

IOWA RACING AND GAMING COMMISSION

MINUTES

NOVEMBER 20, 2025

The Iowa Racing and Gaming Commission (IRGC) met on Thursday, November 20, 2025 at Isle Casino Hotel in Waterloo, Iowa. Commission members present were Chair, Amy Burkhart, Vice Chair, Daryl Olsen and members Alan Ostergren and Michael Boal.

APPROVE AGENDA: Chair Burkhart called the meeting to order at 8:30 AM and requested a motion to approve the agenda as presented. Commissioner Olsen so moved. Commissioner Ostergren seconded the motion, which carried unanimously.

APPROVE MINUTES: Chair Burkhart requested a motion to approve the minutes from the October 2, 2025 Commission meeting. Commissioner Ostergren moved to approve the minutes as submitted. Commissioner Olsen seconded the motion, which carried unanimously.

WELCOME: Chair Burkhart introduced Michael Boal, the new Commissioner, and thanked Governor Reynolds for allowing us to have a quorum to conduct business. Commissioner Boal said it was good to meet everyone and said he is happy to learn more about the industry.

Chad Moine, General Manager for Isle Casino Hotel Waterloo, welcomed everyone and said it was a privilege to host. He said that some things at the property have changed since the last time the Commission was there. He said they finished a refresh and remodel of their hotel rooms with new carpet and paint. They also opened their cocktail lounge, Isle Oasis, where they are able to offer live music every weekend. He said they have also remodeled half of the restrooms on the casino floor and replaced all of the slot chairs on the casino floor. Mr. Moine also mentioned that they have some other projects coming up to touch up the casino floor so he will be back in front of the Commission in the next couple of months to get those contracts approved. He then introduced Emily Hanson, Executive Director of Black Hawk County Gaming Association.

Ms. Hanson started by recognizing the board members in attendance at the meeting. She said these are the individuals who make all of their grant decisions and represent diverse interests across the county. She said since 2007, the Black Hawk County Gaming Association has partnered with Isle Casino Hotel Waterloo to reinvest over \$80 million back into Northeast Iowa. Ms. Hanson said their main focus is collaborating with cities and nonprofit organizations to invest in important economic development projects that make Northeast Iowa a great place to live, work, and play. She said they have truly been able to move the needle in ways that others could not because of their unique funding structure. She said they are incredibly grateful to the Isle Casino Hotel Waterloo and IRGC for allowing them to operate. She then showed a video highlighting some of their grants from the past year. Ms. Hanson then introduced the Mayor of Waterloo, Quinton Hart.

Mr. Hart said they are honored to welcome everyone to Waterloo and the Isle Casino Hotel. He said both the Isle of Capri and Black Hawk County Gaming Association have been and continue to be vital partners for both the City of Waterloo and Black Hawk County. Mr. Hart mentioned some examples of this partnership and the different investments they have made to help fuel some

transformational projects and strengthen the core of their community. He discussed some of the projects they have helped fund and thanked the Commission for the work they do statewide and for their continued support of the partnership between Isle Casino Hotel Waterloo and the Black Hawk County Gaming Association that makes their communities stronger.

ANNOUNCEMENTS: Tina Eick, Administrator of IRGC, advised there is no December meeting so the next meeting will be held on January 15th at Lakeside Hotel Casino in Osceola, IA. The submission deadline for that meeting will be Wednesday, December 31st. She noted that this was one day earlier than normal due to the New Year's holiday. There will be no meeting in February. The next meeting will be March 5th at Prairie Meadows in Altoona, IA.

Ms. Eick took a minute to recognize and thank the Commission staff that is located at the Waterloo facility, Barry Hoover and Amber Green. She said these staff members are the Commission's eyes and ears at the facility and they accomplish many different tasks such as licensing, investigations, slot work, and more. She said we could not do it without them and she appreciates their hard work.

Ms. Eick also announced that IRGC is hosting a webinar on the different types of taxable revenue submissions on Tuesday, December 9th at 1:30 PM. She said an email went out already but if you want more information on that you can contact the gaming representative at your facility or email Ian Hudson at the central office.

Chair Burkhart took a moment to remind everyone to please adhere to the Commission meeting submission deadlines. She said we had several late submissions this time and it not only makes it difficult on staff to process them quickly, but it also makes it difficult for the Commissioners to do their due diligence when they are receiving materials so late. She also pointed out that the next submission deadline is on New Year's Eve.

ADMINISTRATIVE RULES: Cody Edwards, Director of Operations for IRGC, said that during the August 28th Commission meeting, the Commission directed staff to prepare a regulatory analysis for the update to the new facility application fee. The proposed rule change would raise the application fee for new facilities from \$25,000, the current rate, to \$250,000. The proposed rule would also raise the deposit for the backgrounding fee, which is paid to DCI, to \$50,000. This proposed rule change would also make the application fee refundable and tie it to the Commission's expenses incurred in processing and reviewing the application. A regulatory analysis for this proposed change was published in the Iowa Administrative Bulletin on October 1st and a public hearing was held on October 21st. During that hearing the Iowa Gaming Association provided a general comment supporting the proposed rule change. The next step is for the Commission to decide whether to approve a notice of intended action for this rule change. If the Commission approves the notice, it will be published in the bulletin and there will be another opportunity for public comment as well as possible review by the Administrative Rules Review Committee.

Ms. Edwards said that Executive Order 10 required all agencies to review their rules and eliminate outdated language that merely duplicates the code. She said the chapters dealing with racing, Chapters 7, 8 and 10, were reviewed first so that the revised chapters could be effective in time for

the beginning of the 2026 race season. Chapter 7 deals with greyhound racing and since live greyhound racing has not happened in Iowa since 2022, staff recommended completely rescinding Chapter 7.

Ms. Edwards explained that Chapter 8 contains the rules for parimutuel wagering, simulcasting, and advanced deposit wagering (ADW). She said staff recommended eliminating language that duplicates the code, removing some technologically outdated language, and proposed making advanced deposit wagering account registration subject to the same requirements as sports betting account registration under Chapter 13.

Ms. Edwards said that Chapter 10 contains the rules for horseracing and has been both revised and reorganized. In addition to removing duplicate language, changes also include rule changes related to jockey agent guidelines as well as some updates to certain drug thresholds for horses. These changes also include adopting federal HISA standards in many areas for consistency and includes a new rule giving the stewards authority to postpone or cancel races after consultation with other stakeholders when necessary for reasons such as weather conditions, track conditions or air quality.

Ms. Edwards said regulatory analysis for Chapters 7, 8 and 10 were published in the Iowa Bulletin on October 29th. A public hearing was held on November 18th. Chapter 8 received one comment regarding the updated account registration process requirements for ADWs. Staff is reviewing that comment and will provide updates in future steps of the rulemaking process. Ms. Edwards said Chapter 10 also received one comment seeking clarity in the subrule about cancellations. Staff are working with the industry to recognize the comment and provide more clarity.

Ms. Edwards said the next step is for the Commission to decide if they approve the notices. If they are approved, they will be published in the bulletin and there will be another opportunity for more public comments as well as a possible review by the Administrative Rules Review Committee.

Commissioner Ostergren said he appreciated the industry going through the comment process as he believes it is important and hopes to see it continue in the future.

Hearing no further comments or questions, Chair Burkhart requested a motion. Commissioner Ostergren moved to approve the notice of intended action as presented. Commissioner Olsen seconded the motion, which carried unanimously.

CASINO QUEEN MARQUETTE, LLC: Robin Corbeil, General Manager, provided an update on the project to move the casino to a landside facility. She said they have gotten a lot of work done and they are still on track to be done by the end of February. She said she did receive an update on the timeline the day prior and she will send that out as soon as she gets back to the office. She said the plan was to do the black topping on the parking lot this week and she hoped the weather would cooperate because they are running out of time to get that done this year. Ms. Corbeil said the sidewalk is almost finished and the signage package has been approved. She said the interior demolition is done and the interior framing and electrical are nearly done.

Ms. Corbeil said they are still waiting on the steel to be delivered for their balcony so they have had to rearrange the timeline for that but as soon as it comes in, they will start working on expanding the balcony. She said the roof between the existing building and the new building is complete. She said as far as the new building goes, the whole new building has been erected and the insulation has been installed. She said she has a contract for cameras that needs to be approved and once that is approved the cameras will be installed and then they'll remove the skywalk. She said as of now they are looking at the week of February 23rd or the 27th at the latest for the removal of the skywalk.

CATFISH BEND CASINOS II, LLC: Gary Hoyer, CEO Great River Entertainment, presented the amended and substituted sports book and online casino/gaming agreement with FBG USA Inc. for Commission approval.

Hearing no comments or questions, Chair Burkhart requested a motion. Commissioner Olsen moved to approve the amended and substituted sports book and online casino/gaming agreement between Catfish Bend Casinos II, LLC and FBG USA Inc. (Fanatics). Commissioner Boal seconded the motion, which carried unanimously.

ELITE CASINO RESORTS, LLC:

Request for Approval of an Asset Purchase Agreement by Elite Casino Resorts, LLC and its wholly-owned subsidiary Great River Casino Resort, LLC to purchase the assets of Great River Entertainment, LLC and its subsidiaries including Catfish Bend Casinos II, LLC an Iowa Licensee: Dan Kehl, CEO Elite Casino Resorts, presented the agreement to acquire the assets of Great River Entertainment. He said they are excited to rekindle their relationship with the Southeast Iowa community and they want to see the property succeed. He said if the approval is granted, they would like to close the transaction on January 27, 2026, at which time they will begin operations. Mr. Kehl said they plan to retire the Catfish Bend casino name and rebrand the property as the Great River Casino Resort sometime following the close of the transaction. He said Fun City Complex will continue operations under the Fun City name and as part of their integration of the property into Elite Casino Resorts.

Hearing no further comments or questions, Chair Burkhart requested a motion. Commissioner Ostergren moved to approve the asset purchase of parent company Great River Entertainment, LLC and its subsidiaries, including Catfish Bend Casino II, LLC by Elite Casino Resorts, LLC and its wholly-owned subsidiary, Great River Casino Resort, LLC, issuance of a gaming license to Great River Casino Resort, LLC to own and operate the Catfish Bend Casino following closing, along with the following related contracts and agreements included in the application subject to compliance with all applicable Iowa statutes and administrative rules:

- Asset Purchase Agreement
- Operating Agreement of Great River Casino Resort, LLC
- Management and Casino Operational Services Agreement by and between Great River Casino Resort, LLC and Kehl Management – Des Moines County, LLC

- Consent to Assignment and Assumption by Southeast Iowa Regional Riverboat Commission, Catfish Bend Casinos II, LLC, Elite Casino Resorts, LLC, and Great River Casino Resort, LLC
- Amended and Restated Operating Agreement for Kehl Management Group, LLC
- Shared Services Agreement by and between Elite Casino Resorts, LLC and Kehl Management – Des Moines County LLC
- Assignment and Assumption Agreement between Elite Casino Resorts, LLC and its wholly-own subsidiary, Great River Casino Resort, LLC whereby Elite transfers and assigns the assets of Great River Entertainment, LLC to Great River Casino Resort, LLC.

Commissioner Boal seconded the motion, which carried unanimously.

Request for Approval of Financing Pursuant to 491 IAC 5.4(8): Mr. Kehl presented their financing package for Commission approval. Commissioner Olsen said that one of his concerns is that when a company goes through massive growth there can be major stress on leaders and the management team. He asked what Elite is doing to handle the demands of that extended growth. Mr. Kehl said over the past couple years they have significantly added team members to their company. He said this has helped alleviate some of the stresses and the level of work. He said as the company grows, they have to grow as well and they are very comfortable with the growth of the company. Commissioner Olsen asked if they are ready to take on the demands to which Mr. Kehl responded absolutely. Mr. Kehl announced that Don Ostert will be taking the role of general manager. He said Mr. Ostert has over 34 years history in the gaming industry in the state of Iowa and they are very comfortable with his leadership.

Chair Burkhart said that this will give Elite four licenses in the state of Iowa and she asked what words they could provide that would make everyone comfortable in terms of the succession planning and comfort that these licenses will extend well into the future. Mr. Kehl said their family has been in the industry since 1990 when they received the first Riverboat Casino license in Iowa. He said they now have 10 or 11 nieces and nephews that are working in the family business and they're all very far in their careers and they're learning the industry well. He said the plan is to continue to operate this family business for generations to come.

Hearing no further comments or questions, Chair Burkhart requested a motion. Commissioner Ostergren moved to approve the incremental loan amendment and amendment number two to the second amended and restated credit agreement between the lender Wells Fargo Bank, National Association and Elite Casino Resorts, LLC and its subsidiaries. Commissioner Boal seconded the motion, which carried unanimously.

DIAMOND JO, LLC: Wendy Runde, General Manager, requested a change to their security plan, specifically the adoption of their corporate emergency response plan. She said most of the changes were formatting changes, but she noted there is an additional six sections to the plan that include things like elevator and escalator emergencies, suspicious situations, and infectious disease.

Hearing no comments or questions, Chair Burkhart requested a motion. Commissioner Olsen moved to approve the revised security plan as presented by Diamond Jo, LLC. Commissioner Ostergren seconded the motion, which carried unanimously.

DIAMOND JO WORTH, LLC: Scott Smith, General Manager, also requested approval of their revised security plan. He said the same changes that Ms. Runde presented pertain to him as well.

Hearing no comments or questions, Chair Burkhart requested a motion. Commissioner Olsen moved to approve the revised security plan as presented by Diamond Jo Worth, LLC. Commissioner Ostergren seconded the motion, which carried unanimously.

HGI – LAKESIDE, LLC: Robin Maxon, Hopkins and Huebner law firm, requested approval of a revolving credit agreement between Affinity Interactive and Z Capital Partners, L.L.C. She said this agreement would include Affinity Interactive and some of its subsidiaries including HGI – Lakeside, LLC. She said the purpose of the revolving credit agreement is to refinance an existing revolving credit agreement that will expire this year. The new agreement extends the maturity date to June 30, 2027, but has the same collateral and substantially the same terms at the existing agreement.

Hearing no comments or questions, Chair Burkhart requested a motion. Commissioner Ostergren moved to approve the financing as presented by HGI – Lakeside, LLC. Commissioner Boal seconded the motion, which carried unanimously.

PRAIRIE MEADOWS RACETRACK AND CASINO, INC. D/B/A PRAIRIE MEADOWS RACETRACK AND CASINO:

Advance Deposit Wagering (ADW) Operator Agreements: Derron Heldt, Vice President of Racing, presented three advanced deposit wagering operating agreements for Commission approval. He said the three agreements have been signed by the operators and Prairie Meadows but not by the Iowa Horsemen's Benevolent and Protective Association (IHBPA). He said they are asking for approval contingent on IHBPA signing prior to December 31, 2025.

Chair Burkhart asked for an update on the status of the negotiations. Mr. Heldt said the contracts provide for a three percent fee to Prairie Meadows and IBPA. In prior years, Prairie Meadows and IHBPA have divided the three percent fee equally with each receiving one and a half percent. Now IHBPA is asking for two percent of the three. In the state of Iowa there is a pari-mutuel tax of two percent, so effectively the three plus the two equals a five percent fee payment. Industry leaders say this is on the higher end of the rate that operators are used to paying for ADW contracts. Mr. Heldt said that if they get more on the ADW side operators will increase the fees when they bring in simulcast signals which will then increase the host fees which Prairie Meadows solely pays.

Commissioner Olsen asked if there was any chance of getting a four percent cut. Mr. Heldt said that Prairie Meadows would have to pay for that on the flip side by an increase in the host fees. Chair Burkhart stated that the three percent was being shared by Prairie Meadows and IHBPA. The additional two percent is a tax and starting this year that is reverting back to the industry to

help offset the HISA fees. She said this is a hard one to approve when the contract itself hasn't been approved by all parties.

Hearing no further comments or questions, Chair Burkhart requested a motion. Commissioner Olsen moved to approve all ADW contracts contingent on Prairie Meadows receiving appropriate signatures from IHBPA and submission of the fully signed contracts to Commission staff prior to the ADW operating after December 31, 2025.

Commissioner Ostergren said he is not terribly comfortable with the situation they are in. He said he does not think it's necessary or appropriate to rush to have a special meeting right at the end of the year during the holidays. Commissioner Ostergren seconded the motion, but said he is not pleased that the Commission is in this position. Commissioner Olsen said he agrees and said we are getting into a trend of not having everything agreed on and he hopes the parties can start negotiating better and in a timely manner to get things done. Motion carried unanimously.

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

Prairie Meadows Racetrack and Casino, Inc.: Mr. Palmer presented the following contracts for Commission approval:

- Chestnut Sign – Sign Manufacture & Installation
- Comp Trading (MTM Sales) – Promotional Items (OSV)
- Control Installations of Iowa (Basepoint) – Surveillance and HVAC Equipment
- Electronic Engineering – Electronic Hotel Room Door Locks, Radios and Surveillance Equipment
- Everi Payments – Enrollment Kiosks (OSV)
- JF Ahern Company – Fire Sprinkler Servicing
- Metro Waste Authority – Horse Manure/Bedding Disposal
- Willis Auto Campus – Vehicles for Giveaway Promotions

Chair Burkhart said she noticed that Comp Trading was an out-of-state vendor that they were using for promotional items. She said it was a fairly significant dollar amount and a five-year contract and she asked Mr. Palmer to explain the necessity of using an out-of-state vendor for that particular item. Mr. Palmer responded that through the years they have worked with many different vendors and they have found Comp Trading to be the best for service and returns. Chair Burkhart asked if he thought an Iowa company would be able to provide the same service. Mr. Palmer responded that he doesn't think so or they would not be using an out of state vendor. He said 97% of their business is in-state and this is one of the things they feel they need to hire out of state.

Hearing no further comments or questions, Chair Burkhart requested a motion. Commissioner Ostergren moved to approve the contracts as submitted by Prairie Meadows Racetrack and Casino, Inc. Commissioner Olsen seconded the motion, which carried unanimously.

Casino Queen Marquette, LLC: Ms. Corbeil presented the following contracts for Commission approval:

- Alpha (Alpha Video and Audio, Inc.) – Land-Based Casino Video and Audio System Installation and Maintenance (OSV)
- Paladin Technologies – Purchase and Installation of New Surveillance System for Land-Based Casino (OSV)
- TC Millwork (T.C.M.) – Purchase New Slot Machine Bases for Land-Based Casino (OSV)

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

Ameristar Casino Council Bluffs, LLC: Paul Czak, General Manager, presented the following contracts for Commission approval:

- Chesterman Co./Coca Cola – Soft Drinks, Equipment, Supplies
- Magic City Franchising LLC – Cleaning Services
- Waste Management of Iowa, Inc – Removal of Waste & Recycling

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

Cedar Rapids Development Group, LLC: Kim Pang, Vice President of Peninsula Pacific Entertainment, presented the following contracts for Commission approval:

- CTI – Audio Visual Equipment and Installation
- Melanie Olson Design Group – Procurement Services
- Surveillance Systems, Inc – Surveillance and Access Control (OSV)

Mr. Pang said one of the vendors is an out-of-state vendor. They collected eight bids for this and five of them were from Iowa vendors. The least expensive Iowa vendor was still \$300,000 more than the vendor they selected.

Hearing no further comments or questions, Chair Burkhart requested a motion. Commissioner Ostergren moved to approve the contracts as submitted by Cedar Rapids Development Group, LLC. Commissioner Olsen seconded the motion, which carried unanimously.

HGI – Lakeside, LLC: Dave Monroe, General Manager, presented a contract with Duff Real Estate for the sale of parcel 11421 (OSV) for Commission approval.

Commissioner Olsen asked if he could explain what land is being sold. Mr. Monroe said that this is an 8.9 acre lot that is located on the Northwest side of Interstate 35, just North of the Pilot gas station.

Hearing no further comments or questions, Chair Burkhart requested a motion. Commissioner Ostergren moved to approve the contract as submitted by HGI – Lakeside, LLC. Commissioner Boal seconded the motion, which carried unanimously.

Wild Rose Jefferson, L.L.C.: Steve Cody, General Manager, presented a contract with Baker Group for monthly maintenance fees and repairs and maintenance to HVAC system, for Commission approval.

Hearing no comments or questions, Chair Burkhart requested a motion. Commissioner Boal moved to approve the contract as submitted by Wild Rose Jefferson, L.L.C. Commissioner Ostergren seconded the motion, which carried unanimously.

SCE Partners, LLC: Doug Fisher, General Manager, presented a contract with Toben Electrical LLC d/b/a Toben Electric for electrical repairs and services, for Commission approval.

Hearing no comments or questions, Chair Burkhart requested a motion. Commissioner Ostergren moved to approve the contract as submitted by SCE Partners, LLC. Commissioner Boal seconded the motion, which carried unanimously.

Diamond Jo, LLC: Ms. Runde presented the following contracts for Commission approval:

- Conlon Construction – Restroom Refresh (2 of 3)
- Empower – 401K Benefit Plan
- RDH Interests Inc – Architectural Services and Consulting (OSV)

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

Riverside Casino and Golf Resort, LLC: Damon John, General Manager, presented the following contacts for Commission approval:

- Brockway Mechanical & Roofing – Boiler Replacement 1 (3,000,000 btu)
- Cummins Allison – Count Room Equipment: MPX, CBP, Strapper, etc.
- DLR Group – Riverside Guest Room PIP Remodel
- Hawkeye Sports Properties, LLC – Marketing and Sponsorship Agreement Contract
- The Printer Inc. – TPI Central – Marketing Mailers
- USPS – Postage Expense
- Wood Couture USA – Riverside Hotel Refresh FF&E Project (OSV)

Chair Burkhart noted that one of the contracts was with a related party and she just wanted them to define that relationship. Mr. John said that one of the members of the board of directors for Elite Casino Resorts is a principal owner of that mechanical company.

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

Grand Falls Casino Resort, LLC: Mr. John presented the following contacts for Commission approval on behalf of Sharon Haselhoff, General Manager:

- MedOne Healthcare Systems – Health Plan Costs
- Nestle USA, Inc – Beverage Purchases (OSV)
- Symetra Life Insurance Company – Insurance Premiums (OSV)

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

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

- Ressler Custom Landscapes – Property Landscaping
- RDH Interests Inc – Architectural & Design Services (OSV)

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

Isle of Capri Bettendorf, L.C.: Nancy Ballenger, Senior Vice President and General Manager presented a contract with Rexroat Sound RS Companies, LLFC for lighting, sound and stage hands for entertainment events for Commission approval.

Hearing no comments or questions, Chair Burkhart requested a motion. Commissioner Ostergren moved to approve the contracts as presented by Isle of Capri Bettendorf, L.C. Commissioner Boal seconded the motion, which carried unanimously.

HEARINGS:

Bally's Management Group, LLC: Ms. Eick presented the Stipulated Agreement with Bally's Management Group, LLC for a violation of Iowa Code § 99F.9(7) and 491 IAC 13.2(7)"e". This incident involved a PayPal credit card transaction.

Ali Bartlett, outside council with Greenberg Traurig, LLP, said that Bally's takes this very seriously, and expressed their apologies for allowing this technical oversight to occur and have taken steps to assure this will not happen again. She said in this particular situation a patron was allowed to deposit via their PayPal digital credit function, which is one of their third-party payment vendors. Upon discovering the violation, they conducted an internal investigation and discovered

this was a human error where a person inadvertently flipped a switch to allow this function. Ms. Bartlett said Bally's has made specific improvements to their internal communication processes with their third-party vendors to make sure they are made aware immediately if something like this should occur in the future and to be able to closely monitor these types of functions with their third-party vendors to ensure that it does not happen again.

Ms. Eick explained that this was self-reported but there was a delay in reporting it.

Commissioner Ostergren asked Ms. Bartlett if she could explain what Bally's has done to work on the delay in reporting issue. Ms. Bartlett said that the intent was to be able to provide complete information when the incident was reported. Due to the back-and-forth communication with PayPal it created a delay in reporting. She explained to Bally's that per the rule, it needed to be reported immediately whether or not they were still collecting information.

Hearing no further comments or questions, Chair Burkhart requested a motion. Commissioner Olsen moved to approve the Stipulated Agreement with an administrative penalty of \$10,000. Commissioner Ostergren seconded the motion, which carried unanimously.

Casino Queen Marquette, LLC: Ms. Eick presented the Stipulated Agreement with Casino Queen Marquette, LLC for violations of Iowa Code § 99F.4(22). This Stipulated Agreement involved two counts, both of which involved self-excluded individuals.

Ms. Corbeil said Casino Queen takes problem gaming and self-exclusions very seriously and they are truly sorry this incident occurred. She said in the first count when information transferred over from Isle to the Queen all of the information did not come through. After they discovered this incident, they went through every name on the exclusion list and updated any information that was missing. She said on the second count the people that were involved are no longer with the company. She said this incident happened because procedures were not followed. Since this incident they have people double checking so that it does not happen again.

Hearing no comments or questions, Chair Burkhart requested a motion. Commissioner Ostergren moved to approve the Stipulated Agreement with an administrative penalty of \$10,000 for each of the two counts. Commissioner Olsen seconded the motion, which carried unanimously.

Catfish Bend Casinos II, LLC: Ms. Eick presented the Stipulated Agreement with Catfish Bend Casinos II, LLC for violations of Iowa Code § 99F.4(18), 491 IAC 5.4(5)"c", 661 IAC 141.5(5), 661 IAC 141.5(9)"f", 661 IAC 141.6(2), (3) and (5), 141.10(4) and (6), and 661 IAC 141.10(11)"c". These violations included situations where, for a period of time, Catfish Bend Casino did not maintain required surveillance coverage at certain table games.

Rob Higgins, General Manager, said he takes full responsibility for this situation. He said they have continued to work on training including their director spending time at another local casino to try to get some training. He said moving forward having the resources from Elite will really help their surveillance operations and will be what they need to keep moving forward in a positive way.

Commissioner Olsen said this has been a continual issue for several years. Mr. Higgins said he understands and they have added a new compliance officer and he has done a fabulous job.

Hearing no further comments or questions, Chair Burkhart requested a motion. Commissioner Olsen moved to approve the Stipulated Agreement with an administrative penalty of \$40,000. Commissioner Boal seconded the motion, which carried unanimously.

Commissioner Ostergren said he is extremely disappointed but he is hopeful with the change in ownership they won't have any continued issues.

ADMINISTRATIVE BUSINESS: There was no administrative business.

VOLUNTARY IMPLEMENTATION AGREEMENT: Ms. Eick said she has the HISA assessment that was received for 2026. The overall assessment gross amount is \$1,497,413 however, if the Commission enters into a voluntary agreement for sample collection and other services the assessment is expected to be reduced to \$1,074,660. She said year-over-year the assessment is approximately \$30,000 less than last year and the available credits are approximately \$21,000 more than last year. The deadline to advise HISA whether or not to opt in for the 2026 financial assessment is Monday, December 1, 2025. However, the agreement itself does not have to be finalized until right before racing begins.

Ms. Eick said commission staff did reach out to the industry stakeholders and Prairie Meadows has expressed its support for the Commission entering into an agreement or some type of hybrid agreement with some payment made from the horseracing fund money that is collected from that ADW tax money. She said she also received an email from John Moss, indicating that the horsemen were supportive of whatever agreement would be able to utilize the money in the horseracing fund to help with the payment of the assessment. She said the question before the Commission is whether to opt into the voluntary agreement and direct staff to work with HISA in drafting the best possible option for the Commission going forward.

Chair Burkhart asked if we have a sense of what that two percent ADW tax amount has historically been that we might expect would further pay this down on behalf of the parties. Ms. Eick responded that she believes it ranges from \$350,000 to \$450,000 for a complete year.

Commissioner Olsen asked how simulcast affects whether or not they should enter into this agreement. Ms. Eick said if Prairie Meadows is not simulcasting then in theory HISA might not have jurisdiction in Iowa.

Commissioner Ostergren asked if the statute gives them that authority or if that's what they've asserted in court. Ms. Eick said unfortunately legal counsel is not present to provide an answer on that but she would certainly ask them to provide clarity. Commissioner Ostergren said that this doesn't feel very voluntary how HISA does this, but if the industry supports us entering into the agreement, he thinks we should recognize that.

Chair Burkhart said that by agreeing to this voluntary agreement a lot of work is needed from state dollars and from staff but it does help that the parties in this room are buying down the cost a significant chunk with the ADW tax. She is hopeful we get this to a manageable amount so she would definitely support entering into this agreement.

Commissioner Boal asked if this was an immediate decision to opt in. Commissioner Ostergren said it is an agreement to agree.

Commissioner Boal moved to direct staff to attempt to enter into a voluntary agreement with HISA to utilize Commission resources in an effort to obtain the maximum credit available for Iowa stakeholders to cover the 2026 assessment, contingent upon the simulcast of races at Prairie Meadows for the 2026 race meet. Commissioner Ostergren seconded the motion, which carried unanimously.

PUBLIC COMMENT: There were no public comments.

ADJOURN: Chair Burkhart acknowledged two Gary's that were present at the meeting for the last time, Gary Palmer and Gary Hoyer. She said on behalf of the Commission she wanted to thank them for all of the service they have provided to the industry and the leadership they have provided across the state. She said they will be missed at these meetings and she wishes them the best in their retirement.

Hearing no further business to come before the Commission, Chair Burkhart adjourned the meeting at 9:55 AM.

MINUTES TAKEN BY:


CHANTELLE S. ARMINTROUT