



Meeting Minutes

Date/Time: September 17, 2015 – 10:30 a.m.

Place: Massachusetts Gaming Commission
101 Federal Street, 12th Floor
Boston, Massachusetts

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

Absent: Commissioner Gayle Cameron

Call to Order

See transcript page 2

[10:28 a.m.](#) Chairman Crosby called to order the 163rd Commission Meeting.

Approval of Minutes

See transcript pages 2-3

[10:29 a.m.](#) *Commissioner McHugh moved for the approval of the September 3, 2015 minutes with reservation of power to correct mechanical and typographical errors. Motion seconded by Commissioner Stebbins. Commissioner Zuniga abstained from vote because he was absent from the meeting. Motion passed unanimously.*

Administration

See transcript pages 3-27

[10:30 a.m.](#) Chief Information Officer John Glennon introduced a new staff member with the Massachusetts Gaming Commission - Floyd Barroga, who will serve as the Manager of Gaming Technology.

[10:32 a.m.](#) Commissioner Stebbins presented on the Executive Director search strategy and process. He noted that the position has been posted, a search

firm will not be utilized due to in-house resources, and the search will be expanded beyond gaming professionals. There was a discussion pertaining to the phone screening process.

[10:49 a.m.](#) Human Resources Manager Trupti Banda reported on the process and methodology for awarding merit increases based on the results of employee performance reviews.

[10:55 a.m.](#) Commissioner Zuniga reported on an interim salary adjustment for Karen Wells for her additional responsibilities as Interim Executive Director.

Investigations and Enforcement Bureau

See transcript pages 27-96

[10:57 a.m.](#) Investigations and Enforcement Bureau (IEB) Director Karen Wells reported on recommendation of suitability for Michael Toma for a Key Gaming Executive license.

[11:00 a.m.](#) *Commissioner Stebbins moved that the Commission approve the Key Gaming Executive License for Michael Toma. Motion seconded by Commissioner Zuniga. Motion passed unanimously.*

[11:01 a.m.](#) IEB Chief Enforcement Counsel and Deputy Director Loretta Lillios presented on the involuntary Exclusions List process and requested guidance from the Commission for an alternative process pertaining to notice of placement on the list and an opportunity for an adjudicatory hearing. There was a discussion pertaining to the hearing process and a next step offer by Director Wells to draft regulation changes for the Commissioners consideration.

[11:33 a.m.](#) The Commission took a short recess.

[11:38 a.m.](#) The meeting resumed.

[11:39 a.m.](#) IEB Director Wells and IEB Counsel/Deputy Director Lillios presented on the process for administrative penalties and highlighted steps for noncompliance.

[12:14 p.m.](#) Bruce Band, Assistant Director and Gaming Agents Division Chief, provided an update on operations at Plainridge Park Casino and reported that they have met all conditions in 16 areas that were previously identified as needing corrective action. Some of the actions included additional cameras, alarmed exit doors, additional staffing, and enhanced key and lock controls.

Ombudsman

See transcript pages 97-117

[12:20 p.m.](#) Ombudsman John Ziemba provided a brief summary of the Region C evaluation process which included five key evaluation criteria, key timeline dates, and recommendations for staff and consultant responsibilities.

[12:32 p.m.](#) Interim Director Karen Wells designated Paul Connelly (Director of Licensing) with the task of determining the administrative completeness of the (Region C) application.

[12:33 p.m.](#) Ombudsman Ziemba reported on a decision received from the Ethics Commission regarding the responsibilities of Local Community Mitigation Advisory Committee members. The Ethics Commission reviewed the process and they reported that dual functions of members would present a difficulty. Ombudsman Ziemba also reported that he will reach out to members to determine if they can still serve on the committee and he will adjust membership as needed.

Legal Division

See transcript pages 117-166

[12:41 p.m.](#) General Counsel Catherine Blue reported on the Wynn MEPA Certificate and proposed framework for drafting and approving the Commission's Section 61 Findings.

[12:51 p.m.](#) Deputy General Counsel Todd Grossman presented on 205 CMR 129, Transfer of Interests regulation, which included input received from licensees, new definition of change of control, fee provision, trust agreement, interim authorization, and request from MGM for additional time to review and submit comments.

[1:27 p.m.](#) General Counsel Blue presented on compliance function, non-IEB license oversight, and functions of a compliance officer. Commissioners discussed compliance meaning and areas of responsibility.

Racing Division

See transcript pages 166-173

[1:37 p.m.](#) Dr. Alexandra Lightbown, Interim Director of Racing, provided a brief accounting of the purses and handles from the opening day at Suffolk Downs and a comparison to 2014. Dr. Lightbown also reported on racing licenses processed.

Other Business Not Reasonably Anticipated

See transcript pages 173-174

1:45 p.m. *Having no further business, a motion to adjourn was made by Commissioner McHugh. Motion seconded by Commissioner Zuniga. Motion passed unanimously.*

List of Documents and Other Items Used

1. Massachusetts Gaming Commission, Notice of Meeting and Agenda dated September 17, 2015
2. Massachusetts Gaming Commission, Draft Meeting Minutes dated September 3, 2015
3. Massachusetts Gaming Commission, Memorandum dated September 17, 2015 regarding Executive Director Search Strategy with attachment
4. Massachusetts Gaming Commission, Memorandum dated September 14, 2015 Regarding Executive Director Selection Process
5. Massachusetts Gaming Commission, Memorandum dated September 17, 2015 regarding Performance Reviews and Merit Increases
6. Massachusetts Gaming Commission, Memorandum dated September 17, 2015 regarding Interim Salary Adjustment
7. Massachusetts Gaming Commission, Memorandum dated September 16, 2015 regarding (Involuntary) Exclusion List with attachments
8. Massachusetts Gaming Commission – Process for Administrative Penalties with attachments
9. Region C Estimated Category 1 (Resort Casino) Timeline, last updated 8/10/15 with attachment
10. Massachusetts Gaming Commission, Memorandum dated September 16, 2015 regarding Obligations of LCMAC Members Under the State Ethics Law with attachments
11. 205 CMR 129.00 Transfer of Interests – Draft, with attachments
12. Amended Small Business Impact Statement for 205 CMR 129 – Transfer of Interests
13. Massachusetts Gaming Commission, Memorandum dated September 16, 2015 regarding Suffolk Downs Comparison of Handles
14. Letter from Chip Tuttle (Suffolk Downs) to Dr. Alexandra Lightbown (MGC), dated September 14, 2015 regarding Suffolk Downs Racing Day – September 5, 2015

/s/ Catherine Blue

Catherine Blue

Assistant Secretary