



Massachusetts Gaming Commission Meeting Minutes

Date/Time: May 14, 2020 – 2:00 p.m.

Place: Massachusetts Gaming Commission
VIA CONFERENCE CALL NUMBER: 1-646-741-5293
MEETING ID: 112 771 1475

Present: Chair Cathy Judd-Stein
Commissioner Gayle Cameron
Commissioner Enrique Zuniga
Commissioner Bruce Stebbins
Commissioner Eileen O'Brien

Given the unprecedented circumstances, Governor Charles Baker issued an order to provide limited relief from certain provisions of the Open Meeting Law to protect the health and safety of the public and individuals interested in attending public meetings during the global Coronavirus pandemic. In keeping with the guidance provided, the Commission conducted this public meeting utilizing remote collaboration technology.

Call to Order

2:00 p.m. Chair Cathy Judd-Stein called to order public meeting #302 of the Massachusetts Gaming Commission (“Commission”).

The Chair confirmed a quorum for the meeting with a Roll-Call Vote.

Commissioner Cameron: Aye.

Commissioner O'Brien: Aye.

Commissioner Zuniga: Aye.

Commissioner Stebbins: Aye.

Chair Judd-Stein: Aye.

Administrative Update

2:01 p.m. Interim Executive Director Karen Wells stated that the MGC telecommuting work is continuing and effective. She reported that the Investigations and Enforcement Bureau (IEB) has engaged a working group to determine internal (Commission) as well as external (casino reopening) best practices. The teams are fully engaged

and meeting effectively. Ms. Wells encourages the Commission to direct any questions or concerns to her.

Round Table Discussion

2:03 p.m. **Preliminary Discussion with Licensees about their Recently Submitted Draft Health and Safety Proposals regarding Casino Reopening Protocols and Procedures**

The Chair gave remarks, expressing gratitude and appreciation for the medical personnel and first responders. She also thanked all staff from Encore Boston Harbor (Encore), MGM Springfield (MGM), and Plainridge Park Casino (PPC) for their shared commitment to health and safety of patrons, and for attending to start a discussion about reopening protocols. This discussion marks the beginning of the process to open gaming establishments. The Chair noted that the preliminary health and sanitation plans that have been submitted by the licensees are available on the Commission's [website](#).

The goal of this discussion today is to ensure that the Commission is updated throughout the process and that licensees address the commissioners' questions. There will be no definitive decisions or votes today.

The Chair then outlined four categories that will frame today's discussion:

1. Physical and Social Distancing
2. Hygiene, Cleaning, and Sanitation Protocols
3. Staffing and Operations
4. Screening and Occupancy

2:09 p.m. The licensees all introduced their teams and made remarks. First, Encore President Brian Gullbrants described the ongoing development of plans for the reopening plan for the resort. With him was Encore Senior Vice President and General Counsel, Jacqui Krum. He highlighted specifics about the plan, including temperature checks of all patrons and the furnishing of masks to all patrons. Social distancing will be enforced via extra security personnel.

2:14 p.m. Vice President and General Counsel Seth Stratton outlined a seven-point plan that MGM will follow:

1. Screening and Temperature Checks / Employee Training
2. Use of Masks / PPE
3. Physical Distancing
4. Handwashing and Enhanced Sanitization
5. HVAC Controls and Air Quality
6. Incident Response Protocols
7. Digital Innovations

Mr. Stratton stated that Senior Vice President of Government Affairs for MGM Resorts International, Ayesha Molino, and Senior Vice President and Legal

Counsel for MGM Resorts International, Patrick Madamba, primarily collaborated on this plan and would answer any inquiries on it from the Commission.

[2:18 p.m.](#) Plainridge Park Casino (PPC) Vice President and General Manager Lance George noted that on the call with him are Director of Customer Service, Security, and Risk Management Greg DeMarco, Vice President of Finance Dana Fortney, Vice President of Human Resources Kathy Lucas. Mr. George stated that as PPC is not on a scale with MGM and Encore, there will be significant differences in the challenges that PPC will face in comparison (such as table games and hotel accommodations).

[2:20 p.m.](#) Next, Mr. Demarco briefly outlined PPC's COVID-19 protocol, to include social distancing, guidelines for the front and back of the house, hygiene and sanitation protocols, PPE, screening of team members, training of team members. PPC continues to monitor state and local guidelines, and are in contact with their sister properties as they reopen and gather further best practices.

[2:22 p.m.](#) The Chair opened the discussion with the first question regarding physical and social distancing. She asked Mr. George to describe his plans regarding physical distancing for slot machines and players. Mr. George anticipates reopening with less than 50% of gaming positions while acknowledging that this is absent a governor's order and will most likely change. Mr. DeMarco explicitly stated that there will be signage to encourage social distancing in lines. He described how the slots floor and player services will also be managed in a way that promotes and enforces social distancing.

[2:24 p.m.](#) Commissioner Cameron asked how PPC intends to enforce social distancing respectfully, and what their de-escalation strategy may be. Mr. Demarco stated that he will employ strong customer service skills and have staff lead by example. He also noted that patrons might be asked to leave who do not comply with social distancing.

[2:25 p.m.](#) Mr. Gullbrants offered that Encore will also employ the same PPC strategies and added that Encore staff will sanitize their gaming machines every hour.

[2:27 p.m.](#) Mr. Madamba commented that MGM's plan is ongoing, and he is aware that their properties in other states will open before MGM. He stated that they have engaged health experts to advise them on the reopening process, and described a distancing protocol is in line with those of Wynn Resorts and Penn National.

[2:31 p.m.](#) Commissioner O'Brien asked the licensees what would be possible in the context of controlling the flow of foot traffic on the gaming floors. Mr. Gullbrants stated that to reduce cross-traffic, the staff has mapped a route through the casino that includes signage for patrons. Mr. George noted that PPC would designate only

one entry point and one exit point. Mr. Madamba stated that MGM is looking at limiting the number of entrances and which entrances to keep open.

[2:34 p.m.](#)

Next, Commissioner O'Brien asked if there would be any technology such as a mobile app that could alert patrons when their table is ready, to avoid congregation. Mr. Gullbrants answered that Encore will be using technology in a few different ways. Specifically, [IGT's Mobile Responder app](#) will alert staff as to which machines need service. This technology will also be utilized at every restaurant. Patrons will receive a text when their table is ready to eliminate any congregation.

[2:37 p.m.](#)

Mr. George also described how PPC intends to control capacity at the door to monitor the number of patrons inside the facility. They also have technology in place at the game level that will enable people to call an attendant to have their machine wiped down, and disinfectant wipes will be placed at every gaming machine.

[2:37 p.m.](#)

Mr. Madamba stated that MGM is implementing several technological innovations in their facilities concerning virtual cueing, and they are willing to extend that into the gaming space. MGM is also presently considering staff placing a physical indicator at the area on the gaming table after a person leaves until it is cleaned.

[2:38 p.m.](#)

Commissioner Zuniga asked if the licensees had considered employing any additional resources to address issues that may arise concerning the enforcement of social distancing among the patrons. Mr. Gullbrants replied that as customer service is paramount in the gaming industry, health and safety will need to trump this standard for these circumstances. Encore staff will be trained to address any lack of compliance among patrons to ensure a safe, fun environment. PPC and MGM are also aligned with Mr. Gullbrants' statement.

[2:42 p.m.](#)

Commissioner Stebbins asked what the communications plan is to promote these protocols to patrons and the community publicly prior to opening. Mr. Gullbrants will post a plan publicly and record a series of videos for employees and the public. Mr. DiMarco and Mr. George confirmed that PPC will be taking similar measures. Mr. Madamba made similar remarks regarding MGM.

[2:48 p.m.](#)

Commissioner Cameron asked if any of the licensees are having difficulty obtaining PPE, as there are shortages nationwide. Each licensee reported on amounts of PPE secured.

[2:52 p.m.](#)

The Chair asked if the back of house will have the same accommodations for sanitation and hygiene as the front of house. The licensees confirmed that they are employing the same parameters in the in both locations.

- [2:54 p.m.](#) Commissioner O'Brien asked Mr. Gullbrants to describe the [EMist](#) electrostatic disinfectant system that will be installed at Encore. Mr. Gullbrants provided a summary of the functionality of the machine and system.
- [2:55 p.m.](#) Commissioner Zuniga asked what enhancements the casinos might be considering concerning HVAC systems. Mr. Gullbrants pointed out that as Encore is a new structure, they will not need new systems, but they will replace the filtration system more often. PPC and MGM are also new, and they are also taking measures to enhance their air quality.
- [2:59 p.m.](#) Commissioner Stebbins asked what plans independent restaurant owners and ancillary businesses have for hygiene and sanitation. Encore has provided the restaurants and businesses with a copy of their plan and has offered them any assistance they may need. Mr. George stated that PPC has been in communication with their businesses, and they have procedures in place. Racing is currently formulating a plan. Mr. Stratton reflected the same sentiment for MGM and described scenarios for the ancillary businesses on that property.
- [3:02 p.m.](#) The Chair asked the licensees to address the topic of opportunities for any touchless options for patrons. Encore is using Amazon Alexa units in all of the guest rooms, as well as Apple Pay, Google Pay, disposable menus, and anything possible to reduce touching is being implemented. PPC is also using Apple Pay, Google Pay, single-use menus, and using e-mail instead of paper mail. MGM will have digital menus, virtual cues for dining reservations, self-service key dispensers, and other measures in place.
- [3:05 p.m.](#) **Staffing and Operations**
Commissioner Cameron asked Mr. George what he is anticipating regarding reopening racing. Mr. George offered that racing may be allowed to open without spectators and utilize the barns instead of the paddocks to distance the horses and horsemen.
- [3:08 p.m.](#) Commissioner O'Brien asked Mr. Gullbrants to elaborate on how Encore's bar areas will be staffed. Encore will have employees use one station at a time, and be sanitized before another person can use it. Barstools will be in groups of two with sufficient space in between. Casino service bars will continue to be utilized in the back of the house. They will be disinfected between each server's use.
- [3:12 p.m.](#) Commissioner Zuniga asked if the casinos will have an initial restriction on hours of operation, and how staffing may be impacted. Encore has been exploring a four-day operations option as opposed to a seven-day format; however, this is only in the consideration phase. MGM is going to consider data gathered from their other properties before considering the strategy for the reopening of the Springfield location. PPC will do the same with data accumulated from Penn.

- [3:15 p.m.](#) Commissioner Stebbins asked the licensees how they are preparing their staff to handle the types of potential disputes on the gaming floor that may derive from the new COVID procedures. Encore plans to retrain their staff, and Mr. Gullbrants referenced certification videos. The licensees will all need 10 to 14 days of lead time to implement this training before reopening.
- [3:17 p.m.](#) The Chair noted that there will be cross-training to complete with the Commission employees at the casinos as well.
- Mr. Gullbrants stated that Encore will have several measures to detect any symptoms in employees and ensure that they are not permitted to work if they are experiencing symptoms. PPC and MGM also have means in place for detecting symptoms employees.
- [3:22 p.m.](#) **Screening and Occupancy**
Commissioner Cameron asked Encore and MGM if lessons learned from the two-week closure in Macau can apply to their properties here in the United States. Mr. Gullbrants stated that business levels in China are quite low. Encore has learned about thermal imaging and sanitation from observing the location in Macau. MGM has consulted with the General Counsel for their Macau property. They concurred that business levels are very low and have learned about sanitation protocols as well. Mr. Madamba stated that the operations of the Macau property are very different from the United States' locations.
- [3:24 p.m.](#) Commissioner Zuniga asked what the protocols will be regarding physical distancing, sanitization, and numbers of positions for the table games for Encore and MGM. Mr. Gullbrants described a scenario to include plexiglass barriers and a limit to the number of seats at the tables. Concerning MGM, Mr. Madamba echoed Mr. Gullbrants' comments. Should these licensees use plexiglass, they will report to the Commission to be afforded extra lead-time to install before opening.
- [3:29 p.m.](#) Commissioner Stebbins asked what occupancy guidelines can be established for each casino and plans for patrons waiting to access the gaming floor. PPC will use technology at podiums to assess and help manage the occupancy level. Encore and MGM will do the same, and all will create checkpoints throughout to direct the flow of foot traffic. There will also be a focus on the garages to limit traffic flow and avoid the congregation there.
- [3:33 p.m.](#) The Chair asked the licensees how they will address minors with masks attempting to enter the gaming floor and consume alcohol in these new conditions, as masks may hinder the casino staff's ability to identify individuals. PPC, Encore, and MGM are still able to card people and ask patrons to lower their masks to obtain an identification.
- [3:38 p.m.](#) The licensees and the Chair made closing remarks.

Executive Staff Update

3:42 p.m. **Operational Status of Gaming Licensees in light of the Coronavirus**
Ms. Wells addressed the governor's public four-phase structured plan for businesses in Massachusetts to reopen on June 1, 2020. Staff recommends that the Commission continue the ongoing casino shut-down until at least June 1, 2020. This will enable the Commission to incorporate the governor's forthcoming guidance and/or orders regarding this phased reopening of businesses in the Commonwealth into casino reopening plans. The Commission will also consider the submissions of the licensees, as well as federal state and local guidance, as well as evidence of best practices from other industries in other states.

3:44 p.m. *Commissioner O'Brien moved that the Commission extend the existing temporary closures of the gaming establishments through at least June 1, 2020, in light of the current situation and the governor's forthcoming advisory board.*
Commissioner Cameron seconded the motion.

Roll Call Vote:

Commissioner Cameron: Aye
Commissioner O'Brien: Aye
Commissioner Zuniga: Aye
Commissioner Stebbins: Aye.
Chair Judd-Stein: Aye.

The motion passed unanimously.

3:45 p.m. *With no further business, Commissioner Cameron moved to adjourn.*
Commissioner Stebbins seconded the motion.

Roll Call Vote:

Commissioner Cameron: Aye.
Commissioner O'Brien: Aye.
Commissioner Zuniga: Aye.
Commissioner Stebbins: Aye.
Chair Judd-Stein: Aye.

The motion passed unanimously.

List of Documents and Other Items Used

1. Notice of Meeting and Agenda dated May 14, 2020
2. MGC Roundtable Discussion Points dated May 14, 2020
3. Encore Boston Harbor Health & Sanitation Program
4. MGM Resorts Seven-Point Safety Plan dated May 12, 2020
5. Fact Sheet: MGM Resorts' Seven-Point Safety Program
6. Plainridge Park Casino Phase One Base Reopening Guidelines
7. Penn National Gaming, Inc. Reopening Protocols for Penn Properties

/s/ Bruce Stebbins
Secretary