



Meeting Minutes

Date/Time: March 15, 2016 – 1:00 p.m.

Place: Mashpee Wampanoag Community and Government Center
483 Great Neck Road South
Mashpee, Massachusetts

Present: Chairman Stephen P. Crosby
Commissioner Gayle Cameron
Commissioner Lloyd Macdonald
Commissioner Bruce Stebbins
Commissioner Enrique Zuniga

**Time entries are linked to
corresponding section in
Commission meeting video**

Call to Order / Welcome and Opening Remarks

See transcript pages 1-5

Note: the meeting started at approximately 1:30 p.m. due to technical difficulties with the live stream feed.

[1:32 p.m.](#) Chairman Cedric Cromwell of the Mashpee Wampanoag tribe extended greetings to the audience and welcomed the Commission to the Mashpee Wampanoag tribal lands. Chairman Cromwell recognized the following people who were in attendance:

Tom Hoyt, Mayor of Taunton
Jason Buffington, Taunton City Solicitor
Members of the Tribal Gaming Commission
Members of the Tribal Gaming Authority
Mashpee Wampanoag Pow Wow Princess, Abigail Peters
Little Miss Wampanoag, Stacy Pride
Kevin Jones and Michael Speller, Genting

Chairman Cromwell introduced Tribe Medicine Man Earl Guy Cash who delivered the opening prayer. Chairman Cromwell further thanked the Taunton City Council, members of the various unions in attendance, architect Paul Steelman and the construction contractors for their work and support.

[1:45 p.m.](#)

Chairman Crosby called to order the 181st Commission Meeting. Chairman Crosby thanked Chairman Cromwell and the Tribe for their warm welcome to the Tribe's sovereign land. Chairman Crosby stated that the Commission was there today to learn about tribal culture and the Tribe's plans for the First Light Resort and Casino. Chairman Crosby described the shared regulatory relationship between the two sovereigns (the Tribe and the Commonwealth) and described the Commission's process for making a decision in Region C.

Chairman Crosby introduced the Commissioners to those in attendance.

Presentation on Tribe Culture and History

See transcript pages 5-45

[1:48 p.m.](#)

Chairman Cromwell began the presentation by announcing to the audience that the Tribe had land taken into trust in November, 2015. He introduced Abigail Peters, Mashpee Wampanoag Pow Wow Princess who described her work at school and her plans to attend college. Chairman Cromwell then introduced Little Miss Wampanoag, Stacy Pride who also described her school work and college plans.

Chairman Cromwell introduced the Vice Chair of the Tribe, Jessee "little doe" Baird. Vice Chair Baird welcomed everyone to the Wampanoag nation and went on to describe the history of the Tribe.

Chairman Cromwell introduced the individuals on the Tribal Council and the members of the Tribal Gaming Authority. Chairman Cromwell explained the role of each group.

Chairman Cromwell explained the Tribe's position on section 91e of Chapter 194 of the Acts of 2011 and referenced the recent letter to the Commission from Attorney Howard Cooper, attorney for the Tribe outlining the Tribe's position on section 91e. Chairman Cromwell further explained the history of the Compact between the Commonwealth and the Tribe and that the Commission has breached the Compact by considering a commercial license in Region C. Chairman Cromwell stated that if the Commission awards a commercial license in Region C the Commission will have destroyed the gaming landscape in the Commonwealth.

Presentation on First Light Resort and Casino

See transcript pages 45-165

[2:31 p.m.](#)

Chairman Cromwell introduced Kevin Jones, President of Resort Worlds MA, a Genting company. Mr. Jones thanked the Tribe for having the meeting and for working with Genting on the First Light Resort and Casino. Mr. Jones stated that First Light Resort and Casino is the Tribe's project and Genting is honored to support it and provide resources.

Mr. Jones stated that hundreds of millions of dollars have been invested in First Light Resort and Casino. Genting is involved in the project because it is one of the on the few companies that build, finance and operate facilities of this kind across

the globe. Mr. Jones stated that First Light Resort and the Casino benefits the Commonwealth the most as the only casino in Region C.

Mr. Jones went on to state that First Light Resort and Casino is 100% financed and that Genting will operate it on behalf of the Tribe. First Light Resort and Casino is financed on a fast track so that it can open in 2017. Mr. Jones went on to introduce the team who will be designing, building and financing First Light Resort and Casino.

Mr. Jones then handed the presentation to Michael Speller, an advisor to the First Light Resort and Casino with four decades of experience in gaming.

Mr. Speller described his experience of working at Genting and his long history with developers and financing. Mr. Speller went on to describe the features of the First Light Resort and Casino. He stated that the First Light Resort and Casino fits within the footprint of the Record of Decision but is an improved design. He also stated that \$20 million and 18 months was spent to get a package completed for the start of construction. Mr. Speller shared various renderings of the exterior and interior of First Light Resort and Casino including renderings of the gaming area, hotel rooms, restaurants, bars and cultural attractions. Mr. Speller reiterated that First Light Resort and Casino is not all about gaming but about having fun.

Mr. Speller discussed the master plan and phasing of First Light Resort and Casino. There are four phases listed in the Intergovernmental Agreement with the City of Taunton. The first phase consists of the casino, dining and entertainment, surface parking and a sundries store and will take approximately 14 months from the start of construction to complete. This will allow the Tribe to be the first mover in the market. The second phase consists of a hotel and parking garage and will be completed approximately 30 months from the start of construction. The third phase consists of a second hotel and will be completed approximately 60 months from the start of construction. The fourth phase includes a third hotel and a water park. There is no timeline for completion of phase four.

Kevin Jones continued the presentation and stated that the Tribe and the City of Taunton will enter into an implementation plan to determining how the phasing will occur. The representatives of the City of Taunton stated that they have a good relationship with the Tribe and are working on the implementation plan.

Chairman Crosby posed questions to Mr. Jones regarding the phasing of the First Light Resort and Casino. Mr. Jones responded that the Tribe considered other options such as retrofitting existing buildings but instead decided to build the project in phases and to do full traffic mitigation as part of phase 1.

Commissioner Zuniga asked if the construction documents were completed for all the phases and whether there was funding for all four phases. Mr. Jones responded that Genting was asked to provide funding for the full project and that phase 1 is fully funded. Genting will make sure that the Tribe is positioned for the best options for funding for the other phases which will include other funding sources.

Commissioner Macdonald asked what steps the Tribe was committed to in order to address employment in the region. Mr. Speller responded that the Genting

corporate culture is to provide training and to promote from within. As is the case with all tribal casinos tribal members will have a hiring preference at the casino.

Commissioner Stebbins asked about national contracts for purchasing goods and services for the casino and strategies to use local businesses. Mr. Speller stated that some products, such as soda, will be purchased through national contracts but there will be opportunities for local suppliers.

Commissioner Cameron mentioned the community colleges and training, in particular Bristol Community College. She asked whether Genting was interested in partnering with the community colleges on training employees. Mr. Speller stated that Genting met with Bristol Community College and that there are opportunities there.

Chairman Crosby asked if the renderings shown today were current and pointed out that prior drawings showed the hotels to be more S shaped. Mr. Speller said that they were; they are renderings based upon the final design drawings. Mr. Speller explained that the S shape was not as friendly for hotel rooms.

3:42 p.m. The Commission took a short break.

[4:00 p.m.](#) The meeting reconvened

Mayor Hoyt of Taunton addressed the Commission. He stated that the City of Taunton has a wonderful relationship with the Tribe. He explained that the First Light Resort and Casino will contribute to the City's economic development and that the City is excited by the project.

Tribe Vice Chair Jessee "little doe" Baird addressed the Commission regarding education and employment. The Tribe has a 48% dropout rate and a 49% unemployment rate. She stated that the Tribe has a history of working with its neighbors and working with Bristol Community College on job training.

Kevin Jones resumed the presentation on First Light Resort and Casino. He stated that diversity and commitment to community is embedded in the project. The Tribe will not be the only ones to benefit from the project. The community will benefit as well. Mr. Jones stated that when phase 1 of the project is completed at that point it will be better than the other proposals in the Commonwealth and that it is the best vehicle to jumpstart gaming in the Commonwealth.

Dave Hewitt of Epsilon presented on environmental matters related to First Light Resort and Casino. He described the MEPA and NEPA process completed by the Tribe.

David Matton of Howard Stein Hudson presented on traffic mitigation. He explained that the Tribe is working with the City of Taunton on their traffic concerns. He stated that they tried to address the traffic concerns of the East Taunton residents and also worked with MassDOT on route 140 and route 24 issues.

Chairman Crosby asked about the timing on mitigation at the route 24 interchange. Mr. Matton responded that improvements will start in the summer of 2016 and be completed in total by the end of phase 2 of the project. Improvements needed to address phase 1 of the project will be completed before phase 1 opens.

David Matton resumed his presentation and reported on traffic mitigation at various intersections around the project. He also stated that other infrastructure improvements will include improvements to sewer and water systems. All told, \$30 million in improvements will be made starting this summer.

Kevin Jones next addressed responsible gaming. He explained that all staff will be trained in problem gaming including self-exclusion, third party options and public awareness. Mr. Jones stated that Genting takes problem gambling seriously and will have a full plan in place to address it prior to opening.

Chairman Crosby described the Commission's responsible gaming programs such as game sense and voluntary self-exclusion and regional cooperation. He stated that it would be great if the Tribe would be willing to work with the Commission on responsible gaming.

Mr. Jones responded that this is up to the Tribal Gaming Authority and that he cannot speak for the Tribe. Chairman Cromwell stated that responsible gaming is important and that this will be one of many conversations between the Tribe and the Commission.

Chairman Crosby stated that since First Light Resort and Casino is on schedule to break ground we should discuss who is the contact for the Commission on responsible gaming. Chairman Cromwell stated that Mitch Hrdlicka is the director on the ground and that the Tribe's attorneys will meet with the Commission to discuss further.

Kevin Jones turned the presentation over to attorney Arlinda Locklear to discuss the litigation against the Bureau of Indian Affairs contesting the record of decision. Attorney Locklear made a couple of points; the record of decision is thorough and is the result of three years of deliberation. All of the issues were addressed. The fundamental legal principle is that the Bureau's decision as an agency will be given deference by the court. She stated that she is confident that the Department of Justice will defend the record of decision. Attorney Locklear stated that the analysis performed by Nixon Peabody on behalf of MG&E is flawed; they did not take into account that all issues were addressed and that the Bureau's decision will be given deference. She further stated that the litigation does not affect the project. No injunction was requested and if an injunction was requested it is not likely that the court would grant an injunction.

Commissioner Macdonald asked whether the Tribe's situation was like that in the Narragansett case. Ms. Locklear says that the Narragansett case involved a different language issue and that more recent cases defer to the Bureau's interpretation of the statutory language.

Commissioner Macdonald asked whether attorney Locklear was concerned that the plain language rule would be applied here. She stated that everyone was surprised

by the Carceri decision. She opined that there is ambiguity in the language here and that in the case of ambiguity, the court will defer to the Bureau's interpretation.

Commissioner Macdonald asked if the Tribe's relationship with the federal government was different than the Narragansett's relationship with the federal government. Attorney Locklear expressed that all tribes have different relationships but that the Mashpee Wampanoag are unique due to their long standing history of attachment to the land, given that they stayed on the land and governed the land. That doesn't happen often but it did happen here.

Kevin Jones addressed the impact of the litigation on Genting's commitment to the project and he stated that the litigation had zero impact on Genting's commitment. He summarized the presentation as follows: it is a first class project; the project has reached 100% design and plans; it is the best opportunity to get gaming started in the Commonwealth; and the Tribe is committed to full cooperation with the commission.

Paul Steelman, architect of the project presented a short video tour of the project.

Closing Remarks

Kevin Jones summed up the presentation by presenting the team that is building the project. That included the Tribe, Genting, the developers, consultants, lawyers and City of Taunton officials. Mr. Jones reiterated that this is the Tribe's project.

Chairman Cromwell thanked his team for a great job and thanked the Commission. Chairman Cromwell stated that his prior remarks were not intended to attack the Commission. He was trying to share the Tribe's passion for its project and that he was looking forward to a good working relationship with the Commission.

Chairman Crosby thanked the Tribe and the presenters for their presentation and for inviting the Commission to the Wampanoag nation.

Other Business Not Reasonably Anticipated

See transcript pages 165-166

5:17 p.m. *Having no further business, a motion to adjourn was made and passed unanimously.*

List of Documents and Other Items Used

1. Massachusetts Gaming Commission, Notice of Meeting and Agenda dated March 15, 2016
2. Presentation – Project First Light Resort and Casino

/s/ Catherine Blue
Catherine Blue, Assistant Secretary