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## Massachusetts Gaming Commission Meeting Minutes

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**Date/Time:** September 10, 2020 – 10:00 a.m.

**Place:** Massachusetts Gaming Commission  
VIA CONFERENCE CALL NUMBER: 1-646-741-5292  
MEETING ID: 112 888 5078

**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

10:00 a.m. Chair Cathy Judd-Stein called to order public meeting #319 of the Massachusetts Gaming Commission (Commission).

*The Chair confirmed a quorum for the meeting with a Roll Call. The following commissioners were present:*

*Commissioner Cameron  
Commissioner O'Brien  
Commissioner Zuniga  
Commissioner Stebbins  
Chair Judd-Stein*

### Approval of Meeting Minutes

10:01 a.m. *Commissioner Stebbins moved to approve the minutes from the Commission meeting of July 2, 2020, subject to correction for typographical errors and other*

*nonmaterial matters. Commissioner O'Brien suggested edits. Commissioner Cameron seconded the motion with the edits.*

*Roll Call Vote:*

*Commissioner Cameron: Aye.*

*Commissioner O'Brien: Aye.*

*Commissioner Zuniga: Aye.*

*Commissioner Stebbins: Aye.*

*Chair Judd-Stein: Aye.*

*The motion passed unanimously.*

## **Administrative Update**

10:03 a.m. Interim Executive Director Karen Wells announced the retirement of Finance and Budget Office Manager Agnes Beaulieu after 37 years of service to the Commonwealth. Ms. Beaulieu thanked Ms. Wells and the rest of the Commission for her experience and stated that she has enjoyed her time at the Commission. The Commissioners thanked her for all of her contributions.

10:12 a.m. Ms. Wells commented on the search process for a number of open positions including a new Finance and Budget Office Manager. Ms. Wells mentioned Director Griffin's involvement to increase the pool of candidates for the Licensing Division Chief. The legal division is working on a new attorney posting.

### **Casino Updates**

Bruce Band, Assistant Director/Gaming Agents Division Chief, updated the Commission relative to evictions and incidents over the weekend at the casinos. There was one safety call at Encore, which prompted additional security measures being taken. He added that there were no issues at PPC and MGM Springfield and that MGM's hotel remains open via invite only.

10:15 a.m. Mr. Band indicated that people are mostly compliant with mask wearing requirements, and any issues are addressed immediately.

### **Racing Update**

10:18 a.m. Dr. Alex Lightbown, Director of Racing, updated the Commission on the drive-through Kentucky Derby betting at PPC and stated that the operations went smoothly.

*Dr. Lightbown lost connection to the meeting. The Chair moved ahead with the next agenda item.*

## **Workforce, Supplier and Diversity Development**

10:20 a.m. **Encore Boston Harbor Construction Diversity Close-Out**

Jill Griffin, Director of Workforce, Supplier and Diversity Development; Jacqui Krum, Jennie Peterson, Encore Boston Harbor; Shelley Webster, In Order Solutions; and Emily Earl, Suffolk Construction presented the Encore Boston Harbor Construction Diversity Close-Out to the Commission.

Ms. Krum provided a final report on goals and accomplishments in the minority, women, and veteran workforce as well as goals and results for minority, women and veteran owned businesses. She introduced Jenny Peterson, who played a significant role in the effort for Encore, as well as Emily Earle, project controls manager for Suffolk construction, and Shelly Webster, previously with Suffolk Construction.

10:25 a.m. Ms. Peterson discussed participation goals and explained the events that were held for women minority and veteran businesses and related groups. She highlighted the events at which Broco Oil attended and made efforts to meet all of the key contacts. Ms. Earle stated that the owner has expanded his business and was able to partner with Suffolk subcontractors thus growing exponentially as a result of his relationship with Encore.

10:30 a.m. Ms. Krum reported on the Construction Workforce status, including the categories of people who worked on the construction project. All goals for workforce participation were met.

10:33 a.m. Ms. Peterson reported on the Massachusetts Girls in Trade program. She described the challenges of procuring women for this construction project and the program she created to help train recent construction trade graduates. She described the success of the program.

Ms. Krum noted the challenge of maintaining the numbers of women, minorities, and veterans toward the project's end. Ms. Webster explained how they managed to keep these groups employed by providing training for them to stay on. She noted the commitment that was exemplified throughout by the subcontractors and everyone.

10:41 a.m. **Access and Opportunity Committee Recognition**

Ms. Griffin noted the participation of several AOC members including Liz Skidmore, North Atlantic States Regional Council of Carpenters; Savy Man-Doherty, E. M. Duggan Inc./Pipefitter Local 537; Brooke Woodson, Suffolk Construction presented the Access and Opportunity Committee Recognition information to the Commission.

Ms. Griffin discussed the comprehensive daily compliance checks. She then acknowledged each individual who worked on the Access and Opportunity Committee, the cornerstone of the diversity and compliance strategy.

10:47 a.m. Ms. Man-Doherty thanked the Commission for launching the Build a Life That Works campaign. She stated that the billboards helped make tradeswomen

Tuesday a big success. The program was a great connector with other tradeswomen.

10:52 a.m. Ms. Skidmore reported on the success of this initiative and noted that 7.2% of women in Massachusetts is very significant. She highlighted the history of access and opportunity committees and how the effort has expanded to over thirty projects. She talked about the development of best practices on the committee. Key lessons learned were documented in the MGC report as well as an ongoing document called “Finishing the Job.”

Three best practices identified include: 1. Corrective action meetings to make sure women were offered overtime, 2. High Impact Performer analysis, and 3. Award system designed by Encore, which had a much more significant impact than expected.

Notably, she stated that there were 491 women on the job, and that number is the most in the United States' history. Lastly, she thanked the Commission for supporting this work.

11:02 a.m. Next, Mr. Woodson stated that the averages for women, minorities, and veterans are always higher when a committee like this is part of the project. He noted that the data collected was shared publicly. He thanked everyone on this project.

11:05 a.m. The Commissioners and the Chair each made remarks about this project and recognized all of the hard work to achieve the results discussed.

11:19 a.m. The Chair noted that these are data-driven decisions. She pointed out that she hopes that replication throughout the state can continue. She noted Suffolk Construction’s commitment to the overall efforts.

11:24 a.m. Ms. Griffin stated that this is one of the many legacies of the Commission that will live on.

11:25 a.m. Dr. Lightbown was called upon and she completed her report. She reiterated that the walk-up and drive-through on Derby day was a success considering COVID-19. PPC limited patrons in the building and on the apron to no more than 200 at a time. Suffolk Downs and Raynham Park also had an increase in numbers throughout the day. All three licensees reported no incidents with patrons, and satisfactory compliance with masks and social distancing.

11:27 a.m. Dr. Lightbown said there is heightened compliance in the backstretch area with reminders being sent out a couple of times a day. People are beginning to acclimate to wearing masks.

## Research and Responsible Gaming

### 11:30 a.m. **GameSense Update and Responsible Gaming Education Week**

Director Vander Linden introduced the presenters: Teresa Fiore, Program Manager of Research and Responsible Gaming, Marlene Warner, Executive Director of Mass. Council on Compulsive Gambling, Chelsea Turner, Director of Responsible Gaming at the Mass. Council on Compulsive Gambling and Ken Averill, GameSense Advisor.

Ms. Turner presented a PowerPoint Presentation of the GameSense Impact Report. First, she reviewed images of the preparation for the reopening of GameSense. She described safety strategies employed to create a safety protocol checklist for advisors that reinforce public health best practices. At the kiosks, GameSense tips are offered as well as being a link and a resource for more intense services as needed. She discussed GameSense's new approach to activities developed with social distancing in mind and shared examples of their recent behavior and practices.

Next, the Commission reviewed a slide that described data gathered by GameSense from all three casinos from August of 2019 to August 2020 that showed a 57% overall decrease in interactions across properties. Mr. Vander Linden noted a 21% cut to the program for 2021, resulting in a reduction in the services provided.

11:45 a.m. Ken Averill, GameSense Advisor, shared a story about how he helped a patron control his gambling. He explained the measures that the patron is now taking as a result of the consultation.

11:48 a.m. Next, Ms. Turner reviewed VSE enrollment numbers, stating that VSE is beginning to see increased enrollments and reinstatements since reopening. She also reported on how the GameSense Advisors broadened their knowledge of various gambling topics with training.

11:53 a.m. Mr. Averill stated that he works the overnight shift and reported to the Commission that he has many quality interactions during this time and at peak times. He explained in detail the types of interactions that have taken place at Encore.

11:56 a.m. Program Manager Teresa Fiore then provided an update on Responsible Gambling Education Week and reviewed the 2020 Activity Schedule with the Commission. She stated that emphasis will be on sports betting; licensees have agreed to promote this theme, and she described the efforts they are making.

12:11 p.m. Ms. Warner spoke about GameSense 2.0. She described herself as the point person for this program and stated that the advisors are honing their expertise.

She described the current initiatives in the early stages of Positive Play research that comprise this program including a positive play scale.

12:19 p.m. Ms. Warner then recognized Jodie Neally, a VSE Recovery and Outreach Liaison, who has a unique and critical role in helping people in the contemplation stage regarding their gambling. She is an intermediary between the GameSense Advisors and treatment. She provides intensive telephone recovery support.

12:23 p.m. Mr. Vander Linden noted that this is a step for people who are not quite interested in treatment and is an excellent program. Ms. Warner then described the community outreach efforts that take place before patrons enter the casino.

12:27 p.m. Next, Ms. Warner explained Augmented Reality in gambling, which is in the development stage. This will be a new application to help novice players better understand their role as players, with GameSense tips incorporated into the application.

Ms. Warner then announced that the Mass. Council on Compulsive Gambling has changed its name to the Massachusetts Council on Gaming and Health.

12:35 p.m. Mr. Vander Linden addressed the need to be responsive and adaptive to changing times and keep things fresh and interesting for people. Where the team can integrate and lead with research and science, they will do so.

12:36 p.m. Commissioner Zuniga made remarks in support of the GameSense program. He noted that GameSense advisors should not be artificially incentivized to "hit numbers" given the social distancing and other considerations.

12:42 p.m. Commissioner Stebbins encouraged the expansion of the mailing program to other gaming stakeholders. He added that we should be able to share the list of resources, and indicated a hope to bring back more advisors that were laid off once casino business ticks back up.

12:44 p.m. Commissioners O'Brien and Cameron, and the Chair each commented in support of the program and thanked everyone involved for their work to provide these services in the COVID-19 environment.

12:50 p.m. The Commission took a 30-minute break.

1:20 p.m. *The Commission reconvened with a Roll Call.*

*Commissioner Cameron: Aye.*

*Commissioner O'Brien: Aye.*

*Commissioner Stebbins: Aye.*

*Commissioner Zuniga: Aye.*

*Chair Judd-Stein: Aye.*

## **Executive Director Hiring Process and Interview**

- 1:20 p.m.     **Recap of Hiring Process**  
The Chair offered introductory remarks including a brief description of Ms. Wells and the events that have transpired since her interim appointment, and since the pandemic. She reviewed her appointment of Commissioner Zuniga to guide the search effort, and possible solicitation of an outside firm to assist with the search. The Chair indicated that given the circumstances there should be an internal assessment as to how to proceed, and whether an expanded search beyond Ms. Wells candidacy was warranted.
- 1:23 p.m.     Commissioner Zuniga provided details of the internal staff survey process that has taken place relative to the search for a new executive director. He noted a great appreciation for the work that Ms. Wells is doing and acknowledged that managing through this period has been extremely difficult.  
  
He then summarized some of the comments that were submitted by MGC staff.
- 1:30 p.m.     The Chair laid out that Ms. Wells may make some remarks, and noted the public format of the interview.
- 1:32 p.m.     Ms. Wells began by thanking the Commission for their support and thanked the entire staff at the Commission for their outstanding work during the pandemic.
- 1:33 p.m.     Ms. Wells delivered an opening statement to the Commission. She stated that she is privileged to have been trained to be a public servant. She listed her credentials and her responsibilities in each role. She described what she believes to be the purpose of her role as permanent executive director and emphasized public confidence in the MGC must be ensured. She recognized that communication has been identified as necessary in the surveys and intends to inform employees to ensure that they feel valued but communicate between divisions as well. She also wishes to focus on long term, advancement opportunities with staff and to continue evaluating processes and procedures. She also mentioned lasting infrastructure and technology requirements and internal/external compliance efforts. She then thanked the Commissioners and asked for their questions.
- 1:29 p.m.     **Commission Interview**  
Commissioner Cameron asked Ms. Wells what she has learned that will help her formulate her style and objectives moving forward. Ms. Wells answered that she has learned that people appreciate communication and being informed about what is going on in their workplace, collaboration with others, and professional development. She also learned the importance of making timely decisions.
- 1:56 p.m.     Commissioner O'Brien talked about the chance to work with Ms. Wells in other capacities. She asked Ms. Wells what she sees as options to ensure that inward, and outward-facing staleness does not creep into the organization. Ms. Wells

answered that it has to be ok to ask probing questions and create an environment that encourages people to feel comfortable enough to ask questions.

- 2:00 p.m. Commissioner Stebbins asked Ms. Wells how she intended to work with licensees continue to compete while complying with the law and regulations. She answered that there is a regulator/licensee relationship where you must be kind and professional; provide all information they need and listen as well. She also stated that showing integrity gains credibility with the licensees.
- 2:07 p.m. Commissioner Zuniga how she would achieve a work-life balance as executive director. Ms. Wells responded that she likes to work and would first identify a new director of the IEB to focus on the new role. She will rely on the senior and executive staff and appropriately delegate responsibilities.
- 2:11 p.m. The Chair stated that she values the culture of unity, cohesiveness, communication that has been fostered by Ms. Wells. She made further remarks regarding keeping a sustainable workload and inquired as to whether Ms. Wells had thoughts about the organizational chart structure. Ms. Wells talked about the existing structure including the Ombudsman and workforce development positions. She further noted the work that has been done in that regards including operational changes. She also focused her comments on the regulatory work, and need to address compliance functions.
- 2:19 p.m. Commissioner Cameron stated that Ms. Wells was elected to the board of trustees of IAGR during the year, and asked her to describe the experience. Ms. Wells stated that she is honored to be on the board. She has witnessed the international acknowledgement of the Commission's responsible gaming efforts, and discussed how the organization can focus on the digital world, and how to be relevant as an association in that world.
- 2:24 p.m. Commissioner O'Brien asked how she would ensure that she focuses her attention on the organization as a whole, and not just the IEB. Ms. Wells stated that understanding the role and responsibilities of the executive director role includes oversight of the entire agency.
- 2:26 p.m. Commissioner Stebbins asked what things she has witnessed that were unexpected while working with colleagues outside the IEB. Ms. Wells answered the opportunity to work with the I.T. department has been impressive. Looking at other areas where you can modernize the office has been helpful.
- 2:29 p.m. Commissioner Zuniga asked if she sees people coming back into the office or having a socially distant event that could complement our environment. Ms. Wells replied that H.R. and Finance are assisting her with returning to the office schedule, and people are interested in coming back into the office. If there is a way to create situations where people can return to work safely, she would like to



do that. She emphasized that safety and well-being of employees have to be the priority, not only physically but emotionally.

- 2:34 p.m. The Chair asked how the experience has been in the last eight months and how she would address the concern raised about how many people she is managing remotely. She addressed a number of issues and raised potential for more silent briefings to the Commissioners. When issues come up, her focus is to get everyone in the room to talk all at once, instead of separate individual meetings, which will help with time-management and lessen the number of touch-points that she has to have. The Chair also asked how she plans to work with the commissioners as full-time working commissioners. Ms. Wells stated that it is different, as all five work full-time and participate in the process and have policy oversight. She recognizes that the Executive Director is the lead administrator, but the Commission owns the overall policy and direction of the Commission. Ultimately, it is critical to get the commissioners the information they need to do their jobs.
- 2:40 p.m. Commissioner Cameron asked if Ms. Wells to share any ideas that may demonstrate a commitment to diversity. Ms. Wells explained that we will be implementing some of the same strategies used in the external processes we oversee internally (e.g. expanding diverse outreach for internal applicants), and looking at diversity resources within the office. She believes it is important that the Commission hold itself to the same standards it holds the licensees.
- 2:43 p.m. Commissioner Stebbins asked Ms. Wells to describe her management experience. Ms. Wells noted her EOPSS experience. She stated that it was mostly an agency with oversight, and she had oversight of four state agencies, and that working with agency leadership was critical.
- 2:48 p.m. The Commission agreed that they are ready to make a decision.  
*Commissioner Zuniga moved that the Commission offer Ms. Wells the job of executive director. Commissioner Cameron seconded the motion.*  
*Roll call vote:*  
*Commissioner Cameron: Aye.*  
*Commissioner O'Brien: Aye.*  
*Commissioner Stebbins: Aye.*  
*Commissioner Zuniga: Aye.*  
*Chair Judd-Stein: Aye.*  
*The motion passed unanimously.*
- 2:50 p.m. Commissioner Zuniga reviewed the salary history for Ms. Wells and the position of executive director in the past. The commissioner made a salary recommendation that the offer to Ms. Wells mirror the former Executive Director's salary, with the understanding that at the end of the calendar year, there will be a performance evaluation and related discussion.

2:55 p.m. The commissioners recognized that Ms. Wells has significantly more experience in gaming than her predecessor, but agreed that the recommendation was appropriate, with the appreciation that there will be a re-evaluation in a couple of months.

2:57 p.m. *Commissioner Zuniga moved that the Commission offer Ms. Wells annual compensation of \$185,000 with the understanding that a performance evaluation for the full calendar year of 2020 will be conducted. Commissioner Stebbins seconded the motion.*

*Roll Call Vote:*

*Commissioner Cameron: Aye.*

*Commissioner O'Brien: Aye.*

*Commissioner Stebbins: Aye.*

*Commissioner Zuniga: Aye.*

*Chair Judd-Stein: Aye.*

*The motion passed unanimously.*

3:00 p.m. *Commissioner Zuniga moved to adjourn the public portion of the meeting. Commissioner O'Brien 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 September 10, 2020
2. Encore Boston Harbor Final Construction Report dated May 2, 2020
3. Encore Boston Harbor Diversity Close Out dated September 10, 2020
4. Game Sense Impact Report PowerPoint Presentation

/s/ Bruce Stebbins  
Secretary