I could go on to serve him.

6 CHAIRMAN JAMISON: And we do have a copy of  
7 your e-mail that you sent to the Commission for  
8 consideration.

9 Are there any questions from the  
10 Commissioners?

11 COMMISSIONER HALE: I have none.

12 COMMISSIONER NEER: I'm a little concerned.

13 In a previous life I owned and operated a  
14 bar, and I could usually tell -- granted, there are  
15 those who could barely walk. However, if they're seated  
16 and, say, playing a game of cards or something where  
17 possibly they would not be recognized as intoxicated.

18 But you were serving at the table. This was  
19 not at the bar. Correct?

20 MS. GARREN: Yes, the poker table. Everybody  
21 is sitting in a circle and they order and I deliver  
22 drinks to them.

23 COMMISSIONER NEER: No further questions,  
24 sir.

25 CHAIRMAN JAMISON: Thank you very much for

1 being here this morning.

2 The Chair would entertain a motion on  
3 Resolution No. 15-052.

4 COMMISSIONER HALE: Mr. Chairman, I would  
5 move for adoption of Resolution No. 15-052.

6 COMMISSIONER NEER: I second.

7 CHAIRMAN JAMISON: It's been first and  
8 seconded.

9 Angie, please call the roll.

10 MS. FRANKS: Commissioner Neer.

11 COMMISSIONER NEER: I don't agree with the  
12 disciplinary board ruling.

13 MS. FRANKS: Commissioner Hale.

14 COMMISSIONER HALE: I would approve it.

15 MS. FRANKS: Chairman Jamison.

16 CHAIRMAN JAMISON: I would not approve it.

17 MS. FRANKS: The motion has failed.

18 MR. STEIB: The next item on the agenda is  
19 that of Sherretta Briggs.

20 Mrs. Briggs holds a Level II occupational  
21 license as a count room manager for a casino in  
22 Kansas City.

23 Prior to November of 2014 the casino had a  
24 problem with counterfeit money showing up at the casino.  
25 On November 8th, 2014 surveillance video revealed that

1 the licensee, Mrs. Briggs, took six \$20 bills and  
2 inserted them in a strap which bills had been validated.

3 On November 8th, 2014 Mrs. Briggs was seen  
4 placing four \$10 bills into a strap which had been  
5 validated and those \$10 bills had not been validated.

6 The problem was that the machine that was  
7 being used in the casino, if you put a torn or wrinkled  
8 or apparently an old piece of money in it, that would  
9 cause the machine to stop.

10 These monies had been seen by at least two  
11 other people, but because the machine would stop on  
12 these older bills, those \$20 bills and those \$10 bills  
13 were kept out of the strap by Mrs. Briggs and then later  
14 inserted to make the total count.

15 This is a result of a difference in  
16 interpretation of what the rules are between the casino  
17 and the Gaming Commission.

18 Mrs. Briggs had been instructed to do it this  
19 way. She had done this this way for over eleven years,  
20 as had everybody else in her particular position.

21 This was a problem that the casino had, and not  
22 necessarily Mrs. Briggs.

23 And the testimony from the Highway Patrol  
24 officer and Mrs. Briggs' supervisor was that there was  
25 no scienter, no malintent in this. She had done what

1 she had been trained to do, educated to do for some  
2 period of time.

3           Based on that it is the recommendation of the  
4 hearing officer that Mrs. Briggs by clear and convincing  
5 evidence showed that she should not be disciplined for  
6 this matter as this was really a systemic problem to the  
7 casino, not to Mrs. Briggs.

8           Of most importance is the fact that the  
9 problem was recognized. There was testimony that the  
10 casino has fixed the problem, but the bottom line is was  
11 this Mrs. Briggs' problem or the casino's problem?

12           And based on that recommendation -- based on  
13 that testimony, it's the recommendation that Mrs. Briggs  
14 should not receive a two-day suspension.

15           CHAIRMAN JAMISON: Is Ms. Briggs present here  
16 today?

17           Are there any questions from the  
18 Commissioners?

19           COMMISSIONER HALE: I have none.

20           COMMISSIONER NEER: None, sir.

21           CHAIRMAN JAMISON: Okay. No questions.

22           The Chair would consider a motion on  
23 Resolution No. 15-053.

24           COMMISSIONER NEER: I make a motion for said  
25 resolution.

1 COMMISSIONER HALE: Second.

2 CHAIRMAN JAMISON: First and seconded.

3 Angie, would you call the roll, please.

4 MS. FRANKS: Commissioner Neer.

5 COMMISSIONER NEER: Let me clarify.

6 If I approve this, then there is no  
7 disciplinary action?

8 MS. FRANKS: Correct.

9 COMMISSIONER NEER: I approve.

10 MS. FRANKS: Commissioner Hale.

11 COMMISSIONER HALE: Approved.

12 MS. FRANKS: Chairman Jamison.

13 CHAIRMAN JAMISON: Approved.

14 MS. FRANKS: By your vote you've adopted  
15 Resolution No. 15-053.

16 MR. STEIB: The next item on the agenda is  
17 regarding licensee Jimmy Caton, DC 15-067.

18 Mr. Caton holds a Level II occupational  
19 license as a food and beverage busser at Isle of Capri  
20 Casino.

21 The situs for this particular issue was not  
22 that particular casino but rather Harrah's in  
23 North Kansas City.

24 Harrah's began to have a problem with  
25 vandalism destruction on February 20th, 2014 between the

1 hours of 3:40 and 7:21 a.m., on April 28th in the early  
2 morning hours, May 1st early morning hours, May 5th  
3 early morning hours, damage was incurred by a restroom  
4 at the casino.

5 It was observed by surveillance that  
6 Mr. Caton was at or about that casino at those times and  
7 on those particular dates.

8 Due to the proximity of Mr. Caton and the  
9 damage, surveillance was initiated to observe Mr. Caton  
10 coming into the casino, moving toward the restroom.

11 The security sent a gentleman in there to see  
12 the situs there, determine whether there was any damage  
13 there on those particular dates that Mr. Caton was under  
14 surveillance.

15 They noted there was no damage in the  
16 restroom. No one else entered the restroom. Mr. Caton  
17 went into the restroom. When he came out, security went  
18 in and damage was done.

19 Mr. Caton was brought into an office at the  
20 casino where upon it was learned that he had a key chain  
21 on his person with a key which contained the same kind  
22 of drywall dust that was done to the damage in the  
23 restroom.

24 As a result of that Mr. Caton was charged  
25 with the destruction of property, and that was handled

1 by the circuit court.

2 Under a plea agreement Mr. Caton -- and he  
3 was advised and had legal counsel at the time. He  
4 agreed that he would pay \$1,200 in restitution for the  
5 damage that was done, and the matter was nolle prossed  
6 by the judge in that particular matter.

7 As a result of that and as a result of the  
8 testimony adduced and the evidence received at the  
9 hearing in July, the surveillance video and the actual  
10 observation of the security personnel who did testify at  
11 the hearing, it is the recommendation of the hearing  
12 officer that the Preliminary Order for Discipline, and  
13 that is that Mr. Caton's license be revoked, it is the  
14 recommendation of the hearing officer that that should  
15 be affirmed.

16 CHAIRMAN JAMISON: Okay. Is Mr. Caton  
17 present here today?

18 Seeing no one, are there any questions from  
19 the Commission?

20 COMMISSIONER HALE: I have none.

21 COMMISSIONER NEER: I have none.

22 CHAIRMAN JAMISON: The Chair would entertain  
23 a motion on Resolution No. 15-054.

24 COMMISSIONER HALE: I move we adopt  
25 Resolution No. 15-054.

1 COMMISSIONER NEER: Second.

2 CHAIRMAN JAMISON: It's been first and  
3 seconded.

4 Angie, would you please call the roll.

5 MS. FRANKS: Commissioner Neer.

6 COMMISSIONER NEER: Approved.

7 MS. FRANKS: Commissioner Hale.

8 COMMISSIONER HALE: Approved.

9 MS. FRANKS: Chairman Jamison.

10 CHAIRMAN JAMISON: Approved.

11 MS. FRANKS: By your vote you've adopted  
12 Resolution No. 15-054.

13 EXECUTIVE DIRECTOR SEIBERT: Mr. Chairman,  
14 the next order of business is Consideration of  
15 Disciplinary Actions.

16 Mr. Grewach will present.

17 MR. STEIB: Thank you, gentlemen.

18 CHAIRMAN JAMISON: Mr. Steib, thank you very  
19 much.

20 MR. STEIB: You're welcome.

21 MR. GREWACH: Mr. Chairman, Commissioners,  
22 under Tab G we have a Preliminary Order of Discipline  
23 directed to Aristocrat Technologies, Incorporated for a  
24 violation of Rule 5.210.

25 That rule requires manufacturers to notify

1 the Commission of any malfunction or anomaly that  
2 affects game operations within 48 hours of them becoming  
3 aware of that problem, and that's true pursuant to the  
4 language of the rule regardless of what jurisdiction  
5 that problem happens.

6 On March 29th, 2015 Ameristar St. Charles  
7 experienced coin out meter freeze issues on certain  
8 electronic gaming devices. The investigation of that  
9 problem determined that the source of the problem was  
10 with some Aristocrat software.

11 Further in the investigation we found that  
12 Aristocrat was aware of this malfunction in November of  
13 2014 and failed to notify the Missouri Gaming  
14 Commission.

15 The recommended fine is \$2,500.

16 CHAIRMAN JAMISON: And it's in here probably,  
17 but we found out about it by an audit or how did we  
18 become aware that this occurred?

19 MR. GREWACH: There was a -- whenever there's  
20 a malfunction the property files what's called an  
21 electronic gaming device incident report with us. So  
22 that's how we became aware of it, the meter coin freeze  
23 issue.

24 And then as we investigated, we narrowed it  
25 down to Aristocrat software, and then further discovered

1 that they had experienced the same problem in another  
2 jurisdiction and had failed to notify us and failed to  
3 notify the customer, too, for that matter.

4 CHAIRMAN JAMISON: Okay. Thank you.

5 Any other questions from the Commission?

6 COMMISSIONER HALE: No.

7 CHAIRMAN JAMISON: Okay. The Chair would  
8 entertain a motion on DC-15-266.

9 COMMISSIONER NEER: Motion to accept.

10 COMMISSIONER HALE: Second.

11 CHAIRMAN JAMISON: It's been first and  
12 seconded.

13 Angie, would you please call the roll.

14 MS. FRANKS: Commissioner Neer.

15 COMMISSIONER NEER: Approved.

16 MS. FRANKS: Commissioner Hale.

17 COMMISSIONER HALE: Approved.

18 MS. FRANKS: Chairman Jamison.

19 CHAIRMAN JAMISON: Approved.

20 MS. FRANKS: By your vote you've adopted  
21 DC-15-266.

22 MR. GREWACH: Under Tab H we have a  
23 Preliminary Order of Discipline directed to Gaming  
24 Partners International USA for a violation of  
25 Rule 4.250(1).

1           That rule requires that renewal applications  
2 be filed 120 days prior to the expiration of a license.  
3 GPI's license was set to expire on June 30th, 2015 but  
4 we did not receive the renewal application until  
5 June the 3rd of 2015.

6           The staff's disciplinary review board  
7 recommended a fine of \$5,000 and sent notice of that  
8 recommendation to GPI and gave them 14 days to respond.

9           GPI did respond, and in that response they  
10 didn't deny the violation but they asked the staff to  
11 reconsider the amount of the fine.

12           They indicated that a former employee had  
13 failed to do her job and that employee had been  
14 terminated. They indicated they had new systems in  
15 place, with the goal to file renewal applications even  
16 prior to the due date.

17           And the staff reviewed that correspondence,  
18 but it is staff's position that these late filings  
19 caused a substantial problem for the Commission. In  
20 addition to an already heavy caseload of investigations  
21 for renewals, this puts us in a position where we have  
22 to scramble around and try to complete an investigation  
23 in a very short timeframe.

24           And the -- in fact in this case the filing  
25 was so late that it required the Chairman to exercise

1 his rights under Rule 1.020 and grant a 60-day extension  
2 to the license so that it could then be renewed at the  
3 August meeting, which it was.

4 So the staff's position was to keep the  
5 recommendation of a \$5,000 fine.

6 CHAIRMAN JAMISON: Any questions from the  
7 Commissioners?

8 COMMISSIONER HALE: I have none.

9 COMMISSIONER NEER: None.

10 CHAIRMAN JAMISON: No questions.

11 The Chair would entertain a motion on  
12 DC-15-297.

13 COMMISSIONER HALE: So moved.

14 COMMISSIONER NEER: Second.

15 CHAIRMAN JAMISON: Angie, would you please  
16 call the roll.

17 MS. FRANKS: Commissioner Neer.

18 COMMISSIONER NEER: Approved.

19 MS. FRANKS: Commissioner Hale.

20 COMMISSIONER HALE: Approved.

21 MS. FRANKS: Chairman Jamison.

22 CHAIRMAN JAMISON: Approved.

23 MS. FRANKS: By your vote you've adopted  
24 DC-15-297.

25 MR. GREWACH: Under Tab I we have a

1 Preliminary Order of Discipline directed to Lady Luck  
2 Casino Caruthersville for failing to follow the  
3 applicable rules and internal controls relating to  
4 promotional coupons.

5 On March 25th, 2015 the casino printed  
6 approximately 54 coupons and placed them at tables at a  
7 restaurant. There was a busload of patrons coming in,  
8 and the patrons then could pick up these \$10 coupons  
9 which were redeemable for cash at the casino cashier's  
10 cage.

11 The coupons failed to comply with the  
12 regulations in several regards. They didn't contain any  
13 sequential numbers, they were not tracked or had no  
14 ability to be tracked in their system, they were not  
15 properly canceled by the cashiers when they were cashed  
16 in, and the casino had no written rules drafted, or for  
17 that matter even made available to the patrons or to the  
18 MGC.

19 In speaking with the casino they indicated  
20 that they had also done this on similar occasions in the  
21 past, and the recommended fine is \$5,000.

22 CHAIRMAN JAMISON: Okay. Any questions from  
23 the Commissioners?

24 COMMISSIONER HALE: No.

25 COMMISSIONER NEER: No.

1 CHAIRMAN JAMISON: Okay. No questions.  
2 The Chair would consider a recommendation on  
3 DC-15-298.  
4 COMMISSIONER NEER: So moved.  
5 COMMISSIONER HALE: Seconded.  
6 CHAIRMAN JAMISON: It's been first and  
7 seconded.  
8 Angie, would you please call the roll.  
9 MS. FRANKS: Commissioner Neer.  
10 COMMISSIONER NEER: Approved.  
11 MS. FRANKS: Commissioner Hale.  
12 COMMISSIONER HALE: Approved.  
13 MS. FRANKS: Chairman Jamison.  
14 CHAIRMAN JAMISON: Approved.  
15 MS. FRANKS: By your vote you've adopted  
16 DC-15-298.  
17 MR. GREWACH: Thank you.  
18 CHAIRMAN JAMISON: Thank you.  
19 EXECUTIVE DIRECTOR SEIBERT: The next order  
20 of business, Mr. Chairman, is Consideration of Licensure  
21 of Level I and Key Applicants.  
22 Sergeant Gary Davidson will present.  
23 CHAIRMAN JAMISON: Sergeant.  
24 SERGEANT DAVIDSON: Mr. Chairman,  
25 Commissioners, good morning.

1                    Missouri State Highway Patrol investigators,  
2                    along with Missouri Gaming Commission financial  
3                    investigators, conducted comprehensive background  
4                    investigations on multiple key and Level I applicants.

5                    The investigations included, but were not  
6                    limited to, criminal, financial and general character  
7                    inquiries which were made in the jurisdictions where the  
8                    applicants lived, worked and frequented.

9                    The following individuals are being presented  
10                    for your consideration: Peter J. Berard, IOC-Kansas  
11                    City, Incorporated, Table Games Manager; William Joseph  
12                    "BJ" Fair, Penn National Gaming, Incorporated, Executive  
13                    Vice President and Chief Development Officer; David A.  
14                    Foerschler, Affinity Gaming, Director of Corporate  
15                    Slots; Jay Anthony Snowden, Penn National Gaming,  
16                    Incorporated, Executive Vice President and Chief  
17                    Operating Officer; Calogero "Carl" Sottosanti, Penn  
18                    National Gaming, Incorporated, Senior Vice President,  
19                    General Counsel and Secretary; Evan Scott Urdang, Gaming  
20                    and Leisure Properties, Incorporated, Director;  
21                    Tiffany J. Werner, Hollywood Casino St. Louis, Internal  
22                    Audit Manager; and Scott Edward Wiegand, Caesars  
23                    Entertainment Operating Company, Incorporated; Senior  
24                    Vice President, Deputy General Counsel and Corporate  
25                    Secretary.

1           The results of these investigations were  
2 provided to the Gaming Commission staff for their review  
3 and you have all related summary reports before you.

4           Thank you.

5           CHAIRMAN JAMISON: Thank you.

6           EXECUTIVE DIRECTOR SEIBERT: Mr. Chairman,  
7 staff does recommend approval.

8           CHAIRMAN JAMISON: Are there any questions  
9 from the Commissioners?

10          COMMISSIONER HALE: I just have one,  
11 Mr. Chairman.

12           I believe it was Tiffany who had the  
13 financial issue in the past, the bankruptcy I believe?

14          SERGEANT DAVIDSON: Yes, that is correct.

15          COMMISSIONER HALE: And I noted that some  
16 initial concern was noted but I assume with further  
17 investigation that concern was resolved?

18          SERGEANT DAVIDSON: From what I understand it  
19 was. The financial investigator is here if you would  
20 like to ask that question of her, but that's what I was  
21 told prior to making the presentation.

22          COMMISSIONER HALE: All right. That's fine  
23 if you guys are comfortable with the idea that there are  
24 no further financial issues with respect to this  
25 applicant.

1                   SERGEANT DAVIDSON: Yeah, I spoke with the  
2 financial investigator right before I came up, and her  
3 indication was that her amount of income now is able to  
4 cover any of her expenses and any debt that she's having  
5 to pay on at this point in time. So that is the reason  
6 that it was concluded that there would be no financial  
7 issue with that bankruptcy.

8                   COMMISSIONER HALE: Okay. Thank you.

9                   SERGEANT DAVIDSON: Yes, sir.

10                  CHAIRMAN JAMISON: Any other questions?

11                  COMMISSIONER NEER: No.

12                  CHAIRMAN JAMISON: No other questions.

13                  The Chair would entertain a motion on  
14 Resolution No. 15-055.

15                  COMMISSIONER HALE: So moved.

16                  COMMISSIONER NEER: Second.

17                  CHAIRMAN JAMISON: It's been first and  
18 seconded.

19                  Angie, would you please call the roll.

20                  MS. FRANKS: Commissioner Neer.

21                  COMMISSIONER NEER: Approved.

22                  MS. FRANKS: Commissioner Hale.

23                  COMMISSIONER HALE: Approved.

24                  MS. FRANKS: Chairman Jamison.

25                  CHAIRMAN JAMISON: Approved.

1 MS. FRANKS: By your vote you've adopted  
2 Resolution No. 15-055.

3 CHAIRMAN JAMISON: With no other business to  
4 be brought forward -- Commissioners, any business to be  
5 brought forward?

6 COMMISSIONER HALE: Nothing further.

7 COMMISSIONER NEER: No.

8 CHAIRMAN JAMISON: The Chair would entertain  
9 a motion for a closed meeting under Sections 313.847,  
10 Revised Missouri Statutes, investigatory, proprietary  
11 and application records, and 610.021, Subsection 1,  
12 Revised Missouri Statutes, legal actions, Subsection 3  
13 and Subsection 13, personnel, and Subsection 14, records  
14 protected from disclosure by law.

15 COMMISSIONER HALE: So moved.

16 COMMISSIONER NEER: Seconded.

17 CHAIRMAN JAMISON: It's been first and  
18 seconded.

19 Would you please call the roll, Angie.

20 MS. FRANKS: Commissioner Neer.

21 COMMISSIONER NEER: Approved.

22 MS. FRANKS: Commissioner Hale.

23 COMMISSIONER HALE: Approved.

24 MS. FRANKS: Chairman Jamison.

25 CHAIRMAN JAMISON: Approved.

1                   We'll now move into closed session.

2                   Thank you.

3                   WHEREIN, the meeting was concluded at

4 10:35 a.m.

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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.

\_\_\_\_\_  
Patricia A. Stewart  
CCR No. 401

**MISSOURI GAMING COMMISSION**  
**Second Open Session Minutes**  
**September 23, 2015**

The Missouri Gaming Commission (the “Commission”) went into open session at approximately 10:59 a.m. on September 23, 2015, at the Missouri Gaming Commission’s Jefferson City Office.

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

The open session adjourned at 11 a.m.