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## Meeting Minutes

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**Date/Time:** September 3, 2015 – 10:30 a.m.

**Place:** Massachusetts Gaming Commission  
101 Federal Street, 12<sup>th</sup> Floor  
Boston, Massachusetts

**Present:** Chairman Stephen P. Crosby  
Commissioner Gayle Cameron  
Commissioner Bruce Stebbins  
Commissioner James F. McHugh

**Absent:** Commissioner Enrique Zuniga

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

### Call to Order

See transcript page 2

[10:29 a.m.](#) Chairman Crosby called to order the 162<sup>nd</sup> Commission Meeting held at the Commission's new office at 101 Federal Street on the 12<sup>th</sup> floor.

### Approval of the Minutes

See transcript pages 2-3

[10:30 a.m.](#) *Commissioner McHugh moved for the approval of the August 20, 2015 minutes with reservation of power to correct mechanical and typographical errors. Motion seconded by Commissioner Cameron. Motion passed unanimously.*

### Administration

See transcript pages 3-30

[10:31 a.m.](#) Interim Executive Director Karen Wells provided an administrative update which included acknowledgement of staff for their hard work in making a smooth transition with the office move, status of hiring a Gaming Technology Manager, open positions for a Financial Investigations Supervisor and Construction Project Oversight Manager, and Executive Director search and job description.

[10:33 a.m.](#) Commissioner Stebbins reported on the Executive Director job description which included input from staff, changes made from initial job posting, and recommendation to approve language for posting.

[10:37 a.m.](#) *Commissioner Cameron moved that the Commission accept the scope of the position of executive director, the scope of the posting, and post immediately for the position. Motion seconded by Commissioner McHugh. Motion passed unanimously.*

[10:38 a.m.](#) *Commissioner Cameron moved that the Commission appoint Commissioner Stebbins with staff to lead the search for the executive director. Motion seconded by Commissioner McHugh. Motion passed unanimously.*

[10:39 a.m.](#) Investigations and Enforcement Bureau (IEB) Director Karen Wells reported on temporary key gaming employee licenses issued to four individuals: Darin Morrison, Vannarie Heng, Vaughan Eric Jones and Vincent Feng.

[10:41 a.m.](#) Director Wells reported that she received prompt notification from Attorney Donnelly that the Illinois Gaming Board had taken out a complaint against Midwest Gaming and Entertainment (owned in part by Rush Street Gaming, parent company for Region C applicant Mass Gaming and Entertainment) for activity at Rivers Casino. Director Wells also reported that this matter is ongoing and she will report back with an update.

[10:44 a.m.](#) Director Wells reported on the IEB's inquiry report regarding allegations that agents of Wynn Resorts were granted improper access to confidential files at the Office of the Attorney General (MA). Director Wells further reported that the IEB concluded that there is no factual basis to support the allegations.

[10:48 a.m.](#) Attorney Robert Popeo, from Mintz Levin and representing Wynn Resorts, reported on the Attorney General's Office access allegations.

### **Finance**

See transcript pages 30-45

[10:58 a.m.](#) Chief Financial and Accounting Officer Derek Lennon presented on the fourth budget update for fiscal year 2015 which included: decreased spending, ISA funding for the Office of the Attorney General, revenue reductions, and indirect cost assessment.

### **Ombudsman**

See transcript pages 46-104

[11:14 a.m.](#) Ombudsman John Ziemba provided a brief overview of the enhanced Section 61 process and key points of the MEPA Certificate (Wynn Everett).

- [11:21 a.m.](#) President Robert DeSalvio, from Wynn MA LLC, provided an overview on the Wynn Everett Second Quarter Report and acknowledged the hard work and support of the Las Vegas home office team, Jacqui Krum, Chris Gordon, consultants, and staff.
- [11:23 a.m.](#) Project Manager Chris Gordon, from the Dirigo Group, presented on the Wynn Everett Second Quarter Report which included permitting, the Chapter 91 process, site remediation, design progress, offsite infrastructure, and project schedule update.
- [11:36 a.m.](#) Robert DeSalvio presented on the Wynn Everett Second Quarter Report – Project Resources and Diversity – which included an update on contracts awarded to minority and women businesses for the design phase, community events, construction career fair, and outreach.
- [11:42 a.m.](#) Attorney Jed Nosel, from Brown Rudnick and representing MGM Springfield, reported on comments received and changes in the draft Memorandum of Agreement (MOA) regarding historic preservation and the MGM Springfield project.
- [11:47 a.m.](#) Ombudsman Ziembra and Attorney John Donnelly, from Donnelly Clark and representing Mass Gaming & Entertainment, reported on recent letters from the Bureau of Indian Affairs pertaining to the Mashpee Wampanoag Tribe. Attorney Donnelly asked the Commission to declare that if a suitable and qualified candidate in Region C comes forward - a license will issue. Chairman Crosby stated that the Commission will post this matter for public comment.
- [12:17 p.m.](#) The Commission took a short recess.
- [12:24 p.m.](#) The meeting resumed.

### **Racing Division**

See transcript pages 104-118

- [12:24 p.m.](#) Dr. Alexandra Lightbown, Interim Director of Racing, reported on request from Suffolk Downs for approval of key operating personnel and racing officials.
- [12:26 p.m.](#) *Commissioner Cameron moved that the Commission approve Suffolk Downs' request for key personnel and racing officials subject to the successful completion of background checks by the State Police. Motion seconded by Commissioner Stebbins. Motion passed unanimously.*
- [12:28 p.m.](#) Chief Operating Officer Chip Tuttle presented on Suffolk Downs' request to reduce the takeout to 15 percent on wagers for October 3<sup>rd</sup> and October 31<sup>st</sup>.
- [12:37 p.m.](#) *Commissioner Stebbins moved that the Commission approve the request of Suffolk Downs to reduce the takeout to 15 percent on all win, place, show and multi-horse multi-leg wagers on October 3 and October 31, 2015. Motion seconded by Commissioner McHugh. Motion passed unanimously.*

[12:37 p.m.](#) Dr. Lightbown provided an update on the Suffolk Downs track inspection.

### **Information Technology Division**

See transcript pages 118-124

[12:39 p.m.](#) Chief Information Officer John Glennon provided an update on the Central Management System which included acknowledgement of individuals who worked on project and project timeline.

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

See transcript pages 124-125

[12:46 p.m.](#) *Having no further business, a motion to adjourn was made by Commissioner Cameron. Motion seconded by Commissioner Stebbins. Motion passed unanimously.*

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

1. Massachusetts Gaming Commission, Notice of Meeting and Agenda dated September 3, 2015
2. Massachusetts Gaming Commission, Draft Meeting Minutes dated August 20, 2015
3. Massachusetts Gaming Commission, Executive Director Job Description - Draft
4. Massachusetts Gaming Commission, Memorandum dated September 3, 2015 regarding Temporary Key Gaming Employee Licenses Issued
5. Investigations and Enforcement Bureau, Preliminary Inquiry Report to the Massachusetts Gaming Commission dated September 3, 2015 with attachments
6. Massachusetts Gaming Commission, Memorandum dated September 3, 2015 regarding Fiscal Year 2015 (FY15) 4<sup>th</sup> Update with attachment
7. Wynn Everett Quarterly Report (as of 6/30/15) Presentation dated September 2015
8. Certificate of the Secretary of Energy and Environmental Affairs on the SSFEIR (Wynn Everett), dated August 28, 2015
9. Memorandum of Agreement (Massachusetts Gaming Commission, Blue Tarp ReDevelopment and the Massachusetts Historical Commission – Draft
10. Letter from John Donnelly to Chairman Stephen Crosby, dated August 31, 2015 regarding the Mass Gaming & Entertainment, LLC – Region C
11. Letter from the US Department of the Interior, Bureau of Indian Affairs, to Rodney Collins, dated August 26, 2015 regarding the Mashpee Wampanoag Tribe
12. Letter from the US Department of the Interior, Bureau of Indian Affairs, to Estele Borges, dated August 21, 2015 regarding the Mashpee Wampanoag Tribe with attachments
13. Massachusetts Gaming Commission, Memorandum dated September 1, 2015 regarding Suffolk Downs Key Operating Personnel and Racing Officials with attachment
14. Massachusetts Gaming Commission, Memorandum dated September 1, 2015 regarding Suffolk Downs Take Out Reduction Request with attachments
15. Massachusetts Gaming Commission, IGT Intelligen CMS Project Update Presentation dated September 3, 2015

/s/ Catherine Blue  
Catherine Blue  
Assistant Secretary