

UNAPPROVED MINUTES

SOUTH DAKOTA COMMISSION ON GAMING ADMINISTRATIVE HEARING AND QUARTERLY BUSINESS MEETING DEADWOOD CITY HALL, DEADWOOD, SOUTH DAKOTA

MINUTES

June 9, 2016

At 9:00 a.m. the meeting was called to order. Commissioner Dennis Duncan, Commissioner Harry Christianson, Commissioner Ralph "Chip" Kemnitz, Commissioner Tim Holland, and Commissioner Dennis McFarland were present. Staff members present for the meeting were Mike Shaw, Commission Attorney; Mark Aspass, Commission Architect; Larry Eliason, Executive Secretary; and Craig Sparrow, Deputy Executive Secretary.

The meeting was called to order by Commissioner Duncan.

The court reporter for the hearing portion of the meeting was Cindy Pfingston. The following cases were scheduled to be heard:

Administrative Hearing

- Tin Lizzie Gaming Resort Petition for Declaratory Ruling
- In Re: One Seized Kitac Slot Machine
- Request by Philip Maslack for Removal from List of Excluded Persons

Tin Lizzie Gaming Resort Petition for Declaratory Ruling

Tin Lizzie Gaming Resort, represented by Roger Tellinghuisen, attorney, and Austin Burnham, General Manager, have filed a declaratory petition regarding a proposed inner access opening between Tin Lizzie 9 and Tin Lizzie 10. Commissioner Christianson made a motion to approve the amended petition. Commissioner Holland seconded the motion.

On a roll call vote motion carried unanimously.

Commissioner Holland	Aye
Commissioner McFarland	Aye
Commissioner Christianson	Aye
Commissioner Kemnitz	Aye
Commissioner Duncan	Aye

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In Re: One Seized Kitac Slot Machine

The purpose of the hearing is to determine if the Kitac "Secret Agent" slot machine which was seized from a residence on May 11, 2016 is contraband and may be destroyed. Susan and Benjamin Pisani were served with notice of hearing by certified mail but were not present. Commissioner Christianson made a motion that the slot machine is contraband and to be destroyed. Commissioner Kemnitz seconded the motion which carried unanimously.

Request by Philip Maslack for Removal from List of Excluded Persons

The purpose of the hearing is the request of Philip Maslack to be removed from the list of persons to be excluded or ejected from Deadwood gaming establishments. Mr. Maslack was present for the hearing. Commissioner McFarland made a motion to remove Mr. Maslack from the list of excluded persons. Commissioner Holland seconded the motion.

On a roll call vote motion carried 4 to 1.

Commissioner Holland	Aye
Commissioner McFarland	Aye
Commissioner Christianson	Aye
Commissioner Kemnitz	Nay
Commissioner Duncan	Aye

After the administrative hearings a brief recess was taken at 9:55 a.m.

General Meeting

Commissioner Duncan called the general meeting to order at 10:05 a.m.

Conflicts of Interest Disclosure

No conflicts of interest were noted.

March 16, 2016 Quarterly Meeting

Commissioner Kemnitz made a motion to adopt the drafted minutes from the March 16, 2016 quarterly meeting. Commissioner McFarland seconded the motion which carried unanimously.

May 12, 2016 Special Meeting

Commissioner McFarland made a motion to adopt the drafted minutes from the May 12, 2016 special telephonic meeting. Commissioner Holland seconded the motion which carried unanimously.

Report on 2016 Horse Racing Season

Larry Eliason, Executive Secretary, gave a brief report on the 2016 horse racing season. This was for information purposes only so no action was taken.

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Election of Chairman and Vice Chairman for FY 2017

Commissioner Kemnitz made a motion to retain the current Chairman and Vice Chairman. Commissioner Christianson seconded the motion which carried unanimously.

Consulting Contracts for FY 2017

Architecture, Inc.

Commissioner Kemnitz made a motion to approve the contract with Architecture, Inc. Commissioner Christianson seconded the motion which carried unanimously.

Gaming Laboratories, Inc.

Commissioner Kemnitz made a motion to approve the contract with Gaming Laboratories, Inc. Commissioner Holland seconded the motion which carried unanimously.

Simulcast Site License Application

Commissioner Kemnitz made a motion to approve the Simulcast Site License Renewal for Bettor Racing, Inc. Commissioner McFarland seconded the motion which carried unanimously.

Simulcast Provider Application

Commissioner Kemnitz made a motion to approve the Simulcast Provider License Renewal for Bettor Racing, Inc. Commissioner McFarland seconded the motion which carried unanimously.

Deadwood Licensing Matters

Deputy Executive Secretary Sparrow recommended approval of the following:

Key License Approval

- ✓ Edward Park
- ✓ Robin Scribner
- ✓ Bill Blakeley
- ✓ Aaron Wagner
- ✓ Tanner Shoup

Commissioner Holland made a motion to approve the Key License approvals as staff recommended. Commissioner Kemnitz seconded the motion which carried unanimously.

Business License Approval

Deputy Executive Secretary Sparrow recommended approval of the following:

- ✓ Approval of Richard Harr as an owner of DGS, LLC and its Operator and three Retail licenses (**0232-OP, 0614, 0615, & 0616-RT's**).
- ✓ Approval of a Manufacturers license to AGS, LLC (**0130-MA**) and David Lopez (**0176-DR**) and Nicholas Akiona (**0177-DR**) as Directors of AGS, LLC.
- ✓ Approval of a Property Owners license for Gamblers Gulch, Inc. and Carol Case (**0004-PO**).
- ✓ Approval of Maureen Sweeny as a Director (**0171-DR**) on the Aristocrat Technologies, Inc. Gaming License (**0108-MA**).

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- ✓ Approval of Marco Sala (**0173-DR**), Renato Ascoli (**0172-DR**), and Claudio Demolli (**0174-DR**) as Directors on the IGT Gaming License (**0101-MA**).

Commissioner Kemnitz made a motion to approve the Business License approvals as staff recommended. Commissioner McFarland seconded the motion which carried unanimously.

Business License Renewal 2016-2017

Deputy Executive Secretary Sparrow recommended the approval of all Operators, Route Operators, Retails, Distributors, and Manufacturers listed on pages 64-65 of the meeting packet and are attached hereto.

Commissioner McFarland made a motion to approve the Business License renewals as staff recommended. Commissioner Holland seconded the motion which carried unanimously.

Compliance with HB 1214

Compliance with HB 1214, which will become law on July 1, 2016, was discussed. This was for information purposes only so no action was taken.

Next Commission Meeting

The next quarterly commission meeting has been scheduled for September 14, 2016.

Executive Session

Commissioner Christianson made a motion to go into Executive Session. Commissioner McFarland seconded the motion which carried unanimously.

At 10:45 a.m. the Commission went into Executive Session pursuant to SDCL 1-25-2 (3) and SDCL 42-7B-8.1 (1) and (4).

The Executive Session was concluded at 10:52 a.m.

With no further business to be discussed Commissioner McFarland made a motion to adjourn the meeting. Commissioner Holland seconded the motion which carried unanimously.

The meeting was adjourned at 10:53 a.m.

Respectfully Submitted,
Kathy Fredericksen

Dennis Duncan, Chairman

Larry B. Eliason, Executive Secretary

BUSINESS LICENSE RENEWAL – 2016-2017

OPERATOR, ROUTE OPERATOR & RETAIL LICENSES

AGT – NG SOUTH DAKOTA LLC	0226-OP 0034-RO	FIRST GOLD INC	0120-OP 0011-RO 0079-RT 0081-RT 0208-RT 0567-RT 0568-RT 0569-RT 0570-RT 0571-RT 0572-RT 0573-RT 0584-RT
BLACK DIAMOND CAPITAL LLC	0231-OP	HORSESHOE 1	
GOLD DUST 1	0588-RT	BLACKJACK 2	
GOLD DUST 2	0589-RT	FIRST GOLD 3	
GOLD DUST 3	0590-RT	FIRST GOLD 4	
GOLD DUST 4	0591-RT	FIRST GOLD 5	
GOLD DUST 5	0592-RT	FIRST GOLD 6	
GOLD DUST 6	0593-RT	FIRST GOLD 7	
GOLD DUST 7	0594-RT	FIRST GOLD 8	
GOLD DUST 13 (777)	0610-RT	FIRST GOLD 9	
GOLD DUST 14 (777)	0611-RT	FIRST GOLD 10	
GOLD DUST 15 (777)	0612-RT	FIRST GOLD 11	
BLUE SKY GAMING INC	0199-OP	GR DWD LLC	0187-OP
TIN LIZZIE 1	0018-RO	MINERAL PALACE 1	0299-RT
TIN LIZZIE 2	0313-RT	MINERAL PALACE 2	0300-RT
TIN LIZZIE 3	0314-RT	MINERAL PALACE 3	0301-RT
TIN LIZZIE 4	0315-RT	MINERAL PALACE 4	0540-RT
TIN LIZZIE 5	0524-RT	MINERAL PALACE 5	0541-RT
TIN LIZZIE 6	0525-RT	MINERAL PALACE 6	0542-RT
TIN LIZZIE 7	0604-RT	MINERAL PALACE 7	0543-RT
TIN LIZZIE 8	0605-RT	MINERAL PALACE 8	0544-RT
TIN LIZZIE 9	0606-RT	MINERAL PALACE 9	0545-RT
TIN LIZZIE 10	0607-RT	MINERAL PALACE 10	0546-RT
TIN LIZZIE 13	0613-RT	MINERAL PALACE 11	0547-RT
		MINERAL PALACE 12	0548-RT
BY DEVELOPMENT INC	0196-OP	MIDNIGHT STAR	0143-OP
CADILLAC JACKS 1	0302-RT	MIDNIGHT STAR 1	0121-RT
CADILLAC JACKS 2	0303-RT	MIDNIGHT STAR 2	0152-RT
CADILLAC JACKS 3	0304-RT		
CADILLAC JACKS 4	0526-RT	SALOON GAMBLING INC	0103-OP
CADILLAC JACKS 5	0527-RT	SALOON GAMBLING INC 1	0011-RT
CADILLAC JACKS 6	0528-RT	SALOON GAMBLING INC 2	0063-RT
CADILLAC JACKS 7	0529-RT	SALOON GAMBLING INC 3	0393-RT
CADILLAC JACKS 8	0530-RT		
CADILLAC JACKS 9 (SHS4)	0597-RT	SUPER G INVESTMENT CO	0114-OP
CELEBRITY-ROLLING HILLS FARMS	0229-OP	SILVERADO 1	0004-RO
CELEBRITY 1	0574-RT	SILVERADO 2	0058-RT
CELEBRITY 2	0575-RT	SILVERADO 3 – BURKE	0134-RT
CELEBRITY 3	0576-RT	SILVERADO 4 – BURKE	0337-RT
CELEBRITY 4	0577-RT	SILVERADO 5 – P MCDERMOTT	0338-RT
CELEBRITY 5	0578-RT	SILVERADO 6	0285-RT
DEADWOOD GAMING RESORTS	0213-OP	SILVERADO 7 – P MCDERMOTT	0147-RT
DWD GULCH RESORT 1	0444-RT	FRANKLIN HOTEL 1 – A MCDERMOTT	0311-RT
DWD GULCH RESORT 2	0445-RT	FRANKLIN HOTEL 2 – GLODT	0387-RT
DWD GULCH RESORT 3	0446-RT	FRANKLIN HOTEL 3 – GLODT	0451-RT
DWD GULCH RESORT 5	0598-RT	FRANKLIN HOTEL 4 – A MCDERMOTT	0457-RT
DWD GULCH RESORT 6	0599-RT	FRANKLIN HOTEL 5 – BURKE	0395-RT
DWD GULCH RESORT 7	0600-RT	FRANKLIN HOTEL 6 – P MCDERMOTT	0396-RT
DWD GULCH RESORT-CTR	0601-RT		0397-RT
DGS LLC	0233-OP	TENTEXKOTA LLC	0224-OP
DEADWOOD GULCH SALOON 1-DGS LLC	0614-RT	DEADWOOD MT GRAND 1	0549-RT
DEADWOOD GULCH SALOON 2-DGS LLC	0615-RT	DEADWOOD MT GRAND 2	0550-RT
DEADWOOD GULCH SALOON 3-DGS LLC	0616-RT	DEADWOOD MT GRAND 3	0551-RT
		DEADWOOD MT GRAND 4	0552-RT
		DEADWOOD MT GRAND 5	0553-RT
		DEADWOOD MT GRAND 6	0554-RT
		DEADWOOD MT GRAND 7	0555-RT

THE LODGE AT DWD -DWD RESORTS LLC	0217-OP	THE LODGE AT DEADWOOD 6	0535-RT
THE LODGE AT DEADWOOD 1	0469-RT	THE LODGE AT DEADWOOD 7	0536-RT
THE LODGE AT DEADWOOD 2	0470-RT	THE LODGE AT DEADWOOD 8	0537-RT
THE LODGE AT DEADWOOD 3	0471-RT	THE LODGE AT DEADWOOD 9	0538-RT
THE LODGE AT DEADWOOD 4	0533-RT	THE LODGE AT DEADWOOD 10	0539-RT
THE LODGE AT DEADWOOD 5	0534-RT		

OTHER ASSIGNED RETAILS

BW HICKOK HS 1	0117-RT		
BODEGA 1 – TRUCANO	0389-RT		
BODEGA 2 – TRUCANO	0392-RT	IRON HORSE – TRUCANO	0583-RT
BODEGA 3 – K JOHNSON	0288-RT		
BULLOCK 1 –BULLOCK HOSPITALITY	0531-RT	MARTIN MASON BLDG 1	0317-RT
BULLOCK 2 –BULLOCK HOSPITALITY	0532-RT	MARTIN MASON BLDG 2	0318-RT
DEADWOOD COMFORT INN 1	0579-RT	MUSTANG SALLY 1 – T KEEHN	0220-RT
DEADWOOD COMFORT INN 2	0580-RT	MUSTANG SALLY 2 – T KEEHN	0221-RT
DEADWOOD DICKS SALOON	0014-RT	OYSTER BAY	0106-RT
DEADWOOD STATION-WILLY’S WILD WEST 1	0595-RT	SUPER 8 1 – GUNVORDAHL	0480-RT
DEADWOOD STATION-WILLY’S WILD WEST 2	0602-RT	SUPER 8 2 – GUNVORDAHL	0481-RT
		SUPER 8 3 – GUNVORDAHL	0482-RT
GOLD COUNTRY INN-WILLY’S WILD WEST INC	0596-RT	VFV	0017-RT
HICKOKS 1-NMD VENTURE LLC	0518-RT	WOODEN NICKEL CASINO	0316-RT
HICKOKS 2-NMD VENTURE LLC	0519-RT	DEADWOOD PARKING LOTS, LLC	0003-PO
HICKOKS 3-NMD VENTURE LLC	0520-RT		
WWW, LLC	0002-PO		

OPERATOR, ROUTE OPERATOR & UNASSIGNED RETAILS

BROS BBC INC	0208-OP	MIKE TRUCANO	0230-OP
TIM & MONICA CONRAD	0108-OP	ROBERT BLUE	0581-RT
DEADWOOD GULCH SALOON-JOHNER	0121-OP	DAKAM MOHAMED DAKAM	0264-RT
DEALS PUBLICATIONS	0197-OP	CHRIS GOULD	0440-RT
BRANCH HOUSE PROPERTIES	0585-RT	TRACY ISLAND	0327-RT
RON ISLAND	0232-OP	JIM RINKER	0339-RT
RON ISLAND	0037-RO		
PEGGY MAHER	0129-OP		

DISTRIBUTORS

ACES FULL INC	0120-DS
UNIVERSAL GAMING RESOURCES LLC	0121-DS

MANUFACTURERS

ARISTOCRAT TECHNOLOGIES INC	0108-MA	IVERSON GAMING SYSTEM INC	0123-MA
BALLY GAMING INC	0114-MA	JCM AMERICAN CORP	0132-MA
EVERI GAMES INC	0131-MA	KONAMI GAMING INC	0128-MA
HARMS VENDING	0129-MA	NRT TECHNOLOGY CORP	0125-MA
IGT	0101-MA	TABLE TRAC INC	0127-MA
INTERBLOCK D.D.	0124-MA		