

IOWA RACING AND GAMING COMMISSION

MINUTES

JUNE 13, 2024

The Iowa Racing and Gaming Commission (IRGC) met on Thursday, June 13, 2024 at Wild Rose Casino and Hotel Clinton in Clinton, Iowa. Commission members present were Chair, Daryl Olsen, and members Amy Burkhart, Julie Andres and Alan Ostergren. Vice Chair, Mark Campbell attended virtually.

APPROVE AGENDA: Chair Olsen called the meeting to order at 8:29 AM and requested a motion to approve the agenda. Commissioner Burkhart moved to approve the agenda as presented. Commissioner Ostergren seconded the motion, which carried unanimously.

Chair Olsen mentioned that Commissioner Campbell was joining the meeting remotely.

APPROVE MINUTES: Chair Olsen requested a motion to approve the minutes from the April 18, 2024 Commission meeting. Commissioner Ostergren moved to approve the minutes as presented. Commissioner Andres seconded the motion, which carried unanimously.

WELCOME: Steve Nauman, General Manager, welcomed everyone to Clinton. He told how he got started at the casino and how he moved up to his current position. He also mentioned many other employees and the positions they started in with the casino, how long they have been with the casino and what positions they are currently in. Mr. Nauman said that is what Wild Rose is all about. They all started out in the trenches and that is their culture and what they believe in.

Mr. Nauman then introduced Joel Dieckmann, President, Clinton County Development Association (CCDA). Mr. Dieckmann welcomed everyone and said they are proud to have everyone and show off the new space. He stated Wild Rose Clinton and CCDA have a great partnership and great relationship. He said since they have started they have given back over \$30 million to Clinton county. He then introduced Kathy Klahn, a new board member, and said they are happy to have her.

Mr. Nauman next introduced Scott Maddasion, Mayor of Clinton. He began by giving a heartfelt welcome to the Commissioners and guests. He said they are grateful to have everyone in Clinton and is glad that the Commission has a light agenda so they can explore the area. He mentioned many historic areas that are worth visiting and the river front that is the lifeboat of the community. Mr. Maddasion discussed the events held in the community and how the casino helps promote those events. He said Wild Rose to them is more than just a casino, more than just a hotel, more than just an entertainment venue. He said it truly is a pillar of the community, and what they do enriches the lives of many people. He ended by saying they are truly happy to have Wild Rose in their community. He is glad to have everyone here and hopes they have time to explore.

Mr. Nauman then took a moment to recognize Michelle Perino, Gaming Representative. And thanked her for her 30 years with the IRGC and Wild Rose Clinton.

ANNOUNCEMENTS: Tina Eick, Administrator of IRGC, stated the next Commission meeting will be Monday, July 8th at Prairie Meadows Racetrack & Casino. Submissions for this meeting are due in the Des Moines office by June 21st. She advised the meeting will start at 1:30 PM. Commission members will be attending the races that evening. The August meeting will be held on August 29th at Riverside Casino & Golf Resort. There is no meeting in September.

Ms. Eick also acknowledged Ms. Perino, and thanked her for her work on behalf of the Commission.

CAESARS ENTERTAINMENT, INC.: Doug Gross, Member, BrownWinick Law Firm, presented the shelf application for approval of debt financing for Caesars Entertainment, Inc. Mr. Gross said some years ago the Commission put together a rule that allows for publicly traded companies to ask for what is called the shelf approval of their debt. He said this allows them to approve debt to a certain amount and then once the debt is actually issued they have 10 days to provide the documentation to staff.

Mr. Gross presented the shelf application for Caesars Entertainment, Inc. He said it is a 3-year shelf application with one change since being submitted. He said the maximum percentage rate as submitted has been adjusted down and the new amount has been provided to Ms. Eick but he cannot publicly disclose the amount, however it is reflected in the documentation.

Hearing no comments or questions, Chair Olsen requested a motion. Commissioner Ostergren moved to approve the application for shelf financing contingent on the adjustment as discussed. Commissioner Burkhart seconded the motion, which carried unanimously.

PENN ENTERTAINMENT, INC.: Mr. Gross, presented the shelf application for approval of debt financing for Penn Entertainment, Inc. He said Penn Entertainment, Inc. is not anticipating any new debt and this shelf application is to cover existing debt.

Hearing no comments or questions, Chair Olsen requested a motion. Commissioner Burkhart moved to approve the application for shelf financing as presented. Commissioner Ostergren seconded the motion, which carried unanimously.

CONTRACT APPROVALS (OSV = OUT OF STATE VENDOR; RP = RELATED PARTY):

IOC Black Hawk County, Inc.: Chad Moine, General Manager presented a contract with Nagle Signs Inc. for the purchase of new signs and installation for Commission approval.

Hearing no comments or questions, Chair Olsen requested a motion. Commissioner Andres moved to approve the contract as submitted by IOC Black Hawk County, Inc. Commissioner Burkhart seconded the motion, which carried unanimously.

Catfish Bend Casinos II, LLC: Rob Higgins, General Manager, presented the following contracts for Commission approval:

- Brad Deery Honda – Purchase a 2024 Honda Accord Hybrid Sport Design for a Casino Promotion (RP)
- Full Service/Lee Enterprises – Marketing Agency Providing Advertising Buys and Website Creation
- Huckleberry Entertainment, LLC – Purchase of Complimentary Items at Restaurants, Arcades and Hotels (RP)
- Huckleberry Holdings, LLC – Fifth Amendment to the Second Amended and Substituted Commercial Lease Agreement to Change the Location of the Gift Shop when the New Location has been Completed and Open for Business (RP)

Hearing no comments or questions, Chair Olsen requested a motion. Commissioner Campbell moved to approve the contracts as submitted by Catfish Bend Casinos II, LLC. Commissioner Andres seconded the motion, which carried unanimously.

Diamond Jo, LLC: Scott Smith, General Manager, Diamond Jo Worth, LLC presented a contract with Conference Technologies, Inc for an LED Light Upgrade in the Showroom for Commission approval. Request was made on behalf of Wendy Runde, General Manager and said she apologizes that she could not be there.

Hearing no comments or questions, Chair Olsen requested a motion. Commissioner Andres moved to approve the contract as submitted by Diamond Jo, LLC. Commissioner Burkhart seconded the motion, which carried unanimously.

Diamond Jo Worth, LLC: Mr. Smith presented the following contracts for Commission approval:

- Young Plumbing and Heating – Misc. Hardware, Maintenance, Parts, Tools, Supplies and Mechanical Upgrade
- NRT Technology – Check Cashing Services, Cash Advance, Kiosk Services (OSV)
- Sysco Iowa, Inc – Primary Food Vendor
- Mulgrew Oil Company – Dealership Agreement with BP to Supply Gas to Convenience Store
- Doctors Associates, LLC – Contract to Operate a Subway Restaurant (OSV)
- Agilysys – Lodging Management System (OSV)
- Associated Computer Systems – Main IT Switches

Hearing no comments or questions, Chair Olsen requested a motion. Commissioner Burkhart moved to approve the contracts as submitted by Diamond Jo Worth, LLC. Commissioner Andres seconded the motion, which carried unanimously.

SCE Partners, LLC: Doug Fisher, General Manager, presented the following contracts for Commission approval:

- Gitchi Gaming, Inc. – Purchase of New Gaming Chairs (OSV)
- Watchfire Enterprises, Inc. – 5-year Data Plan Renewal for Three Digital WatchFire Signs on Property

Hearing no comments or questions, Chair Olsen requested a motion. Commissioner Campbell moved to approve the contracts as submitted by SCE Partners, LLC. Commissioner Andres seconded the motion, which carried unanimously.

Dubuque Racing Association, Ltd.: Alex Dixon, President, presented the following contracts for Commission approval:

- Back 40 Touring Inc. – Entertainment – Artist (OSV)
- BC Tours Inc – Entertainment – Artist (OSV)
- Creative Artist Agency – Entertainment – Artist Booking Agency (OSV)
- Disturbed Touring Inc – Entertainment – Artist (OSV)
- Neal Agency LLC – Entertainment – Artist Booking Agency (OSV)
- Pinnacle Entertainment Inc – Entertainment – Artist Booking Agency (OSV)
- Skam Artist Inc – Entertainment Artist (OSV)
- Wired Production Group – Entertainment Production

Hearing no comments or questions, Chair Olsen requested a motion. Commissioner Burkhart moved to approve the contracts as submitted by Dubuque Racing Association, Ltd. Commissioner Andres seconded the motion, which carried unanimously.

Harveys Iowa Management Company LLC: Sally Rogers, Director of Finance, Isle of Capri Bettendorf, presented a contract with Genie Services, LLC for Pest Control Services for Commission approval.

Hearing no comments or questions, Chair Olsen requested a motion. Commissioner Andres moved to approve the contract as submitted by Harveys Iowa Management Company LLC. Commissioner Campbell seconded the motion, which carried unanimously.

Iowa West Racing Association d/b/a Horseshoe Casino Council Bluffs: Ms. Rogers presented the following contracts for Commission approval:

- CRH Properties LLC – Lessor for Offsite Warehouse Space for Horseshoe Casino
- Genie Services, LLC – Pest Control Services

Hearing no comments or questions, Chair Olsen requested a motion. Commissioner Andres moved to approve the contracts as submitted by Iowa West Racing Association d/b/a Horseshoe Casino Council Bluffs. Commissioner Burkhart seconded the motion, which carried unanimously.

Wild Rose Clinton, L.L.C.: Mr. Nauman, presented a contract with Sysco Iowa, Inc. for a Food Products Vendor for Commission approval.

Hearing no comments or questions, Chair Olsen requested a motion. Commissioner Burkhart moved to approve the contracts as submitted by Wild Rose Clinton, L.L.C. Commissioner Andres seconded the motion, which carried unanimously.

Wild Rose Emmetsburg, L.L.C.: Mr. Nauman presented the following contracts for Commission approval:

- Martin Bros. Distributing Co Inc – Food Distributor
- US Postal Service – Postage for Mailers from The Printer, Inc

Hearing no comments or questions, Chair Olsen requested a motion. Commissioner Burkhart moved to approve the contracts as submitted by Wild Rose Emmetsburg, L.L.C. Commissioner Andres seconded the motion, which carried unanimously.

Grand Falls Casino Resort, LLC: Damon John, General Manager, Riverside Casino & Golf Resort, LLC, filling in for Sharon Haselhoff, General Manager, presented the following contracts for Commission approval:

- ASM Global – Denny Sanford Premier Center Private Suite Use Addendum (OSV)
- Copy Systems, Inc. – Postage Meter Lease
- G&R Controls – AAON Air Handling Unit Replacement (OSV)

Hearing no comments or questions, Chair Olsen requested a motion. Commissioner Andres moved to approve the contracts as submitted by Grand Falls Casino Resort, LLC. Commissioner Burkhart seconded the motion, which carried unanimously.

Riverside Casino & Golf Resort, LLC: Mr. John presented the following contracts for Commission approval:

- Hawkeye Sports Properties, LLC – Marketing and Sponsorship Agreement
- Lange Sign Group – WatchFire Message Center

Hearing no comments or questions, Chair Olsen requested a motion. Commissioner Ostergren moved to approve the contracts as submitted by Riverside Casino & Golf Resort, LLC. Commissioner Andres seconded the motion, which carried unanimously.

Rhythm City Casino, LLC: Mo Hyder, General Manager, presented the following contracts for Commission approval.

- Carrier Access IT, LLC – Technology Solutions: Hardware, Software & Support Services
- Copy Systems – Postage Meter Lease

- Elite Casino Resorts, LLC – Goods & Services Cost Allocations from Elite (RP)
- Fluffy Tour, Inc – Comedian (OSV)
- GroupGifting.com – Home Depot Gift Cards for Marketing Promotion
- Hy-Vee – Alcoholic Beverages & Gift Cards
- Lonny Bengé – Production for Entertainment Acts

Hearing no comments or questions, Chair Olsen requested a motion. Commissioner Andres moved to approve the contracts as submitted by Rhythm City Casino, LLC. Commissioner Ostergren seconded the motion, which carried unanimously.

PUBLIC COMMENT: There were no public comments.

HEARINGS: Ms. Eick presented the Stipulated Agreement with IOC Black Hawk County, Inc. for a violation of Iowa Code § 99F.4(22) (Self-Exclusion). Pursuant to Iowa law a person wishing to be self-excluded from gambling is to be provided with information from the Department of Health and Human Services with gambling treatment options. On November 14, 2023 IOC Black Hawk County, Inc. self-reported that a self-excluded individual was not given the required gambling treatment materials by the security staff manager that processed the self-excluded individual. Previously on September 21, 2023 the Commission had also entered in to a stipulation with IOC Black Hawk County, Inc. for failing to provide the required gambling treatment material on at least four separate occasions. At the time commission staff were told facility staff had been retrained and the issue resolved.

Mr. Moine said in regards to the first incident the security guard was not aware that this was a requirement of the state and thought he only needed to give the brochure if it was requested. They retrained all staff that the brochure is to be given every time whether the individual wants it or not. This most recent incident the security guard just simply forgot to give the brochure out. He was reprimanded, received disciplinary action and is no longer with IOC Black Hawk County, Inc. for an unrelated issue.

Commissioner Burkhardt moved to approve the Stipulated Agreement with IOC Black Hawk County, Inc. in the amount of \$10,000.00. Commissioner Andres seconded the motion, which carried unanimously.

ADMINISTRATIVE BUSINESS:

Approval of Regulatory Fees for FY 2025: Ms. Eick advised the proposed regulatory fees for the Commission and the Division of Criminal Investigation (DCI) are included in the Administrative packets, and have been distributed to the industry. She stated the Legislature sets the appropriations for the Commission and DCI. The schedules before the Commission establish the allocation for each licensee. She said the staff has not received any questions or concerns from the industry. Ms. Eick requested approval of the regulatory fees as presented.

Hearing no comments or questions, Chair Olsen requested a motion. Commissioner Ostergren moved to approve the regulatory fees for the Commission and DCI as presented. Commissioner Burkhardt seconded the motion, which carried unanimously.

Legislative Update: Ms. Eick gave a legislative update. She said no new legislation was passed with regard to Iowa Code 99D, 99E or 99F. There were some general changes to laws with regards to boards and Commissions including eliminating the requirement for specific meeting dates and times. Ms. Eick said however that change will not affect the way the Commission schedules meetings as we are already scheduling meetings based on business needs rather than a specific schedule mandated by the code.

Ms. Eick also noted that House File 2497 that was passed back in 2022 that established a moratorium on any new casino licensees through June 30, 2024 was not extended. As no new moratorium was passed in this past legislation session that moratorium will end at the end of this month.

Chair Olsen said that until June 30, 2024 the Commission is still operating under the moratorium and therefore no discussions or actions will be taken. At the July meeting the Commission will have a discussion on any potential timeline or plan post moratorium.

ADJOURN: Hearing no further business to come before the Commission, at 8:58 AM Chair Olsen requested a motion to adjourn the meeting. Commissioner Campbell moved to adjourn. Commissioner Ostergren seconded the motion, which carried unanimously.

MINUTES TAKEN BY:


CHANTELLE S. ARMINTROUT