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## Meeting Minutes

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**Date/Time:** April 16, 2015 – 10:30 a.m.

**Place:** Hynes Convention Center  
900 Boylston Street, Room 103  
Boston, Massachusetts

**Present:** Chairman Stephen P. Crosby  
Commissioner James F. McHugh  
Commissioner Bruce Stebbins  
Commissioner Enrique Zuniga

**Absent:** Commissioner Gayle Cameron

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

### **Call to Order**

See transcript page 1-2

[10:28 a.m.](#) Chairman Crosby called to order the 149<sup>th</sup> Commission Meeting. Chairman Crosby announced the reappointment of Bruce Stebbins for a new five year term as a Commissioner with the Massachusetts Gaming Commission.

### **Approval of the Minutes**

See transcript page 2

[10:30 a.m.](#) *Commissioner McHugh moved for the approval of the April 2, 2015 minutes with reservation of power to change mechanical and typographical errors, and to make changes suggested by Chairman Crosby. Motion seconded by Commissioner Stebbins. Motion passed unanimously.*

Commissioner McHugh noted that the minutes are now synced to the meeting video with a hyperlink.

## **Ombudsman**

See transcript pages 3-6

[10:33 a.m.](#) Ombudsman John Ziembra provided an update on Region C RFA-2 deadline, Community Mitigation Advisory Committees, and Region C public notice issues.

## **Administration**

See transcript pages 6-21

[10:43 a.m.](#) Vice President and General Manager Lance George, representing Plainridge Park Casino, introduced Vice President of Construction for Penn National Gaming, Michael McGrew; and Darlene Whitmore, representing JCJ Architecture. Mr. George provided a summary from Technical Consultant Ray Porfilio pertaining to the interior design.

[10:44 a.m.](#) Michael McGrew presented on the Plainridge Park Casino floor plans, which included highlights of designated spaces such as gaming area, offices, entries, public and banquet spaces, food court, and multipurpose area.

[10:53 a.m.](#) Darlene Whitmore presented an overview on design highlights, which included integration of local Plainville history and materials in facility design; and the use of stone, wood, metal, and water imagery to create a warm inviting experience for the guest.

[11:01 a.m.](#) Chairman Crosby noted that the MORE contract for the GameSense communications strategy and the Cambridge Health Alliance contract for evaluation of responsible gaming tools were approved by the Public Health Trust Fund Executive Committee.

[11:02 a.m.](#) Director Day presented an update on temporary key gaming employee licensees issued to Stephanie Shockley, Surveillance Manager, Penn National; and Barry Rhodes, Food and Beverage Director, Penn National.

[11:03 a.m.](#) Director Rick Day presented an Operations Plan update which included finance adjustments, 2015 budget, regulations, State Police and Gaming Agents hiring status, licensing applications, self-exclusion program, selection of accounting firm to assist with internal controls, approval of travel and tourism plan, identification of recipient for small business capacity building grant, and ongoing recruitment for gaming lab manager and staff attorney positions.

## Legal Division

See transcript pages 21-38

- [11:21 a.m.](#) Chairman Crosby read an email received from Plainville Town Moderator Luke Travis expressing his opposition to prohibition of elected officials in any host municipality from engaging in gaming at that facility.
- [11:25 a.m.](#) Deputy General Counsel Todd Grossman clarified that the provision pertaining to elected officials and gaming is in the excluded persons regulation and this regulation will be sent out for public comment and a public hearing will be scheduled.
- [11:26 a.m.](#) General Counsel Catherine Blue presented an update pertaining to the Revere, Boston, and Somerville litigation. General Counsel Blue noted that an agreement was reached with the Attorney General's Office whereas the Attorney General's Office will handle the criminal matter pertaining to the sale of land in Everett, and private counsel (Special Attorney Generals) will represent the Commission in the civil litigation.
- [11:31 a.m.](#) General Counsel Blue presented on the Small Business Impact Statements for the following regulations: 205 CMR 101: Adjudicatory Proceedings; 205 CMR 136: Sale and Distribution of Alcoholic Beverages at Gaming Establishments; 205 CMR 150: Protection of Minors & Underage Youth; 205 CMR 151: Requirements for the Operations and Conduct of Gaming at a Gaming Establishment (Operations Certificate); and 205 CMR 152: Individuals Excluded from a Gaming Establishment.
- [11:31 a.m.](#) *Commissioner Stebbins moved that the Commission approve the Small Business Impact Statements for: 205 CMR 101: Adjudicatory Proceedings; 205 CMR 136: Sale and Distribution of Alcoholic Beverages at Gaming Establishments; 205 CMR 150: Protection of Minors & Underage Youth; 205 CMR 151: Requirements for the Operations and Conduct of Gaming at a Gaming Establishment (Operations Certificate); and 205 CMR 152: Individuals Excluded from a Gaming Establishment. Motion seconded by Commissioner McHugh. Motion passed unanimously.*
- [11:32 a.m.](#) Deputy General Counsel Grossman presented on draft 205 CMR 138 – Internal Controls, which included additions and adjustments based upon comments, variance provisions, FinCEN, and comments letter from MGM.
- [11:52 a.m.](#) Attorney Jed Nosal, representing MGM Springfield, pointed out aspects pertaining to MGM comments letter sent to the Commission.
- [12:03 pm.](#) Lance George, representing Plainridge Park Casino, noted his upcoming meeting with Deputy General Counsel Grossman pertaining to Internal Controls.
- [12:06 p.m.](#) The Commission took a short recess.

[12:18 p.m.](#) Meeting resumed.

### **Racing Division**

See transcript pages 38-46

[12:19 p.m.](#) Dr. Alexandra Lightbown, Interim Director of Racing, presented a racing update which included opening day at Plainridge, pre-race meeting, condition of tracks, acceptance of credit cards for payment of license fees, receipt of approximately 400 licensees last month, and new AV equipment for the judges stand. Dr. Lightbown also presented an update on the Lasix Work Group which included meetings held, research conducted, late fines, and post-race blood gas testing.

[12:25 p.m.](#) General Manager Steve O'Toole, of the Plainridge Racecourse, expressed comments about the late fines.

[12:28 p.m.](#) Senior Financial Analyst Doug O'Donnell presented on the Plainridge Racecourse request for Capital Improvement Trust Fund money to purchase and install markers totaling \$13,820.

[12:30 p.m.](#) General Manager Steve O'Toole, of the Plainridge Racecourse, spoke about need for new markers.

[12:36 p.m.](#) *Commissioner Stebbins moved that the Commission approve the Plainridge Racecourse request for Capital Improvement Trust Fund money for \$13,820 subject to final review and approval of the project by the architectural firm. Motion seconded by Commissioner Zuniga. Motion passed unanimously.*

[12:37 p.m.](#) Senior Financial Analyst O'Donnell presented an update on the Local Aid Distributions.

[12:38 p.m.](#) Dr. Lightbown presented on request from Plainridge Park Casino for approval of Key Operating Personnel and Racing Officials.

[12:41 p.m.](#) *Commissioner Stebbins moved that the Commission approve the Plainridge Park Casino request for approval of Key Operating Personnel and Racing Officials for the 2015 racing season pursuant to any final background checks that need to be completed by the IEB. Motion seconded by Commissioner McHugh. Motion passed unanimously.*

### **Other Business Not Reasonably Anticipated**

See transcript page 46-47

[12:42 p.m.](#) Chairman Crosby announced that the next two Commission meetings (April 30, 2015 and May 14, 2015) will be held at the Hynes Convention Center in Boston.

12:42 p.m. *Having no further business, a motion to adjourn was made by Commissioner Zuniga. Motion seconded by Commissioner Stebbins. Motion passed unanimously.*

### **List of Documents and Other Items Used**

1. Massachusetts Gaming Commission, Notice of Meeting and Agenda, April 16, 2015
2. Massachusetts Gaming Commission, Draft Meeting Minutes, April 2, 2015
3. Epstein Joslin Architects, Inc., Memorandum dated March 31, 2015  
(*Revised 4/10/15*) regarding Plainridge Park Casino Design Review 3: Interiors
4. Plainridge Park Casino Floor Plans - JCJ Architecture
5. Massachusetts Gaming Commission, Memorandum dated April 16, 2015 regarding  
Temporary Key Gaming Employee Licenses Issued
6. Massachusetts Gaming Commission, Memorandum dated April 13, 2015 regarding  
Operations Plan for the Second Half FY15-Update
7. Massachusetts Gaming Commission, Schedule Update/Slot Parlor Activities dated  
April 8, 2015
8. Massachusetts Gaming Commission, Memorandum dated March 27, 2015 regarding  
Lasix and Blood Gas Work Group
9. Massachusetts Gaming Commission, Memorandum dated April 16, 2015 regarding  
Plainridge Racecourse Request for Capital Improvement Fund Monies  
with attachments
10. Massachusetts Gaming Commission, Racing Division, Local Aid Disbursements,  
Quarter Ending 03/31/2015
11. Massachusetts Gaming Commission, Memorandum dated April 10, 2015 regarding  
Plainridge Key Operating Personnel and Racing Officials with attachments
12. Small Business Impact Statement, 205 CMR 101: Adjudicatory Proceedings
13. Small Business Impact Statement, 205 CMR 136: Sale and Distribution of Alcoholic  
Beverages at Gaming Establishments
14. Small Business Impact Statement, 205 CMR 150: Protection of Minors and  
Underage Youth
15. Small Business Impact Statement, 205 CMR 151: Operations and Conduct of  
Gaming at a Gaming Establishment
16. Small Business Impact Statement, 205 CMR 152: Individuals Excluded from a  
Gaming Establishment
17. Amended Small Business Impact Statement, 205 CMR 138: Uniform Standards of  
Accounting Procedures and Internal Controls
18. Draft 205 CMR 138: Uniform Standards of Accounting Procedures and Internal  
Controls
19. Email from Town of Plainville Moderator, to MGC, dated April 14, 2015 regarding  
Exclusion of Elected Officials

/s/ Catherine Blue  
Catherine Blue  
Assistant Secretary