



Massachusetts Gaming Commission Agenda Setting Meeting Minutes

Date/Time: September 16, 2020 – 10:00 a.m.
Place: Massachusetts Gaming Commission
VIA CONFERENCE CALL NUMBER: 1-646-741-5292
PARTICIPANT CODE: 112 375 8146

Present:

Chair Cathy Judd-Stein	Bruce Band
Commissioner Gayle Cameron	Mark Vander Linden
Commissioner Eileen O'Brien	Joe Delaney
Commissioner Bruce Stebbins	Katrina Jagroop-Gomes
Commissioner Enrique Zuniga	Todd Grossman
Jill Griffin	Alexandra Lightbown
Karen Wells	Loretta Lillios
Sarah Magazine	Doug O'Donnell

Call to Order

10:00 a.m. Chair Cathy Judd-Stein called to order the 85th Agenda-Setting meeting. Given the unprecedented circumstances resulting from the global Coronavirus pandemic, 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 individuals interested in attending public meetings. In keeping with the guidance provided, the Commission will conduct a public meeting utilizing remote collaboration technology.

The Chair confirmed a quorum for the meeting by Roll Call:

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

Approval of Minutes

10:05 a.m. *Commissioner Stebbins moved to approve the minutes from the Agenda Setting Meeting of September 2nd, 2020, subject to correction for typographical errors or other nonmaterial matters. Commissioner Cameron seconded the motion. The Chair recommended edits to Item #3.*

Roll call vote:

Commissioner Cameron: Aye.

Commissioner O'Brien: Abstain.

Commissioner Zuniga: Aye.

Commissioner Stebbins: Aye.

Chair Judd-Stein: Aye.

The motion passed 4-0, with Commissioner O'Brien abstaining, pending the edits.

Agenda Planning for Upcoming Commission Meetings

(Scheduled Commission Meeting on September 24th)

Item #1 – Administrative Update. Executive Director Karen Wells will update the Commission on the status of the COVID Restart Group. She will offer clarification on the effect a layoff has on employees' licenses and registrations. There will also be an update on workforce matters concerning how the Commission can help the return-to-work process. The Commission can review the recently released revenue numbers and ask any questions. It was noted that this would be an opportune time to highlight the teams' work or raise questions regarding operational issues.

Item #2 – Regulations. Associate General Counsel, Carrie Torrisi stated that the Community Mitigation Fund (C.M.F.) regulations will include the reference to the C.M.F. and guidelines (which are not codified at this time). This item should be on the October 22nd Commission meeting for a vote to begin the promulgation process. Commissioner Stebbins noted that the Local Community Mitigation Advisory Committee meetings will need an update to the progress of the regulations, which impacts the team's work. General Counsel Todd Grossman will address this as well as the Ethics training at the upcoming committee meetings. This is an agenda item that Chief Financial and Accounting Officer Derek Lennon will also address at upcoming meetings.

Item #3 – P.P.C. Re-Licensing Public Hearing. This hearing is taking place on September 16th, with the Chair presiding.

Item #4 – Internal Control Officer Designation. The Commission will discuss this matter with input from Ms. Wells, and then the Chair will work in concert with the Commission to designate this position. The Commission is postponing this item temporarily.

Item #5 – Licensee Quarterly Reports Template / Q1 & Q2. Construction Project Oversight Manager Joe Delaney has met with each Commissioner and licensees, will be able to report back on September 24th. He stated that he is not certain if there will be a 100 percent resolution on all issues. Mr. Delaney will have a template for all items agreed upon and raise issues that are currently outstanding in a memorandum. He has asked licensees to be present at the meeting to address any questions that the Commission might have, and so that they can express their concerns.

Item #6 – Budget Update End of Fiscal Year. Revenue Manager Doug O’Donnell stated that he will be ready for the closeout report and meeting with Commissioners by the end of the week. He noted that a Closeout report will be a separate agenda item.

Item #7 – Re-Affirm LCMAC Members. This item will be ready to present. Mr. Delaney will provide a memorandum to Commissioners. The upcoming Region B LCMAC meeting will likely need to be canceled due to a lack of a quorum. Commissioners can attend these meetings under the open meeting law, subject to the caveat that they are members of the public and do not participate. Program Manager Mary Thurlow will coordinate with Commissioners in case there are more than two attending, Ms. Wells suggests that Mr. Grossman conduct an advisory for the members that want to attend to provide a framework of the open meeting law. The Chair asked Mr. Grossman to memorialize this in writing as a guideline for the Commission (no more than 2 in a meeting).

Update Section 97 – Data Report. Director of Research and Responsible Gaming Mark Vander Linden will provide a high-level update on where this item stands and its implementation.

Added item - Update on the Equity and Inclusion Group. The Chair will present this item, and the Commission will vote on the group’s Statement of Purpose.

Added Item – Interim Director of the I.E.B. The Chair will recommend Chief Enforcement Counsel Loretta Lillios as Interim Director of the I.E.B. and suggest that the Commission begin the position's competitive search process. This item will require a vote.

(Scheduled Commission Meeting for September 30th)

Item #8 – Plainridge Park Re-Licensing Status. Mr. Delaney will have this item ready to present. Director of Workforce, Supplier and Diversity Development Jill Griffin has received the Travel and Tourism Plan and the Supplier Diversity Plan, and they require a vote. The license can be approved with conditions to help expedite the process. This item will follow the scheduled agenda-setting meeting.

(Potential Commission Meeting for October 8th)

Added item: Amendments to the Rules of the Game. This draft regulation will be ready to present to the Commission for a vote to begin the promulgation process.

(Potential Commission Meeting for October 14th)

Item #9 – SEIGMA Research Public Meeting. Mr. Vander Linden will have this item ready to present. He will prepare a memo for the Commission to review next week.

(Under Review)

Item # 10 – Regulations for Use of Community Mitigation Fund. Mr. Grossman will present the draft regulation at the October 22nd Commission meeting for a vote to begin the promulgation process.

Item # 11 – Juvenile Records Review Update. This item will remain under review at this time.

Item # 12 – Review of M.G.C. Enhanced Code of Ethics Update. This item will remain under review at this time.

Item # 13 – Status Update – Independent Directors Gaming Vendor Primary. This item will remain under review at this time.

Item # 14 – Plainridge Park Racecourse Request for Promotional Fund Consideration. This item will remain under review at this time.

Item # 15 – Annual Report – Draft Review. Commissioner Zuniga stated that this item is ongoing and will remain under review at this time.

Added Item for October 22nd – C.M.F. discussion on policy items and initial guidelines. Mr. Delaney will provide the Commission with a preliminary review of the draft guidelines where the Commission will post for public comment.

Added Item for October 22nd – Quarterly Local Aid Payments. – Financial Analyst Chad Bourque will present this item for a vote.

Added Item for November 5th – 2021 Racing Application(s). – Racing Director Dr. Alex Lightbown will present this item for a vote. Applications will be due on October 1st, and a public hearing will take place before November 5th.

11:35 a.m. *Having no further business, Commissioner Zuniga made a motion to adjourn.*

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.

List of Documents and Other Items Used

1. Massachusetts Gaming Commission, Notice of Meeting and Agenda dated September 14th, 2020
2. Massachusetts Gaming Commission, Agenda Planning Notes
3. Meeting Minutes of the September 2nd, 2020 Agenda Setting meeting

/s/ Bruce Stebbins
Secretary