

# IOWA RACING AND GAMING COMMISSION MINUTES JANUARY 23, 2025

The Iowa Racing and Gaming Commission (IRGC) met on Wednesday and Thursday, January 22-23, 2025 at Wild Rose Jefferson in Jefferson, Iowa. Commission members present were Daryl Olsen, Chair; Mark Campbell, Vice Chair; and members Julie Andres, Amy Burkhart and Alan Ostergren.

**APPROVE AGENDA:** Chair Olsen called the meeting to order at 4:00 PM and requested a motion to approve the agenda. Commissioner Campbell moved to approve the agenda as presented. Commissioner Ostergren seconded the motion, which carried unanimously.

**EXECUTIVE SESSION:** Commissioner Campbell moved to go into Executive Session pursuant to Iowa Code Section 21.5(1)a and applicable state or federal laws authorizing or requiring confidentiality including but not limited to Iowa Code § 22.7(5)m 28 U.S.C § 534 and 28 C.F.R § 20.33 for the purpose of receiving Division of Criminal Investigation background reports on entities related to Linn County Gaming Association, Inc./Cedar Rapids Development Group, LLC and Bally's Corporation (Standard General L.P./Casino Queen Marquette, Inc.). Commissioner Burkhart seconded the motion and the motion carried unanimously on a roll call vote.

Following the conclusion of Executive Session, Commissioner Ostergren moved to leave Executive Session. Commissioner Burkhart seconded the motion, which carried unanimously. Chair Olsen recessed the meeting until 8:30 AM on January 23<sup>rd</sup>.

Chair Olsen called the meeting back to order at 8:30 AM, and noted the agenda had been approved.

**APPROVE MINUTES:** Chair Olsen requested a motion to approve the minutes from the November 20, 2024 and November 21, 2024 Commission meetings. Commissioner Ostergren moved to approve the minutes as printed. Commissioner Burkhart seconded the motion, which carried unanimously.

**WELCOME:** Ian Wilkinson, Assistant General Manager, welcomed everyone to Jefferson on behalf of himself and their 150 team members. He stated that they just completed their most recent project, which was a remodel of their sports bar, Lucky's. He said they will also be celebrating their 10<sup>th</sup> anniversary in July of this year. Mr. Wilkinson said they are very fortunate to have an incredible partnership with their Qualified Sponsoring Organization (QSO), Grow Greene County Gaming Corporation, and he introduced their chair, Norm Fandel.

Mr. Fandel began by thanking the Commission for approving the facility. He said they have a tremendous partnership, and commented on what a wonderful facility Wild Rose Jefferson is. He said one of their greatest accomplishments was the improvements made to the high school. He invited everyone to drive around town and look at all the improvements that have been made possible over the past ten years by this partnership.

**ANNOUNCEMENTS:** Tina Eick, Administrator, announced that the next Commission meeting is being held on February 6<sup>th</sup> at Prairie Meadows in Altoona, Iowa and stated the Commission will be handling regular business at that meeting. She also stated that the submission deadline for that meeting is today, January 23<sup>rd</sup>. Ms. Eick said the March meeting, which is the 99F annual renewal meeting, will be on March 6<sup>th</sup> and will also be held at Prairie Meadows; and the April meeting, which is the annual audit review meeting, will be held on April 24<sup>th</sup> at Ameristar in Council Bluffs.

Ms. Eick also took a minute to recognize local Commission staff, gaming representative, Dan Thurman. She noted his hard work at Wild Rose Jefferson is appreciated.

**RULES:** Ms. Eick introduced rule package ARC 8475C and stated it was the same package that was submitted for intended action at the November 21, 2024 Commission meeting. She said since the November meeting there was another public hearing on the rules that both Wes Ehrecke and John Cacciatore participated on behalf of their organizations, and both were supportive of the rules. Staff also appeared before the Administrative Rules Review Committee at the legislature on January 13<sup>th</sup> and there were no concerns raised at that meeting. Ms. Eick stated that BetMGM provided written comments requesting that the Commission consider adding language to rule 13.2(7)"b", to state licensees are required to use "commercially reasonable efforts" to identify and suspend accounts opened by individuals on behalf of persons under the age of 21. Staff concluded that the preamble of that rule already includes reasonable methods so reasonableness is already implied in those rules. The matter is now before the Commission to consider final adoption of those rules.

Chair Olsen asked to clarify the timeline for the rules package after final adoption, including when the rules would become effective. Ms. Eick stated the rules package will go before the Rules Review Committee again, and the effective date would tentatively be the end of March.

Commissioner Ostergren stated that he knows how hard the staff has worked on these and he appreciates it.

Hearing no further comments or questions, Chair Olsen requested a motion on the proposed rules. Commissioner Ostergren moved to adopt the rules as proposed. Commissioner Campbell seconded the motion, which carried unanimously.

#### **CASINO QUEEN MARQUETTE, INC.:**

**Remodel Update:** Ed Winkofsky, an attorney with, Greenberg Traurig, stated they brought a team with them to provide a construction update on the property, seek approval of a lease that would provide additional financing, seek approval of the Bally's merger transaction, and seek approval of the contracts. He then turned it over to Craig Eaton, Senior Vice President for Bally's.

Mr. Eaton recognized the efforts of the local general manager, Robin Corbeil, and acknowledged the challenges she has faced with this remodel. He then addressed the time it has taken and the number of changes that have been made to this project. He said they are aware of the history and

they want to prove that they will get this done. He said this is the first time Bally's is working in Iowa, but they promise to bring their large operational experience here. He mentioned many other projects they have done and said they are very experienced in bringing these projects to fruition. Mr. Eaton turned it over to Bill Vandersand, General Counsel for The Queen Casino & Entertainment.

Mr. Vandersand announced that they had a ground breaking ceremony on October 1<sup>st</sup> and excavation equipment arrived at the property in December. He said as of today there are 5 heavy pieces of equipment on site. Mr. Vandersand said after they received approval in August for their general contractor, W.E. O'Neil Construction, Co. cost estimates went up significantly and at that point they reached out to some Iowa general contractors. They are now seeking to replace the W.E. O'Neil contract with Conlon Construction. He said they are reducing the footprint from 119x130 feet to 119x90. The property will have 428 slot machines, six live table games, and eight electronic table games. He said the cost estimate is \$21 million with a large portion of that being the general contractor.

Commissioner Andres asked them to better explain the square footage and the changes that were made from when this was approved. Mr. Vandersand said the width is the same at 119 ft, but the length has gone down from 130 ft to 90 ft. Commissioner Andres then asked him to explain how many less slot machines and table games the property will have from when first approved in August. Mr. Vandersand said it will have six less slot machines, 16 less electronic table games and six more live table games.

Commissioner Campbell said they originally approved the larger floor plan so his concern is that if prices continue to go up, will this project continue to get smaller and smaller. He asked what will this destination really end up being? Mr. Vandersand said they have budgeted an additional \$1 million contingency for those type of things.

Commissioner Burkhart stated that this is already the smallest property in Iowa and in August Casino Queen discussed making it smaller, and now it is smaller yet again. She noted the Commission has always said they don't want these properties to be slot houses and instead to be a destination. She said with all of the changes she does not have a full understanding of what this project looks like. Mr. Winkofsky said he believes they need to come back at a later meeting and seek approval of the construction plan since it has changed. He said he understands there is a timing issue with the deadline for the February meeting being today but he would like to get that approved as soon as possible so as not to delay this.

Commissioner Burkhart asked Ms. Eick if there was any leniency in the submission deadline so that they could review this at the February meeting. Ms. Eick said certainly, as long as we are aware it is coming we can get it on the agenda and she can work with them to make sure they get the documentation in a timely manner in order to distribute to the Commissioners with time to review before the meeting. Mr. Winkofsky said they are willing to do that at the February meeting or the March meeting if it is easier as long as it doesn't delay the process.

Chair Olsen said the Commissioners understand Marquette is a small market and they aren't trying to be unreasonable. He said they have heard a lot of things but not seen a lot of action and they are expecting to see more action. He said he would be really frustrated if the Commission and the facility couldn't meet in the middle somewhere concerning the size of the remodeled facility.

Commissioner Andres said they are really focusing on size here but it really has more to do with the things the facility is pulling out of it. She said they want to see what is being put into it as well. Mr. Winkofsky said Mr. Schlang and Ms. Corbeil would be able to address that better. Commissioner Burkhart said she would like to hear from Mr. Schlang because she is curious if the facility would be different had the merger happened before the construction began.

Mark Schlang, Vice President of Architecture for Bally's, said they are committed to this project. He said the land based project is less square footage than the vessel, but he said land based properties have efficiencies that vessels don't. He mentioned having more parking spaces as one of the efficiencies and incentives. He said Bally's is committed to moving forward quickly.

Commissioner Burkhart asked again if the project had been theirs from the beginning, would it look the same as it does now. Mr. Schlang said he thinks so as far as scale and scope. He said if one looks at what the operation was on the vessel and what it will be landside, there will probably be more space utilized landside.

Commissioner Campbell said he is very excited about the project and he does support the merger, but his concern is the Commission has not approved the smaller version. Mr. Schlang said he understood and is willing to work with the Commission on whatever they feel is necessary.

Commissioner Burkhart said she had more of a procedural question. She said they approved the remodel and now it is quite different and she wanted to know if that is something they take into consideration when approving the merger, or the contractor, or how they insulate themselves from approving things today that won't allow the facility to back tread if what comes from that meeting is not something they want to take on.

Commissioner Campbell stated that agenda item A didn't really need a vote. Agenda item B was just a lease agreement and didn't really have anything to do with construction at this time. He said agenda item 8 deals with the merger and after the discussion, he feels much more comfortable that the proposed merger will benefit this Commission and Marquette.

Commissioner Andres asked if the facility is willing to make the remodel project larger. Mr. Winkofsky said yes. Chair Olsen asked if that affected the lease. Mr. Winkofsky said they might have to come back for an additional amendment if they need to finance a larger project.

Ms. Eick said just to clarify, agenda item 7B is a request to amend the lease. She said that is financing for this specific project and for a specific amount. She noted she is hearing Mr. Winkofsky say however, that this could be amended to increase that amount but this provides at least a baseline amount of funding.

Request for Approval of the Second Amendment to Third Amended and Restated Master Lease with GLP Capital, L.P.:

Hearing no further comments or questions, Chair Olsen requested a motion. Commissioner Campbell moved to approve the Second Amendment to Third Amended and Restated Master Lease with GLP Capital, L.P. as presented by Casino Queen Marquette, Inc. Commissioner Andres seconded the motion, which carried unanimously.

**THE QUEEN CASINO & ENTERTAINMENT INC.:** Commissioner Campbell said he wanted it on record that the current plan is probably not what the Commission wants.

Hearing no further comments or questions, Chair Olsen requested a motion. Commissioner Ostergren moved to approve the business combination and merger among The Queen Casino & Entertainment, Inc., Bally's Corporation and Standard General L.P. involving Iowa licensee Casino Queen Marquette, Inc. Commissioner Burkhart seconded the motion, which carried unanimously.

**CONTRACTS:**

Casino Queen Marquette, Inc.: Robin Corbeil, General Manager, presented the following contracts for Commission approval:

- Allen Roofing & Construction – Expansion of Warehouse Located in McGregor Iowa
- A.J.R. Equities – Marketing Promotional Gifts and Prizes
- Conlon Construction Co. – Contractor for Construction/Assembly of Land-Based Casino Queen Marquette Casino
- Lime Rock Springs Co. – Supplier of Pepsi Products
- M&D Inc. – Vessel Maintenance, Welding, Electrical Repairs, Painting (OSV)
- Sysco Corporation – Sysco Iowa – Food Distributor

Commissioner Burkhart asked if there is continued interest in the facility during the construction, or if people are frustrated with it. Ms. Corbeil said there has been some frustration, mostly due to the cold weather and the further walk to get indoors. She said they are doing everything they can to help make that walk as easy as possible. She said she does have patrons that are also very excited for the new space.

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

IOC Black Hawk County, Inc.: Meagan Miller, Director of Finance, presented the following contracts for Commission approval:

- Atlantic Bottling Company – Coca-Cola Vendor/Beverage Vendor
- Witham Auto Center – Car Dealership

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

Iowa West Racing Association d/b/a Horseshoe Casino Council Bluffs: Janae Sternberg, Vice President of Finance, presented the following contracts for Commission approval:

- ServPro – Emergency Water Clean Up for Water Main Break
- TH Construction – Emergency Water Main Plumbing and Remediation Service (OSV)

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

SCE Partners, LLC: Doug Fisher, General Manager, presented a contract with Vestis Services, LLC for Laundry Services, for Commission approval.

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

Rhythm City Casino, LLC: Sharon Haselhoff, General Manager for Grand Falls Casino Resort, LLC presented the following contracts for Commission approval on Mo Hyder's behalf:

- Chingon Touring – Comedian – George Lopez (OSV)
- Performance Food Service – Food Purchases
- TJX Companies – TJ Maxx/HomeGoods/Marshalls Gift Cards

Hearing no comments or questions, Chair Olsen requested a motion. Commissioner Campbell moved to approve the contracts as presented by Rhythm City Casinos, LLC. Commissioner Burkhart seconded the motion, which carried unanimously.

Prairie Meadows Racetrack and Casino, Inc.: Michele Wilkie, Executive Vice President, presented the following contracts for Commission approval:

- Doll Distributing – Beer Distributor
- Electronic Engineering – Electronic Hotel Room Door Locks and Surveillance Equipment
- Iowa Beverage Systems – Beer Distributor
- Johnson Brothers – Wine Distributor
- Laser Tech (Office Express) – Office and Housekeeping Supplies
- State of Iowa (Iowa Alcoholic Beverages) – Liquor Products

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

#### **PRAIRIE MEADOWS RACETRACK AND CASINO, INC:**

Request for Approval of the 45-Day Plan for the 2025 Mixed Meet: Derron Heldt, Vice President of Racing, presented the 45-day plan for Commission approval and noted that the gap between percentages for Iowa bred horses running in Restricted races versus running in Open Company races has increased to help encourage more participation by Iowa bred horses in Open Company races during the 2025 racing calendar. He also noted that they updated the schedule from TBD on July 4<sup>th</sup> and 5<sup>th</sup> to a 4:00 PM post time.

Commissioner Burkhart asked if they are continuing to meet with other stakeholders. Mr. Heldt said yes, they met in December and January and will meet again in February. He said they are having pretty good talks and have discussed some suggestions. He said the talks are continuing, progress is being made and they have had good dialogue.

Hearing no comments or questions, Chair Olsen requested a motion. Commissioner Campbell moved to approve the application for season approval and the contents contained within, contingent upon the immediate written notification to IRGC staff any change of racing official positions and the completion of necessary IRGC license and DCI background checks of racing officials. Commissioner Ostergren seconded the motion, which carried unanimously.

#### **HEARINGS:**

Grand Falls Casino Resort, LLC.: Ms. Eick presented the Stipulated Agreement for a violation of Iowa Code § 99F.4(22) (Self-Exclusion). Ms. Haselhoff apologized for the incident. She said 2023 was a year of change for their security team and while the security manager was on vacation she didn't have someone lined up to do the upload and download. She said they have since changed, that they have someone on every shift to upload and download every day. Ms. Haselhoff said this did not result of anything of value, however she understands because of their mistake there was that potential. They have taken measures to make sure this doesn't happen again.

Chair Olsen requested a motion. Commissioner Burkhart moved to approve the Stipulated Agreement with an administrative penalty of \$10,000. Commissioner Andres seconded the motion, which carried unanimously.

Chair Olsen called for a 5 minute break.

#### **STATEWIDE MARKET ANALYSIS PRESENTATION:**

Marquette Advisors, Inc.: Brent Wittenberg, Sr. Vice President, thanked the Commissioners for the confidence in their firm. He also thanked Ms. Eick and staff as well as the casino operators and said the data exchange has been terrific and provided them with a really good baseline. He

said the gaming industry had a strong bounce back after Covid. He said FY23 created a lot of stress in the economy and it showed in the casinos.

The data used for Marquette's study focused on where customers are coming from, how frequently they visit the casino, and how much they are spending. He said there is good coverage across the state, but Eastern Iowa has some overlapping competition. He said the participation rate has gone down over the past ten years, Covid excluded. Mr. Wittenberg noted that gaming revenue as a percentage to personal income is down and per admission spending has had a history of increasing but is also coming back down. He said they visited every casino in the state and a few in the surrounding states. He noted that the investment in the facilities varies from casino to casino.

Mr. Wittenberg said there is some stress in the market and that is important to understand. Population growth rate is relatively slow and the economy is relatively uncertain. He said they are predicting a downward market for 1-2 years and then some recovery. They spent a lot of time reviewing the proposal materials and a lot of time in the Cedar Rapids market. He said the entertainment and food options presented by this project are probably the best in the state, and he commended them on putting their best foot forward. He stated that there would be considerable redistribution of market share with the most pronounced being in the Eastern part of the state. They are measuring the cannibalization at \$68 million. He also said it's important to note the offset of the negative impact, and this property will create 300 plus jobs, which he believes is actually understated.

Commissioner Ostergren said that the tax structure for free play is changing, and asked if that's included in the report. He said they provided numbers showing the effect of free play and how it plays into cannibalization but he wanted them to talk him through where that 4-10% comes from. Mr. Wittenberg said given their knowledge of how that free play is phasing out they've done their best to quantify that today with the resources they have available. He said they've done their best to estimate where things are now and base that off competition. Commissioner Ostergren said a reduction in tax as it applies to free play is making free play less expensive for operators to use as a marketing tool. He said the operator can put dollars in free play less expensively than it can put dollars in free hotel rooms and dinners. Mr. Wittenberg agreed. Commissioner Ostergren asked if the estimates take this into account or if the cannibalization will be higher due to the change in free play. Mr. Wittenberg said some markets could see more than 10%. Commissioner Ostergren asked how that affects the cannibalization estimates that they presented, if an operator chooses to emphasize free play. Mr. Wittenberg said he believes if there is more free play the cannibalization could be higher. Commissioner Ostergren asked if there was any way today to see how the cannibalization will change with the cheaper free play. Mr. Wittenberg said not today but that's something we could run the math on.

Commissioner Burkhart pointed out that the study noted some markets with multiple facilities actually had a higher participation rate. She asked if they considered whether having a second casino in the area might actually increase the participation rate for current providers. Mr. Wittenberg said the participation rate will increase resulting from the new entry to the market but those benefits would be for the new facility not existing markets.

Chair Olsen said that there was a great increase post Covid for all of the casinos and he said the study shows that a lower percentage of total income is being spent. He asked if it's possible they are spending the same amount of money but their income has just increased. He was curious about the percentage on that. Mr. Wittenberg said the gross numbers are in the study, but he will get the percentage for them. He said it's also important to note that groceries and the cost of living are also up, so people are spending less on discretionary items such as leisure activities and gaming.

The Innovation Group: Tom Zitt, Executive Vice President, presented a high-level summary of the study they conducted. He explained the criteria they used and what they concluded. He said he would echo everything Mr. Wittenberg from Marquette Advisors said about the support from staff and casino operators. He also stated he would not get into what the market did pre Covid and post Covid because he thinks Mr. Wittenberg did a great job presenting that.

Mr. Zitt said that their study shows that the Cedar Rapids casino will reduce the Net Gaming Revenue (NGR) at existing Iowa casinos by \$56 million. He said Riverside and Isle Waterloo would be the most heavily impacted. However, he said that statewide NGR is expected to increase by \$60 million from Cedar Rapids.

Commissioner Ostergren asked the same questions about the free play that he asked the first market study group. Mr. Zitt said he thinks Mr. Wittenberg is correct and free play is going to go up. He said for that reason they took those numbers out of their calculations.

Commissioner Burkhart said she had a question about the sensitivity analysis. She said they have a comparison of the projected size of the current Cedar Crossing project and then increasing that number by 25 and 50%. She wanted to know if it was possible to show those numbers with a smaller size project. She wants to see if there is a sweet spot where cannibalization rate is lower but tax revenue stays positive. Mr. Zitt said he could follow up with those additional projections.

Chair Olsen said that the study was very thorough and therefore they don't have a lot of questions.

**COMMISSION QUESTIONS TO CEDAR RAPIDS DEVELOPMENT GROUP, LLC AND  
LINN COUNTY GAMING ASSOCIATION, INC. ON APPLICATION TO ESTABLISH A  
GAMBLING STRUCTURE:**

Johnathan Swain, President Cedar Rapids Development Group, introduced the people from their team that were present to answer any questions. He also introduced Suzanne Leckert who was attending virtually as she was snowed in in New Orleans. Mr. Swain handed the Commissioners a packet of information that might help with some of the questions. He also commented that he did provide a new financing letter from Santander as was requested by Commissioner Ostergren at the November meeting.

Mr. Swain then went through some of the questions that had already been asked of them. He started with cannibalization and touched on two properties, Wild Rose Jefferson and Grand Falls, that were projected to cannibalize revenue significantly from existing properties. He noted after Wild Rose Jefferson and Grand Falls each opened, the existing facilities were not forced to close

because of lost revenue and in some cases even grew their revenue. He also discussed some of the traffic concerns with the Cedar Crossing proposal and how they are addressing those. He also touched on the non-profit and what they would contribute to the QSO.

Commissioner Ostergren asked Mr. Swain to comment on the question he had asked previously about free play. Mr. Swain stated he believes the objective was to grow revenue. He said that by giving people free play it is in the hopes they come in and spend not only the free play but their own money as well so in turn this will actually grow revenue.

Commissioner Campbell asked what will set them apart from other casinos when it comes to knowing your customer and identifying potential problem gambling. Mr. Swain said in the past few months they have been looking at some technology that uses AI to detect problem gambling. He thinks there are ways to do this better, using AI to track people's behavior. He said their goal is to identify potential problem gambling early.

Commissioner Burkhart said the proposed entrance has been moved and she wanted to know why that is. Mr. Swain said when they were at the site in November they had the opportunity to see the best way to get emergency vehicles in and out of there as well as the surrounding area. That change was made to incorporate that.

Commissioner Burkhart said they provided some data about growth in other casinos as a result of Cedar Crossing. She wanted to know what the impact is on participation rate and will it capture 100% of that increase. Mr. Swain said with any business if it's closer to its customers the higher the use will be. So, participation rate in Linn County for customers within a 45 min drive time will increase. As they get more familiar with gaming they will widen their use across the state of Iowa.

Mr. Swain said he is deeply appreciative of all the hard work and they look forward to the decision on February 6<sup>th</sup>.

**PUBLIC COMMENT:** Scott Sirois, General Manager of Meskwaki Bingo Casino Hotel wished to make a public comment and thanked the Commission for giving him the opportunity to do so. He said they do not support another gaming license in the state of Iowa. He believes the State is already oversaturated. He thanked the Commission for requesting a copy of their study for consideration. He stated all of the studies are well done. Mr. Sirois commented that while not every study projects the same revenue for a Cedar Rapids casino, everyone agrees on the likelihood of some cannibalization. As an operator, he said the one thing that he sees is cannibalization will go up, not down because gaming in surrounding states is growing too so Iowa is already seeing fewer visiting gamers from other states. He also said free play is not free play, it costs operators money. Without the tax on that, it will certainly help the operators give them one more toggle to flip to make the revenue go up.

**ADMINISTRATIVE BUSINESS:**

Horseracing Integrity and Safety Authority (HISA) – Lasix (furosemide) Exemption: Ms. Eick said that the Commission has an opportunity to ask for an exemption to the use of furosemide. HISA has prohibited the use of Lasix in thoroughbred racing. HISA has allowed state commissions to ask for exemptions for up to 3 years. Last year they asked for and received exemption for the 2024 racing season. The HBPA is supportive of this request. The issue before the Commission is whether the Commission would like to do that again.

Chair Olsen asked if they could do that for 2025 and 2026. Ms. Eick said no, they have asked for it two times prior so this would be the last time unless HISA rules were to change.

Hearing no comments or questions, Chair Olsen requested a motion. Commissioner Andres moved to direct staff to request an exemption with HISA for the prohibition against the use of furosemide in covered horseraces as permitted in the act. Commissioner Campbell seconded the motion, which carried unanimously.

Notice of Iowa Race Horse Aftercare Fund: Ms. Eick presented the notice of the request for proposals of the fiscal year 2025 Iowa Race Horse Aftercare Fund. She stated the fund had approximately \$34,739 in it and the deadline for submissions was February 14, 2025 by 3:30 PM via email to [IRGC@Iowa.gov](mailto:IRGC@Iowa.gov).

**PETITION FOR DECLARATORY ORDER REGARDING IOWA CODE SECTION 99F.7(11):**

Progress Update/Briefs and Comments Received: David Ranscht, General Counsel for IRGC, gave a brief summary of the procedural history of the Petition for Declaratory Order. At the November meeting the Commission decided to set a schedule to hear arguments from both sides. Cedar Rapids Development Group and Linn County Gaming Association intervened, and then provided their briefs. Then there was an opportunity for public comments and the next part of the schedule gave the petitioners the chance to respond. The Commission has been given copies of those briefs. The next part of the schedule is to give the parties an opportunity to present their oral arguments on why the Commission should side with them. The petitioners will be allowed ten minutes to present, then the intervenors will be allowed ten minutes and then five minutes for the petitioners to reply.

Oral Argument: Mark Weinhardt, representing Riverside Casino & Golf Resort and the Washington County Riverboat Foundation, stated they are here today to ask the Commission under its authority to issue a declaration that the 2021 referendum in Linn County does not today give the Commission the authority to issue a license to conduct gambling games in that county. One of the requirements of the law is an electoral requirement. The residents of a county in two different elections have to vote in favor of having gambling in that county.

Commissioner Ostergren asked about an affidavit that was included in the reply brief but not in the original brief. Mr. Weinhardt said it was really just a time constraint and also a reaction to information that came from Linn County. Commissioner Ostergren then went on to ask Mr. Weinhardt to point him to a case where a court would look at an affidavit to interpret what they

think people thought when they were voting. Mr. Weinhardt showed the actual ballot language that was on the referendum. He says this language tells people that gambling is already going on in Linn County, which it was not.

Commissioner Campbell asked how many other operators used this same language. Mr. Weinhardt said no other operator used this exact language from these facts, where there was no gambling in that county. He said this is the only time to his knowledge this has ever happened.

Commissioner Burkhart said there was another vote in a county where a license had been approved but gambling games were not in action. Mr. Weinhardt said that is correct, in Lyon County the casino was under construction when the second referendum was voted on. Commissioner Campbell stated, however there was no gambling going on. Mr. Weinhardt said there was no gambling going on at that moment but they believe that the critical distinction is a license had been issued, whereas no license had been issued in Linn County.

Mr. Weinhardt said the issue is that this referendum passed with 54.7% in 2021. He said if you subtracted 5% of that, one out of every 20 voters, that referendum fails and they suspect that one out of every 20 voters would look at that language and think there must be some gambling going on somewhere within the county.

Commissioner Ostergren asked Mr. Weinhardt to point him to an Iowa Supreme Court case where they said if that language was different that would have failed and therefore it is not valid. Mr. Weinhardt mentioned two cases where the language in the referendum does not accurately fit what they are voting on, but he said in both of those cases it doesn't drill down that far.

Commissioner Campbell asked, if the initial vote can establish gaming in that county. Mr. Weinhardt responded, no a license issued by your Commission establishes gaming because there are many other things that have to be satisfied, such as an application and approval. He said all those things have to happen for gaming to take place in that county.

Commissioner Burkhart asked Mr. Weinhardt what his understanding of the purpose of the two referendums was. Mr. Weinhardt said the first authorizes the Commission to issue a gambling license in that county. The second authorizes the continuation of gaming if there was a licensed issued or it authorizes the initiation of gaming if the license has not been authorized. He said it just so happens that Linn county is the only county in the eight years between votes that there hadn't been a gaming license issued.

Commissioner Andres asked if Mr. Weinhardt could tell us the timeline of when they became concerned about this. Mr. Weinhardt said last fall, not long before they filed the petition on November 8<sup>th</sup>. He said as soon as they recognized the problem they moved quickly. He stated this question is not going away. Mr. Weinhardt said this Commission cannot vote on February 6<sup>th</sup> without answering this question. He said nothing more will come forward prior to February 6<sup>th</sup> so the Commission needs to decide today.

Guy Cook, attorney on behalf of Cedar Rapids Development Group and Linn County Gaming Association, then took the podium. He said this filing is not in good faith and does not meet the rules of petitions for declaratory order. He said the Riverside filing cannot and should not be granted under the rules.

Commissioner Ostergren asked a couple hypothetical questions. He said hypothetically the referendum passed in 2013 and then failed in 2021, the Commission could not issue a license. Mr. Cook agreed. Commissioner Ostergren then asked if hypothetically in 2014 the Commission issued a license and the casino is operating and then in 2021 Linn County forgot to put a referendum on the ballot, would that casino license have to be revoked at that point? Mr. Cook said he thinks the question is if there is a requirement for the second ballot. The answer to that is yes and they submit the ballot was valid and satisfied that requirement. He said the second referendum is important and it meets the standard that this Commission must follow under chapter 99F.

Commissioner Ostergren noted the language on the Lyon County referendum was mentioned in their brief and he asked if there was any action that took place in Lyon County because of that referendum language. Mr. Cook said no, of course not.

Mr. Cook said this petition is not valid, and it's not a real request. He said the distinction between a shield and a sword was brought up in Burlington and the usual declaratory order request is to act for guidance how to proceed. Mr. Cook said that's not what this is, this is not an attempt to use a sword but a nuclear bomb. Commissioner Ostergren asked if he agreed that one way or the other they have to decide if the referendum is valid? Mr. Cook said he thought you could but he didn't think you have to. He said under the Commission's rule 2.28, it will consider this decision as part of the February 6<sup>th</sup> decision whether or not to issue a license. He said the rules allow the Commission to say they don't wish to answer or they refuse to.

Mr. Cook stated that in their brief they showed the bold language that was used on the referendum, but the petitioners said that didn't matter as that wasn't the whole wording. Mr. Cook presented a hand out showing the language for the Washington County ballot in which only a summary was used, without any subsequent explanation like the one that followed the summary language on the 2021 Linn County ballot.

Mr. Cook said the time to challenge this is long gone. He rhetorically asked if Mr. Weinhardt and his clients were willing to accept the decision of the Commission and opined that what Petitioners are really wanting is a court to decide on this and challenge the decision of the Commission. He said this is a corruption of the process and it is inappropriate.

For his rebuttal argument, Mr. Weinhardt said this is not a nuclear option, it's not in bad faith, and it's not a corruption of the process. He said Riverside raised a valid problem and there is an easy solution to the problem: Linn County can do another referendum with the right wording and if there is support as Cedar Rapids Development suggests, then it will pass. Mr. Weinhardt said if the Commission skips over this step there will be further legal proceedings. He said someone needs to decide if this is a correct legal application of the statute. Mr. Weinhardt said they are not

challenging what happened in Linn County in 2021, Linn County posed a question to its voters and the voters voted on that question. The point is that the question that they posed wasn't the correct question.

Commissioner Campbell said it's the same question that was asked in other counties where there was no gaming. Mr. Weinhardt said in none of the other cases was there a challenge or an absence of the license to conduct gambling. Mr. Weinhardt said this Commission cannot avoid, sidestep, or ignore its obligations.

Commissioner Burkhart asked Mr. Weinhardt if he was aware of any circumstances in which any operator in the room may not be satisfying the requirements as it pertains to referendums. Mr. Weinhardt, said he is not aware of any other circumstances with this problem. Commissioner Burkhart said she is asking if this Commission looks at strict compliance versus substantial compliance might that affect other operators in this room. Mr. Weinhardt said he believes the electoral requirement is a strict requirement that requires strict compliance. Commissioner Campbell asked if he's saying that if any operator raises a challenge about another operator's license it should be strict compliance. Mr. Weinhardt said it should be strict compliance when looking to issue a license but if it has gone on for years and years and nobody has complained that might be a different story. Commissioner Burkhart asked what Mr. Weinhardt considers years and years. Mr. Weinhardt said frankly if the license is granted and the casino is built and people are moving forward and then someone raises the question then there would be a very good argument that it's too late.

Chair Olsen asked why November 2024 is not too late to complain in this instance. Mr. Weinhardt said that because only when someone applies for a license is it even thought about.

Commission Deliberation: Chair Olsen said that discussion was had whether to go into closed session to deliberate on this, but in order to stay open and transparent they decided to stay in open session. Commissioner Campbell asked if they had questions for the attorneys, how that would work. Jeff Peterzalek, Deputy Attorney General, said typically they would not provide legal advice in open session.

Commissioner Ostergren stated that he believes they need to answer the question one way or another. He said he does not believe the Commission can issue a license without answering this question. He said if a party is dissatisfied they usually have 30 days to go to district court to challenge that. He said if we want to get this resolved, the fastest way to do that is to decide on the petition for declaratory order.

Commissioner Ostergren said that under IRGC rules there are a number of factors listed that are discretionary as to why they could decline to answer the declaratory order. The first factor is that the petition does not contain facts sufficient to demonstrate that the petitioner will be aggrieved or adversely affected by the failure of the commission to issue an order. He stated that no one is disputing that there will be some economic injury to Riverside. How big that injury is, is to be determined, but it's not zero.

Commissioner Ostergren said the second factor is that they don't have jurisdiction over the question presented. He said he does not agree with that at all, as the Commission has full jurisdiction over Iowa's gaming industry.

Commissioner Ostergren said the third factor is that the questions presented by the petition are also presented in a current rulemaking, contested case, or other commission or judicial proceeding, that may definitively resolve them. He said if they decide to issue a license in two weeks it will implicitly decide it, but it doesn't decide it in a mainstream way, it's binding on the Commission, the petitioners and the interveners. He said if they refuse a license that does not definitively answer the question as there are a lot of reasons they may not grant a license that has nothing to do with whether the referendum is valid. Commissioner Campbell said if the license is refused then the issue is resolved. Commissioner Ostergren said he doesn't agree with that, because someone else could come in and apply for a license the very next day.

Commissioner Ostergren said the fourth factor is that the questions presented by the petition would more properly be resolved in a different type of proceeding or by another body with jurisdiction over the matter. Commissioner Ostergren believes this does not apply as the Commission has full jurisdiction.

Commissioner Ostergren said the fifth factor is the facts or questions presented in the petition are unclear, overbroad, insufficient, or otherwise inappropriate as a basis upon which to issue an order. Commissioner Ostergren feels the facts in the petition are clear and straightforward.

Commissioner Ostergren said the sixth factor is the petition is not based upon facts calculated to aid in the planning of future conduct but is, instead, based solely upon prior conduct in an effort to establish the effect of that conduct or to challenge a Commission decision already made. Commissioner Ostergren feels that because the petitioner is not asking to litigate solely about conduct in the past, this ground does not apply to the petition.

Commissioner Ostergren said the last factor is the petition requests a declaratory order that would necessarily determine the legal rights, duties, or responsibilities of other persons who have not or in the petition, intervened separately, or filed a similar petition and whose position on the questions presented may fairly be presumed to be averse to that of petitioner. Commissioner Ostergren said the intervenors claim the Commission cannot proceed with issuing a declaratory order because the Linn County Board of Supervisors and Linn County have not consented to participate and they would be substantially prejudiced by the requested declaratory order. He said this argument fails because there is potentially only one party that has not intervened here, the only interest of the county identified in the intervenors' brief is the ministerial duty to direct the county auditor to place a public measure on the ballot when presented with a valid petition, and the Commission received a letter dated December 5, 2024, from an Assistant Linn County Attorney on behalf of the board of supervisors and the county. The letter explains the board and the county are aware of the petition for declaratory order and have chosen not to intervene. The letter identifies no substantial prejudice to the county from the declaratory order and does not object to the proceeding moving forward.

Commissioner Burkhart asked if he was making the argument that they should answer the question. Commissioner Ostergren said yes and Commissioner Burkhart said she isn't sure from the discussion so far what he thinks the answer should be and Commissioner Ostergren said he hasn't gotten there yet.

Commissioner Burkhart acknowledged Commissioner Ostergren's point about economic injury but stated that would only come in to effect if the Commission grants a license. If the Commission says no, we don't lack authority, that doesn't mean necessarily that it will issue a license. Commissioner Ostergren said that's an excellent question. He said standing analysis requires a number of things: the potential injury that you would suffer is tangible, the dispute is ripe, and the potential injury is not speculative. Commissioner Andres said that is his opinion and her opinion is that Commissioner Burkhart's question is valid.

Chair Olsen said that he believes, just as he did back in November, that they have a strong basis to decline to answer. He said at this point in time he would like to decline to answer and it doesn't bring it to an end. Commissioner Ostergren said he appreciates that, but he would like to finish what he was saying before. Commissioner Ostergren said this is a judgement call, it's not a black and white answer. If challenged the court will review the refusal. The standard that the court will apply is whether the decision to refuse to answer was arbitrary. That record will have to speak for itself.

Chair Olsen said his comments are consistent, nothing has changed his stance. Commissioner Campbell said when he looks at the info provided he don't know if they have the place to answer.

Commissioner Ostergren said that no party in an actual live dispute has taken a position on what that referendum means. He disagrees that an election contest is the only way to challenge a public measure. He said they have to decide if the public measure complies with the law. He said there are arguments back and forth. He also doesn't agree that the ballot measure in Linn County shows strict compliance. He said it's very important for him to point out that the public referendum that occurred in Lyon County was before changes were made to chapter 99F by the legislature. Commissioner Burkhart asked if that was the same language that was retroactive and went back almost to the beginning of gaming. Commissioner Ostergren said yes, it applies retroactively.

Commissioner Burkhart said that's where she gets stuck because strict compliance could have other significant effects when the Commission has licensing renewals coming up. She is in the camp of having strong reasons why the Commission should strongly consider declining to answer the question in the petition.

Commissioner Burkhart said referendum one establishes the ability of the Commission to issue a license and referendum two establishes that the operator would not have to continue to do the referendums. So today we're being asked, do we have the authority to issue a license. She said as stated before the Commission has full jurisdiction over Iowa's gaming industry. She asked if answering the question in the petition would be inviting a challenge to some of these other issues and asked what that might do to the daily business of this Commission. Commissioner Ostergren said generally we as a Commission cannot avoid from time to time making really hard decisions.

Chair Olsen read the rule IAC 491-2.28 that says an agency cannot issue a declaratory order in some scenarios and may refuse to issue a declaratory order in others. He said this rule hits absolutely the fact that the Commission should not issue a declaratory order in this situation. He said for that reason he thinks the Commission must decline to answer the question. He said they can continue to talk about it, but he thinks they would be acting unfairly to both parties if they were to answer.

Commission Andres said she agrees and if she understands it correctly, it's not the end of the road, if a district court reviews this and tells the Commission it must answer, then so be it. Chair Olsen agreed, that is also his understanding. Chair Olsen asked Commissioner Ostergren if he had said what he needed to say. Commissioner Ostergren indicated he believes that the Commission should answer this question. He thinks the Commission has no choice but to answer, and he thinks the Commission should grant the petition and agree with Riverside that the Commission does not have authority to issue a license in Linn County. Commissioner Ostergren said he doesn't think the language in 2021 was sufficient to authorize gambling games in Linn county. He said it's unfortunate and he thinks both sides provided good arguments. He said he hopes Linn County can get this back on the ballot for September as that's going to be a lot easier than to appeal what the Commission decides or doesn't decide.

Commissioner Burkhart said she agrees that both sides were persuasive, but whether each side was persuasive is not the question. Rather, whether the Commission has licensing authority. She thinks ultimately given the Commission's options today, they need to refuse to answer the petition for a declaratory order.

**Vote on Resolution of the Petition:** Commissioner Campbell moved to decline to answer the petition under Iowa Code section 17A.9(1)(b)(1) and Iowa Administrative Code rule 491-2.28, and to direct staff to prepare a written decision by January 27, 2025. Commissioner Andres seconded the motion, which carried with a 4-1 vote. Commissioner Ostergren dissented.

**ADJOURN:** Chair Olsen adjourned the meeting at 11:53 AM.

MINUTES TAKEN BY:



CHANTELLE ARMINTROUT

# **IOWA RACING AND GAMING COMMISSION MINUTES FEBRUARY 6, 2025**

The Iowa Racing and Gaming Commission (IRGC) met on Thursday, February 6, 2025 at Prairie Meadows Racetrack & Casino in Altoona, Iowa. Commission members present were Daryl Olsen, Chair; Mark Campbell, Vice Chair; and members Julie Andres, Amy Burkhart and Alan Ostergren.

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

**APPROVE MINUTES:** Chair Olsen requested a motion to approve the minutes from the January 23, 2025 Commission meeting. Commissioner Campbell moved to approve the minutes as printed. Commissioner Burkhart seconded the motion, which carried unanimously.

**WELCOME:** Gary Palmer, General Manager, welcomed everyone and said they enjoy the crowd that came for the meeting and enjoyed the excitement it brought. He said they are celebrating their 36<sup>th</sup> year in the gaming business in Iowa this year and he thinks the future for Prairie Meadows in Iowa is very bright. He said he hopes it is a good meeting and thanked the Commission for choosing Prairie Meadows.

**ANNOUNCEMENTS:** Tina Eick, Administrator, announced that the next Commission meeting is being held on March 6<sup>th</sup> at Prairie Meadows in Altoona, Iowa and the submission deadline for that meeting is February 20<sup>th</sup>. The next meeting after that will be held on April 24<sup>th</sup> at Ameristar in Council Bluffs.

**CASINO QUEEN MARQUETTE, INC.:** Bradley McAllister, Associate with Greenberg Traurig, presented the request for approval of Casino Queen's remodeling plan. He said the Commission requested the floor plan be updated, which this proposal does. He said these changes would not affect the targeted projected completion date of the project, which remains December 2025.

Robin Corbeil, General Manager, discussed some of the changes made to the floor plan. She stated the plan encloses the balcony in order to add additional gaming space as well as spread out the machines and make better use of the floor plan. She said there had been some concerns about construction halting, but that has not happened and construction continues to move along. She said there have been some soil issues but they are working around those and they don't anticipate this changing the completion date.

Commissioner Campbell asked her to verify what the completion date is, and Ms. Corbeil responded, December 5<sup>th</sup>.

IRGC Commission Minutes

February 6, 2025

Page 2

Commissioner Burkhart asked her to share with the group what the total square footage is now with enclosing the balcony. Ms. Corbeil said that with enclosing the balcony it added about 2,100 square feet and the total square feet now is 13,038.

Commissioner Andres asked her if they were happy with the changes. Commissioner Andres said she didn't want them to give up their design or function of the space just to hit a certain number. Ms. Corbeil said they are happy with it. She said they will still have the same amenities, same number of slot machines, table games and electronic games, but this is just giving them more room to spread out a little bit.

Hearing no further comments or questions, Chair Olsen requested a motion. Commissioner Burkhart moved to approve the remodel request as presented by Casino Queen Marquette, Inc. Commissioner Campbell seconded the motion, which carried unanimously.

**CONTRACTS:**

SCE Partners, LLC: Doug Fisher, General Manager, presented a contract with Pepper Entertainment, Inc., an entertainment booking agency (OSV), for Commission approval.

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

Isle of Capri Bettendorf, L.C.: Sally Rogers, Director of Finance, presented a contract with Allied Communications LLC for a five year contract for hardware and software phone and voicemail support (OSV), for Commission approval. Ms. Rogers apologized for the late submission and said she understands the guidelines and this one simply slipped by them. Commissioner Burkhart thanked her for providing an explanation with their submission.

Hearing no further comments or questions, Chair Olsen requested a motion. Commissioner Campbell moved to approve the contract as submitted by Isle of Capri Bettendorf, L.C. Commissioner Ostergren seconded the motion, which carried unanimously.

Dubuque Racing Association, Ltd.: Brian Rakestraw, Chief Operating and Financial Officer, presented a contract with the City of Dubuque for Iowa Amphitheater Site Demolition, for Commission approval.

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

Riverside Casino and Golf Resort, LLC: Damon John, General Manager, presented a contract with Mohrfeld Electric for CCTV Wiring, for Commission approval.

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

Diamond Jo Worth, LLC: Scott Smith, General Manager, presented a contract with Gitchi Gaming, Inc. for the purchase of new slot and table chairs, for Commission approval.

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

**HEARINGS:**

Circa Sports LLC: Ms. Eick presented the Stipulated Agreement for violations of Iowa Code § 99F.3, Iowa Code § 99F.1(29) and 491 IAC 13.2(7)"e". Circa Sports LLC offered two wagering markets that should not have been offered.

Piper Carter, Compliance and Licensing Manager, said they are now manually approving all college proposition wagers for all markets. She believes this has been effective in helping them reduce any future impermissible wagers and hopes the Commissioners find this corrective action has been effective as well.

Hearing no further comments or questions, Chair Olsen requested a motion. Commissioner Andres moved to approve the Stipulated Agreement with Circa Sports LLC with an administrative penalty of \$20,000. Commissioner Burkhart seconded the motion, which carried unanimously.

Penn Sports Interactive, LLC: Ms. Eick presented the Stipulated Agreement for two counts for violations of Iowa Code § 99F.4(22), Iowa Code § 99F.1(29), 491 IAC 13.3(1), 491 IAC 13.2 (3) and 491 IAC 13.2(7)"e". For count one, Penn Sports Interactive, LLC sent a promotional email to a self-excluded individual. For count two, Penn Sports Interactive, LLC made markets available on fifteen different basketball games that involved impermissible wagers.

Adam Kates, Senior Director of Compliance, said these events took place in late 2023 or early 2024 and since then their mitigation efforts have been successful and they have not had any other issues. Commissioner Burkhart said she appreciates that and their efforts, but they did have one issue just before these two in late 2023.

Hearing no further comments or questions, Chair Olsen requested a motion. Commissioner Burkhart moved to approve the Stipulated Agreement with Penn Sports Interactive, LLC for Count 1 with an administrative penalty of \$20,000 and for Count 2 with an administrative penalty of \$20,000. Commissioner Ostergren seconded the motion, which carried unanimously.

Grand Falls Casino Resort, LLC: Ms. Eick presented the Stipulated Agreement for two counts for violations of Iowa Code § 99F.9(5). Both counts were for underage individuals gaining access to the gaming floor.

Sharon Haselhoff, General Manager and Vice President, apologized for these incidents. She said in count one, they had an officer that should have checked for identification and they also failed to inform the local authorities. She did acknowledge the efforts of the staff who noticed the underage individual on the gaming floor. She said they continue to look for underage individuals beyond the podium and ask for identification if they look underage. She said they continue to train their team members and they still have quarterly outside training from a former DCI agent on what to look for on an ID.

For count two, Ms. Haselhoff said the individuals illegally gained access but at no time did their team members notice them until they were caught on camera jumping the podium. She said processes were not followed as they should have been while they were on the floor or after. She said they have taken steps to add additional alarms and notifications around the outer walkways and at the closed podiums. She acknowledged that the staff was not paying attention and that these events should not have happened. She said in the future the surveillance room will be notified if someone breaches a closed podium or a nearby wall as alarms are in place now.

Ms. Haselhoff again apologized for these incidents and said it is not something they ever want to happen. She said they have great individuals working for them but accidents do happen. When that happens, they figure out what they did wrong, what they did right and learn from those incidents. She said they take this very seriously.

Commissioner Campbell asked if there have been any incidents like this since then. Ms. Haselhoff said they have had a couple of minors on the floor, but nothing over 30 minutes.

Hearing no further comments or questions, Chair Olsen requested a motion. Commissioner Campbell moved to approve the Stipulated Agreement with Grand Falls Casino Resort, LLC for Count 1 with an administrative penalty of \$20,000 and for Count 2 with an administrative penalty of \$30,000. Commissioner Ostergren seconded the motion, which carried unanimously.

Churchill Downs Technology Initiatives Company: Ms. Eick presented the Stipulated Agreement for a violation of Iowa Code § 99D.7(23). Churchill Downs Technology Initiatives Company allowed self-excluded individuals to open wagering accounts.

Andrew Silver, Corporate Counsel, said they take responsible gaming and self-exclusion very seriously. He said when they discovered this they immediately self-reported it. He said it was a technical error. In their system if an individual was blocked for other reasons, such as too many failed login attempts, they weren't being flagged on the Iowa side for being self-excluded. Mr. Silver said they self-reported this, corrected this issue and haven't had any issues since.

Hearing no further comments or questions, Chair Olsen requested a motion. Commissioner Ostergren moved to approve the Stipulated Agreement with Churchill Downs Technology Initiatives Company with an administrative penalty of \$20,000. Commissioner Andres seconded the motion, which carried unanimously.

Ameristar Casino Council Bluffs, Inc.: Ms. Eick presented the Stipulated Agreement for violations of Iowa Code § 99F.4(22). Ameristar Casino Council Bluffs, Inc. failed to upload two self-exclusions into the self-exclusion system in a timely manner.

Misty Willburn, Deputy Chief Compliance Officer, said they take their commitment to responsible gaming very seriously and they understand the critical importance of timely uploads. She explained that Ameristar had three individuals with access to upload this information but back in August two of the individuals left leaving only one. She said that individual took some time off and Ameristar didn't take into account the fact that she was the only one with this access. She said this was an oversight on the property and when the individual returned to work the forms were waiting and they were immediately uploaded and reported to IRGC. Ms. Willburn said Ameristar now has four individuals with this access and training. She said she is comfortable that this is not something they will see happen again as a result of staffing challenges.

Commissioner Andres asked if the fourth person they added to have this access is in a leadership or management role. Ms. Willburn said yes, they have three people in compliance and one in security, two managers and two others that have this access.

Hearing no further comments or questions, Chair Olsen requested a motion. Commissioner Andres moved to approve the Stipulated Agreement with Ameristar Casino Council Bluffs, Inc. with an administrative penalty of \$5,000. Commissioner Ostergren seconded the motion, which carried unanimously.

IOC Black Hawk County, Inc.: Ms. Eick presented the Stipulated Agreement for a violation of Iowa Code § 99F.4(22). IOC Black Hawk County, Inc. failed to upload a self-exclusion form to the self-exclusion database.

Chad Moine, General Manager, said this happened back in 2018 at a time when their security leadership team struggled to stay in compliance with multiple regulations. He said in late 2019, early 2020, the entire leadership team turned over and with better leadership in place he feels this has been corrected and will not happen again in the future.

Commissioner Burkhart asked if they had gone back to look to make sure that no additional uploads were missed. Mr. Moine said staff looked and to his knowledge there haven't been any others.

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

**DISPOSITION OF APPLICATION BY CEDAR RAPIDS DEVELOPMENT GROUP, LLC AND LINN COUNTY GAMING ASSOCIATION, INC. TO ESTABLISH A GAMBLING STRUCTURE IN LINN COUNTY:** Chair Olsen said at this point in time they will have the disposition of application by Cedar Rapids Development Group, LLC and Linn County Gaming

Association, Inc. to establish a gambling structure in Linn County. He asked Ms. Eick to please lay out specific criteria for the Commissioners to consider when making their decision.

Ms. Eick said the commission-established criteria for considering a new casino license are detailed in Iowa Administrative Code, specifically commission rule 1.7. She briefly summarized the criteria for compliance, gaming integrity, economic impact and development, efficient and safe operation of the facility, community support, and other factors as they may arise in the circumstances presented by a particular application. She stated the rule also establishes criteria for racing establishment, but that is not a factor in this application.

Chair Olsen said he will ask each Commissioner to give a brief statement on their thoughts when looking at the application. He indicated they will go in alphabetical order, skip over him and he'll go last, and then after that he will request a motion.

Commissioner Andres expressed her gratitude to any individuals who took the time to express their enthusiastic position on the matter before them today. She said all the comments, emails, letters and conversations mattered to her in this decision. She loves the passion they all have on both sides. She said the decision to add a casino in Cedar Rapids in the past for previous Commissions had been a difficult one and this time had proven to be no different. She said there is no way to make everyone happy. Commissioner Andres said Iowa has high standards and the existing casinos show that. She said that makes the concept of cannibalization hard to accept as they balance what they expect out of licensees against how many casinos there are in the market. She does not believe a net gain in total gaming revenue or tax revenue alone is enough to warrant another license in the state of Iowa.

Commissioner Andres said ultimately, she considered the market analysis from Marquette Advisors and Innovation Group as well as the presentations and information provided by both current licensees as well as Cedar Rapids Development Group, the Qualified Sponsoring Organization's (QSO), non-profits and numerous other stakeholders. She also considered the amenities of the existing licenses in the market and what is proposed in the Cedar Crossing project and what the quality of those are and if there is a differentiation between markets. She said the Cedar Crossing project exceeds many of the criteria they are to consider.

Commission Andres said the Innovation Group projected gaming revenue at Cedar Crossing in 2028 would be \$116 million and Marquette Advisors projected it to be \$118 million. She said she was impressed at how close those numbers were. She said the financial impact to Cedar Rapids on job growth, grants to non-profits and revitalization of the area were understandable, but at what cost to the other casinos in the area. The studies were also very close on their calculation of cannibalization. She said she understands it's a lot of numbers but in the end both studies demonstrate a net gain in Iowa gaming revenue of \$60-\$64 million and both projected a state wide gaming tax revenue increase of around \$10.5 million.

Commission Andres said she doesn't think a project that is desired by a local community, gives that community an opportunity to thrive, meets and even exceeds the standards for quality of design and amenities, provides a unique and differentiated product in the market, and provides

net revenues for our state should be denied. For that reason, Commissioner Andres stated she will vote yes to grant a license to the Cedar Rapids Development Group together with their QSO.

Commissioner Burkhart started with a story of when her son was 4 years old and he said to her “tell me everything you know”, which she said is impossible. She said asking her why she’s going to vote a certain way on this decision is equally as impossible because there are numerous factors that play into this decision. She thanked everyone on both sides that took the time to help her truly understand the impact of her decision and thanked them for opportunities to help her learn and grow. She said in that moment with her son she knew she had to speak quickly and say a few things that mattered most to her and that’s what she is going to do today.

Commissioner Burkhart said she is a marketer and she’s practiced marketing for over 25 years, and every day she consults with clients on issues such as those discussed at this moment: market share, market saturation, product differentiation, growth strategies, and messaging. She said she would not look at this for a client and say that this does not have a good chance to succeed. However, she’s also a Southeast Iowan and this project comes closer to her than any other Commissioner, which has been challenging. She’s been contacted by people she greatly respects and admires in the business community that she lives, works, and plays in, and she understands any decision she makes has an opportunity to impact their lives. At the end of the day she asked herself what is her job and what is her role here. The Commission is not laid out in a way where people are appointed to represent certain geographical areas so she really does have to look at this as an Iowan and not representing a particular area.

Commissioner Burkhart said looking at it, she sees a net gain for the state of Iowa. She sees net gain in terms of tax revenues for the state. She said the studies actually show a decline if Cedar Crossing is not implemented. They show a decline in tax revenue due to competition in the border states which this Commission has no control over. She said the studies also show net gain to non-profits. She said there might be a redistribution of those funds from one QSO to a new QSO, but the net gain to our state is significant, in excess of \$4 million. She also pointed out that this affects all Iowans from multiple counties border to border in the percentage of tax revenue that goes into county endowment funds that is distributed amongst those 84 counties. Commissioner Burkhart said for those reasons she will be voting in favor of Cedar Crossing.

Commissioner Campbell said he would like to express his sincere gratitude for everyone who took the time to meet with him, provide feedback, write letters and answer his questions. He read every letter and deeply appreciates the insights that were shared with him. He said a question he was asked a lot is if this will open Pandora’s box for gaming in Iowa. He assured everyone he does not believe this will be the case. He stated the Commission has worked diligently to evaluate this application and will continue to approach all further applications with the same thoroughness and care.

After conducting a careful review of the studies, Commissioner Campbell said he can confidently say that the market has the ability to support this project. He noted the two studies do indicate there will be market shift but every gaming license issued in the state of Iowa has experienced some degree of cannibalization or market share redistribution, yet the industry

continues to thrive. He said it's a reality that many licensees were aware of when they applied, fully understanding that temporary shifts might occur. He said despite these shifts, Iowa gaming has remained robust and successful.

A key topic raised in discussions Commissioner Campbell had was the distribution of dollars generated from 99F and 99D funds. He said upon review it's true these funds tend to concentrate on a limited number of counties, meanwhile equitable distribution of these funds across the state could provide a wider range of communities with the opportunity to benefit. He fully understands the concern that this new license could reduce funds for current QSOs. However, he said while some funding might shift temporarily, the overall pool of funds will increase with this new license.

Commissioner Campbell said this a completely different project than those considered in previous years. He said the proposed project has met all the necessary licensing requirements and provides an opportunity for social benefits across the state. In conclusion after careful consideration and review, he is confident that issuing this license in Linn County will be a positive step forward for Iowa and he will be voting in support of this license.

Commissioner Ostergren started by echoing the thanks that had been given to Tina and staff for the excellent job they have done in handling the flow of information. He said they have had thousands of pages to review and he really appreciate how detailed the application was and all the people they have heard from. He said in reviewing this he looked at it as a lawyer and his concern was the same as it was two weeks ago. He said the first thing they have to look at in their criteria is whether the applicant is in compliance with the terms and conditions specified in the rules. He commented that the issue of the validity of the referendum discussed two weeks ago has not been resolved to his satisfaction, so he doesn't believe the Commission has the legal authority to issue a license. He said he is one of five votes though and that position is not carrying support so they will see how that plays out.

Commissioner Ostergren said the quality of the application, QSO and operator were exemplary and he feels it would be a very high quality operation. He said he was very impressed with what he saw in the application and the support he saw in Linn county, just as he was in what he saw in Washington county, Waterloo, Dubuque and other places. He commented that the strong connection between gaming and community in our state is remarkable. He said he personally wasn't looking forward to going to a big public forum in Cedar Rapids in November but it turned out to be a positive experience because they heard from people from all over and almost everyone was sincere in their comments and believed in their community. He said it was gratifying to see all the different people that were so involved in all the different non-profits in their communities.

However, he also stated he was very offended by one of the comments. He said the Commissioners were asked to look in the mirror the morning of the vote and ask themselves how they would feel if they approved this license. He said nobody is basing their decision on emotion but rather what they see the facts are. He said although he personally disagrees with the vote his

fellow commissioners are making, he doesn't think they are making their decision based on emotion.

Commissioner Ostergren said he sees, balancing out all these factors, a potential increase in the state general fund of tax revenue of roughly twelve hundredths of a percentage point. He personally would come down on not disrupting the existing operators based on that minimal increase on tax revenue for the state as a whole. He believes the cannibalization will be too much but based on the other Commissioners votes he thinks we will find out and he hopes he is proven wrong. He announced he intends to vote no for those reasons.

Chair Olsen first addressed the argument that the Commission doesn't have the authority to grant a license because of the 2021 referendum in Linn county. He said after consulting with legal counsel and a representative from the Attorney Generals office, the majority of the Commissioners are satisfied that they have the authority to move forward with this decision.

He said each of the Commissioners brings a unique set of skills and perspectives. He is a science based individual and will be much more objective in his decision making. He said from the rules that Ms. Eick read earlier and Iowa Code 99F.7, the Commission shall decide the number, location and type of gambling structures and excursion gambling boats licensed under this chapter, and the Code and rules provide criteria. He said he was appointed to this Commission to look at the rules and follow the rules and to take the emotion out of that.

Chair Olsen said the first criteria is compliance, and he has no concern this facility will be compliant. Next is gaming integrity, and again he has no concerns. Economic impact and development are next and includes revenue to be provided to state and local communities to positively improve quality of life to residents of a community. He said this facility is returning a higher percentage to their QSO and it's hard to argue that isn't a positive. He said there will be a market shift that will have an impact on existing operations and that is the one negative of this project. He said that bothers him, but he can't let one negative stand in the way of all of the positives.

Chair Olsen said when he looks at efficient and safe operations and community support, they are strong. He said the last criteria says other factors and that's for the Commissioners to determine what those other factors are. Chair Olsen said its very important to him that a gaming facility provides more than just gaming. He said if this was just a gaming facility he would be voting no, but this is so much more than that. He said if he looked back to 2014 or 2017 he thinks he would have voted no at that point in time because back then it was just a casino. He said he believes there is only one criteria that is negative and so many positives, that he will be voting yes today.

Chair Olsen said there are a few things he would like to add. He thanked the Iowa legislators for trusting this Commission and for allowing the process to proceed as he believes it was intended to do. He said today they are allowed to regulate and he appreciates that very much.

He said as Commissioner Campbell touched on, there is worry that this will open the flood gates, but he doesn't believe that will be the case. He said the last license was issued over 10 years

ago. He said Linn County makes sense to him whereas other locations don't. He said they have to look at what they have today and what's best for the future.

In closing he said they met with stakeholders and horsemen yesterday at Prairie Meadows and that's something that is near and dear to the Commission. He said Prairie Meadows provides so much but one thing it provides is our ability to have a racetrack and he hopes commissioners in the future will keep that in mind. He believes they need to protect that because without it we wouldn't have horseracing and that would make him very sad. He ended by saying he will be voting yes today.

Commissioner Campbell moved to grant the application by Linn County Gaming Association, Inc. to conduct gambling games and the application by Cedar Rapids Development Group, LLC to operate a gambling structure in Linn County, along with approving all agreements contained in the application, and subject to conditions established by staff.

Ms. Eick said the license is conditioned on the following:

- An initial license period of February 6, 2025 through January 31, 2028.
- Payment of the first installment of the license fee within 30 days.
- Posting of a bond in the amount of \$1 million dollars.
- The completion of necessary IRGC licensing and DCI background for all additional personnel or entities.
- Obtaining all required state and local approvals for construction of the project in the proposed location, in accordance with Iowa Administrative Code rule 491—5.4(18).
- Approval by the Commission and by DCI of an appropriate security, emergency response plan and surveillance plan.
- Approval by Commission staff of all internal controls and regulatory requirements prior to opening.
- A status report on any construction progress and the anticipated construction timeline, to be presented at the June 2025 Commission meeting, including written documentation submitted in accordance with Commission rules.
- Substantial completion of the entire project by April 30, 2027 in essentially the same form as represented to the Commission. The Commission has sole authority to determine whether this condition has been met. The gaming floor may be opened to the public only after substantial completion of the entire project. If the project is not completed by October 31, 2027, a fine of \$61,780.82 per day will be instituted.

Commissioner Andres seconded the motion, which carried on a roll call vote with a 4-1 vote. Commissioner Ostergren dissented.

**PUBLIC COMMENT:** There were no public comments.

**ADMINISTRATIVE BUSINESS:** There was no administrative business.

IRGC Commission Minutes

February 6, 2025

Page 11

**ADJOURN:** Chair Olsen adjourned the meeting at 10:16 AM.

MINUTES TAKEN BY:

  
CHANTELLE ARMINTROUT

# **IOWA RACING AND GAMING COMMISSION**

## **MINUTES**

### **FEBRUARY 10, 2025**

The Iowa Racing and Gaming Commission (IRGC) met virtually/telephonically on Monday, February 10, 2025. Commission members present virtually were Daryl Olsen, Chair; Mark Campbell, Vice Chair; and members Julie Andres, Amy Burkhart and Alan Ostergren.

**APPROVE AGENDA:** Chair Olsen called the meeting to order at 2:30 PM and requested a motion to approve the agenda. Commissioner Campbell so moved. Commissioner Andres seconded the motion, which carried unanimously.

#### **DISCUSSION AND RESOLUTION OF MOTIONS FOR STAY (DECLARATORY ORDER) CASE NO. CVE007371 AND MOTION FOR STAY (LICENSE CHALLENGE)**

**CASE NO. CVEQ007370:** Chair Olsen announced the Commission had two motions before them. The first motion is a resolution of a motion for stay on the declaratory order, case number CVE007371. He opened it up for discussion.

Commissioner Ostergren clarified that the case number Chair Olsen read was for an Iowa Court case for a petition for judicial review challenging the resolution of the petition for declaratory order. Commission Ostergren said the Commission is being asked to stay their disposition of that and he believes that motion should be denied. He said although he was on the other side of the 4-1 vote on the underlying question, the Commission chose to not act, so he doesn't believe they can stay this action. He said you can really only stay action that the Commission takes, so in this case there is really nothing to stay. Commissioner Ostergren moved to deny the motion for stay of the Commission's disposition of the petition for declaratory order that they did on January 23, 2025.

Chair Olsen confirmed that Commissioner Ostergren was making a motion. Commissioner Ostergren confirmed, he moved to deny the request for stay. Commissioner Burkhart seconded the motion.

Chair Olsen said he agreed that it didn't make sense since they issued a license. Commissioner Ostergren said just to be clear he is only talking about the petition for declaratory order as they will address each item separately. Chair Olsen confirmed and stated from his point of view there is no option here. Commissioner Ostergren agreed and said since they chose not to answer the petition on a 4-1 count, there is no action that can be stayed.

Motion carried unanimously.

Chair Olsen said they have a second motion for stay on the license challenge. Commissioner Ostergren said there is an action the Commission took last Thursday to grant a license, so this is something that is capable of being stayed. He said his view is the motion for stay should be denied because there is very little court authority. He said there is very little case law on this question but he did mention one case he found that could be similar.

Commissioner Ostergren said any administrative agency should consider a stay if the stay is requested on some agency action where granting a stay would not endanger the public and the failure to issue a stay would deprive a party from seeking judicial review. He doesn't feel that the challengers to the license, Riverside and Washington County Qualified Sponsoring Organization (QSO), are deprived of their ability to go to court for judicial review if the Commission denies a stay. He said it could be that the judicial review will take longer, and in that case the court itself can issue a stay. He said although he disagreed with the granting of the license, he doesn't believe the challengers are going to be prevented their day in court if the Commission doesn't issue a stay today.

Hearing no further comments or questions, Chair Olsen requested a motion. Commissioner Ostergren moved to deny the motion for stay of the licensing decision made by the Commission on February 6, 2025. Commissioner Andres seconded the motion, which carried unanimously.

Chair Olsen directed staff to prepare a written ruling on today's decision. Ms. Eick agreed.

**LITIGATION UPDATE (COMMISSION MAY GO INTO EXECUTIVE SESSION PURSUANT TO IOWA CODE § 21.5(1)(c) TO DISCUSS MATTERS THAT ARE CURRENTLY IN LITIGATION)**: Ms. Eick announced there is one other item on the agenda, number three, but it's at the Commissions discretion whether or not the Commission feels the need to discuss further.

Chair Olsen said he doesn't see a reason to go into executive session unless someone feels like they need to. All Commissioners agreed there was no need.

**ADJOURN**: Chair Olsen requested a motion to adjourn. Commissioner Burkhart so moved. Commissioner Campbell seconded the motion, which carried unanimously.

MINUTES TAKEN BY:



CHANTELLE ARMINTROUT

**IOWA RACING AND GAMING COMMISSION  
MINUTES  
MARCH 6, 2025**

The Iowa Racing and Gaming Commission (IRGC) met on Thursday, March 6, 2025 at Prairie Meadows Racetrack and Casino (PMRC) in Altoona, Iowa. Commission members present were Daryl Olsen, Chair; Mark Campbell, Vice Chair; and members Julie Andres, Amy Burkhart and Alan Ostergren.

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

**APPROVE MINUTES:** Chair Olsen requested a motion to approve the minutes from the February 6, 2025 Commission meeting. Commissioner Ostergren moved to approve the minutes as printed. Commissioner Burkhart seconded the motion, which carried unanimously.

Chair Olsen requested a motion to approve the minutes from the February 10, 2025 Commission meeting. Commissioner Campbell moved to approve the minutes as printed. Commissioner Burkhart seconded the motion, which carried unanimously.

**WELCOME:** Gary Palmer, CEO & President, welcomed everyone to Prairie Meadows and said he was glad we could be there given the weather. He then introduced Brian Ohorilko who will become CEO when Mr. Palmer retires. Chair Olsen congratulated Mr. Ohorilko.

**ANNOUNCEMENTS:** Tina Eick, Administrator, announced the next scheduled meeting would be April 24, 2025 at the Ameristar in Council Bluffs. Submissions for that meeting are due April 10<sup>th</sup>. There will be no meeting in May and then the next meeting will be June 19, 2025 at Q Casino in Dubuque.

Nancy Ballenger, Vice President and General Manager of Isle of Capri Bettendorf, recognized Wes Ehrecke, President and CEO of Iowa Gaming Association. She took a moment to recognize, thank and honor him on his dedication, vision, and the lasting impressions he's made on the state of Iowa and beyond. She said he has been the face of gaming for 25 years and she congratulated him on all of his achievements. She said he will be greatly missed and wished him all the best in his next chapter. Ms. Ballenger then presented him a plaque with a \$25 chip from each of the 19 casinos to honor his 25 years of service.

Mr. Ehrecke said he is grateful, honored and humbled for having the opportunity to work in an industry that is considered to be a viable part of Iowa's economy. He said it is a tremendous industry and will be a tremendous industry for years to come. He said the Commission is one of the most respected regulators in the country for what they do and how they do it, and he is honored to have worked with the Commissioners and administrators over the years. Mr. Ehrecke said he also wanted to applaud the industry for how they interact with the qualified sponsoring organizations (QSOs) as they are the heart of their communities. Mr. Ehrecke quoted an old adage

“some people make things happen, some people watch things happen and some people wonder what happened”. He said in this industry everyone is making things happen in a proactive and positive way and it’s so exciting to see.

Chair Olsen congratulated Mr. Ehrecke on a job well done and said he really represented the industry well.

**NATIONAL PROBLEM GAMBLING AWARENESS MONTH:** Chair Olsen introduced Katrina Bee, Project Manager of Problem Gambling, Iowa Department of Health and Human Services (Iowa HHS).

Ms. Bee stated March is National Problem Gambling Awareness Month. She presented a brief PowerPoint presentation covering gambling behaviors and the prevention and treatment services available in the state of Iowa.

She defined what problem gambling is, and discussed the various media outlets that are placed to help make Iowans aware of problem gambling and encourage them to reach out for help if they or their loved ones are experiencing problems due to gambling.

Ms. Bee discussed at a very high level the prevention services available in all 99 counties in the State. She also discussed the outpatient counseling services available, stating there are 13 providers covering all 99 counties.

She referenced the Your Life Iowa website and said it contains a plethora of information including a chat and text option. In SFY24 there were 1,363 calls to 1-800-BETS OFF and 74,002 visits to the [yourlifeiowa.org/gambling](http://yourlifeiowa.org/gambling) website. A total of 149,292 Iowans were served with a problem gambling individual-level or population-level prevention service. A total of 1,434 Iowans received an evaluation and were recommended to gambling treatment. A total of 7,112 direct hours were provided towards problem gambling community outreach, engagement, family education, or crisis services. And, a total of 12 hours of collaborative training opportunities were provided.

Ms. Bee introduced the Your Life Iowa Recovery Page, which she said many were probably not familiar with. She said this is a page where you can read about recovery stories, learn about the warning signs of problem gambling, find a local provider, and put in a request for a treatment professional to contact you.

Ms. Bee ended by thanking the Commission for allowing her to present on this topic and thanked the facility staff for updating the information and promoting 1-800-BETS OFF.

**DUBUQUE RACING ASSOCIATION, LTD.:**

**Request for Approval of Development Agreement with City of Dubuque:** Brian Rakestraw, Chief Operating and Financial Officer, presented a request for approval of a development agreement between the City of Dubuque and Dubuque Racing Association (DRA). This agreement is

regarding the economic development grant payments that the City of Dubuque will pay to DRA based off real estate tax generated by capital investments made to the Q Hotel, which is scheduled to open later this year.

Request for Approval of Second Amendment to the Amended and Restated Lease Agreement with the City of Dubuque: Mr. Rakestraw also presented the request for approval of the second amendment to the amended and restated lease agreement between the City of Dubuque and DRA. He said this is primarily regarding the first agreement and its funding, and how they allocate those funds.

Hearing no comments or questions, Chair Olsen requested a motion. Commissioner Ostergren moved to approve both the development agreement and the second amendment to the amended and restated lease agreement as presented by Dubuque Racing Association, Ltd. Commissioner Andres seconded the motion, which carried unanimously.

**IOWA GAMING ASSOCIATION:** Wes Ehrecke, President, presented the Annual Report of Qualified Community County Foundation Projects. He said it was his 20<sup>th</sup> year of providing this grant report. He explained that a portion of tax revenue goes to each of the qualified community foundations in non-casino counties. This year they were able to provide 1,830 grants for a total of \$11.6 million. Over the 20 years the program has been around they have provided 38,745 grants totaling \$160 million. Mr. Ehrecke said it is a very impressive program and they like to think that every single citizen is benefiting from it in some way. He said each of the counties has a board of directors that determines how best to spend that money for their area.

Chair Olsen said it is really impressive and for the other counties it really means a lot, it is a great program.

**EXCURSION GAMBLING BOAT AND GAMBLING STRUCTURE LICENSE RENEWALS (OSV = OUT OF STATE VENDOR; RP = RELATED PARTY):** Chair Olsen stated we would be having some people join the meeting by Zoom due to weather related travel issues. He said there were 17 license renewals and they want to hear about all the great things they have going on in 2025, but if they could keep their comments between 3-5 minutes it would be greatly appreciated.

Upper Mississippi Gaming Corporation/Casino Queen Marquette, Inc.: Robin Corbeil, General Manager, Casino Queen Marquette, Inc. and Dan Kuempel, Executive Director, Upper Mississippi Gaming Corporation respectfully request their licenses be renewed.

Mr. Kuempel said that in 2024, Upper Mississippi Gaming Corporation was able to fund 39 grants for a total of \$630,500. He said \$26,500 of that was for the Dollars for Scholars program helping 106 students at five local high schools. He said there is a high demand to fund public safety operations. Last year 26% of their funds were allocated to local fire departments, emergency services and police departments for equipment upgrades. Mr. Kuempel said in 2025 they are

focused on the completion of the new land based casino in Marquette. They see this as a chance to increase the number and size of grants in Clayton County.

Ms. Corbeil said 2024 was a challenging year for Casino Queen. They experienced lower attendance which resulted in decreased revenues. However, the revenue per person remained flat compared to the previous year. She said they continue to have difficulty in finding dealers and anticipate this being more of a problem when they add three more table games. To address this issue, they are hiring and training for those positions now. They have also started a dealer training program which includes the property's first paid dealer school and that starts on Monday.

Ms. Corbeil said they continue to prioritize Iowa vendors with \$11.6 million dollars in Iowa spend, which accounts for 96% of their expenditures. They also helped organize the first annual Christmas in Marquette event, which raises donations for the food bank. This year they collected 2,120 pounds of food as well as \$5,738 in cash donations for the local food bank. Numerous other donations were raised through guest ticket donations and employee donations. Ms. Corbeil also touched on their commitment to raising awareness for problem gaming and said they have various media throughout the facility about problem gambling assistance.

Ms. Corbeil then gave an update on their landside project. She said the work has been started, and they have come up with ways to shuttle guests to and from their vehicles during the construction process. She said after some challenges with their contractor they decided to change contractors. With that change they discovered and addressed issues with unsuitable building soil which resulted in significant excavation of the site. After a third sample was taken it was found that the current direction would need to be changed for the foundation. They have a company that is doing a plan and will test some columns to see if they will work. Ms. Corbeil also stated that Alliant Energy would be out next week to move power from the existing transformer to the temporary transformer. She said power would be out anywhere from two to six hours. They will start at four o'clock AM to minimize disruption.

Commissioner Campbell asked if the foundation challenges were going to delay the project. Ms. Corbeil said it would push it back a little. Commissioner Campbell asked what she meant by a little. Ms. Corbeil said she is not sure as they won't know until the columns are put in the ground to see how they do. She said as soon as they get that information they will share that.

Commissioner Burkhart said she mentioned that payroll had been down and she was curious roughly how many positions that was for. Ms. Corbeil said they will be adding about 35-40 positions with the new casino. Commissioner Burkhart asked how many positions they decreased by. Ms. Corbeil said she thinks about 15-20.

Hearing no further comments or questions, Chair Olsen requested a motion. Commissioner Andres moved to renew the license to conduct gambling games to Upper Mississippi Gaming Corporation, renew the license to operate Casino Queen Marquette, Inc. as an excursion boat that will not cruise, that will automatically be converted to a gambling structure license upon completion of the landside structure, renew the license to conduct sports wagering to Casino Queen Marquette, Inc.,

and approve the facility's revised security plan included in the application. Commissioner Ostergren seconded the motion, which carried unanimously.

Palo Alto County Gaming Development Corporation/Wild Rose Emmetsburg, L.L.C.: Steve Cody, General Manager, Wild Rose Emmetsburg, L.L.C., Rick Gilson, Vice President of Operations, Wild Rose Entertainment, Brian Bormann, out-going President, and Gretchen Reichter, in-coming President, Palo Alto County Gaming Development Corporation respectfully requested their licenses be renewed. Mr. Cody, Ms. Reichter and Mr. Bormann attended the meeting virtually due to weather.

Mr. Cody said they are honored to operate in Emmetsburg and Palo Alto County. He touched on a couple of things that they do at their facility. They encourage their senior managers to be involved in community organizations and commissions such as, economic development, Humane Society, 4H Club, school boards, and parent organizations. He said they have or had city council members and a mayor from their staff. Mr. Cody said they also take problem gambling very seriously every day. The security managers have periodic meetings to go over new programs and opportunities.

Ms. Reichter talked about the few of the grants that Palo Alto County Gaming Development Corporation is able to fund throughout the year. She said in 2024 their total community funding was \$1,918,885.36. Mr. Bormann addressed some of the other ways that they are able to help out the community. He said in 2024 the City of Spencer had significant flood damage and they made a \$50,000 donation to help with that. He said in 2025 they will be funding emergency medical services in their communities.

Commissioner Campbell asked Mr. Gilson for an update on getting the restaurant back open. Mr. Gilson said right before Covid they invested in a new eatery that is open and has remained open. He said they have really struggled with employment and getting enough staff to open the other restaurant back up. He said they have also looked into other options as far as renting the space to an outside vendor. He said that comes with challenges as far as trying to split the payments for gas, electric, etc. Mr. Gilson said they have hired a new director of food and beverage. He started in Jefferson and once he finishes there he can move on to Clinton or Emmetsburg. Commissioner Campbell asked that in the next 90 days they provide an update on getting that back open. Mr. Gilson responded that Wild Rose would do so.

Commissioner Burkhart commented that capital expenditures for this facility were low, and she asked what might have caused that. Mr. Gilson said it was definitely the hotel. They had planned on remodeling the hotel but the vendor they selected was working on the Wild Rose Clinton hotel and that project took longer than expected. He said now they need to work on getting back on the schedule. Commissioner Burkhart asked if they anticipate being back on the schedule in 2025. Mr. Gilson said he couldn't say for sure but he predicts it will be 2026 and that even then they might do a floor at a time and so it could take a couple years. Mr. Gilson said they did the casino floor last year and it looks great. He said they also redid the exterior of the building and it looks better than when it was brand new.

Commissioner Andres asked what the expectation is for profitability of the restaurant. Mr. Gilson said he would love for it to make a profit, but he doesn't believe it ever did. Commissioner Andres then asked what the goal is, and are they willing to change it, rebrand it or what the plan is. Mr. Gilson said if they rent it out, then it would likely be rebranded. He said the look would be the same but as for the menu it would be focused on what they are good at doing. He said if they can get the staff, they will reopen it. If they make a profit great, but if not, they will just try to minimize their losses. He said profit is not the goal.

Chair Olsen asked how many other restaurants they have. Mr. Gilson said they have one other restaurant. Chair Olsen asked what the hours of that restaurant are. Mr. Gilson said he thinks it opens around noon and closes around ten o'clock. Chair Olsen asked if that was every day. Mr. Cody said they are open Wednesday through Sunday, closed on Monday and Tuesday. Chair Olsen asked if there were any food options then on Monday and Tuesday. Mr. Cody said they do have some food options at the bar that is located on the casino floor.

Commissioner Campbell asked if the hours of operations were 10AM-12AM Sunday-Thursday and 10AM-2AM Friday and Saturday. Mr. Gilson confirmed that is correct.

Hearing no comments or questions, Chair Olsen requested a motion. Commissioner Burkhart moved to renew the license to conduct gambling games to Palo Alto County Gaming Development Corporation, renew the license to operate Wild Rose Emmetsburg, L.L.C. as a gambling structure, renew the license to conduct sports wagering to Wild Rose Emmetsburg, L.L.C., and approve the facility's revised security plan included in the application. Commissioner Campbell seconded the motion, which carried unanimously.

Contract: Mr. Cody presented a contract with Black Hawk Roof Company for repairs to the facility following a hailstorm.

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

Clinton County Development Association/Wild Rose Clinton, L.L.C.: Mr. Gilson and Joel Dieckmann, President, Clinton County Development Association respectfully requested the licenses be renewed.

Mr. Gilson stated he was presenting on behalf of Steve Nauman, General Manager, as his father-in-law had passed away. He started by discussing the remodel at Clinton. He said it was projected to be a 90 day project but probably lasted twice that long. He said they got all new carpet, new paint, as well as got the last of the hotel rooms finished up. Mr. Gilson also talked about their partnership with the City and a company called TNT to sponsor one of the largest outdoor music concerts in Eastern Iowa. He then stated how proud the company is of what they do for problem gambling. He said they upload and download their list every business day as well as work with a local vendor for gaming awareness who sets up on property several times a year.

Mr. Dieckmann attended via Zoom and apologized for not being able to be there in person. He started by thanking Ms. Eick for her help in finding a new audit firm this year. He said in 2024 they were able to award a little over a million and half dollars in grants to about 60 different organizations. He then thanked IRGC and Wild Rose Clinton for their partnerships and said he appreciates their efforts.

Commissioner Burkhart said their distribution total was just about half of what it was the previous year and she wanted to know why that was. Mr. Dieckmann said coming off of Covid they were a bit behind and they awarded several big projects to make that up. He said they didn't have as many big "special requests" for funding.

Commissioner Campbell paid the facility a compliment for taking the time to get their projects done and completed. Commissioner Burkhart also complimented the first three properties (Casino Queen Marquette, Wild Rose Emmetsburg, and Wild Rose Clinton) on having no Commission level fines in 2024.

Hearing no further comments or questions, Chair Olsen requested a motion. Commissioner Campbell moved to renew the license to conduct gambling games to Clinton County Development Association, renew the license to operate Wild Rose Clinton, L.L.C. as a gambling structure, renew the license to conduct sports wagering to Wild Rose Clinton, L.L.C, and approve the facility's revised security plan included in the application. Commissioner Burkhart seconded the motion, which carried unanimously.

Contracts: Mr. Gilson presented the following contracts for Commission approval:

- Citizens First Bank – Bank Services & Credit Cards
- Lashier Graphics & Signs – Purchases & Install Digital Signage

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

Grow Greene County Gaming Corporation/Wild Rose Jefferson, L.L.C.: Ian Wilkinson, Assistant General Manager, Wild Rose Jefferson, L.L.C. and Bob Allen, Treasurer, Grow Greene County Gaming Corporation respectfully request their licenses be renewed.

Mr. Wilkinson said Wild Rose Jefferson continues to make a significant impact in Jefferson and Greene County. He said March is problem gaming awareness month and they take that very seriously. They have signage and gaming brochures distributed throughout the facility and for guests that reach out they sit down with them, give them support and make sure they have the contact information they need to get help. They also require staff to download the self-exclusion list at least twice a week instead of the required once a week. Mr. Wilkinson also touched on some new things going on at the property. He said in the summer of 2024 they went through a facelift

in the restaurant and bar. In December 2024 they also hired a food and beverage director and they are currently undergoing some changes to their menu.

Mr. Allen started by thanking Prairie Meadows for setting up the Zoom for them. He said in 2024 they were able to award 39 grants. He touched on some of the grants they awarded and mentioned their smallest was to Paton Churdan Community School for a backpack program and their largest was to fund a pickleball court. He said in total they awarded \$1,934,000, giving them a total of nearly \$18 million since inception. He thanked IRGC for all they do for them and the state of Iowa and also thanked Wild Rose Jefferson on a great partnership.

Hearing no comments or questions, Chair Olsen requested a motion. Commissioner Ostergren moved to renew the license to conduct gambling games to Grow Greene County Gaming Corporation, renew the license to operate Wild Rose Jefferson, L.L.C. as a gambling structure, renew the license to conduct sports wagering to Wild Rose Jefferson, L.L.C, and approve the facility's revised security plan included in the application. Commissioner Campbell seconded the motion, which carried unanimously.

Southeast Iowa Regional Riverboat Commission/Catfish Bend Casinos II, LLC: Rob Higgins, General Manager, Catfish Bend Casinos II, LLC and Justin Pieper, President, Southeast Iowa Regional Riverboat Commission (SIRRC) respectfully requested their licenses be renewed.

Mr. Pieper said he was happy to be there and to report another fantastic year and partnership with Catfish Bend Casino. He said he was also happy to report cash flows to the Des Moines County Charitable Fund were activated in 2024. He mentioned some of the projects they were able to help with through the year and said probably the most transformational change in Southeast Iowa in 2024 was the opening of their Fort Madison Marina project. He said it was a great asset for their community.

Mr. Higgins started by saying they have a great and unique relationship with SIRRC in the fact that they help with three different counties. He said they had a lot going on in 2024 and it was an exciting year. He said their revenue continues to be strong. He also discussed some of the remodeling they did in 2024 and said that is continuing to move right along, and they are really excited about how it will look once it is all completed. Mr. Higgins also touched on the fact that they are the franchisee for the local Coldstone location, and that the manager of Coldstone is going to a national convention in Arizona in June to receive three awards, so they are very proud of her. He said they hope to be done with the remodel in the next 30-60 days. They continue to grow and are always trying to do things better.

Commissioner Burkhart said they had a small, ten percent decrease in employment and she was wondering if those were open positions. Mr. Higgins said he would say they are open positions but not because they can't find people. He said they are taking their time to hire the right people and trying to be more efficient.

Commissioner Campbell said their projected capital expenditures were around \$5.3 million and they came in around \$3.5 million. He asked if that was due to efficiencies. Mr. Higgins said he believe some of it is due to efficiencies but some of that expenditure will move forward and happen in 2025. He said as they finish the remodel this coming year, some of that will filter over.

Hearing no further comments or questions, Chair Olsen requested a motion. Commissioner Andres moved to renew the license to conduct gambling games to Southeast Iowa Regional Riverboat Commission, renew the license to operate Catfish Bend Casinos II, LLC as a gambling structure, renew the license to conduct sports wagering to Catfish Bend Casinos II, LLC, and approve the facility's revised security plan included in the application. Commissioner Burkhart seconded the motion, which carried unanimously.

Contracts: Mr. Higgins presented the following contracts for Commission approval:

- Dave Bessine Electric – Electrical Work for Casino Remodel
- The Printer Inc. TPI – Marketing/Printing Services

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

Dubuque Racing Association, LTD: Mr. Rakestraw and Mike Donohue, past chair, Dubuque Racing Association, LTD (DRA), respectfully requested their license be renewed.

Mr. Donohue, who was attending the meeting via Zoom, said the DRA remains committed to strengthening the community through strategic grant making, key development initiatives, and significant financial investments that drive economic growth and enhance the quality of life. He said in 2024 the DRA awarded \$1,331,003 in grants to 58 different organizations. He touched on some of the grants they awarded included a few of their largest grants to Dubuque Air and the Dubuque School District as well as their smallest grant of \$2,956 to the Monticello Police Department for active threat response equipment. He said by reinvesting in their city they continue to build a stronger and more vibrant Dubuque.

Mr. Rakestraw took a minute to comment on problem gambling and how they prioritize that at Q Casino. He discussed all the things they do not only in March, but also throughout the year to show they are committed to making this a year round priority. From brochures, pamphlets and signage placed around the property to the training that all new team members receive during their onboarding process, he said they take this very seriously. Mr. Rakestraw then said 2024 was filled with challenges, changes and ultimately rewarding results. He said the year began with a major remodel of the casino and he commented on the opening of Island Social, a premier entertainment center. He said 2024 was a year of transformation and he is excited to carry that momentum into 2025.

Commissioner Campbell asked for an update on the hotel. Mr. Rakestraw said they plan to open up in late November, early December, but the rooftop restaurant probably won't open until January.

Hearing no further comments or questions, Chair Olsen requested a motion. Commissioner Burkhart moved to renew the license to conduct gambling games to Dubuque Racing Association, Ltd., renew the license to operate Dubuque Racing Association, Ltd. as a gambling structure, renew the license to conduct sports wagering to Dubuque Racing Association, Ltd., and approve the facility's revised security plan included in the application. Commissioner Campbell seconded the motion, which carried unanimously.

Clarke County Development Corporation/HGI-Lakeside, LLC: David Monroe, General Manager, HGI-Lakeside, LLC and Andrew Clark, Executive Director, Clarke County Development Corporation respectfully requested their licenses be renewed.

Mr. Monroe said 2024 was a challenging but productive year for Lakeside. He said quite a bit of bad weather during the first quarter wasn't good for business. However, he said they spent \$11,000,000 in property improvements and capital expenditures to set them up for a very good 2025. In 2024 they returned to being open 24 hours a day, 7 days a week. They also made strides in improving their staffing retention. He said they still have a lot of work to do but staffing is up higher than it's been since before Covid. Mr. Monroe said from a responsible gaming standpoint, they do all the things they are expected to do, as well as download the self-exclusion list at least three times per week. He said they also card everyone at the turnstiles who is forty and under, which has helped them catch thirteen people in the past two months. They also reward staff for bringing anyone looking underage to their attention.

Mr. Clark said Clarke County Development Corporation partners with Lakeside Casino not only to improve quality of life and spur economic development, but also to answer in times of need. He said 2024 was definitely a period where South Central Iowa saw the need for help so they focused a lot of their grants toward answering a lot of the crisis's that popped up. He said more than \$400,000 of grant funds went to assisting in the water crisis. Mr. Clark talked about the many different grants they were able to help with and all the ways they gave back to the community. He said their partnership with Lakeside is truly more than just fulfilling economic development wishes and needs for non-profits, it is truly life changing and it really helps everything Clarke County Development Corporation gets to do.

Commissioner Campbell asked Mr. Monroe to explain why the predicted capital expenditures were \$3 million and the actual spend was \$7 million. Mr. Monroe said most of that was due to some hail damage they experienced as well as securing the barge.

Commissioner Burkhart asked about their plans for sports wagering in 2025. Mr. Monroe said the company is exploring its options but he doubts anything will happen in 2025.

Hearing no further comments or questions, Chair Olsen requested a motion. Commissioner Campbell moved to renew the license to conduct gambling games to Clarke County Development Corporation, renew the license to operate HGI-Lakeside, LLC as a moored barge, renew the license to conduct sports wagering to HGI-Lakeside, LLC, and approve the facility's revised security plan included in the application. Commissioner Burkhart seconded the motion, which carried unanimously.

Scott County Regional Authority/Isle of Capri Bettendorf, L.C.: Nancy Ballenger, Vice President and General Manager, Isle of Capri Bettendorf, L.C. and Lee Marbach, Treasurer, Scott County Regional Authority respectfully requested their licenses be renewed.

Mr. Marbach said in 2024 there was \$2.7 million in grants awarded to 92 projects split between fund cycles, one in the spring and one in the fall. He highlighted five of the 92 grants that they funded in 2024. He said in 2024, they surpassed the \$100 million mark in total grants and he stated their relationship with Isle of Capri Bettendorf remains strong.

Ms. Ballenger said March is problem gambling awareness month and they are committed to responsible gaming year round. She said this commitment started for Caesar's in 1989 as they created the first responsible gaming program in the nation. Over the years they have made that a priority and recently they won the award for National Council on Problem Gaming Award for Corporate Social Responsibility. She touched on the different ways they make sure to prioritize problem gaming awareness. Ms. Ballenger also talked about the different ways they continue to invest in their property to advance customer satisfaction and help compete with the growing competition. She also mentioned their total Iowa spend for 2024 was 97.4%.

Commissioner Andres said that the information shows they led in the largest decrease in door swings, in terms of attendance. She asked if they attribute that to the competition. Ms. Ballenger said she thinks it is somewhat of a mixed bag. Some of it has to do with the economy as well as the additional competition.

Commissioner Burkhart asked what initiatives they are pursuing to increase those attendance numbers for 2025. Ms. Ballenger said she is excited for 2025. She said they are putting more into their marketing efforts, as well as doing things on property such as adding another restaurant option. They also have a plane of players' club members coming from Pittsburgh and she thinks they will have no problem filling it. Commissioner Burkhart also acknowledged their Iowa spend and said it was particularly impressive.

Commissioner Campbell asked about capital expenditures. Ms. Ballenger said right now they are going through a \$1,000,000 investment in upgrading the hotel towers. She said they will be upgrading carpet, getting new mirrors, and getting new furniture. Then she said they also have the restaurant project which she will discuss at a future meeting.

Commissioner Campbell then asked how they would be using the \$1,000,000 toward the hotel, as it would not go very far for a remodel of 500 hotel rooms. Ms. Ballenger said they try not to let

their hotel rooms go to the point of needing an entire remodel. She said they will keep them updated as things move along.

Hearing no further comments or questions, Chair Olsen requested a motion. Commissioner Ostergren moved to renew the license to conduct gambling games to Scott County Regional Authority, renew the license to operate Isle of Capri Bettendorf, L.C. as a gambling structure, renew the license to conduct sports wagering to Isle of Capri Bettendorf, L.C., and approve the facility's revised security plan included in the application. Commissioner Andres seconded the motion, which carried unanimously.

Contract: Ms. Ballenger presented a contract with Bright Power, Inc d/b/a One Roof Solution for Isle Center roof replacement and repairs on both hotel tower roofs. (OSV)

Hearing no comments or questions, Chair Olsen requested a motion. Commissioner Ostergren moved to approve the contract as submitted by Isle of Capri Bettendorf, L.C. Commissioner Campbell seconded the motion, which carried unanimously.

Chair Olsen called a quick five minute break and said meeting would resume at 10:30.

Iowa West Racing Association/Harveys Iowa Management Company LLC: Thomas Roberts, General Manager, Harveys Iowa Management Company LLC and Brenda Mainwaring, President and CEO, Iowa West Racing Association respectfully requested their licenses be renewed.

Ms. Mainwaring said that in calendar year 2024 they received about \$7 million from their casino partners and distributed about \$20 million in charitable contributions. She said in 2024 they awarded 121 grants totaling \$12.5 million. She then discussed their microgrants and how for less than \$6,000 in grant money they were able to get out and connect with the community as they had over 740 participants. She then touched on one particular effort they made. She said like other areas they were hit with tornadoes. They gave \$10,000 to any volunteer firefighter department that responded. No paperwork, no receipt, just indicate they helped and they received the money.

Mr. Roberts began by discussing their efforts for problem gambling awareness. He also talked about the many ways they are continuing to transform their property to battle the competition. Among other things he mentioned, he said they completely remodeled their sportsbook, opened a VIP lounge, and added a pantry to the front desk to give a 24-hour food option to guests. He also mentioned that next month they will have valet open to compete with their competitors. He said they continue to put their best foot forward and invest in their property.

Commissioner Campbell said it appears staffing has been a bit of a challenge, and he asked if they could discuss their plans for that. Mr. Roberts said they recently opened a dealer school. He said they also increased staff for security and housekeeping. He said they are actually up in head count which has always been a challenge. He said the competition is always trying to take their employees but their focus is on their team and to make sure they are happy. He said lately applications have started to increase.

Hearing no further comments or questions, Chair Olsen requested a motion. Commissioner Andres moved to renew the license to conduct gambling games to Iowa West Racing Association, renew the license to operate Harveys Iowa Management Company LLC as a gambling structure, and renew the license to conduct sports wagering to Harveys Iowa Management Company LLC, and approve the facility's revised security plan included in the application. Commissioner Ostergren seconded the motion, which carried unanimously.

Contracts: Mr. Roberts presented the following contracts for Commission approval:

- Exela Enterprise Solutions – Copy & Print Services
- Nalco Water – Water Treatments

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

Dubuque Racing Association, LTD/Diamond Jo, LLC d/b/a Diamond Jo Casino: Wendy Runde, General Manager, Diamond Jo, LLC and Mr. Donohue, respectfully requested their licenses be renewed.

Mr. Donohue discussed a few additional ways that they have helped give back to their community. He said in addition to providing significant and meaningful grants in their community it is just as important that they are building capacity within their community. He said acting as a catalyst to private and public partnerships and reinvesting in their communities makes them stronger.

Ms. Runde said 2024 was a fantastic year for Diamond Jo. She said gross gaming revenue hit an all time high, just under \$79 million. She said the growth in revenue was driven exclusively by slots. She said non-gaming revenue was up 5.2% over the prior year and continues to be a huge source of revenue. She then touched on their commitment to problem gambling awareness and the ways they make this a priority. She also discussed the many ways her team gives back to the community.

Commissioner Campbell asked Ms. Runde for a quick update on their buffet space. Ms. Runde said the one big challenge is staffing. She said it's always been a challenge, but since Covid it's been an even bigger challenge, mostly with the culinary staff. However, they have come up with plans to move forward. She said it is likely that in the next 90 days she will be back in front of the Commission seeking approval for their new plans. Commissioner Campbell asked her to please bring a plan back to the Commission within 90 days. Ms. Runde responded that she would.

Commissioner Burkhart stated that they were one of only two facilities that saw an increase in adjusted gross revenue in 2024 and she wanted to know why Ms. Runde thought that was. Ms. Runde said she believes that they are good at building relationships and taking care of people. However, she attributed most of that on the fact that the other casino in town was under

construction. She stated that when there is construction there is disruption and so some of the other facility's disruption was their advantage for a period of time.

Commissioner Burkhart then congratulated Diamond Jo Dubuque on having the highest Iowa spend at 99%.

Hearing no further comments or questions, Chair Olsen requested a motion. Commissioner Burkhart moved to renew the license to conduct gambling games to Dubuque Racing Association, Ltd., renew the license to operate Diamond Jo, LLC as a gambling structure, renew the license to conduct sports wagering to Diamond Jo, LLC, and approve the facility's revised security plan included in the application. Commissioner Ostergren seconded the motion, which carried unanimously.

Contract: Ms. Runde presented a contract with Brunswick Bowling Products LLC for a Brunswick Scoring System (OSV).

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

Black Hawk County Gaming Association/IOC Black Hawk County, Inc.: Chad Moine, Senior Vice President, IOC Black Hawk County, Inc and Emily Hanson, Executive Director, Black Hawk County Gaming Association respectfully request their licenses be renewed.

Mr. Moine said in 2024 they had a real focus on enhancing and improving the guest experience at their facility. He said they completed their \$6 million plus hotel refresh, added a patio to their restaurant, and added jackpot dispenser kiosks to their casino floor, making jackpot payouts faster and more efficient. Also, along with their sister properties they were the first to bring wide area progressive table games to the state and those have been very popular. He said heading into 2025 they just opened and debuted their Isle Oasis Lounge, which provides live entertainment on the weekends. Mr. Moine also spoke about their responsible gaming efforts and all the things they do to make sure responsible gaming is prioritized.

Ms. Hanson said their organization has the immense pleasure of serving Northeast Iowa by reinvesting funds provided by the Isle to make Cedar Valley a better place to live, work and play. She said in 2024 they distributed \$5.7 million to fund 37 different non-profit and government agencies in their eight-county service area. She discussed a few of the projects they have funded. She said since July 2007 Black Hawk County Gaming Association has given out over \$80 million to support 675 different projects. They remain the largest funder in Black Hawk County and know that their funding matters. Ms. Hanson said the promises they made to the Commission 18 years ago are being fulfilled. Their board remains committed to inspiring and supporting transformation, one project at a time.

Mr. Moine stated that they do request to amend their security plan to have police presence seven days a week from seven o'clock PM to three o'clock AM.

Commissioner Campbell congratulated them on being able to retain 100% staffing and also said it is very nice to see the changes they are putting into their facility.

Commissioner Burkhart said most of the facilities are 24 hours and she asked him to explain the reason they are not. Mr. Moine said part of that was the security issues in the past. He said it is something they have been discussing and they are taking it into consideration.

Hearing no further comments or questions, Chair Olsen requested a motion. Commissioner Campbell moved to renew the license to conduct gambling games to Black Hawk County Gaming Association, renew the license to operate IOC Black Hawk County, Inc. as a gambling structure, and renew the license to conduct sports wagering to IOC Black Hawk County, Inc. and approve the facility's revised security plan included in the application, that does include police presence seven days a week. Commissioner Ostergren seconded the motion, which carried unanimously.

Missouri River Historical Development, Inc./SCE Partners, LLC d/b/a Hard Rock Hotel & Casino Sioux City: Doug Fisher, General Manager, SCE Partners, LLC and Sarah Kleber, President, Missouri River Historical Development, Inc. respectfully requested their licenses be renewed.

Mr. Fisher said that construction on their \$2 million event center renovation is in full swing and all finishes have been approved by Hard Rock International and they are on target to hit their Q3 grand opening date. He said responsible gaming is something they are very passionate about and he discussed the efforts they take to make this a priority. He said Hard Rock continues to demonstrate their unwavering commitment to their community. This is the 10<sup>th</sup> straight year that they have been a sponsor for Sioux City's outdoor premier event, Saturday in the Park. Mr. Fisher also discussed some of the ways that the staff gives back to the community through the various boards they serve on.

Ms. Kleber said in 2024 Missouri River Historical Development awarded \$3.4 million to 109 organizations made up of various local government, educational institutions, and non-profit organizations. She touched on some of the different projects they helped fund, including emergency grant distributions due to flooding in June 2024. She said they are very proud to have a great relationship with Hard Rock and they continue to provide invaluable support.

Commissioner Burkhart said they had the second highest admission in the state and she was curious what they would attribute that to. Mr. Fisher noted they have one million dollars of music industry collectables and that is something that people come in to see. He said he believes that has a lot to do with it.

Commissioner Burkhart said they also have the lowest in state spend. She said they are at 91% while most of their peers are 97% and higher Iowa spend. Mr. Fisher said it is something they are

aware of and they are working on. He said he believes the Commission will see that with this round of contracts they are looking for approval on.

Hearing no further comments or questions, Chair Olsen requested a motion. Commissioner Ostergren moved to renew the license to conduct gambling games to Missouri River Historical Development, Inc., renew the license to operate SCE Partners, LLC as a gambling structure, renew the license to conduct sports wagering to SCE Partners, LLC. and approve the facility's revised security plan included in the application. Commissioner Campbell seconded the motion, which carried unanimously.

Contracts: Mr. Fisher presented the following contracts for Commission approval:

- CTI – Audio Visual Equipment and Installation for Buffet Conversion, Plus Service Agreement
- L&L Distributing Co, Inc. – Beverage Supplier
- Nu Concepts Inc d/b/a USA Entertainment – Talent Agency
- Performance Food Groups, Inc d/b/a Reinhart Foodservice, LLC – Food Supplier
- Port Neal Welding Company, Inc. – Cage Bars, M+A Patio Railing, Floor Vent Rings and Other Miscellaneous Projects
- Power Promotions, LLC – Promotional Items
- Premier Glazer's Beer & Beverage LLC – Beverage Supplier
- Stoney Creek Hotel & Conference Center – Hotel Room-Night Stays
- The Claussen Group, LLC – Property Maintenance & Storage Rental
- The Printer, Inc – Printing Services
- USPS – Postage for US Mail
- Verde Outdoor Media, LLC – Billboard Advertising

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

Lyon County Riverboat Foundation, Inc./Grand Falls Casino Resort, LLC: Sharon Haselhoff, General Manager, Grand Falls Casino Resort, LLC and Ken Kerkvilet, Executive Director, Lyon County Riverboat Foundation, Inc. respectfully requested their licenses be renewed.

Ms. Haselhoff joined the meeting via Zoom. She said 2024 was not a record year, but it was still a very good year with \$117.4 million in total revenue. She said gaming revenue, hotel revenue, food and beverage revenue and golf revenue continue to be strong. She said their amenities help drive tourism, and their unique events help drive businesses to their resort and the state of Iowa. She touched on three things that she's most proud of for 2024. Group sales had a record breaking year with \$2.2 million. Grand Falls was #1 in the state for the number of table games. And through their Giving Hands Program their employees volunteered over 9,000 hours in 2024 compared to only 4,000 in 2023. She said they increased their severe weather training significantly and are putting emphasis on documenting that training. Ms. Haselhoff said in reference to responsible

gaming, the one thing they did different this year is that they did that training earlier in February to make sure staff was ready for the increased traffic of March. She touched on a few other key things they do to show they take responsible gaming seriously.

Mr. Kerkvilet started by saying thank you for allowing them to share how they help the organizations in the Northwest tri-state area due to the great relationship they have with Grand Falls. He said in 2024 they awarded 101 grants totaling \$3.3 million. He then discussed some of the grants that were awarded and touched on some of the largest as well as their mini-grant ceremony where they gave out 50 grants of \$3,000 each. He said they appreciate what Grand Falls is able to provide to them.

Commissioner Burkhart asked if they picked 50 mini grants out of a hat, how many didn't get a grant. Mr. Kerkvilet said there were 125, so 75 didn't receive a grant.

Commissioner Burkhart said they had the largest admissions change of any facility and she wondered what they think attributed to that. Ms. Haselhoff said group sales was a portion of it as well as an increase in the number of concerts they had in 2024 compared to 2023.

Commissioner Burkhart said they had a large jump in employees, about ten percent and she was curious if that was an expansion or filling positions they weren't able to fill earlier. Ms. Haselhoff said it was definitely filling positions they weren't able to fill, mostly in food and beverage and table games.

Commissioner Campbell asked how they were able to find those employees. Ms. Haselhoff said they benefited from some layoffs in the Sioux Falls area.

Hearing no further comments or questions, Chair Olsen requested a motion. Commissioner Andres moved to renew the license to conduct gambling games to Lyon County Riverboat Foundation, Inc., renew the license to operate Grand Falls Casino Resort, LLC as a gambling structure, renew the license to conduct sports wagering to Grand Falls Casino Resort, LLC, and approve the facility's revised security plan included in the application. Commissioner Campbell seconded the motion, which carried unanimously.

Worth County Development Authority/Diamond Jo Worth, LLC d/b/a Diamond Jo Worth: Scott Smith, General Manager, Diamond Jo Worth, LLC and Deb Hanson, CFO, Worth County Development Authority, respectfully requested their licenses be renewed.

Mr. Smith said Ms. Hanson sent her apologies for not being able to make the meeting. He had her notes and was able to read those for the Commission. He said it was another great successful year for Diamond Jo Worth and he contributed that to the team they have and their dedication. He said gross gaming revenue was up \$106 million, which made them one of only two properties to have an increase. He said he attributes that to their focus on their guests and how their decision making creates a positive impact on their guests and employees. He said their economic impact was \$52 million and they had a 96.5% Iowa spend, which he said he was still very proud of given their proximity to the state border. Mr. Smith said they also experienced some staffing challenges but they have remained stable. In 2024 they were able to distribute \$6.3 million to Worth County

Development Authority. This is their 19<sup>th</sup> year as an operator in Iowa and in those 19 years they have distributed over \$95 million. Mr. Smith also touched slightly on their efforts in responsible gaming and said they take it very seriously.

Mr. Smith then read Ms. Hanson's letter. She said she is very grateful for their dedication and commitment. In 2024 they awarded 111 grants. She mentioned a few of those grants and said one million dollars went to their scholarship program. She said out of 86 students who received a scholarship, only four are attending college outside of the state. She also discussed a new tourism project, the Manly Junction Railroad Museum, which she said she is excited to see come to life and help grow Worth County.

Chair Olsen said he is really impressed with their lofty hotel goals.

Commissioner Campbell asked why they are currently still one of the few casinos that is not back to 24 hours. Mr. Smith said it's really about security and being able to keep the minimum standards for graveyard shifts. He was hoping by this meeting he could say they were back to 24 hours but he is hopeful by the June meeting that will be the case. He said it will happen in 2025.

Commissioner Burkhart commended their organization and his leadership on being one of the only properties to have an increase in attendance and adjusted gross revenue as well as an almost 50% decrease in calls to local law enforcement.

Hearing no further comments or questions, Chair Olsen requested a motion. Commissioner Burkhart moved to renew the license to conduct gambling games to Worth County Development Authority, renew the license to operate Diamond Jo Worth, LLC as a gambling structure, renew the license to conduct sports wagering to Diamond Jo Worth, LLC, and approve the facility's revised security plan included in the application. Commissioner Andres seconded the motion, which carried unanimously.

Regional Development Authority/Rhythm City Casino, LLC: Mo Hyder, General Manager, Rhythm City Casino and Matt Mendenhall, President & CEO of Regional Development Authority, respectfully requested their licenses be renewed.

Mr. Hyder stated that they are proud of their working relationship with the Regional Development Authority (RDA) and they are grateful for the work that they do for the community. He said they saw declines in revenues due to recent competitive pressure from Illinois. Their goal is to continue to position themselves operationally to preserve their market share in the Eastern Iowa area. He said many people know them for their gaming and hospitality but there are several areas of their operation that might not be well known but are part of their success. He said one is their strong commitment in community involvement and another is the quality and variety of their entertainment offerings.

Mr. Hyder said they are committed to providing a safe and enjoyable gaming experience for their guests. He said they prioritize problem gaming awareness through employee training and new hire orientations. He said his team is educated in recognizing the signs of problem gaming, understanding the company policies and ensuring all guests have access to the necessary resources

should they seek help. He also said they maintain clear and visible responsible gaming signage throughout the property. In addition to training and awareness initiatives, they provide informational materials for guests to be able to notice their gaming habits and recognize potential risk early on. Mr. Hyder said they also host an online responsible gaming awareness site where players can speak directly with experts and have access to available support. He said with these on-going efforts they remain dedicated to maintaining compliance with all responsible gaming regulations and promote a safe and informed enjoyable gaming experience. He said for 2024 their economic impact was \$87 million. He said they had a 95% Iowa spend, and commented that that is usually higher but they had purchased slot machines which fell in the specialized category.

Mr. Mendenhall said they have a great partnership working together with Rhythm City Casino. He said in 2024 they awarded 151 grants totaling \$4.8 million. He discussed some of the grants, including two of their largest grants ever, each at \$1,000,000. He said both of those projects were game changers for their community and would not have happened without gaming dollars. He said they co-brand with Rhythm City in their social media posts which helps build more awareness for Rhythm City and gaming in Iowa. Mr. Mendenhall said they continue to be grateful for the opportunity to work with and support the local citizens.

Hearing no comments or questions, Chair Olsen requested a motion. Commissioner Campbell moved to renew the license to conduct gambling games to Regional Development Authority, renew the license to operate Rhythm City Casino, LLC as a gambling structure, renew the license to conduct sports wagering to Rhythm City Casino, LLC. Commissioner Andres seconded the motion, which carried unanimously.

Contract: Mr. Hyder presented a contract with Electric Rodeo for an entertainment act for the event center, Country Band – Midland (OSV).

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

Washington County Riverboat Foundation, Inc./Riverside Casino & Golf Resort, LLC: Damon John, General Manager, Riverside Casino & Golf Resort, LLC and Jim Hauth, President of Washington County Riverboat Foundation, Inc., respectfully requested their licenses be renewed.

Mr. John said this is their 18<sup>th</sup> year of operation as the place to live it up in the corridor of Eastern Iowa. He said each year they find themselves fortunate to employ over 700 individuals, many of which give back in the Winning Hands Volunteer Program. This program won the governor's Give Back Iowa Challenge for the 7<sup>th</sup> straight year last year. In 2024 their 81 employees donated \$50,000 to various charities of their choice. Mr. John said 2024 was a decent year but they did finish behind 2023 in both gaming and non-gaming revenues. He said expenses ran high year over year but, despite that they were able to invest \$1 million in customer facing property improvements in 2024, and \$1 million in general property maintenance. He said they take responsible gaming efforts very seriously and foster an environment where responsible gaming occurs in order to

prevent it from becoming a problem. He said one thing he's particularly proud of is how well they know their customers at Riverside. He said this helps them address problem gambling as it is their job to recognize it and try to help. Mr. John said going into 2025 their operational goals and core principals are the exact same as they always have been: to provide first class amenities that are exceptionally clean and comfortable, provide first class guest service, provide exceptional food offerings and great entertainment that is fun for their guests, to give back to their community, and to continue to invest in the development and careers of their employees.

Mr. Hauth said as they go into 2025 they are pleased to announce the signing and extension of their operating agreement with Riverside. WCRF evaluated over 110 grant applications in 2024. He said they approved 24 grants in their spring cycle and an additional 9 in their fall cycle. In 2024 they approved grants in excess of \$6.5 million dollars. Mr. Hauth discussed some of the grants they approved. He said Riverside's support of nearly \$70 million has significantly impacted all of Eastern Iowa.

Commissioner Burkhart said they saw a large increase in employees and asked if that was an expansion of services or the filling of open positions. Mr. John said that was filling open positions, and they are right around where they were pre-Covid.

Commissioner Andres asked if they had a timeline for their hotel refresh. Mr. John said right now they have two rooms that are closed that they are remodeling. He said once those are done they will open them up and see how they work out and then they can go from there. Commissioner Burkhart asked if they were looking for guest feedback or durability of the products. Mr. John said both. Commissioner Andres asked how long it will take to phase in the remodel after that. Mr. John said they will likely do the rooms in groups of maybe four at a time. He said they have contracted groups out for several years, so it creates a challenge. He said it will likely take over a year or more. Commissioner Campbell said having the rooms contracted out for that long is a good problem to have.

Hearing no further comments or questions, Chair Olsen requested a motion. Commissioner Ostergren moved to renew the license to conduct gambling games to Washington County Riverboat Foundation, Inc., renew the license to operate Riverside Casino & Golf Resort, LLC as a gambling structure, renew the license to conduct sports wagering to Riverside Casino & Golf Resort, LLC. Commissioner Campbell seconded the motion, which carried unanimously.

Contract: Mr. John presented a contract with PaulMolly Advertising for digital, TV and radio advertising.

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

Chair Olsen called a short break.

Iowa West Racing Association/Ameristar Casino Council Bluffs, LLC: Paul Czak, General Manager, Ameristar Casino Council Bluffs, LLC and Ms. Mainwaring respectfully requested their licenses be renewed.

Ms. Mainwaring said she is very proud to be affiliated with the state's highest producing casino in 2024. She touched on a few more examples of Iowa West Racing Association's grants for 2024. She said they are the only community in Iowa that has a net in-migration from outside the state. Right now, more people are moving to Council Bluffs from Omaha and not the other direction. She said in the last 10 years they have spent tens of millions of dollars, maybe even hundreds of millions of dollars building amenities and attractions to bring people to Council Bluffs. One of their core missions is to create a place where people want to live.

Mr. Czak said 2024 was Ameristar's 29<sup>th</sup> year in operation and really one of their better ones. He said they finished essentially flat. Lodging revenue as well as food and beverage revenue were up, but slot machines and table game revenue were down. He said they finished with the highest full year market share in the property's history and it was the second consecutive year the property was awarded a performance award for being one of the top performing properties. Mr. Czak said their commitment to responsible gaming continues throughout the year and talked about a few ways they make this a priority. He then discussed a number of ways that the employees give back to the community. He said his most impressive number however is three. He said War Horse opened in 2024, just ten minutes from them and employed over 500 people. He said even though they made lots of promises, they only lost three team members to that property and as a team they are very proud of that.

Commissioner Burkhart said that the agreement between Iowa West Racing Association and Ameristar is about a year out from expiring and she was curious if talks had been started in regards to that. Mr. Czak said yes, they are completed and they will be presenting them at the April meeting when they are back at their home base.

Commissioner Campbell and Chair Olsen commended them on the impressively small number of employees lost with the opening of the other casino. They said it could have been much worse and it wasn't, which speaks to the team they have.

Hearing no further comments or questions, Chair Olsen requested a motion. Commissioner Burkhart moved to renew the license to conduct gambling games to Iowa West Racing Association, renew the license to operate Ameristar Casino Council Bluffs, LLC as an excursion boat that will not cruise, renew the license to conduct sports wagering to Ameristar Casino Council Bluffs, LLC, and approve the facility's revised security plan included in the application. Commissioner Campbell seconded the motion, which carried unanimously.

**IOWA WEST RACING ASSOCIATION D/B/A HORSESHOE CASINO COUNCIL BLUFFS:** Mr. Roberts presented the following contracts for Commission approval:

- Exela Enterprise Solutions – Copy and Print Services

- Nalco Water – Water Treatments

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

**PRAIRIE MEADOWS RACETRACK & CASINO, INC.**: Mr. Palmer presented the following contracts for Commission approval:

- Murphy Tractor – Track Equipment
- Skinner & Paschke – Lobbyist Related Activities

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

**CEDAR RAPIDS DEVELOPMENT GROUP, LLC:**

Request for Approval of the Purchase, Sale and Development Agreement with The City of Cedar Rapids, Iowa: Dustin Manternach, Chief Financial Officer for Peninsula Pacific Entertainment, presented the Development Agreement between The City of Cedar Rapids and Cedar Rapids Development Group, LLC.

Hearing no comments or questions, Chair Olsen requested a motion. Commissioner Campbell moved to approve the Purchase, Sale and Development Agreement as presented by Cedar Rapids Development Group, LLC. Commissioner Ostergren seconded the motion, which carried unanimously.

Contract Approvals: Mr. Manternach presented the following contracts for Commission approval:

- Anderson-Bogert Engineers & Surveyors, Inc. – Engineering and Land Survey Services
- Brown Winick Law – Legal Services/Law Firm
- Grefe & Sidney, P.L.C. – Legal Services/Law Firm (RP)
- R2Architects, LLC – Architecture and Engineering Core and Shell Services (OSV)
- Ryan Companies US, Inc. – Preconstruction and Construction Services
- Various Sellers (Skogman Realty – Realtor) – Acquisition of Various Land Parcels

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

**HEARINGS:**

Rhythm City Casino, LLC: Ms. Eick presented the Stipulated Agreement for two counts for violations of Iowa Code § 99F.9(5). Both counts were for underage individuals gaining access to the gaming floor.

Mr. Hyder, said this is certainly not their proudest moment. He said they take compliance of their regulatory responsibilities very seriously and they fully acknowledge these two incidents. He said they do have procedures in place to prevent underage patrons from accessing the gaming floor and they continually reinforce those, but in these cases their team failed to follow the established procedures. Mr. Hyder said as a result of these incidents they have taken corrective action, including retraining their team members and reinforcing accountability to ensure the procedures are strictly followed at all times. He said they remain committed to compliance and responsible gaming.

Chair Olsen requested a motion. Commissioner Burkhart moved to approve the Stipulated Agreement with an administrative penalty of \$20,000 for count 1 and an administrative penalty of \$20,000 for count 2. Commissioner Ostergren seconded the motion, which carried unanimously.

Commissioner Ostergren noted that typically they have been using 30 minutes as the time for a fine of that amount however, the fact that she was only 16 years old escalated this incident to that level.

PointsBet Iowa LLC: Ms. Eick presented the Stipulated Agreement for violations of Iowa Code § 99F.3, 491 IAC 13.3(1) and 491 IAC 13.2(3). PointsBet Iowa LLC allowed wagering on tennis markets, which are impermissible.

Michael Levine, Director/Senior Regulatory Counsel, stated he was not a part of PointsBet Iowa at the time of this incident and neither were any of the individuals from the FBG staff. He said when FBG acquired PointsBet Iowa they transitioned from PointsBet's legacy platform to the Fanatics platform and at that time their trading team identified these impermissible markets on the PointsBet platform. They immediately let commission staff know and started an investigation. He said all customers have been made whole. If they won, they got to keep their winnings. If they lost they got their money back. There were 13 individuals who they were unable to send money to through the app for self-exclusion reasons or various other reasons. Of the 13 they had to write checks to, they have three who have not cashed their checks. Mr. Levine said FBG now has controls in place to prevent repeat violations. They have a permissible markets policy, which includes the permissible markets in each jurisdiction as well as noting the disciplinary action should a mistake be made. They also have weekly and monthly impermissibility training. He said the entire platform is different and they are able to proactively gate off impermissible markets. He said this is something they have worked tirelessly on and he is happy to say since the change they have had zero incidents of impermissibility in the state of Iowa.

Commissioner Andres said it is great to hear that they have not had any issues since the change and should not have to be in front of the Commission again for these same issues.

Chair Olsen requested a motion. Commissioner Andres moved to approve the Stipulated Agreement with an administrative penalty of \$20,000. Commissioner Ostergren seconded the motion, which carried unanimously.

**APPROVAL OF IOWA RACE HORSE AFTER CARE FUND:** Ms. Eick advised there is approximately \$34,739 available for distribution. Ms. Eick stated there was one application for the funds, Hope After Racing Thoroughbreds (HART), which met the requirements and requested approval of the distribution of funds to HART.

Hearing no comments for discussion, Vice Chair Olsen requested a motion. Commissioner Campbell moved to approve the distribution of the Iowa Race Horse After Care Fund to Hope After Racing Thoroughbreds. Commissioner Burkhart seconded the motion, which carried unanimously.

**PUBLIC COMMENT:** There were no public comments.

**ADMINISTRATIVE BUSINESS:**

**Review of Year-to-Date Economic Impact Reports:** Ms. Eick advised Iowa Code requires that a substantial amount of all resources and goods used in the operation of the casinos emanate from or are made in Iowa, and that a substantial amount of all services and entertainment are provided by Iowans, which is why the Commission focuses on the utilization of Iowa vendors when they are reviewing the contracts presented for approval. Ms. Eick reported that \$1.1 billion was spent in calendar year 2024 with Iowa vendors, or 89.88% of all spending by the casinos. If items that are not available in Iowa such as slot machines and related products are excluded, the spend with Iowa vendors is 96.22%.

**Notice of Horse Racing Promotion Fund:** Ms. Eick advised there is \$1,985.70 available in the Horse Racing Promotion Fund. Qualified applicants should submit their request for the funds to the Des Moines Commission office by 3:30 PM on April 9, 2025. More details about how to apply will be on the IRGC website.

**Notice of Purse Amounts pursuant to Iowa Code § 99F.6(4)a(3):** Ms. Eick announced the purse amounts for the racing industry for 2025 as reported by Prairie Meadows are as follows:

- Thoroughbreds - \$18,669,206.18
- Quarter Horses - \$3,746,123.61
- Standardbreds - \$2,149,415.19

Any questions regarding the calculations should be directed to the Commission office or Prairie Meadows.

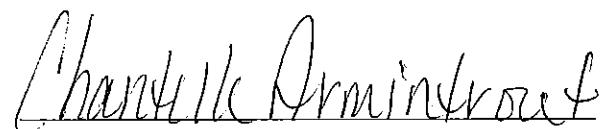
IRGC Commission Minutes

March 6, 2025

Page 25

**ADJOURN:** Chair Olsen thanked Prairie Meadows for welcoming everyone and the extra work in connecting everyone due to the weather. He adjourned the meeting at 12:45 PM.

MINUTES TAKEN BY:



CHANTELLE ARMINTROUT

**IAWA RACING AND GAMING COMMISSION  
MINUTES  
APRIL 24, 2025**

The Iowa Racing and Gaming Commission (IRGC) met on Thursday, April 24, 2025 at Ameristar Casino in Council Bluffs, Iowa. Commission members present were Daryl Olsen, Chair; Mark Campbell, Vice Chair; and members Amy Burkhart, Julie Andres and Alan Ostergren.

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

**APPROVE MINUTES:** Chair Olsen requested a motion to approve the minutes from the March 6, 2025 Commission meeting. Commissioner Ostergren moved to approve the minutes as printed. Commissioner Burkhart seconded the motion, which carried unanimously.

**WELCOME:** Paul Czak, General Manager and Vice President, welcomed everyone on behalf of Ameristar's 550 team members. He said 19 of those employees have been with the company for all of its 30 years of operation. He said next year will mark their 30 years of operation. He then showed a short video to familiarize everyone with the City of Council Bluffs.

Mr. Czak then introduced the mayor of the City of Council Bluffs, Matt Walsh. Mr. Walsh welcomed everyone on behalf of the citizens of Council Bluffs as well as their three casino partners and their Qualified Sponsoring Organization (QSO). He said this was his 30<sup>th</sup> year in elected office and his first official duty was to board the Ameristar as it came in to Council Bluffs on its first day. He said the changes that have taken place over those 30 years are perceptible and he thanked the Commissioners for their work for the casinos and for taking part in that change. Mr. Walsh also thanked his casino partners. He said they have new competition in the market with Omaha and a new Native American casino and rather than pulling back they have made capital investments that will help them retain market share and hopefully even grow it.

Chair Olsen commented on the local Council Bluffs bakery items provided at the Commission meeting. He said it was a great idea and a wonderful treat.

**ANNOUNCEMENTS:** Tina Eick, Administrator of IRGC, advised there would be no meeting in May. The next Commission meeting will be held at Q Casino in Dubuque on June 19, 2025. Submissions for that meeting are due by June 5, 2025.

Ms. Eick announced the following proposed meeting dates for Fiscal Year 2026:

- July 11, 2025 Prairie Meadows Racetrack & Casino, Altoona
- August 28, 2025 Riverside Casino & Golf Resort, Riverside
- September 2025 No Meeting

IRGC Commission Minutes

April 24, 2025

Page 2

- October 2, 2025 Rhythm City, Davenport
- November 20, 2025 Isle of Capri, Waterloo
- December 2025 No Meeting
- January 15, 2026 Lakeside, Osceola
- February 2026 No Meeting
- March 5, 2026 Prairie Meadows Racetrack & Casino, Altoona
- April 23, 2026 Mid-America Center, Council Bluffs (Horseshoe)
- May 2026 No Meeting
- June 11, 2026 Diamond Jo Worth, Northwood

She advised the upcoming July meeting will be held on a Friday afternoon, to allow the Commissioners to observe live racing after the meeting.

Ms. Eick introduced the following staff members: Cory Ostermeyer and Melinda Bingham from Ameristar, Jeff Rethmeier and Lori Cap from Harrah's, and Bryan Crowd, Steven Vang, and Deb Kissel from Horseshoe. She thanked them for their work on behalf of the Commission. She said they are the Commission's boots on the ground. They license employees, do regular compliance checks, perform investigations and slot work, among numerous other duties. They work closely with the licensed facilities to make sure gaming in the state is operating with integrity and in compliance with Iowa rules.

Ms. Eick then took the podium to recognize Commissioner Julie Andres on her final meeting with the Commission. She commended Commissioner Andres on her business savvy, common sense, and preparedness. She said serving as a Commissioner involves consuming a lot of data, and Commissioner Andres does her homework and has a knack for looking at situations and pinpointing the heart of the issues. She also touched on Commissioner Andres' culinary expertise and the fun adventures she has taken them on during their travels. On a personal note, Ms. Eick thanked Commissioner Andres for her support and willingness to give her a chance as the administrator for the Commission. She said it is not goodbye but happy travels as she knows Commissioner Andres is looking forward to traveling more. Ms. Eick then presented Commissioner Andres with a plaque that read "In Appreciation for Your Service on the Iowa Racing and Gaming Commission. May 1, 2019 to April 30, 2025".

Commissioner Andres said having the opportunity to look behind the curtain of another industry has been awesome and she has really come to respect and appreciate the operators. She said it has been gratifying to watch them hustle, flex, contract, and expand during her time on the Commission. She also stated that most of the faces she sees are the same as they were six years

ago when she joined the Commission. She said that is a data point that should not be ignored because she feels it adds up to the professionalism, stability, integrity, and durability of Iowa Racing and Gaming. She said there are going to be shifts and differences with growing competition, but her money is on Iowa Racing and Gaming.

Commissioner Andres then addressed Ms. Eick and staff. She said she believes that Iowa Racing and Gaming is the best run arm of government anywhere. She said the staff takes such pride in what they do and they take it very seriously. She said she learned so much from Mr. Ohorilko but it has also been a pleasure for her to watch Ms. Eick embrace her new role as Administrator and build a team of young professionals.

Commissioner Andres said what an excellent and top notch conglomeration the Commissioners are. She said she has a feeling their paths will cross again.

Commissioner Andres said her future plans include going back to her day job and watching her son play football as a freshman for the Raiders of Orange City, IA. She said it is a mere 79 miles from the nearest casino and some away games will put her within minutes of pulling slots. She thanked everyone for the plaque.

Chair Olsen said he will miss Commissioner Andres something terrible. He said she has been an amazing Commissioner and a great friend. He said he knows everyone will miss her, he wished her luck, and he thanked her for all she's done.

**BOYD GAMING CORPORATION:** Cassie Stratford, Senior Vice President, presented the shelf application for approval of debt financing for Boyd Gaming Corporation. She said they prepared a slide deck but in the interest of time she would just like the Commissioners to review the handout. She said it really highlights the spend commitment they have made in Iowa over the recent years and goes through the history of the more recent shelf applications from 2015 to present day. She said it shows the capital expenditures they have spent on the properties in the past three years and also highlights the financial strength of their company. Ms. Stratford said the amount they are asking for is really meant to capture the company they are today, their growth, where the market is, and just allow them the flexibility to be able to move quickly when opportunities become available.

Hearing no comments or questions, Chair Olsen requested a motion on debt financing. Commissioner Campbell moved to approve the financing as presented by Boyd Gaming Corporation. Commissioner Ostergren seconded the motion, which carried unanimously.

**REQUEST FOR APPROVAL OF REMODELING PURSUANT TO 491 IAC 5.4(15):**

Isle of Capri Bettendorf, L.C.: Sally Rogers, Director of Finance, presented the remodeling plans for Commission approval. She said they are looking to reactivate a portion of their former buffet space as a diner, move both the sportsbook and arcade to different locations, and offer a lobby bar concept in the customer corridor. She stated they will achieve all of this for under \$100,000 by repurposing existing assets such as tables, chairs, booths and kitchen equipment from previous

operations. Ms. Rogers also commented that Isle of Capri Bettendorf is celebrating their 30<sup>th</sup> anniversary this week. She said guests and employees would be experiencing a fun filled weekend of celebrations, promotions and giveaways.

Hearing no comments or questions, Chair Olsen requested a motion on the remodeling plan. Commissioner Burkhart moved to approve the remodeling plan as presented by Isle of Capri Bettendorf, L.C. Commissioner Andres seconded the motion, which carried unanimously.

Harveys Iowa Management Company LLC: Thomas Roberts, Senior Vice President and General Manager, presented the remodeling plans for Commission approval. He said this request is to remodel a bar that is located outside of Stir Cove. He said they are looking to put in new technology that will allow them to expedite lines at the bar. The new technology allows guests to walk in, grab what they need and walk out. He said it will be monitored by having security at the front door and the exits. He said this will allow their bartenders to be on the other side, allowing them to open additional bars as sometimes it could take up to 20-30 minutes to get a beverage during peak times.

Chair Olsen said it was really neat technology and asked if it scans it as they walk out or if they have to scan the items. Mr. Roberts said it is all done by 24 cameras that track movement. He said the average transaction time to get a drink is one minute and 30 seconds and this takes it down to 20 seconds.

Hearing no further comments or questions, Chair Olsen requested a motion on the remodeling plan. Commission Campbell moved to approve the remodeling plan as presented by Harveys Iowa Management Company LLC. Commissioner Andres seconded the motion, which carried unanimously.

Diamond Jo Worth, LLC: Scott Smith, General Manager, presented three remodeling projects for Commission approval. He said there is an interior, exterior, and Fanduel Bar project that are a continuation of talks they have been having for the past couple of years in regards to the transformations they are making. He said they are looking forward to the changes as they continue to modernize the property to keep it fresh and relevant.

Commissioner Campbell asked if the had any concerns with all three projects going on at the same time. Mr. Smith said yes, but it's just one of those things he has to deal with. He said the need to have Iowa vendors is challenging to say the least but they are getting through it.

Hearing no further comments or questions, Chair Olsen requested a motion on the remodeling plan. Commission Campbell moved to approve the remodeling plan as presented by Diamond Jo Worth, LLC. Commissioner Burkhart seconded the motion, which carried unanimously.

#### **AMERISTAR CASINO COUNCIL BLUFFS, LLC:**

Request for Approval of Third Amended and Restated Excursion Boat Sponsorship and Operations Agreement with Iowa West Racing Association: Brenda Mainwaring, CEO of Iowa West Racing

Association, presented the third amended and restated excursion boat sponsorship and operations agreement between Iowa West Racing Association and Ameristar for Commission approval. She said they have been partners with Ameristar since 1995 and the current contract is set to expire March 31, 2026. She said they have been discussing the terms for over a year now and they are pleased to present the new agreement which will begin on April 1, 2026 and go to 2041. She said Ameristar's proposed investment will help ensure continued success and their investment ensures Iowa West Racing Association can continue to fund the important work of supporting Southwest Iowa communities where people want to live and businesses thrive.

Hearing no comments or questions, Chair Olsen requested a motion. Commissioner Campbell moved to approve the Operations Agreement as presented by Ameristar Casino Council Bluffs, LLC and Iowa West Racing Association. Commissioner Burkhart seconded the motion, which carried unanimously.

Request for Approval of Remodeling Pursuant to 491 IAC 5.4(15): Mr. Czak introduced Todd George, Executive Vice President of Operations for PENN Entertainment and Mike Carroll, Vice President of Design and Construction for PENN Entertainment. Mr. George presented a slideshow of the remodeling project for which they were seeking approval. He said this project is extremely exciting. He said in 2023 PENN Entertainment contributed over \$8 million and over \$750,000 was donated companywide to Veteran and military support-focused non-profits. In addition, their staff volunteered over 9,500 hours in service of local organizations and their communities. He then turned it over to Aaron Rosenthal, Senior Vice President of Regional Operations for PENN Entertainment.

Mr. Rosenthal said that when PENN purchased the company that owned Ameristar they knew it was an incredible performer and they would have to continue to invest and at some point, make a much more significant investment. He said with the renewal of the contract with Iowa West Racing Association and the entry of competitors in the market, the time was right to finally make a move off the beautiful barge to something land based and more modern. He said this will put them in a position to regain a lot of the business that is going to Nebraska. Mr. Rosenthal said they will have the newest, freshest, and best casino in the market and there is no doubt that by replacing the boat they will see accelerated performance. He then turned it back over to Mr. George.

Mr. George said this project represents their fifth growth project in the last several years. He said it is a \$180-\$200 million project with approximately 125,000 square foot of new development with a 58,000 square foot gaming floor. He said they recently visited the new competition in the area and they got to see how they operate and now they can come in over the top of that.

Commissioner Burkhart asked how many of their other properties fly under the Hollywood Casino flag. Mr. George said roughly 38% are Hollywood and their goal is to upgrade all of their premier properties to Hollywood. He said there is also a bit of brand confusion with PENN having Ameristar and Boyd also having some Ameristar branded properties.

Hearing no further comments or questions, Chair Olsen requested a motion. Commissioner Campbell moved to approve the remodeling plan as presented by Ameristar Casino Council Bluffs, LLC. Commissioner Andres seconded the motion, which carried unanimously.

Request for Approval to Convert License to Gambling Structure upon Completion of Project Pursuant to Iowa Code § 99F.4D(2): Hearing no further comments or questions, Commissioner Andres moved to approve the request to convert the license to conduct gambling games on an excursion boat, to a license to conduct gambling games at a gambling structure, under Iowa Code section 99F.4D, subsection 2, conditioned upon completion of the landside structure and staff approval of the new gaming floor. Commissioner Burkhart seconded the motion, which carried unanimously.

**REVIEW OF FACILITIES' FINANCIAL AUDITS:**

Ameristar Casino Council Bluffs, LLC: Mr. Czak presented an overview of their consolidated financial audit. He said the company spent a little over \$9 million last year on capital projects. He said close to \$4 million of that was on design work for the new facility, a little over \$3 million went to slot machines and gaming equipment, a little over a million on general maintenance projects, and \$450,000 on vertical conveyance. He said they also replaced all of their fleet vehicles. He said they will be in a unique position over the next couple of years with their capital spending and will focus on things that can be used at the new facility or moved over. He said in regards to the audit itself, there were no deficiencies or material weaknesses, and said the ones that were noted were for other properties in the portfolio.

Boyd Gaming Corporation:

Diamond Jo, LLC: John Sanchez, Director of Finance, said 2024 was a great year and one of the greatest successes was leading the state in growth of AGR over the prior year followed closely by their sister property Diamond Jo Worth. He said compared to 2023 AGR grew by 1.6% and was driven exclusively by slot revenue. He said from a sports wagering perspective, their retail FanDuel volume increased 8.4% over 2023 and their online FanDuel sportsbook increased 23.5% over prior year. Mr. Sanchez said another success is their continued strength in their economic impact in the State of Iowa with a 99.4% Iowa spend.

Mr. Sanchez said Diamond Jo and Diamond Jo Worth do not have any stand-alone property debt. He said both properties are guaranteed jointly and separately with other subsidiaries of Boyd and as of December 31, 2024 the total debt of Boyd Gaming was \$3.2 billion which shows no significant change over the prior year. Their debt to revenue ratio for the year ended at 38%.

Mr. Sanchez said one financial challenge that will continue is increased competition in the market. He said they can contribute a lot of their success in 2024 to construction happening at neighboring casinos, but they are now up and running with a much more appealing product than before. Their strategy to protect their position includes constant evaluation of their program in conjunction with creating great guest and team member experiences as well as continuing to invest in their property to keep it updated and fresh. Mr. Sanchez said for this year and the coming years they will continue

to refresh their property with projects such as upgrades to their landscaping and FanDuel sportsbook, makeover of the casino floor restrooms, and transforming the former buffet space. He said that project is well underway and official plans to convert the space will be introduced at the next IRGC meeting in June. Mr. Sanchez said Boyd Gaming received a clean audit opinion on the audit of their financial statements and on the effectiveness of internal controls.

Diamond Jo Worth, LLC: Mr. Smith said that Diamond Jo Worth continues to do well and reiterated that the Diamond Jo properties were two that saw revenue increases in 2024. He said it's a challenging market in Iowa and even though competition continues to grow, they continue to have year over year increases. He said 2024 was their most successful year and they continue to make the property fresh and relevant.

Caesars Entertainment, Inc.: Meagan Miller, Director of Finance at IOC Black Hawk County, Inc. presented a review of the financial audit along with, Janae Sternberg, Vice President of Finance for Harrah's & Horseshoe, and Sally Rogers, Director of Finance at Isle of Capri Bettendorf, L.C. Ms. Miller said 2024 was a year effected by new competition and significant capital investment for the four Iowa properties.

Ms. Miller said IOC Waterloo saw a slight decline in gaming revenues mostly due to extremely difficult weather in January, a softer local economy and construction in the area. She said in 2024 they completed a \$6.5 million hotel renovation which has resulted in year over year revenue growth and increased hotel occupancy. She said they have several large capital projects planned for 2025 including a ballroom refresh, slot and table games chair replacement, a restroom remodel and a parking lot resurface. She said beyond 2025 they plan to complete their casino floor refresh including new carpet and wall paper.

Ms. Miller said Isle Capri Bettendorf also experienced revenue declines in 2024 due to increased competition with a new \$310 million facility opening in Illinois and nearly 15,000 Video Gaming Terminals (VGT's) in counties in Illinois that they consider their competitive market. She said 2025 will mark their 30<sup>th</sup> year of operation. In 2025 they have committed \$1 million to a hotel refresh, \$3 million to a garage and roofing project, an in-house remodel project and \$750,000 in gaming projects.

Ms. Miller turned her attention to the two Council Bluffs properties. She said they also saw declines in their casino revenues due to the opening of a new Omaha facility, but she said they saw flat non-gaming revenue results which she said is a testimony to their ability to provide the best amenities in the market.

Ms. Miller said Harrah's just finished their \$10.5 million hotel renovation, updated their retail sportsbook and purchased \$500,000 of new slot product to keep the casino floor fresh and exciting. She said with nearly all parts of Harrah's newly remolded in the past two years they will shift their focus to improving their Stir Cove product. They have 19 shows booked and four of them are already sold out.

Ms. Miller said Horseshoe focused their capital dollars on updating the casino floor offerings. They spent nearly \$3.1 million in 2024 to purchase the latest slot product and open a new high limit table games room. She said as they look to the future, Horseshoe will embark on a casino carpeting change and will look to refresh their steakhouse.

Ms. Miller said she is happy to report a clean financial statement audit with no material weaknesses.

Iowa West Racing Association (IWRA): Jackie Dix, Controller, said they received a clean and unmodified audit opinion and their auditor, KPMG, found no material weaknesses.

Casino Queen Marquette, Inc.: Nick Walling, Director of Finance, said Casino Queen Marquette remains in a strong operational position. He said their debt to revenue ratio at the end of 2024 was approximately 39.4%. He said their consolidated entity posted a net loss of \$12.1 million but the primary drivers were non-operating and one-time factors that were outside the normal casino operations and do not reflect the health of the Marquette property, which remained operationally sound this year. He said the audit did show material weaknesses and deficiencies, which he addressed, but said they were not specific to Casino Queen Marquette. He said looking to 2025 they will continue to invest in their landside property and will prepare for improvements with the Bally's transition. Their goal remains operational excellence, compliance alignment and investment in their people to improve guest experience.

Catfish Bend Casinos, LLC: Gary Hoyer, CEO, said in the past two years they have sold off three hotels which were considered off campus operations and now they are operating all at one location which they refer to as the Fun City Resort Complex. He said their audit for 2024 was clean. They had a slight shrinkage in revenue which was partly due to selling off those hotels and some weather related issues, but he said things in 2024 are going well. He said Great River Entertainment is financially well positioned and they have total debt of under \$18 million. Mr. Hoyer said they are committed to reinvesting and in 2023 they spent over \$8 million and in 2024 just shy of \$7.5 million on capital expenditures. He said they are well underway with their casino remodel that was previously approved and hope to have that complete in the third quarter of this year. Mr. Hoyer thanked the Commission for the privilege to operate in Iowa. He also thanked Commissioner Andres on her commitment to the industry and the Commission.

Dubuque Racing Association, LTD (DRA): Brian Rakestraw, COO, CFO, Interim President and CEO, said this year's audit was the cleanest he can recall in his nearly 26 years with the organization. He said that is a true testament to the outstanding work of their finance team. He said in terms of their organization's financial health, their 2024 statement of financial position reflects a decrease in liquid assets compared to the prior year. He said this was largely due to lower overall gaming revenues which they attribute to construction disruption and the use of their cash equity in support of their development project. Mr. Rakestraw said the organization remains financially strong and since opening their family entertainment center in November and unveiling their remodeled assets, they have seen a significant revenue momentum. He said their total gross revenue has grown 22% over the prior year. He said while construction caused some disruption during the year, the payout has been evident in increased business levels and guest satisfaction.

Mr. Rakestraw said looking ahead their capital plans for the next two to five years include opening a new hotel, Key Hotel, which will feature a rooftop restaurant, and remodeling their Hilton Garden Inn, which will start in 2026 to 2027. They have also partnered with the City of Dubuque on a new Amphitheatre project which is expected to open in the summer of 2026. He said by making strategic investments in their property they have already begun to see the benefits and they remain confident in their financial strength. He said they are looking forward to welcoming everyone in June and showing what all they have done.

Elite Casino Resorts, LLC: Dan White, Chief Financial Officer, said he is happy to report a clean report opinion with no internal control comments. He said total net revenue was down in 2024. Riverside's gaming revenue was down about 4.5%, Grand Falls was down about 3.8% and Rhythm City was down about 2.4%. He said Riverside and Grand Falls saw a slight increase in non-gaming revenue while Rhythm City saw a decrease. He said a success for 2024 was overall staffing was relatively stable in most areas which was an improvement over prior year. He commented that a challenge in 2024 was their sports wagering partner decided to discontinue operations in Iowa, which affected all three of their Iowa properties both financially and operationally. Mr. White said they spent about \$4.2 million on capital expenditures in 2024 across the three properties. He said looking to the future of capital expenditures they have several large projects on their radar including a hotel renovation at Riverside which is currently underway. They also anticipate a lot of building and maintenance capital expenditures as the properties continue to age.

Commissioner Burkhart asked what the anticipated total dollar amount was for the building and maintenance capital expenditures that he mentioned. Mr. White said it was just a variety of different things such as roof repairs. Commissioner Burkhart asked if they have a rolled up number that they anticipate for those things between the three properties in 2025. Mr. White said he doesn't have that with him but it's substantial. He said the roof repairs alone are several hundred thousand dollars. Commissioner Burkhart said these three properties have the lowest capital expenditures compared to total revenues in terms of percentage so she was curious what those things are. Mr. White said the Riverside remodel is approximately \$9 million and probably another million per property each year. He said \$4.5 million is probably a rough target moving forward for the next couple of years.

HGI-Lakeside, LLC: David Monroe, General Manager, said he was happy to report a clean audit with no material findings. He said 2024 was a pretty good year for Lakeside. Quarter one had some pretty significant weather impact, the middle of the year they saw some good momentum and in quarter four they actually had 6% growth year over year in net revenues which has carried over into this year. He contributes most of that success to the improvements they have made to the gaming floor. He said the gaming floor is the best its been in the eight years he's been at the property. Mr. Monroe said looking at 2025 spend the focus will be on surveillance upgrades and finishing that four year project, continuing to upgrade the HVAC, doing some landscaping and buying some more gaming products. He said looking further past that they will finally be able to reinvest in the hotel and event center.

SCE Partners, LLC: Andrew Limoges, Director of Finance, said from a financial standpoint their operation remains in a strong position. They continue to post revenues that exceed pre-Covid benchmarks and retain healthy margins in both gaming and non-gaming sectors. All financial records were received timely and they received a clean opinion again this year, and no material weaknesses or deficiencies were found. He said in 2024 they experienced a number of positive financial outcomes despite increased regional competition. Their signature restaurant continued to receive positive recognition, they experienced enhancements to their player development efforts which supported growth and guest engagement, and their entertainment offerings attracted strong attendance and helped them reach a broader audience. He said they also faced some challenges in 2024. With the expansion of gaming options in Nebraska, patrons have begun to split their time between markets, and they are actively working to mitigate those trends.

Mr. Limoges said that it was pointed out at the last meeting that their Iowa spend was the lowest in the state. In response to this he wanted to point out that their parent company, Churchill Downs Incorporated knows how important this mandate is so in 2024 other Churchill Downs properties spent \$9 million in Iowa. He said in terms of capital expenditures in 2024 they spent \$1.5 million which included the start of a major renovation project focused on converting an unutilized space into a dedicated banquet and meeting space. Looking to 2025 their projected spend is over \$4 million which includes investment in gaming product and hardware, increased updates to their facility infrastructure, continued IT enhancements, team member enhancement and efficiency, and upgrading their hotel management system. Over the next 3-5 years they will continue to monitor business trends and potential opportunities for enhancements based on their evolving operations. They remain optimistic about the future, confident in their financial health and committed to providing world class experiences for their guests.

Commissioner Campbell commented that he appreciated the additional information about the other entities that are purchasing in Iowa.

Wild Rose Entertainment, L.L.C.: Brian Diver, President and Chief Executive Officer, said he is proud to announce again this year their audit should be a boring, clean and mundane read with no exceptions or any material defects. He said their financial position remains strong and all of their ratios favorable and better than industry standards. 2024 was a good year and their fourth best year in their 20 year history. He said they are focused on the guest experience and continuing to reinvest in that. He said in the last three years all of the gaming floors have been brightened up and given a new look. Mr. Diver said since the pandemic they have invested over \$20 million in capital expenditures and in 2025 they will do another roughly \$4 million.

Prairie Meadows Racetrack & Casino, Inc. (PMRC): Gary Palmer, CEO and General Manager, said he is happy to bring forth a clean audit with no weaknesses noted. This is their 29<sup>th</sup> year of being debt free and 2024 was their 2<sup>nd</sup> best year yet. He said one of the biggest challenges they had in 2024 was trying to beat their numbers from 2023 and they will continue to try to do that in 2025 as well. He said so far in 2025 they are about 4.5% ahead of their budget. Mr. Palmer said some of the major capital expenditures they had in 2024 include escalator replacements throughout the building, carpet replacement on floors one and two, and the entire exterior of the building repainted. Their total capital expenditure for 2024 was over \$13 million. Their estimated capital

expenditures over the next 3-5 years should be over \$14 million. In regards to charitable donations, in 2024 they gave back over \$30 million to the community to lessen the burden on the government.

Chair Olsen took a moment to thank the IRGC staff. He said they do a wonderful job preparing them and getting them the information needed to make their jobs easier. He said their work is so complete and so thorough and he really appreciates it. He then announced there would be a short break at 10:01AM. At 10:08AM the meeting resumed.

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

Ameristar Casino Council Bluffs, LLC: Mr. Czak presented the following contracts for Commission approval:

- Central Credit LLC – Third Party Check Cashing Guarantor (OSV)
- Citizens Bank – Company Issue Credit Cards (OSV)
- Security Equipment, Inc. (SEI) – AccessNSite (Key Fob Physical Access Control) Support & Maintenance
- Pinnacle Construction Inc. – General Contractor

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

Isle of Capri Bettendorf, L.C.: Ms. Rogers presented the following contracts for Commission approval:

- Fortune Wisconsin LLC – Vendor Provides Premium Beef Products (OSV)
- Iowa Beverage Systems – Beer and Alcoholic Beverage Vendor
- Sorbel Linen Company – Vendor Provides Hotel Linens
- Vestis – Laundry Services for Hotel Linens and Towels

Chair Olsen asked if he heard correctly that the whole remodel project would only cost \$100,000. Ms. Rogers said that is correct. They are very fortunate to still have all of their kitchen equipment and booths to use that are still in great shape.

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

Wild Rose Clinton, L.L.C.: Steve Cody, General Manager of Wild Rose Emmetsburg, presented the following contracts for Commission approval on behalf of Steve Nauman, General Manager:

- Martin Bros. Distributing Co. – Food Products Vendor

IRGC Commission Minutes

April 24, 2025

Page 12

- Empower Retirement – Record Keeping and Website Coordinator for Northwest 401K (OSV)
- Northwest Bank – 401K Benefit Plan

Hearing no comments or questions, Chair Olsen requested a motion. Commissioner Ostergren 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. Cody presented the following contracts for Commission approval:

- Empower Retirement – Record Keeping Website 401K (OSV)
- Northwest Bank – 401K Benefit Plan

Hearing no comments or questions, Chair Olsen requested a motion. Commissioner Andres moved to approve the contracts as submitted by Wild Rose Emmetsburg, L.L.C. Commissioner Campbell 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:

- DW Zinser Company, Inc. – Demolition Services
- Kirkland & Ellis, LLP – Legal Service/Law Firm (OSV)
- R2Architects, LLC + R2Interiors, LLC – Architectural, Engineering and Interior Design Services
- Ryan Companies US, Inc. – Construction Management Services
- Williams Synergy Group, LLC/Skogman Realty – Real Estate Purchase
- Wixted & Company – Public Relations/Communication Services/Media Relations

Mr. Pang gave a quick update on their progress. He said they recently secured approval from the Cedar Rapids planning commission and City Council. He said on the construction side erosion control measures are ongoing and there are three remaining structures to be demolished that have been scheduled. He said they are on track, and he will provide another update at the June meeting.

Commissioner Burkhart asked if they have already completed some demolitions, and Mr. Pang said yes, they have.

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

IOC Black Hawk County, Inc.: Chad Moine, General Manager, presented a contract with Gitchi Gaming, Inc. (OSV) for replacement of slot chairs, 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 a contract with Frank Millard and Company, Inc. for demolition work, framing and drywall installation and finishing in high limit room, bar lounge, restrooms, primary restrooms and player services, for Commission approval.

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

SCE Partners, LLC: Mr. Limoges presented the following contracts for Commission approval:

- Data Business Equipment, Inc. – Purchase Cage/Cash Handling Equipment & Annual Maintenance Contract
- Outsoud Productions LLC – Equipment and Production for Battery Park Shows (OSV)
- The Wasserstrom Company – Banquet Space Equipment and Supplies (OSV)

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

Harveys Iowa Management Company LLC: Mr. Roberts presented the following contracts for Commission approval:

- Agilysys – Provider of Software Maintenance for Products Used for Hotel Bookings and POS Transactions (OSV)
- Amazon.com Services LLC – Just Walk Out Transactions at Stir Cove
- AT&T – Wi-Fi Provider
- Carberry Construction – General Contractor – Various Projects
- HGM Associates, Inc. – Services for Various Projects
- Hospitality Network Inc. – Manages Installation and Maintenance of All Wireless Networks – Subsidiary of Cox
- SS Kemp & Co / Trimark – Kitchen Equipment
- Valcourt Exterior Building Services of Florida – Façade Restoration and Repair (OSV)

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

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

- Agilysys – Provider of Software Maintenance for Products Used for Hotel Bookings and POS Transactions (OSV)
- All Star Premium Products – Promotional Items (OSV)
- AT&T – Wi-Fi Provider
- HGM Associates, Inc. – Various Projects on Property
- Hospitality Network Inc. – Manages Installation and Maintenance of All Wireless Networks – Subsidiary of Cox
- Shye West, Inc. dba Imagine This – Promotional Gifts and Giveaways
- The Aaron Group – Promotional Items

Hearing no comments or questions, Chair Olsen requested a motion. Commissioner Ostergren 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.

Grand Falls Casino Resort, LLC: Damon John, General Manager of Riverside, presented a contract with Midwest Turf & Irrigation (OSV) for a Toro Rough Mower for Commission approval on behalf of Sharon Haselhoff.

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

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

- Control Installations of Iowa (Basepoint) – Surveillance and HVAC Equipment
- E-Connect – Specialized Software for Point of Sale, Blackjack Card Counting, Facial Recognition w/Surveillance (OSV)
- Electronic Engineering – Electronic Hotel Room Door Locks and Surveillance Equipment

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

HGI-Lakeside, LLC: Mr. Monroe presented a contract with Marco Properties LLC for the sale of some land.

Commissioner Campbell asked where this land was located. Mr. Monroe said it is located on the East side of interstate 35. He said a small sliver of about four acres is on the North side of Clay Street and the remainder is just South of the new distillery.

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

Dubuque Racing Association, Ltd.: Mr. Rakestraw presented the following contracts for Commission approval:

- Assured Partners – Insurance: Commercial Property, Crime Management Liability, Cyber and Builders Risk
- Blue Cross Blue Shield C/O C&B Insurance – Employee Health Insurance for Management Group
- C.O. Jones, Inc. – Entertainment Artist (OSV)
- Creative Artist Agency – Entertainment – Artist Booking Agency (OSV)
- JRNEWO, Inc. – Entertainment Artist (OSV)
- Lime Rock Springs – Beverage Service
- Medical Associates C/O C&B Insurance – Employee Health Insurance
- Vestis Group, Inc. – Linen Service

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 Ostergren seconded the motion, which carried unanimously.

Riverside Casino and Golf Resort, LLC: Damon John, General Manager, said he wanted to make a quick comment on the capital expenditure discussion as presented earlier by Mr. White. He said that Elite has invested a significant amount of capital expenditures across the three Iowa properties. He said their approach to keeping their properties clean and well maintained is to be excessive and relentless. Every day they comb through the properties and replace things as they go as to not let their spaces get to the point of dilapidation.

Commissioner Burkhart thanked him for the additional information and said they have all stayed there and they know it's in great shape.

Mr. John then presented a contract with Kluesner Construction, Inc. for asphalt paving on roadways and parking areas for Commission approval.

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

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

- Cornerstone Nursery – Landscaping Refresh Around Property
- Nu Concepts – Entertainment Booking Agency
- Portzen Construction – Restroom Refresh

- United Talent Agency, LLC – Entertainment Booking Agency (OSV)

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

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

- AJB Enterprises – Snow Removal and Construction
- Core Mark Midcontinent Inc – Convenience Store Distributor
- Midwest Liquid Systems, Inc – C-Store Equipment/Maintenance
- Henkel Construction Company – General Construction
- Dean Snyder Construction – General Contractor

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 Campbell seconded the motion, which carried unanimously.

**APPROVAL OF HORSE RACING PROMOTION FUND**: Ms. Eick advised there was one applicant for the Horse Racing Promotion Fund – the Iowa Thoroughbred Breeders and Owners Association (ITBOA). There is \$1,985.70 available for distribution. Ms. Eick requested approval of the distribution of the funds to the ITBOA.

Chair Olsen asked what would happen if they didn't approve it. Ms. Eick said she would need to look and see if it reverts back or if it carries over to the next year.

Hearing no further comments or questions, Chair Olsen requested a motion. Commissioner Burkhart moved to distribute the Horse Racing Promotion Fund to the ITBOA. Commissioner Campbell seconded the motion, which carried unanimously.

**APPROVAL OF VOLUNTARY IMPLEMENTATION AGREEMENT WITH THE HORSERACING INTEGRITY AND SAFETY AUTHORITY**: Ms. Eick said Horseracing Integrity and Safety Authority (HISA) is the authority that oversees federal horseracing integrity and safety regulations for thoroughbred racing. For 2025 HISA has assessed a fee just over \$1,528,000 for federal regulation for racing in Iowa. In November the Commission voted to opt out of the voluntary assessment as the Commission does not have the budget or the appropriations to pay the federal assessment. Given that option, they need to enter into a voluntary agreement to get a credit for the services that the state does provide. The credit being offered by HISA is approximately \$400,000, with the balance to be paid by the industry at \$1,126,000. Ms. Eick said that this is not a perfect situation but it is the only way for the racing stakeholders to receive the assessment credit. She stated Commission staff is already doing most of the work required in the agreement. In discussions with industry representatives, they have made it clear they would prefer Commission employees do the work rather than HISA. It is staff's recommendation to move forward with the agreement and the revised amendment to that agreement.

Hearing no further comments or questions, Chair Olsen requested a motion. Commissioner Ostergren moved to direct staff to prepare the voluntary implementation agreement with HISA. Commissioner Campbell seconded the motion, which carried unanimously.

**HEARINGS:**

Rush Street Interactive IA, LLC: Ms. Eick presented the Stipulated Agreement for violations of Iowa Code § 99F.3, 491 IAC 13.3(1) and 491 IAC 13.2(3). Rush Street Interactive IA, LLC allowed an individual wagering market for an amateur participant in the Masters golf tournament, which is impermissible.

Laura McAllister Cox, Chief Compliance Officer, said they accepted a total of four wagers that included a parlay leg with an amateur golf participant. She said that filters for Kambi, a wagering platform, were not working to catch this. She said as for the late reporting, they were in the process of rebuilding their incident reporting team and had recently taken on a new manager and this one slipped through the cracks. She said she is proud to say though that they have had no further incidents in the past year of impermissible wagers. She said they now have a robust team in place.

Hearing no comments or questions, Chair Olsen requested a motion. Commissioner Ostergren moved to approve the Stipulated Agreement with an administrative penalty of \$10,000.00. Commissioner Burkhart seconded the motion, which carried unanimously.

Prairie Meadows Racetrack and Casino, Inc.: Ms. Eick presented the Stipulated Agreement for a violation of Iowa Code § 99F.9(5). Prairie Meadows Racetrack and Casino, Inc. allowed an underage individual on the gaming floor.

Clint Pursley, Senior Vice President of Security Operations, said Prairie Meadows has two plus million visitors a year and over 200,000 ID's are verified annually by staff members. He said the success rate the staff has in the prevention of underage gambling is remarkable. He said this however was a unique situation where a 19-year-old male who is a licensed jockey came through the South entrance, which does not lead to a gaming area, unchallenged. He said it is not unusual for members of the racing community to come to a racing event to watch their competitors. A security guard who had turned this individual away a few days prior recognized him and subsequently led to his detection. The individual was arrested, released on citation and found guilty, costing him a little over \$1,000 in court costs and was trespass from the facility.

Commission Ostergren asked for clarification on what made this a unique situation when he said it's common for people associated with horseracing to come in that entrance. Mr. Pursley said the fact that a 19-year-old licensed jockey who was turned away two days prior for trying to access a restricted area ultimately gained access to a restricted area. He said security officers who are posted at areas common to racing become familiar with these individuals. He said to say he was failed to be ID'd understates the relationship that staff has with known licensees and that is the uniqueness of it.

Chair Olsen asked him to explain where the South entrance was. Mr. Pursley said that is where they go in when they go to watch horseracing. He said you go in the South entrance, go right and go straight out to the track, which is exactly what this gentleman did.

Hearing no further comments or questions, Chair Olsen requested a motion. Commissioner Andres moved to approve the Stipulated Agreement with an administrative penalty of \$20,000.00. Commissioner Ostergren seconded the motion, which carried unanimously.

BetMGM, LLC: Ms. Eick presented the Stipulated Agreement for four counts for violations of Iowa Code § 99F.4(22), Iowa Code § 99F.3, 491 IAC 13.2(3) and 491 IAC 13.3(1). Count one was for sending a promotional item to a self-excluded individual. The other three counts were for impermissible wagers.

Richard Taylor Jr., Director of Responsible Gambling, said they take full responsibility for these violations and regret that they occurred. He said in the case of the trading violations, they were caused in large part by human error. He said traders missed certain requirements and rules and failed to remove certain markets in Iowa, which resulted in these errors and violations.

Mr. Taylor said in the case of the self-exclusion violation this was due to technical errors that occurred. He said the individual's information was looped into their new centralized database. During that time the individual logged into his account and since the waterfall was not functioning properly, the account remained open which resulted in the individual receiving promotional marketing. He did not deposit or wager during that period of time, but they take full responsibility and regret that he received any marketing materials.

Chair Olsen said when they see four counts it looks sloppy at best and he hopes they don't see this again in the future.

Commissioner Burkhart asked if the impermissible wagers were due to the fact that Iowa has different rules than other jurisdictions. Mr. Taylor said they have a centralized trading team to help set these markets and with all the different jurisdictions, different rule sets, and the numerous markets they are setting every single day, unfortunately they rely on human traders to put these in place and human errors do occur.

Hearing no comments or questions, Chair Olsen requested a motion. Commissioner Campbell moved to approve the Stipulated Agreement with the following administrative penalties: Count 1 - \$20,000.00, Count 2 - \$5,000.00, Count 3 - \$10,000.00 and Count 4 - \$15,000.00. Commissioner Ostergren seconded the motion, which carried unanimously.

**EXECUTIVE SESSION**: Chair Olsen requested a motion to go into Executive Session. Commissioner Campbell moved to go into closed session under Iowa Code Section 21.5, subsection 1(d), to discuss whether to initiate licensee disciplinary investigations or proceedings. Commissioner Burkhart seconded the motion, which carried unanimously on a voice roll call.

**RETURN TO OPEN SESSION/POSSIBLE ACTION ON EXECUTIVE SESSION ITEMS:**

At 11:36am Commissioner Ostergren moved to reconvene the public meeting. Commissioner Campbell seconded the motion, which carried unanimously on a voice roll call.

Chair Olsen requested a motion on case numbers 25-01C and 25-02H. Commissioner Ostergren moved to direct staff to initiate the disciplinary process and prepare a statement of charges in case numbers 25-01C and 25-02H for review at a future meeting. Commissioner Campbell seconded the motion, which carried unanimously.

**PUBLIC COMMENT:** There were no public comments.

**ADMINISTRATIVE BUSINESS:** There was no administrative business.

**ADJOURN:** Chair Olsen adjourned the meeting at 11:38 AM.

MINUTES TAKEN BY:



CHANTELLE ARMINTROUT

# IOWA RACING AND GAMING COMMISSION

## MINUTES

### JUNE 19, 2025

The Iowa Racing and Gaming Commission (IRGC) met on Thursday, June 19, 2025 at Q Casino + Resort in Dubuque, Iowa. Commission members present were Chair, Daryl Olsen; Vice Chair, Mark Campbell; and Commission members Amy Burkhart and Alan Ostergren.

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

**APPROVE MINUTES:** Chair Olsen requested a motion to approve the minutes from the April 24, 2025 Commission meeting. Commissioner Ostergren moved to approve the minutes as presented. Commissioner Burkhart seconded the motion, which carried unanimously.

**WELCOME:** Brian Rakestraw, Chief Operating and Financial Officer for Dubuque Racing Association (DRA), welcomed everyone to Q Casino and said last time the Commission had a meeting in Dubuque they were scheduled to host but had to pass because they were starting their \$85 million development project. He said they now have a refreshed casino floor, a family entertainment arcade and a beautiful hotel and rooftop restaurant going in. Mr. Rakestraw said he is excited to take them on a tour later to show them the breathtaking views of downtown and the river. He said tonight they have their first outdoor concert of the season and he's excited for all the great things going on in Dubuque and their property, which wouldn't be possible without the Commission's support. He then turned it over to Lori Thielen, Board Chair for DRA.

Ms. Thielen welcomed everyone to the property and said she hopes they can see the commitment that they've made to the community and region of Iowa. She said they just celebrated their 40<sup>th</sup> year and during that time they have created great momentum in Dubuque. She said when the property opened in 1985 the unemployment rate in Dubuque was 20%. Today it is at 3.6%. She said their license has changed the trajectory of the city and been very impactful. Ms. Thielen said they have given \$1.1 billion to the community and she hopes they can see the impact it has made. She then turned it over to Rick Dickinson, DRA Executive Board Member and President/CEO of Greater Dubuque Development Corporation.

Mr. Dickinson thanked the Commission for their service to their community and the state. He said he knows their jobs involve challenging decisions and he appreciates the fact that they are deliberate in considering all sides so they can make the best decisions for the state. He said it is no coincidence that both the DRA and Greater Dubuque Development Corporation both celebrated their 40<sup>th</sup> anniversary's this year. He said if not for the DRA there would be no Greater Dubuque Development Corporation and he discussed all the other things that would not be possible without the DRA. Mr. Dickinson talked about an article in the Wall Street Journal that referred to Dubuque as the hub of Midwest cool, which is the brand they seek. He said Dubuque is a beautiful city with great amenities where baby boomers can have security and quality health care while at the same time attract young talent to the city.

**ANNOUNCEMENTS:** Tina Eick, Administrator of IRGC, stated the next Commission meeting will be Friday, July 11<sup>th</sup> at Prairie Meadows Racetrack & Casino. Submissions for this meeting are due in the Des Moines office by June 26<sup>th</sup>. She advised the meeting will start at 2:30 PM to allow the Commissioners to attend live racing that evening. The August meeting will be held on August 28<sup>th</sup> at Riverside Casino & Golf Resort. There is no meeting in September.

Ms. Eick also acknowledged Cathy Dillon and Tracy Potter from Q Casino, as well as Joe Gau and Shawntel Schmitt from Diamond Jo. She said these staff members are the Commission's boots on the ground at each of their facility. They license employees, do regular compliance checks, perform investigations and slot work as well as numerous other duties. She said they work closely with the licensed facilities to help ensure gaming is operating with integrity as well as compliance with Iowa laws and Commission rules. She thanked them for all the hard work they do.

**ADMINISTRATIVE BUSINESS:**

**Legislative Session Update:** David Ranscht, General Counsel for IRGC, provided an update on the legislative session that just adjourned about a month ago. He said Senate File 659 had a lot in it but the part for the Commission was creating a new horse racing fund which will contain taxes from online advance deposit wagering (ADW) operators. The fund will collect money that will be earmarked for paying the Horseracing Integrity and Safety Authority (HISA) assessments. He said if the historical numbers continue the fund probably won't pay a full year of HISA assessments but probably around a third. He said in the past the Commission has opted out of funding that but now they will be able to pay part of it which will reduce the amount that will be paid by Prairie Meadows and the Horsemen.

Mr. Ranscht said that Senate File 605 passed which clarified that sports wagering winnings are subject to state and federal income tax. This will go into effect January 1<sup>st</sup> for the new tax year.

Mr. Ranscht said there were about five bills that distributed money from the sports wagering receipts fund to other agencies to use in their programs. He said the Department of Public Safety got some funding for equipment, the Department of Education got some funding for compensation supplements, Economic Development got some funding, as well as the Department of Revenue.

Mr. Ranscht said the last legislation of note was House File 706 which made changes to some open meetings and open records chapters. He said the most notable change here is that the bill requires a one to two hour education course on open meetings and open records for each person who is newly appointed. This will not affect the current Commissioners, but when a fifth person is appointed they will have to take that course within 90 days of when they start. Staff will monitor this.

**Executive Order 10 – Rule Review Process Discussion:** Mr. Ranscht said that Executive Order 10 was issued by the Governor in 2023 which requires every agency to review and reenact all of their rules. The first goal in doing this is to eliminate redundant rules and the second goal is to reduce restrictive terms such as the word 'shall'. The IRGC was in the last group of agencies to have their

rules reviewed which gave IRGC a deadline of the end of 2026. The Commission will be taking input from Commissioners, staff, and industry stakeholders as Commission staff reviews these rules. Staff has started with rules relating to racing. Staff is meeting internally and comparing what other states do to see what works and what we can do better. The goal is to complete the racing portions of the rules in time for next racing reason in May. He said the next step be to get to all of the other rules including gambling games and accounting rules. The goal is to have those take effect closer to the end of the timeline in 2026. Mr. Ranscht said any input from stakeholders is welcome and will be sought during this process.

Chair Olsen thanked Ms. Eick for bringing Mr. Ranscht on staff. He said he appreciates the time Jeff Peterzalek, Deputy Attorney General, has given the Commission but the Commission is lucky to have Mr. Ranscht on staff with all of the things that are coming up. Chair Olsen thanked him for his work and said how much he appreciates it.

**APPROVAL OF REGULATORY FEES FOR FY 2026:** 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 that 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 Campbell moved to approve the regulatory fees for the Commission and DCI as presented. Commissioner Burkhart seconded the motion, which carried unanimously.

**CEDAR RAPIDS DEVELOPMENT GROUP, LLC:** Kim Pang, Vice President of Peninsula Pacific Entertainment, gave a brief update on what is happening with the Cedar Rapids property. At this time all permitting and regulatory steps have been completed. The site has completed demolition and most of the land purchases have been acquired. They have worked with the Department of Natural Resources to look at the storm water, grading and utilities to get the site ready. Mr. Pang said at the end of this month they will have the foundation done and later this summer the exterior walls will go up. By fall they will erect the steel and by winter they will get the roof up and will start the interior framing. They are also working with the Mayor on a trolley shuttle service that they will be implementing. Mr. Pang said they are still on track for a December 2026 opening.

**CASINO QUEEN MARQUETTE, INC.:**

**Request for Approval of Retail Sports Betting Agreement with Bally's Interactive, LLC:** Ali Bartlett, Shareholder with Greenberg Traurig, presented the retail sports betting agreement with Bally's Interactive, LLC for Commission approval.

Commissioner Burkhart asked if this was not going into effect until the landside property is up and running. Ms. Bartlett said yes that is correct. She said the agreement might go into effect prior to that, but they won't be ready to do anything until then.

Hearing no further comments or questions, Chair Olsen requested a motion. Commissioner Burkhart moved to approve the retail sports betting agreement between Casino Queen Marquette, Inc. and Bally's Interactive, LLC. Commissioner Ostergren seconded the motion, which carried unanimously.

Request for Approval of the Third Amendment to Third Amended and Restated Master Lease with GLP Capital, L.P.: Ms. Bartlett then presented the third amendment to third amended and restated master lease with GLP Capital, L.P. for Commission approval.

Hearing no comments or questions, Chair Olsen requested a motion. Commissioner Ostergren moved to approve the third amendment to third amended and restated master lease between Casino Queen Marquette, Inc. and GLP Capital, L.P. Commissioner Campbell seconded the motion, which carried unanimously.

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

Casino Queen Marquette, Inc.: Robin Corbeil, General Manager presented the following contracts for Commission approval:

- EDG Consortium, LLC – Consulting Firm Providing Engineering/Project Service Solutions for Build of Land-Based Casino (OSV)
- Exceleration Project Management, Inc. – Project Manager for the Construction of the Land-Based Casino (OSV)
- Norr – Architects, Engineer, Planners, and Interior Designers for Land-Based Casino (OSV)

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

IOC Black Hawk County, Inc.: Chad Moine, General Manager, presented a contract with Gasser Chair Co., Inc. to replace the casino floor chairs (Slots, Tables, Bar) (OSV) for Commission approval.

Commissioner Burkhart commented that this is one they had already approved a contract for and wanted to make sure she understood they were switching vendors due to some delivery issues. Mr. Moine said that was correct. After they had their initial contract approved they received some intel that the vendor was running into timing issues and not making deadlines.

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

Iowa West Racing Association d/b/a Horseshoe Casino Council Bluffs: Sally Rogers, Director of Finance, Isle Casino Hotel Bettendorf, presented a contract with JCM Global for Bill Validating Technology in Slot Machines for Commission approval. Request was made on behalf of Thomas Roberts, General Manager, Horseshoe Casino Council Bluffs.

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

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

- Dave Bessine Electric – Electrical Work for Casino Remodel
- Deery Brothers – Purchase a 2025 Nissan Rogue for a Casino Promotion (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 Burkhart seconded the motion, which carried unanimously.

SCE Partners, LLC: Doug Fisher, General Manager, presented a contract with Rasmussen Mechanical Services for HVAC and boiler maintenance and a boiler stack replacement for Commission approval.

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

Cedar Rapids Development Group, LLC: Mr. Pang presented a contract with Marsh USA for various insurance coverages for the project (builders' risk, flood, delayed startup) for Commission approval.

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

Isle of Capri Bettendorf, L.C.: Nancy Ballenger, Vice President and General Manager, presented a contract with Rustic Oak Partners d/b/a Surface Experts for hotel furniture refinishing services for Commission approval.

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

Ms. Ballenger said she wanted to take a moment to update the Commission. She said they did open their Midwest Bites food and beverage outlet at the end of May. They will serve breakfast and lunch five days a week and dinner two evenings. She said this now gives them three restaurants. She wanted to mention this since they had discussed it at a previous meeting.

Dubuque Racing Association, Ltd.: Mr. Rakestraw, presented a contract with Wired Production Group for entertainment production for Commission approval.

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

Diamond Jo, LLC: John Sanchez, Director of Finance, presented the following contracts for Commission approval:

- Conlon Construction – General Contractor for FanDuel Refresh
- Johnson Controls, Inc – Service Agreement for Facility's HVAC Services
- RTS Solutionz Inc – AV Upgrade for FanDuel (OSV)

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

Wild Rose Emmetsburg, L.L.C.: Steve Cody, General Manager, presented a contract with USA Security for a surveillance equipment upgrade and yearly maintenance fees 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 Emmetsburg, L.L.C. Commissioner Campbell seconded the motion, which carried unanimously.

Wild Rose Jefferson, L.L.C.: Mr. Cody presented the following contracts for Commission approval on behalf of Ian Wilkinson:

- Baker Group – Monthly Maintenance Fees and Repairs and Maintenance to HVAC System
- Martin Bros. Distributing Co Inc – Food Distributor
- Northwest Bank – 401K Benefit Plan Administrator

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

HGI – Lakeside, LLC: Dave Monroe, General Manager, presented the following contracts for Commission approval:

- Mercer w/Empower – 401K for Employees (OSV)
- ScooterBug, Inc. – Patrons will be able to Rent a ScooterBug to Drive Around Lakeside Casino (indoors) (OSV) (RP)
- Sierra Health & Life – Health Insurance for Employees (OSV)

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

Grand Falls Casino Resort, LLC: Mo Hyder, General Manager, Rhythm City Casino, LLC, presented a contract with Elite Casino Resorts, LLC for goods and services cost allocations (RP) for Commission approval. Request was made on behalf of Sharon Haselhoff, General Manager.

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

Riverside Casino & Golf Resort, LLC: Mr. Hyder presented the following contracts for Commission approval on behalf of Damon John, General Manager:

- CAA Holdings, LLC d/b/a Creative Artists Agency – Entertainment Booking Agent (OSV)
- United Talent Agency, LLC – Entertainment Booking Agent (OSV)
- Wasserman Music, LLC – Entertainment Booking Agent (OSV)
- William Morris Endeavor Entertainment, LLC – Entertainment Booking Agent (OSV)

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

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

- Best Buy Business Advantage – Gift Cards for Marketing Promotion and Products for Resale in Gift Shop
- Dirty Heads Touring Inc – Entertainment Act for Event Center (Dirty Heads) (OSV)

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

**HEARINGS:** Ms. Eick presented the Stipulated Agreement with Rhythm City Casino, LLC for a violation of Iowa Code § 99F.9(5). Rhythm City Casino, LLC allowed underage individuals on the gaming floor.

Mr. Hyder acknowledged the severity of this incident and said although it was unfortunate, it provided them the opportunity to reassess, strengthen and implement more effective safeguards. He said since the incident they have taken immediate and comprehensive actions. They have strengthened their back of house access by installing a system which requires access cards for entry. All security and technology staff have undergone retraining with an emphasis on underage prevention and consistent enforcement of identification checks. And they increased surveillance by adding cameras and real-time monitoring in key transition areas. He said although these are not the only safeguards they have implemented, he believes they are the three most critical ones. Mr. Hyder also acknowledged that this was their third such violation in a 12-month period.

Commissioner Burkhart asked if it would limit their options if they were to have a policy in place that all entertainment had to be 21 and over. Mr. Hyder said now that they have the access controls in place, the entertainers cannot move between the two areas. He said when they do have to transition between areas, the marketing team meets with them and escorts them to the areas they need to access. Commissioner Burkhart commented that it seems like a risk inviting them in.

Commissioner Ostergren asked if these specific individuals were part of the entertainment act or just there as guests of the band. Mr. Hyder said it was a combination. Commissioner Ostergren asked why the individuals were not kicked off the property completely after several attempts that the staff intercepted. Mr. Hyder asked Paul Sikorski, Security Director, to elaborate. Mr. Sikorski said at the time he doesn't think it was clear that the individuals were trying to access the gaming floor and instead just appeared to be wandering around. He said looking back it is easy to put the puzzle together but at the time that wasn't clear.

Commissioner Burkhart said sometimes when you invite those entertainers in they think they have the run of the place. She said her comment to all the licensees would be to really review the process they have in the entertainment that is selected and try to mitigate the risk on the front end.

Commissioner Burkhart moved to approve the Stipulated Agreement with Rhythm City Casino, LLC in the amount of \$30,000.00. Commissioner Campbell seconded the motion, which carried unanimously.

**EXECUTIVE SESSION:** Chair Olsen requested a motion to go into Executive Session. Commissioner Campbell moved to go into closed session under Iowa Code Section 21.5, subsection 1(d), to discuss whether to initiate licensee disciplinary investigations or proceedings. Commission Ostergren seconded the motion, which carried unanimously on a voice roll call.

**RETURN TO OPEN SESSION/POSSIBLE ACTION ON EXECUTIVE SESSION ITEMS:** Chair Olsen returned the meeting back to open session and requested a motion on case numbers 25-01C and 25-02H.

Commission Ostergren moved to close case number 25-01C without further action by the Commission. Commissioner Burkhart seconded the motion, which carried unanimously.

IRGC Commission Minutes

June 19, 2025

Page 9

Commissioner Campbell moved to issue a notice of hearing and statement of charges on case number 25-02H. Commissioner Ostergren seconded the motion, which carried unanimously.

**PUBLIC COMMENT:** There were no public comments.

**ADJOURN:** Chair Olsen adjourned the meeting at 10:00 AM.

MINUTES TAKEN BY:



CHANTELLE S. ARMINTROUT

**IOWA RACING AND GAMING COMMISSION  
MINUTES  
JULY 11, 2025**

The Iowa Racing and Gaming Commission (IRGC) met on Friday, July 11, 2025 at Prairie Meadows Racetrack & Casino in Altoona, Iowa. Commission members present were Chair Daryl Olsen, Vice Chair Mark Campbell, and members Amy Burkhart and Alan Ostergren.

**APPROVE AGENDA:** Chair Olsen called the meeting to order at 2:30 PM and requested a motion to approve the agenda. Commissioner Ostergren moved to approve the agenda as presented. Commissioner Campbell seconded the motion, which carried unanimously.

**APPROVE MINUTES:** Chair Olsen requested a motion to approve the minutes from the June 19, 2025 Commission meeting. Commissioner Burkhart moved to approve the minutes as presented. Commissioner Ostergren seconded the motion, which carried unanimously.

**WELCOME:** Derron Heldt, Vice President of Racing, welcomed the Commission and staff on behalf of the over 1,000 employees at Prairie Meadows. He said Prairie Meadows values the partnership they have with Iowa Racing and Gaming and they are proud to be a part of Iowa's racing and gaming community. He discussed the different events they had going on the weekend prior to the meeting and the large number of people they had attend the races that weekend. He said it takes all departments at Prairie Meadows to work together to put on a great show and provide great guest service. He thanked the Commissioners for their service and invited everyone to stay for live racing.

Chair Olsen commented that this is the third year in a row that the Commission meeting was scheduled close to a weekend so that they could enjoy live racing. He said being there and getting to experience that is important to them. He thanked the Commissioners for giving up some of their weekend to watch racing.

**ANNOUNCEMENTS:** Tina Eick, Administrator of IRGC, stated the next Commission meeting would be held at Riverside Casino & Golf Resort on August 28, 2025. Submissions for that meeting are due in the Commission's Des Moines office by August 14<sup>th</sup>. There will be no September meeting. The Commission will then meet at Rhythm City in Davenport, IA on October 2, 2025.

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

Casino Queen Marquette, LLC: Chair Olsen began by asking Robin Corbeil, General Manager, for a quick update on their construction process. Ms. Corbeil said they have some braces and cross structure starting to go up for the walls. They are also doing ground work and getting the plumbing in as well as foundation work. She said when it has been raining they just move inside and continue on the removal of all the things that need to come out. Ms. Corbeil said they are still on track for their February completion date.

Ms. Corbeil then presented a contract with Globalcom Technologies for procurement/installation of low voltage cabling and additional IT services at the new land-based Casino Queen Marquette.

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

Dubuque Racing Association, Ltd.: Brian Rakestraw, Chief Operating and Financial Officer, presented the following contracts for Commission approval:

- Cottingham & Butler Insurance – Insurance: General/Liquor Liability, Business Auto, Umbrella
- International Game Technology (IGT) – IGT Customer Agreement/Q Sportsbook (OSV)

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

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

- Davenport Group – Configuration and Mapping Services for Specialized Computer System Servers (OSV)
- Dell Marketing – Computer Equipment and Support (OSV)
- Eide Bailly – Variety of Computer Software

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

Grand Falls Casino Resort, LLC: Damon John, General Manager for Riverside Casino & Golf Resort, presented a contract with Harris Golf Carts Sales & Service for replacement of golf cart fleet, for Commission approval on behalf of Sharon Haselhoff.

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

Iowa West Racing Association d/b/a Horseshoe Casino Council Bluffs: Janae Sternberg, Vice President of Finance, presented the following contracts for Commission approval:

- Alpha Video (Alpha Video & Audio, Inc.) – Provider for LUCI, a Video Distribution System (OSV)
- Eyman Plumbing – Plumbing Services (OSV)

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

HGI-Lakeside, LLC: Dave Monroe, General Manager, presented a contract with Wyndham Hotels & Resorts for soft branding and reservation services with Wyndham brands for Commission approval.

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

Commissioner Burkhart asked what hotel chain Lakeside was previously affiliated with. Mr. Monroe said it is currently Lakeside Hotel and Casino and it will remain that, but it will just be a Wyndham product. They will use the Wyndham reservation services and reward program. He said they were not previously affiliated with any chain.

#### **REVIEW OF HORSEMENS ORGANIZATION'S FINANCIAL AUDITS:**

The Iowa HBPA, Inc. and The Iowa HBPA Benevolent Trust: Jon Moss, Executive Director, started with a short video showing the backside of horseracing which he says is the soul of the racing industry. Mr. Moss said the HBPA continuously tries to promote the Iowa bred industry as part of what they are required to do under 99D and they try to hit that obligation by partnering with the Iowa Thoroughbred Breeders and Owners Associations (ITBOA). He said ITBOA has been doing an outstanding job encouraging individuals to come and participate and last year they had their best sale to date. Last August they just missed a million dollars in horse sales. They have another sale coming up this August, and they hope to hit that million dollar mark.

Mr. Moss also noted that they are working on partnering with the community. This year they created a new incentive. They are working with 4-H and Future Farmers of America (FFA) to develop a scholarship program which awards 12, \$1,000 scholarships to 4-H recipients and 12, \$1,000 scholarships to FFA recipients. The recipients are all high school graduates who are going to stay in Iowa and pursue studies with an emphasis on agriculture. Mr. Moss said the response to this has been great and they are really happy to be able to do this.

Mr. Moss said another thing they are doing is taking the study that IRGC conducted last year very seriously. They have had industry meetings and board meetings and lots of conversations to find the best steps to initiate some of the study's components, findings, or recommendations. He said this led them to team up with two very highly recognized individuals in the horse racing industry, Damon Thayer and Corey Johnsen. Mr. Moss gave a detailed look into these individuals' backgrounds and accomplishments.

Mr. Moss then discussed the benevolence component of the Iowa HBPA's work. He said they have continued their working relationship with Unity Point and also started working with a new

group called Vision to Learn. This is a national group that will come directly to the backside to conduct eye exams and provide glasses through the HBPA. In addition to that, they are also using a group called Dental Connections for the backside employees to get their dental needs fulfilled. This year they served 135-140 individuals and they hope to increase that number. Mr. Moss said they also teamed up with Caring Hands to provide a pantry Monday through Friday.

Commissioner Burkhart commented that the Commission has toured the backside the last two years and it is very eye opening to see how many horses are back there and all the hard work that goes into the races. She then asked about these two individuals they have hired to conduct their own study and if there was an issue with the state funded study that led them to do their own study. Mr. Moss responded that it is not necessarily a study so much as it's trying to take the pieces and the components that are coming out of that study and trying to apply them. He said they are just looking at different components and trying to help the HBPA implement them.

Commissioner Burkhart said to understand correctly, the state funded study was to look at all components of the industry, thoroughbreds, quarter horses and the casino itself, while the new study is more of a deep dive into the recommendations that were made as they pertain to thoroughbreds. Mr. Moss said his specific instruction was that they work for the thoroughbreds, however due to the relationship that they have with quarter horses and standard bred in the state of Iowa, it could positively impact them as well. Mr. Moss said they need to make this work for everyone because that is the way they have operated.

Commissioner Burkhart asked what the anticipated delivery date for the study is. Mr. Moss replied that he is not sure as it is not really a study per se. He said they are analyzing it and coming back with some recommendations he thinks within the next month or two.

Commissioner Campbell asked about the forgiveness of debt listed in the audit, and what that would be. Mr. Moss explained that a number of years ago the HBPA decided they would help fund an organization to simulcast and to get that up and operational (Horsemen of Iowa Simulcasting Association). He said the HBPA decided to forgive part of that loan that helped them establish that company because of the working relationship the Greyhound Association still has with Iowa HBPA.

Iowa Quarter Horse Racing Enterprises, Inc. d/b/a Iowa Quarter Horse Racing Association; Tom Lepic, President, said things are fantastic right now. Everyone is extremely excited on the back side. He said everyone is always thankful they are at Prairie Meadows. Mr. Lepic said they are looking very closely at bringing a million dollar quarter horse race to Prairie Meadows. He then introduced Troi Mulford, Treasurer, to discuss the audit.

Ms. Mulford said after she submitted the audit she received some follow up questions so she wanted to address those. One question was a payment of \$40,000 made back to Prairie Meadows. She explained that they reserve five percent of entry fees to pay for hair testing and they over collected. Instead of keeping that money they put it back into their stakes race fund. They have done that for two years now and she suspects they may have to do it one more time to deplete the over collecting of those funds.

Ms. Mulford said another change they made last year was that they spent 21% of their budget on promotion and marketing and creating a new website. By doing this they were able to get rid of their old-fashioned newsletter, which in turn saved them on mailing costs.

Ms. Mulford said this year they are going to budget about 25% for production and marketing. She said they have had some success with that already and they are seeing it in the fact that the barns are full. One other thing they are bringing back is the youth days, where they invite the youth from the American Quarter Horse Association from Ottumwa for a couple of weeks to tour the backside.

Ms. Mulford also stated that in the past three years they have seen the number of Iowa bred foals go up by 32%. She said people are seeing how successful their program is and they are sending their horses here to race and it is really exciting.

Iowa Harness Racing Association: Jeff Carey, President, gave an overview of their season so far. He advised they are racing at nine different fairgrounds across the state with 36 race dates. He said this year they had 261 identified horses and 61 stallions standing in Iowa. He said they have 187 members in their association. The organization also started a YouTube channel a couple years ago, and it has continued to be a success as they are averaging about 700 hits a day.

Chair Olsen asked what the purse would be at a typical race for standard bred. Mr. Carey said they have an AB system. Most of their races go for \$7,000 and then they have a B class where cheaper horses can get in and don't have to race against veterans and those go for \$2,500. He said winner takes 45% and the top 5 are paid.

Following the presentation of the horsemen organizations' financial audits, Chair Olsen announced that the Iowa HBPA, Iowa QHRA, and Prairie Meadows are in negotiations on a new agreement for the racing season schedule next year, and that agreement is set to come before the Commission at the October meeting for approval. He asked Mr. Lepic, Mr. Heldt, and Mr. Moss if the three of them could jointly present at the August Commission meeting in Riverside, to give an update on the status of those negotiations. They all agreed to be at the August meeting.

Mr. Moss said he also wanted to take a moment to announce they are in the middle of an economic impact study this year. He said they did one about nine years ago and it was time to update it. He thanked his fellow breeds and Prairie Meadows for coming together and continuing to work on this. He said it will likely not be done until the end of the calendar year and he hopes to have a presentation prepared for the beginning of next year once they've had a chance to finalize the numbers.

**HEARINGS:**

Betfair Interactive US LLC: Ms. Eick presented the Stipulated Agreement with Betfair Interactive US LLC for five counts for violations including 491 IAC 13.2(2)(e), 491 IAC 13.3(1), 491 IAC 13.2(3), 491 IAC 13.2(7) promulgated pursuant to Iowa Code § 99F.3, Iowa Code § 99F.1(29) and Iowa Code § 99F.4(27). Counts one through four all involved impermissible wagers. Count five involved a responsible gaming issue as well as an issue of not following internal controls and representations made to the Commission and the public.

Ben Roth, Director on the regulatory team for FanDuel, said they take great pride in their approach to market compliance and responsible gaming and they take responsibility for the matters represented before the Commission and understand they did not meet the high standards they hold for themselves. He said in response to these issues FanDuel has worked to remediate the various root causes through a combination of manual remediation efforts that include increased training, more detailed checklists, and automation wherever possible to avoid the potential for manual error. He said they take each instance as an opportunity to take a step back and take a broader look at potential areas for improvement.

Commissioner Burkhart said four of these counts were not self-reported but rather issues IRGC staff caught during a compliance check, so she wanted to know how staff decides who and when to conduct these compliance audits and checks. Ms. Eick said there is a regular cadence where the compliance manager for sports wagering puts out a monthly check and it's usually an offering that is likely to cover markets that all of the sports books would offer. Commissioner Burkhart asked if she was referring to popular sporting events such as March Madness and Ms. Eick responded that is correct all licenses are checked at the same time.

Commissioner Campbell said on count five it took them 64 days to notify staff and asked why that was. Mr. Roth said that particular issue was incredibly complex. He said they were doing an investigation to try and establish whether there was a breach which was essentially trying to prove a negative. He said they were trying to make a determination as to what customers may have tried to attempt to register through several roundabout investigative methods.

Commissioner Burkhart asked if they are seeing these same rates of impermissible wagers being offered in other states that they operate in, or does Iowa have a unique subset of rules that is causing this to happen more frequently. Mr. Roth said every state has a unique catalog and they go to great efforts to operate compliantly in each of those states within those catalogs.

Commissioner Ostergren said the answer to the delay in reporting on count five was not acceptable to him. He said the fix was made two days later but the Commission was not notified for 64 days. He wanted to know why staff was not notified if the fix was made. Mr. Roth said they noted the technical issue but it took more time to try to determine where there was an impact of that technical issue. Commissioner Ostergren said there did not seem to be any technical reason why they couldn't have reported to Commission staff within 72 hours that the issue had been found and fixed. Mr. Roth said the delay was a determination of whether there was a substantive issue as

opposed to a technical backend issue that did not have any impact, but Commissioner Ostergren's point is understood. Commissioner Ostergren said he would feel a lot different about this violation if they had reported it within 72 hours and in the future, he suggested they commit to notifying staff even if they don't necessarily know that a gambler was prevented from excluding themselves. Mr. Roth said he understood.

Commissioner Ostergren said another concern he had was with the first count and not being able to return some wagers due to the fact that the gambler was unknown, such as someone who wagered at a kiosk. He said he appreciates the fact that FanDuel took the initiative to donate those wagers, but he thinks the proper procedure would be to remit those funds to the general fund as unknown-owner property. Commissioner Ostergren said he would like to see that change made before they move forward. Chair Olsen asked if that was something that they could change on the stipulated agreement. Mr. Roth said that would be acceptable.

Chair Olsen said in the last two years Betfair has had two stipulations come before the Commission, four that had gone before the gaming board, and now today they have five counts. He said that is sloppy at best. He said in fairness to the brick and mortar casinos, if this had been one of them the Commission would be hammering them. He said in fairness this cannot continue to happen. Commissioner Campbell thanked Mr. Roth for coming and said it's not a good day with penalties potentially being assessed, but he appreciates Mr. Roth coming and providing the information.

Hearing no further comments or questions, Chair Olsen requested a motion. Commissioner Burkhart moved to approve the Stipulated Agreement with Betfair Interactive US LLC for Count 1 with an administrative penalty of \$20,000.00, for Count 2 with an administrative penalty of \$25,000, for Count 3 with an administrative penalty of \$25,000, for Count 4 with an administrative penalty of \$25,000 and for Count 5 with an administrative penalty of \$30,000. Commissioner Campbell seconded the motion, which carried unanimously.

Chair Olsen thanked Mr. Roth for coming and reiterated that the Commission expects regular compliance from its licensees.

**PUBLIC COMMENT:** There were no public comments.

**ADMINISTRATIVE BUSINESS:** There was no administrative business.

**ELECTION OF CHAIR AND VICE CHAIR:** Commissioner Campbell nominated Amy Burkhart to serve as Vice Chair for the upcoming year. Commissioner Ostergren seconded the motion, which carried unanimously.

Commissioner Burkhart nominated Mark Campbell to serve as Chair for the upcoming year. Commissioner Ostergren seconded the motion, which carried unanimously.

**ADJOURN:** Hearing no further business to come before the Commission, Chair Olsen adjourned the meeting at 3:33 PM.

MINUTES TAKEN BY:

Chantelle Armintrout  
CHANTELLE ARMINTROUT

# **IOWA RACING AND GAMING COMMISSION MINUTES AUGUST 28, 2025**

The Iowa Racing and Gaming Commission (IRGC) met on Thursday, August 28, 2025 at Riverside Casino and Golf Resort in Riverside, Iowa. Commission members present were Chair Mark Campbell, Vice Chair Amy Burkhart, and members Daryl Olsen and Alan Ostergren.

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

**APPROVE MINUTES:** Chair Campbell requested a motion to approve the minutes from the July 11, 2025 Commission meeting. Commissioner Ostergren moved to approve the minutes as printed. Commissioner Burkhart seconded the motion, which carried unanimously.

**WELCOME:** Damon John, General Manager, welcomed everyone back to Riverside, Iowa. He announced that they just celebrated their 19<sup>th</sup> anniversary with an outdoor concert and firework display that over 3,700 country music fans attended. He said their dedicated team of 700 employees looks forwards to the Commission's visit each year as it is their chance to showcase their property, guest service, entertainment and the wonderful amenities they offer at Riverside. Mr. John said their commitment to excellence goes beyond the walls of the resort and into their communities. For the eighth consecutive year Riverside won the Give Back Iowa volunteer challenge. He then recognized some employees in attendance that are members of their 500 club, which is employees who volunteer more than 500 hours in a calendar year.

Mr. John then highlighted a very important investment they have made recently into a pro hockey league called 3Ice. 3Ice takes on a three on three format, similar to overtime, but for the entire game. He said due to this investment 3Ice has agreed to move their headquarters to Coralville which will give Coralville and the Eastern Iowa area massive exposure to over 70 million households on FanDuel and the NHL Network. He said this investment is something they are extremely proud of and will boost tourism in the state of Iowa. Mr. John then turned it over to Jim Hauth, President of the Washington County Riverboat Foundation (WCRF).

Mr. Hauth welcomed everyone on behalf of WCRF and Riverside Casino. He said Riverside is more than just a gaming destination as it also has top quality lodging and dining experiences as well as one of the best golf courses in the state. He said Riverside Casino and Golf Resort together with WCRF has contributed over 70 million dollars to charitable organizations. He said most of the funds have supported EMS services, schools, veteran organizations and community projects across Southeast Iowa. Mr. Hauth said as the gaming industry in Iowa continues to progress they remain committed to supporting these charities at the highest level possible. They look forward to improving gaming across the state of Iowa.

**ANNOUNCEMENTS:** Tina Eick, Administrator of IRGC, advised there is no Commission meeting in September. The Commission will next meet on October 2, 2025 at Rhythm City in Davenport, IA. Submissions for that meeting are due in the Commission's Des Moines office by September 18, 2025. The Commission will then meet at Isle Casino Hotel in Waterloo on November 20, 2025.

Ms. Eick then recognized and thanked Commission Gaming Representatives, Scott Ditch and Tori Aplara for their hard work on behalf of the Commission. Mr. Ditch has been with the Commission for 27 years and Ms. Aplara has been with the Commission four and half years. Ms. Eick said these employees are the Commission's eyes and ears at the facility. She said they help the industry stay on track and make sure they follow all of the Commission's rules and laws.

**ADMINISTRATIVE RULES:** Ms. Eick started the discussion about the application process and specifically the application fee and whether changes should be made to Commission administrative rules in that area. The current rule was placed in effect around 2000 and requires a \$25,000 non-refundable application fee. When that rule went into place the Commission was receiving a number of applications for a variety of different areas across the state and those fees could typically cover the Commissions costs. Ms. Eick said for the most recent Linn County application those costs were over \$200,000 not including attorney fees. The biggest cost was the two market studies that totaled \$195,000. She said she would welcome any feedback from the Commission as to options or alternatives.

Commissioner Ostergren said that from his experience in working with the Utilities Commission, a new licensing applicant bears all of the costs that the Utilities Commission would take on during the application process. He said because of this experience he was a little surprised at the fee structure when he first started with the Racing and Gaming Commission. But, during that time it was the beginning of the Linn County application and he didn't think it would be appropriate to initiate a rule change to an impending application. Commissioner Ostergren said looking forward he thinks it would be more appropriate that while going through the process to evaluate an application, the applicant takes on all of the costs for the regulatory work and not the industry as a whole. He believes these should be actual costs and not something that would produce revenue for the Commission. He thinks it's appropriate to look at a rule change, that dollar for dollar, puts those costs on the applicant and strongly encouraged the Commission to move in that direction.

Commissioner Olsen said he agrees. The only concern he sees is with the actual costs and what if there are more than one applicant. He was curious how that would work if there were multiple applicants. Would they just divide the fee among the number of applicants and would that encourage more applicants?

Commissioner Ostergren said that is a good point and he suggested that they look at the language as they move forward. He said if they have multiple license applications his sense is that the costs would be split between the applicants. He said there might be some costs that they could allocate to an individual but things like the market study could be divided by the number of applications they receive. He said his goal in thinking about this is that to the extent possible is to reflect the

actual costs to offset the actual expenses but not have it result in any net revenue to the Commission.

Ms. Eick said that when staff looked at this it was with the mindset that it would be itemized costs and any non-expended funds would be remitted back to the applicants.

Commissioner Olsen said as he understands it, it would be a flat rate that is cost based and any funds not spent would be refunded.

Ms. Eick said that is correct. She said currently it is a \$25,000 non-refundable fee. This would increase the fee but it would be refundable and would capture actual costs.

Commissioner Ostergren said he believes that is what they should study.

Commissioner Olsen said he would definitely support that.

Hearing no further comments or questions, Chair Campbell requested a motion. Commissioner Ostergren moved to direct staff to initiate the process to prepare a draft regulation that they can discuss at a future meeting and then go through the rule making process. He said this would give the stakeholders the opportunity to give comments to the Commission that he thinks would be valuable. Commissioner Burkhart seconded the motion.

Commissioner Olsen commented that the shortfall that is at play as it is today is not being paid by the Commission but that is coming out of money that would typically be refunded back to the other operators within the state?

Ms. Eick said that is correct. That money is coming out of our budget that the Commission is appropriated by the legislature and under the revolving fund anything that we don't use in that fiscal year is remitted back to the industry.

Motion carried unanimously.

**DIAMOND JO, LLC:**

Request for Approval of Remodeling Pursuant to 491 IAC 5.4(15): Wendy Runde, General Manager, presented a request for a remodel of the former buffet space. She said this space has been dark since Covid. She said the new area will be a combination of quick serve, grab and go, and a sit down full menu type of meal service. Ms. Runde said this remodel will almost double the seating capacity and with partitions will allow them flexibility during times they are busier or slower. She said there is also space in the back for private groups. Construction is ready to start in a couple weeks and they expect the work to be completed in quarter one.

Commissioner Olsen asked what the hours of operation would be. Ms. Runde said Monday through Friday will be 8:00 AM to 10:00 PM, limited menu by meal times. Saturday and Sunday would be 8:00 AM to 12:00 AM.

Commissioner Campbell said he saw a kiosk in one of the pictures and asked if that was the way people would order. Ms. Runde said it is just an additional way to order. People can use the kiosk, the counter, or a QR code.

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

Request for Approval of the Online Marketing Access Agreement with Betfair Interactive US LLC: Mike Paretti, Associate General Counsel at Boyd Gaming, presented the online market access agreement with Betfair Interactive US LLC. He said he submitted the documentation to the Commission and he is familiar with the agreement and was happy to answer any questions.

Hearing no further comments or questions, Chair Campbell requested a motion. Commissioner Burkhart moved to approve the online marketing access agreement with Betfair Interactive US LLC as presented by Diamond Jo, LLC. Commissioner Ostergren seconded the motion, which carried unanimously.

**CEDAR RAPIDS DEVELOPMENT GROUP, LLC:**

Request for Approval of Material Debt Transaction: Dustin Manternach, Chief Financial Officer, presented the request for approval of the material debt transaction and said he was happy to answer any questions.

Hearing no further comments or questions, Chair Campbell requested a motion. Commissioner Ostergren moved to approve the material debt transaction presented by Cedar Rapids Development Group, LLC. Commissioner Olsen seconded the motion, which carried unanimously.

Request for Approval of Development Agreement with JNB Gaming, LLC: Mr. Manternach presented the request for approval of the development agreement with JNB Gaming, LLC and said he was happy to answer any questions.

Hearing no further comments or questions, Chair Campbell requested a motion. Commissioner Olsen moved to approve the development agreement with JNB Gaming, LLC as presented by Cedar Rapids Development Group, LLC. Commissioner Ostergren seconded the motion, which carried unanimously.

Request for Approval of Management Services Agreement with JNB Gaming, LLC: Mr. Manternach presented the request for approval of the management services agreement with JNB Gaming, LLC and said he was happy to answer any questions.

Hearing no further comments or questions, Chair Campbell requested a motion. Commissioner Ostergren moved to approve the management services agreement with JNB Gaming, LLC as

presented by Cedar Rapids Development Group, LLC. Commissioner Burkhart seconded the motion, which carried unanimously.

**2026 HORSE RACING SEASON – SCHEDULE UPDATE:**

The Iowa HBPA, Inc. and The Iowa HBPA Benevolent Trust: John Moss, Executive Director, said over the past year they have been meeting and have handled a lot of the low hanging fruit that was discussed in the study provided by Doug Reed at the August 2024 meeting. He said the largest issue still is the racing schedule itself and they are trying to evaluate that. He said that the HBPA has continued to try to push what they believe was a big part of Mr. Reed's study and that was to establish consistency. He said in order to do that they wanted to maintain an 80 day race meet. He said however after meeting with Prairie Meadows, the Quarter Horse Association and the Commission it became apparent that no one wanted to establish and maintain that level of consistency so they have now pivoted.

Mr. Moss said Mr. Reed's study specifically said that a mixed meet scenario was the least desirable of all the potential racing seasons that were put together so HBPA came up with a hybrid meet. He said they are looking for a reasonable circuit for racing for both breeds. He said with the hybrid format the thoroughbreds would have access to the backside during the race season, and it would also give them more racing opportunities, reaching the 600 race target that was noted in Mr. Reed's study. He said this option also allows them to run longer with less stress on the backside. Mr. Moss said this option is also a cost saving maneuver for Prairie Meadows as it avoids them racing and having the entire backside open during the month of October. He said for the quarter horses this would give them more access to the stalls and the racetrack than they currently have now. He said quarter horses are also not forced to run four days a week.

Mr. Moss said they presented this same hybrid format to Prairie Meadows and the Quarter Horse Racing Association last week. He said they will continue to work together with them on this proposed calendar. He said there is still work to be done and this is by no means the end product, but they are hopeful this is a good starting point. He said everything is a compromise and they just want to make things best for everyone.

Commissioner Olsen said under this hybrid option the thoroughbreds would have 603 races and the quarter horses would have 208 races. He asked how that compared to what each breed was running this year.

Mr. Moss said that the thoroughbreds will run about 575 races this year, so this will add roughly 25 races to get them to the 600 range. He said 25 is not a lot but according to Mr. Reed's study that seems to be the minimum when comparing it to what other racing industries in the Midwest are doing well with. He said when they looked at the mixed meet and the different mixed meet options their biggest fear was they were going to keep reducing racing opportunities.

Commissioner Olsen asked if he knew how many races the quarter horses will run this year. Mr. Moss said he didn't know. Commissioner Olsen then asked Tom Lepic, President of Iowa Quarter Horse Racing Enterprise, Inc. Mr. Lepic said around 220 races. Commissioner Olsen said so under the proposed hybrid option, the quarter horses would be down from 220 races to 208. Mr.

Moss said to clarify he had them at 8 races a day. If they added a race per day that would get them up to around that 220. Commissioner Olsen said he is just trying to see how it compares to what it is today. Mr. Moss said it is variable and can be easily adjusted.

Iowa Quarter Horse Racing Enterprise, Inc. d/b/a Iowa Quarter Horse Racing Association (IQHRA): Mr. Lepic started by saying they have no interest in hybrid option that Mr. Moss presented. He said that option is basically a stand-alone meet for the quarter horses and an extended stand-alone meet for the thoroughbreds. He explained that for the thoroughbreds it takes it from 21 weeks to 22 weeks of racing, extending their races by five percent. However, for the quarter horses it takes it from 15 weeks of racing down to eight, a decrease of 47%. He said that duration is extremely important to them. On top of that he explained that this would also create a stand-alone meet for the thoroughbreds until the first week of August. He said if they are going to be successful in a stand-alone meet they are going to have to have 1100-1200 horses on the backside to run nine races a day. He said that means they will be taking up 1100-1200 stalls of only 1400 available which means there will be nowhere for the quarter horses to go when they get there. He said he appreciates the HBPA creating this option, but at this point they have no interest in what they call a hybrid meet.

Mr. Lepic said that in 2019 they were running stand-alone meets and both breeds were starting to struggle. In 2020 the HBPA and IQHRA along with Prairie Meadows worked together to put together a mixed meet format. He said this format has been a blessing for the quarter horses and all the trainers, owners, and breeders love the mixed meet. Mr. Lepic said rest and recovery time is extremely important and the mixed meet gives the time for that. He said the quarter horse population on the backside continues to grow. They are averaging 95% full stalls and so far in 2025 they are averaging 7.33 starters per race which is up from 6.58 just three years ago.

Mr. Lepic said the IQHRA and Prairie Meadows have worked together as a team and the thoroughbreds are also a part of that team. He said the thoroughbreds are a big part of the industry and they have helped the quarter horses growth by racing in mixed meets with them. He also thanked the Commissioners for being part of the team as well and said they are a huge part of their success.

Mr. Lepic said if they are forced to go back to a stand-alone meet quarter horses will not start running until late August or early September and won't finish until the end of October. He said 70% of their horses that run at Prairie Meadows come to the state from Oklahoma following the Remington Park meet which ends at the end of May. He said if they don't start until late August or early September most of those trainers and owners will elect to stay in Oklahoma. His fear is that it will be tough to get enough quarter horses that time of year to have a quarter horse stand-alone meet at Prairie Meadows.

Mr. Lepic said he once again is asking everyone to consider a 76 day mixed meet where the calendar for both breeds will be reduced by the same four days. He also asked Prairie Meadows to consider building a pony barn to help the thoroughbreds bring in more race horses in 2026. He said the quarter horses will be fine with the total barns they currently have and will work in any way possible to help both breeds move forward in a positive direction as a team with one goal in

mind, to improve the wonderful racehorse industry and they are thankful to be racing at Prairie Meadows, one of the most beautiful racetracks in the country.

Prairie Meadows Racetrack and Casino, Inc.: Gary Palmer, General Manager, thanked the Commission for giving them a year to work with their partners to have a consensus of how they can move forward and have a great racing program at Prairie Meadows. He said it's been challenging, fun and interesting working with these two groups. He said they have different opinions but he thinks they can come to a consensus if they work long enough at it. He said the casino business, the market and the environment are all changing and he thinks horseracing needs to change to be the best there is at Prairie Meadows. He then turned it over to Derron Heldt, Vice President of Racing.

Mr. Heldt shared some PowerPoint slides that depicted what has happened in the past at Prairie Meadows and also what is happening in the current year. He said this is the last year of their agreement and at this point they do not have an agreement but he is optimistic that they will meet the October meeting deadline.

Mr. Heldt said that today is the 63<sup>rd</sup> day of racing for the year and the average field size for thoroughbreds is 6.11 horses per race and the average field size for quarter horses is 7.33 horses per race. He said during the Covid year, 2020, they had to delay their opening day of racing to June and the horses ran a 67 day meet. He said they had seven days of straight thoroughbred racing and 60 days of a mixed meet. That year the average field size for thoroughbreds was 6.79 horses per race and it has continued to decline ever since. He said the National average for thoroughbred field size is 7.64 horses per race.

Mr. Heldt stated all stakeholders have their differences and they need to come together to do what's best. He said it takes all of them working together because they all want racing at Prairie Meadows. He said they take great pride in the product they produce and the work that goes on behind the scenes. He said they just want to build a more competitive product that increases wagering and enhances the long term stability in the state. He said they don't want horseracing to go the way of the greyhound industry.

Mr. Palmer said that they are proposing a 74 day meet which is six days less than what they have been doing. He said although they don't think it's a fix all, it's sensible and something they can try for a change to see if it works. He said if they go broke racing six fewer days, they were probably already broke. He said they need a change and this is a minimal change, but it seems reasonable.

Commissioner Burkhart said that they referenced 2020 as being a stand-out year with field size and track attendance being promising despite Covid protocols and concerns, but that was a 67 day meet and they are proposing a 74 day meet. She asked if 67 days was the sweet spot and they were just negotiating to 74 days, or what they would really like to see?

Mr. Heldt said initially last fall they started with a 67 day calendar, but sometimes you need to get lean before you can get stronger. He said status quo is not working. Mr. Palmer said they felt that

if they were going to cut they should do so gradually. He said they should try less days to see if it works and then go from there. He said going to the extreme he didn't feel would be fair to anyone.

Commissioner Olsen said as a veterinarian and someone who loves horseracing he would do anything to make sure we can maintain a healthy horseracing industry here in the state and at Prairie Meadows. He said he is disappointed that in 11 months, one month away from decision time, it appears they are still at square one. He said he believes they cannot approve status quo and he believes he can get his fellow Commissioners to agree with him on that. He encouraged the groups to go back to work because under the statute if they don't have something by the next meeting in October, the Commission will have the ability to establish the schedule. Commissioner Olsen said they are prepared to do that and he doesn't think anyone will like it. He said if he was setting a schedule it would start around May 1<sup>st</sup> with thoroughbreds running five days a week for 13 weeks and then running a ten week meet for the quarter horses. He doesn't feel like that is a good meet and he doesn't think it is what is best for anyone but their hands are tied if they can't come together and agree on something. Commissioner Olsen said that if nothing is in place by the October meeting this is what he would encourage the Commission to approve. He said there is no sense dragging this out, it has already been 11 months and nothing has happened so they don't need to drag it out any further.

Commissioner Burkhart said her opinion is to measure twice and cut once. She said she hopes they are still having conversations beyond just the race dates. They also need to enhance the entertainment value of their product and that will help them maintain a viable product that's exciting to the public and is a tourism attraction for the entire state of Iowa. She said they have a public that has less of an attention span and so she questions if they are extending this out too far to really meet the public's general interest. She stated her personal opinion is it needs to remain a mixed meet and it needs to be significantly fewer days.

Commissioner Olsen said that he agrees with Commissioner Burkhart and that 67 days seems like a good number. He said if they are going to do it, they should just do it but then the pressure would be back on Prairie Meadows. He said they will need more barns and another barn for ponies. He said in order to make it they would need to make it vibrant, exciting and the best it's ever been and sign a long term deal that everyone knows they can live with. He encouraged them to get together and figure something out. He said he doesn't think just dropping a few days is the right move.

Commissioner Ostergren said all of the Commissioners come from different backgrounds but they all share the same thoughts. He said he does not want to have to decide what the schedule is because he said inevitably they are going to have to live with what the Commission decides. He said no matter how much the Commissioners study this, they don't know as much about horseracing as the three parties involved in this negotiation. He said please do not put them in that situation.

Commissioner Ostergren commented on the information presented by Mr. Moss. He said if that was truly what was best for all concerned they would have worked this out a long time ago. He said he hopes they can set their egos aside and work very hard to get a solution because he promised the industry they would hate what the Commission would come up with.

Chair Campbell said he appreciated all of the comments and he could not agree with the other three Commissioners more. He said he really hopes the Commission does not have to set the schedule. He said if that is what it comes down to, the vote will determine the schedule for the following year and that will be what it is. There will not be any coming back saying all three stakeholders hate it and presenting something else. It will be set. He urged them to please get together and figure something out.

Commissioner Ostergren said he agreed 100%. He said if they decide at the meeting that this is the schedule, that's it. He said please negotiate as hard as you can.

**CONTRACT APPROVALS (OSV – OUT OF STATE VENDOR; RP – RELATED PARTY):** Chair Campbell said that we are starting to get an increase in out of state vendors and he asked Jeff Peterzalek, assigned agency counsel from the Attorney General's office, to read the portion of Iowa Code about licensees utilizing Iowa resources. Mr. Peterzalek said the encouragement to use in-state vendors with respect to licensees and their operations is not something the Commission just made up or that they just feel is a good thing. It is something that the legislature mandates. The specific words in the statute 99F.7(5) say the Commission shall require that an applicant utilize Iowa resources, that a substantial amount of vendors and suppliers are from within the state of Iowa. Mr. Peterzalek said this is something the Commission has to do by statute. He said there has been some slippage and the Commission will need to start pursuing that more vigorously. He also noted that Iowa Code 99F.7 contains the license conditions, so this is something the licensees are conditioned on.

IOC Black Hawk County, Inc.: Chad Moine, General Manager, presented a contract with Element Construction Services, Inc for general construction for Commission approval.

Commissioner Burkhart asked if there was an extension to the scope of the project or if this increase was just to cover overages. Mr. Moine said the project is a multi-phase project and they just finished phase one and are moving to phase two. This funding is to complete phase two once the timeline is set.

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

Casino Queen Marquette, LLC: Robin Corbeil, General Manager, said they had one contract with Alpha (Alpha Video and Audio, Inc.) that they would like to remove until the October meeting. She then presented one contract with Netsmart Corp. for upgraded server infrastructure network for the land-based casino (OSV) for Commission approval.

Commissioner Burkhart said the rules specify for specialized sources, such as for entertainment, gaming equipment, things of that nature, there is an understanding that these might not all come from Iowa vendors. She said they understand that there are reasons from time to time and she feels that this kind of technology equipment could fall under the specialized services category.

Ms. Corbeil said there was only one Iowa company they could find that would provide this service and they have not returned any of their calls.

Hearing no further comments or questions, Chair Campbell requested a motion. Commissioner Burkhart moved to table item number one and to approve item number two as submitted by Casino Queen Marquette, LLC. Commissioner Olsen seconded the motion, which carried unanimously.

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

- Cintas – Uniforms for Casino Staff
- Ernst & Young – Professional Services Accounting Firm
- Global Infrastructure Special – Diver Dredging Under the Vessel (OSV)
- Premier Glazer's Beer & Beverage LLC – Miller/Coors Beer Distributor
- Scavuzzo's Inc – Beef & Pork Provider (OSV)
- The Printer Inc – Direct Mail Production

Commissioner Olsen said he has a big question and concern. He said they were looking for an out-of-state vendor for three quarters of a million dollars for beef and pork, but he knows that Iowa raises a ton of beef and pork. He said there has to be someone in Iowa that can sell them beef or pork. Mr. Czak there are Iowa vendors but they are significantly higher priced.

Hearing no further comments or questions, Chair Campbell requested a motion. Commissioner Ostergren moved to approve the contracts as submitted by Ameristar Casino Council Bluffs, LLC. No one seconded the motion so Chair Campbell asked if they would like to take each item separately.

Commissioner Burkhart moved to approve the contract with Cintas as presented by Ameristar Casino Council Bluffs, LLC. Commissioner Ostergren seconded the motion, which carried unanimously.

Commissioner Burkhart moved to approve the contract with Ernst & Young as presented by Ameristar Casino Council Bluffs, LLC. Commissioner Olsen seconded the motion, which carried unanimously.

Commissioner Burkhart moved to approve the contract with Global Infrastructure Special as presented by Ameristar Casino Council Bluffs, LLC. She stated this is a large out of state contractor but she believes this would fall under a specialized source. Commissioner Olsen seconded the motion, which carried unanimously.

Commissioner Ostergren moved to approve the contract with Premier Glazer's Beer & Beverage LLC as presented by Ameristar Casino Council Bluffs, LLC. Commissioner Olsen seconded the motion, which carried unanimously.

Commissioner Ostergren moved to approve the contract with Scavuzzo's as presented by Ameristar Casino Council Bluffs, LLC. Commissioner Olsen asked if there was any way they could see the difference in pricing from the selected vendor and the Iowa vendors as he understands the economics but has a hard time approving the large out-of-state contract for a product that is readily available in Iowa. Mr. Czak said he would get that for them. Commissioner Burkhart said this might be a moment for Iowa vendors to look at their pricing. She said it could be an opportunity to see if one of the Iowa vendors is willing to tighten their prices and maybe to split the contract between vendors for certain items. Commissioner Ostergren withdrew his motion and this item was tabled until the October meeting.

Commissioner Burkhart moved to approve the contract with The Printer Inc as presented by Ameristar Casino Council Bluffs, LLC. Commissioner Olsen seconded the motion, which carried unanimously.

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

- CSI, L.L.C. – Catalyst Switch & Rack Replacement, Firewall and Network Support
- Everi Payments, Inc. – Cash Advance Processing, Check Guarantee and ATM Services (OSV)

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

Harveys Iowa Management Company LLC: Thomas Roberts, General Manager, presented the following contracts for Commission approval:

- Premier Glazer's Beer & Beverage – Alcohol Vendor
- Ticketmaster/Live Nation – Ticket Sales (OSV)

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

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

- Paul Davis Restoration of the Iowa Corridor – Organic Restoration and Repair
- Premier Glazer's Beer & Beverage - Alcohol Vendor
- Ulster Carpet Mills, Inc. – Carpet Repair and Replacement (OSV)
- World Series of Poker (WSOP) – World Series of Poker Payments and Fees (OSV)

Commissioner Olsen asked if the carpet contract was corporate. Mr. Roberts said Ulster Carpet is the largest manufacturer of casino carpet in the world. He said Ulster is out of Ireland and owns the carpet design for all of the carpet in all of the Horseshoe casinos. He said there are no carpet mills in Iowa. He said they did however bid out the installation. He said Carpet Master came in the highest so what they did was brought in Pinnacle Construction, which is an in-state vendor, to sub-contract for Master Carpet.

Hearing no further comments or questions, Chair Campbell requested a motion. Commissioner Olsen 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.

Cedar Rapids Development Group, LLC: Kim Pang, Vice President of Peninsula Pacific Entertainment, presented a contract with Buzz Creative Group, LLC for advertising creative services and brand strategy (BP) for Commission approval.

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

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

- Brockway Mechanical & Roofing – Boiler Replacement
- Wynonna, Inc. – Entertainment Event (OSV)

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

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

- Conlon Construction – New Restaurant in Former Buffet Space
- Wagner Nursery Inc – Landscaping Refresh

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

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

- ADP (Automatic Data Processing) – Payroll and Human Resources Software
- Blackbaud – Grants Software Subscription and Training (OSV)
- Excel Mechanical – HVAC Contractor
- Wilson Restaurant Supply – Food Preparation Equipment

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

**HEARINGS:**

Ameristar Casino Council Bluffs, LLC: Ms. Eick presented the Stipulated Agreement with Ameristar Casino Council Bluffs, LLC for two counts for violations of Iowa Code § 99F.4(22) and Iowa Code § 99F.7(10)"b". These counts involved self-exclusion violations as well as dispensing cash on the gaming floor.

Mr. Czak said he felt embarrassed and frustrated that they failed at the responsibilities they were given as a casino operator. He said that failure has the potential to negatively affect their guests and that feeling has them striving to move forward and get better so they do not need to come before the Commission again.

Mr. Czak said in count one they had both manual people-based and technology-based safeguards in place and they both failed at the same time. He said a team member did not deliver the form to compliance for upload and their technology system did not work and the vendor cannot figure out why. He said since this incident they have doubled the safeguards they have in place. On the technology side their program now automatically generates a notice that goes to compliance any time a security member is dispatched for a self-exclusion talk. On the manual side, now at the end of the day when the security team is filing their reports they are required to scan and email that form down to compliance.

Mr. Czak said for the second instance it was a long term bartender that acknowledged she had been trained and she knew she wasn't supposed to do it and she immediately called her supervisor to report it. He said they have now contracted with Oracle, who does the programming for their point of sale systems, and they are writing some modifications that will only allow credit and debit cards ten dollars over the receipt amount. Chair Campbell said to make sure that Oracle knows that this is a free option on most point of sale systems.

Hearing no further comments or questions, Chair Campbell requested a motion. Commissioner Burkhart commented that they had a similar issue in August of 2024 and with that she moved to approve the Stipulated Agreement as presented for Count 1 with an administrative penalty of \$10,000, and for Count 2 with an administrative penalty of \$10,000. Commissioner Olsen seconded the motion, which carried unanimously.

Iowa West Racing Association: Ms. Eick presented the Stipulated Agreement with Iowa West Racing Association for a violation of Iowa Code § 99F.9(5). This violation involved allowing a minor on the gaming floor multiple times unchallenged by multiple staff members.

Mr. Roberts said he is deeply embarrassed by this situation. He said when the minor first entered they had a trainer and a new employee dealing with an ID at the podium so the minor was able to gain access unchallenged. He said once the minor lost his keys, the staff went into customer service mode instead of security mode and they started helping him find his keys. They were not only allowing him back on the gaming floor, they were escorting him around. Mr. Roberts said it was not determined that he was underage until the police started to gather information from him about his lost keys. He said the team lost focus and the new security manager makes it a point to remind security staff that it doesn't matter how many times a patron comes and goes, they need to be ID'd every single time.

Hearing no further comments or questions, Chair Campbell requested a motion. Commissioner Ostergren thanked Mr. Roberts for the explanation. He said some of these underage violations are cookie cutter situations but this was not one of them. He said due to the amount of times the patron accessed the gaming floor, he moved to approve the Stipulated Agreement as presented with an administrative penalty of \$20,000. Commissioner Olsen seconded the motion, which carried unanimously.

FBG Iowa LLC: Ms. Eick presented the Stipulated Agreement with FBG Iowa LLC for violations of Iowa Code § 99F.9(4)"a", 491 IAC 13.5(2)"a" and 491 IAC 13.2(3). These violations involved an ineligible underage person creating an online sports wagering account.

Michael Levine, Senior Regulatory Counsel, sincerely apologized for the matter presented. He said they take these matters very seriously and have taken appropriate measures to make sure these don't happen again and said he would be happy to provide any information on the matter or incident itself.

Hearing no further comments or questions, Chair Campbell requested a motion. Commissioner Olsen moved to approve the Stipulated Agreement as presented with an administrative penalty of \$20,000. Commissioner Burkhart seconded the motion, which carried unanimously.

**PUBLIC COMMENT:** None

**ADMINISTRATIVE BUSINESS:** David Ranscht, General Counsel, said that although the 2025 legislative session just ended not too long ago we are already in prep mode for what might be proposed in 2026. He said so far staff has suggested three areas where legislation might add clarity to the Code. He said the first one is cease and desist authorization primarily used for an increasing number of complaints that staff are receiving from members of the public who find an online casino. This would allow staff to notify these illegal operators that what they are doing is contrary to Chapter 99F and then we would work with DCI and the AG's office to take whatever action

would be necessary. This is being modeled after what other states are doing, such as Michigan and Ohio.

Mr. Ranscht said the second area is in regards to Commissioner travel expenses. He said this has not changed and has been at the same level as when it was set in the 1980s.

Mr. Ranscht said the third area is the consequences of conviction for unlawful betting or for cheating. He said currently that does not exclude a person from sports wagering or mobile sports wagering, it only causes them to be banned from retail facilities. This would help close that loophole.

Commissioner Olsen said it always feels a little slimy when you raise money for yourself, such as additional money for Commissioner travel, but he believes we are up against our limit now and that makes it so the Commissioners are not able to attend any additional events or educational classes.

Ms. Eick said that everything post Covid has increased in cost, and last year we came in just under our \$30,000 limit, which seems like a lot but that is split between five Commissioners. She said that part of the Commissioners typically attend G2E in Las Vegas while the others attend a racing conference. In 2025 one Commissioner was unable to attend the conference and even with only four Commissioners attending out of state conferences we were still right under our budget. She also mentioned that besides out of state conferences, mileage is by far the biggest expense.

Commissioner Ostergren asked if him living in Altoona helped stay just under budget. Ms. Eick said that is correct. Commissioner Olsen said he thinks its good to travel to the other facilities and we don't just want all of the meetings to be in Des Moines to save costs.

Commissioner Burkhart commented that she believes it's good for the Commission to have representatives from different areas of the state. She said everyone knows that prices have gone up since 1986 and so that is a very old number. She said the Commissioners enjoy going to the facilities for special events such as ribbon cuttings. She said it is time they readjust the number.

Commission Burkhart said she also fully supports the other two issues as well. She would like staff to continue to investigate and take measures to get those ready and prepared for the legislative season. Ms. Burkhart thinks the cease and desist one is very important. She said it is not right that people are stealing the facility logos and passing it off as if they are behind this. She said right now our hands are tied with being able to take any action against those shady operators and this puts us on a path forward where we can hopefully start to shut that down.

Chair Campbell took a moment to thank Doug Fisher and everyone at Hard Rock for inviting him out to the grand reopening and redevelopment of their old banquet area. He said they did an outstanding job with the area and he loves the continued reinvestment in the facilities which shows the commitment from everyone in the room to gaming in Iowa.

**ADJOURN:** Hearing no further business to come before the Commission, Chair Campbell requested a motion to adjourn. Commissioner Olsen moved to adjourn the meeting at 12:39 PM. Commissioner Burkhart seconded the motion, which carried unanimously.

MINUTES TAKEN BY:



CHANTELLE S. ARMINTROUT

**IOWA RACING AND GAMING COMMISSION  
MINUTES  
OCTOBER 2, 2025  
(Corrected)**

The Iowa Racing and Gaming Commission (IRGC) met on Thursday, October 2, 2025 at Rhythm City Casino Resort in Davenport, Iowa. Commission members present were Chair, Mark Campbell, Vice Chair, Amy Burkhart, and members Daryl Olsen and Alan Ostergren.

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

**APPROVE MINUTES:** Chair Campbell requested a motion to approve the minutes from the August 28, 2025 Commission meeting. Commissioner Ostergren moved to approve the minutes as submitted. Commissioner Burkhart seconded the motion, which carried unanimously.

**WELCOME:** Mo Hyder, General Manager, welcomed everyone and thanked them for coming. He said they were honored to host the Commission and to have the opportunity to showcase their property and all the work they do daily to deliver a safe, responsible and entertaining gaming experience for all of their guests. Mayor Matson was planning on joining but he had a family emergency and was unable to attend. Mr. Hyder said Rhythm City has an excellent working relationship with the city of Davenport and Mayor Matson has been steadfast in his support of not only the casino but also the gaming industry.

**ANNOUNCEMENTS:** Tina Eick, Administrator of IRGC, advised the next meeting will be held on November 20th at Isle of Capri in Waterloo, IA. The submission deadline for this meeting will be Wednesday, November 5<sup>th</sup>. She noted this was one day earlier than normal to due to the Veteran's Day holiday. There will be no meeting in December. The next meeting will be January 15<sup>th</sup> at Lakeside in Osceola, IA.

Ms. Eick took a minute to recognize and thank the Commission staff that was in attendance at the meeting. She said these staff members are the Commission's representatives at each facility. They license employees, do regular compliance checks, perform investigations, and do auditing and slot work. She introduced Dan Martens, gaming representative at Rhythm City, Stan McClellan, lead gaming representative at Rhythm City and Stu Hoover, gaming representative at Isle of Capri in Bettendorf. She announced it was also Mr. Hoover's last day as he is retiring. She wished him well and then invited Nancy Ballenger, General Manager of Isle of Capri Bettendorf, to the podium.

Ms. Ballenger said she wanted to recognize Stu on his 30 plus years of service. She said he made them better at their jobs as he shared his knowledge, held them accountable for their actions, and provided guidance when they needed it. She congratulated him on his retirement and presented him with a plaque containing a chip collection.

Chair Campbell congratulated Stu and thanked him for his service.

**ADMINISTRATIVE RULES:** David Ranscht, General Counsel, stated that in August, the Commission directed staff to prepare a regulatory analysis about the application fee for new casino applications in Iowa. This regulatory analysis was the first step in raising the application fee and making it refundable. The regulatory analysis was published in the administrative bulletin on October 1, 2025. Mr. Ranscht said there is a hearing at the IRGC office on October 21<sup>st</sup> and staff will accept comments at that hearing or any time before that hearing.

Commissioner Ostergren said he thinks it would be helpful if the industry filed comments as he feels there is support from the industry. He said it's a relatively informal process to make comments but he believes it would be good to show some engagement on the front end about the rules. He directed people to reach out to Mr. Ranscht if they had questions on that process.

**IOWA WEST RACING ASSOCIATION (IWRA) D/B/A HORSESHOE CASINO COUNCIL BLUFFS:**

Application for a Pari-Mutuel License, Racetrack Enclosure Gambling License, and Sports Wagering License for January 1, 2026 through December 31, 2026. IWRA has requested year-round simulcasting, with no live racing dates. Brenda Mainwaring, President and CEO of the IWRA, thanked the Iowa Racing and Gaming Commission, the staff, the Commissioners and the industry. She said it has been 40 years since the state of Iowa approved gaming and the legislators did something no other state had ever done, they integrated gaming partners and their communities. She said every year IWRA and Horseshoe stand together to request their license be renewed because together is how they are changing their communities.

Ms. Mainwaring said with the four million dollar commitment they make to the city of Council Bluffs, the city has been able to produce housing for over 5,000 residents. She said when Nebraska started gaming it was predicted that they would have a loss of revenue of 40% but they have beat those odds by a mile. She said Iowa West Racing, Horseshoe, all of the QSOs, and their gaming partners have changed the state of Iowa, and she thanked the Commission for allowing them to make that possible.

Thomas Roberts, General Manager, said as they progress through 2025, they continue to navigate an increasingly competitive landscape, particularly with the expanded operations in Nebraska and Carter Lake. He said in response to this they have taken a more assertive approach to safeguarding their market position, investing capital, being more assertive in their marketing strategies, and enhancing the overall guest experience to ensure they remain a premier gaming experience in the region.

Mr. Roberts said in 2025 their capital expenditures totaled 6.5 million dollars, significantly above the original plan of 1.7 million dollars. These enhancements included things such as new carpet, updated wallpaper, and HVAC improvements. He said they have also expanded their slot offerings and addressed some infrastructure needs. In 2024 a third party was slated to open an Asian

restaurant but experienced some delays. He said he is pleased to announce that the construction for that is now underway and they should have it open by New Year's Eve.

Mr. Roberts said that staffing continues to remain a challenge for them, but they have made significant strides in 2025 by increasing their dealer and supervisor headcount by 16.5%, which has allowed them to offer more open hours and a broader variety of games during peak periods.

Mr. Roberts said that Caesar's Entertainment pioneered the industry's first responsible gaming program in 1989 and has remained a leader for 35 years. He said their efforts were recognized by the National Council on Problem Gaming's award for corporate responsibility. He said at Caesar's responsible gaming is not just a policy but what they cultivate every day. He said on behalf of their 596 dedicated employees, they proudly support Ms. Mainwaring's request for a license renewal and look forward to a continued relationship with the Commission.

Commissioner Burkhart asked what staffing challenges they are still experiencing. Mr. Roberts said culinary is their biggest challenge. They have been working with Iowa West Community College and their advisory committee. He said they find cooks and then send them to school, so kind of working reverse.

Commissioner Burkhart asked if there are any amenities that are not fully open to the public because of the staffing challenges. Mr. Roberts said no, everything is open, with one temporary exception: a section of the sportsbook needed to be shut down due to water issues earlier in the year.

Hearing no further comments or questions, Chair Campbell requested a motion. Commissioner Olsen moved to approve Iowa West Racing Association's Application for a Pari-Mutuel License, Racetrack Enclosure License and Sports Wagering License for January 1, 2026 through December 31, 2026 and approve the facility's revised security plan with the following conditions:

- Staff be provided with an accurate and updated list of all signals being taken by the simulcast venue on an ongoing basis.
- Import contracts continue to be available on demand to staff to ensure regulatory compliance.

Commissioner Ostergren seconded the motion, which carried unanimously.

Contract: Mr. Roberts presented a contract with Southwest Airlines for guest and employee travel for Commission approval.

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

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

Application for Pari-Mutuel License and Granting of Race Dates; Racetrack Enclosure Gambling License, and Sports Wagering License for January 1, 2026 through December 31, 2026. Year-round simulcasting was requested with the exception of December 24 and 25. Gary Palmer, General Manager, said this was their 36<sup>th</sup> year in business and they believe it will be the 2<sup>nd</sup> greatest year they have ever had. He said they have given about \$50 million to their community for nonprofits and to help the community grow. They also spent about \$9 million in 2025 in capital improvements and plan to spend an addition \$13 million in 2026. He said they are continually reinvesting and remodeling their property to have the guest experience be the best it can be. He said he knows it is a privilege to have a license in the state of Iowa and they will continue to do their best to fulfill their obligation to the IRGC.

Commissioner Burkhart asked Mr. Palmer to explain how the facility addresses responsible gaming. Mr. Palmer said they take responsible gaming very seriously and they train their employees to be aware of people that are having problems and to address it.

Hearing no further comments or questions, Chair Campbell requested a motion. Commissioner Olsen moved to approve Prairie Meadows Racetrack and Casino, Inc.'s application for a Pari-Mutuel License, Racetrack Enclosure License and Sports Wagering License for January 1, 2026 through December 31, 2026 without race dates, and approve the facility's revised security plan, with the following conditions:

- The race dates for the 2026 season will be established by the Commission.
- The export contracts must continue to have the review and approval by staff to ensure regulatory compliance.
- The import contracts must continue to be available on demand to staff to ensure regulatory compliance.
- All marketing promotions that may affect live racing, particularly the racing schedule and post times, shall have prior approval from the IRGC.

Commissioner Burkhart seconded the motion, which carried unanimously.

Recap of Race Meet: Derron Heldt, Vice President of Racing, gave a brief recap of their recently completed 80 day race meet that actually ended up being 81 days, as they had to have a makeup date for a weather related cancelation. The combined on track handle for both thoroughbreds and quarter horses was down about 1.8%. For quarter horses, off track handle was down about 7.2% and for thoroughbreds it was down about 5%. He said with the two handles combined, both thoroughbreds and quarter horses were down about 5% over the prior year and this was with 12 additional races.

Mr. Heldt said on field size, thoroughbreds averaged 6.18 horses per race versus 6.28 in 2024. On the quarter horse side, the numbers were up this year. They averaged 7.27 horses per race versus 7.07 from last year.

Mr. Heldt talked about some of the races that were held during the season and announced their leading owners, trainers and jockeys from both breeds. He said a couple of the highlights during the meet were the Festival or Racing that took place in July 4<sup>th</sup> weekend and the fall sale that the Thoroughbred Owners and Breeders Association had at the end of August.

Mr. Heldt said now that it's the end of the meet his staff is busy working on the main training track and horse paths and putting down new material to have it ready for the spring. They are also working on repairing some spots on the barn roads and continuing their project with the barn windows.

Commissioner Burkhardt asked if he said they were working on four windows, or four barns. Mr. Heldt clarified they will be replacing windows in four barns for a total of 26 windows. Commissioner Burkhardt then asked what percentage of stalls were being used on the backside during the meet. Mr. Heldt said during the peak season, around June and July, capacity for both breeds was anywhere from 93-95% and that started tailing off in August.

### **2026 HORSE RACING SEASON:**

Schedule Update and Review of Race Meet Proposals: Ms. Eick reminded everyone that at the August 2025 Commission meeting the Commissioners stated that if the parties had not reached an agreement on dates for the 2026 race season, the Commission would set those dates. Under the statute, if the parties do not agree to a mixed meet, it will be separate meets. The thoroughbred meet is required to be 67 days long at minimum and the quarter horse meet is required to be a minimum of 26 days long. The law also requires that for the Commission to authorize simulcasting they need to schedule no less than 60 performances of nine live races each day of the season. Staff asked the parties to submit written proposals for any standalone meets and the Commission did receive three proposals.

Decide Race Dates for 2026 Race Meet: Commissioner Olsen said he was very disappointed that the parties could not come to an agreement because the last thing they want to do is set the dates. He said one of his biggest concerns from the 2024 horse racing study was industry stability and giving stability to the owners so that they knew that they had a long-term future, and because of that, he said he wished they could get to a multi-year contract. Commissioner Olsen said the Commission did receive three different proposals, but two of them were almost identical.

Chair Campbell thanked everyone for all of their work on the race dates. He said he recently attended a meeting with the thoroughbreds and Prairie Meadows and he thanked Prairie Meadows for offering millions in capital improvements with new barns and a multi-year contract, and he stated he was very frustrated that the thoroughbreds came back with a single year deal knowing that they were giving up millions in possible capital expenditures by Prairie Meadows. Chair Campbell said he is concerned that they can't get to a long-term deal.

Commissioner Burkhart said that as she reviewed her notes from the prior year when the horse racing study was presented, she saw three words that were repeated throughout, cooperation, change, and flexibility. She said throughout this process she is not seeing cooperation, change, and flexibility. She said the hope in spending the state's money to conduct the horse racing study was to have some actionable items that the industry could rally behind to make this viable for the long term. She said this is a wonderful amenity in our state and it generates a lot of dollars for the state.

Commissioner Burkhart also said that it is frustrating that we are stuck on the race dates alone as the race dates are just one little portion of what the study recommended. She mentioned other areas the study addressed such as changes to the laws, ways to draw interest, on what days should the meets be run, and how we can join forces with other tracks and other industry stakeholders. Commissioner Burkhart said the commissioners are going to set the race dates but she hopes this is a one-time thing that they have to do.

Commissioner Ostergren reiterated what Ms. Eick said about what the statute says. He said its notable that two of the three proposals were pretty much identical, and he said he is disappointed that the Commission is in this situation because nobody has as big of a stake in the success of racing in Iowa as the three parties involved here. He said he feels like they are fighting over control of a lifeboat that has a slow leak. Instead of fixing the leak in the lifeboat they are fighting amongst themselves. Commissioner Ostergren said that what is going to motivate him on his vote regarding this is going to be what he thinks the public will benefit from the most in terms of the quality of racing at Prairie Meadows.

Commissioner Burkhart asked how the proposals would function in terms of having all one type of race. She said the two almost identical proposals basically have all the so called sprints first and then the more distance races after. She wanted to know what that would look like from the public standpoint, what the break would look like, and how the guest experience would be.

Mr. Heldt said that from their proposal there will be roughly 20 minutes in between meets where they will have some sort of entertainment. He said they are still working through that. He said they would run two separate programs and the announcer would make the distinction between them.

Commissioner Burkhart asked if she came to a race this year, approximately how long would she be there, start to finish. She was wanting to know how elongated the guest experience would be with the 2026 proposal over what is currently happening. Mr. Heldt said probably 20-30 minutes longer. He said these are all things they need to work through but that is an approximation.

Commissioner Olsen said he was ready to make a motion that meets all the statutory requirements and also provides the best fan experience. He said he is concerned that this does not create long-term stability as it's a one-year deal. He said he is also concerned that there is not enough space on the backside but that he feels that is something that could be addressed.

Commissioner Olsen moved to set two independent racing seasons for 2026, with race dates as proposed by Prairie Meadows and the Iowa Quarter Horse Racing Association. The parameters of the seasons will be as follows:

A 67-day thoroughbred season that will begin on May 15, 2026 and end on September 12, 2026. Race days will be Friday, Saturday, Sunday and Monday with a post time of 7:00 PM on Fridays and Saturdays, and 6:00 PM on Sundays and Mondays. There will be no races on May 18, June 1 or June 15.

A 55-day quarter horse season that will begin on June 7, 2026 and end on September 12, 2026. Race days will be Friday, Saturday, Sunday and Monday with a post time of 5:30 PM on Fridays and Saturdays, and 4:00 PM on Sundays and Mondays. There will be no races on June 15.

Commissioner Burkhart seconded the motion, which carried unanimously.

**BALLY'S CORPORATION – REQUEST FOR APPROVAL OF THE THIRD AMENDMENT TO CREDIT AGREEMENT:** Ali Bartlett, outside counsel for Bally's Corporation, presented the Third Amendment to Credit Agreement for Commission approval. She mentioned this was an existing revolving credit and all this amendment is really doing is extending the maturity date.

Hearing no comments or questions, Chair Campbell requested a motion. Commissioner Ostergren moved to approve the credit agreement as presented by Bally's Corporation. Commissioner Burkhart seconded the motion, which carried unanimously.

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

Casino Queen Marquette, LLC: Robin Corbeil, General Manager, presented a contract with Hartlauer Signs for a signage package for the new building of the casino for Commission approval. Ms. Corbeil said they do take the requirement for Iowa vendors seriously, but many Iowa vendors declined to bid this and the one Iowa bid they did get was the highest bid.

Commissioner Burkhart thanked Ms. Corbeil for the extra details on the vendor bids they obtained, and asked for an update on the landside construction process. Ms. Corbeil said they are still on schedule and they are working with the city right now on the skywalk as the City owns the skywalk and there is a section that needs to come down for them to finish a portion of the building. Inside, some walls are going up to separate the food venues, but other than that there is not a lot of work to see as a lot of it is putting in the wiring and plumbing and other behind the scenes work. Ms. Corbeil said the attendance is down slightly due to the long walk from the parking lot, but they are trying to make things the best they can for the patrons.

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

Cedar Rapids Development Group, LLC: Dustin Manternach, Chief Financial Officer, presented a contract with HR Green, Inc. for engineering services for Commission approval.

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

Diamond Jo, LLC: Wendy Runde, General Manager, presented the following contracts for Commission approval:

- Giese Sheet Metal Co Inc – HVAC Services, Repairs & Maintenance
- Johnson Controls, Inc – Building Maintenance System Upgrade Phase 2
- Rondinelli Music/Audio – Mississippi Moon Bar Equipment Replacement & Technical Support
- Vestis – Dry Cleaning, Rental of Linens and BOH Uniforms

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

Grand Falls Casino Resort, LLC: Sharon Haselhoff, General Manager, presented the following contracts for Commission approval:

- Forward Sioux Falls – Economic Investment Agreement (OSV)
- Wellmark Blue Cross & Blue Shield – Benefit Plan: Administrator and Claim Costs

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

Isle of Capri Bettendorf, L.C.: Ms. Ballenger presented the following contracts for Commission approval:

- Builders Sales & Service Company – Wallpaper Installation in Hotel
- Steve's Mirror and Glass – Bathroom Mirrors for Hotel Refresh Capital Project

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

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

- UMR is a United Healthcare Company – Medical & Flexible Spending Plan
- Lamar Advertising Company – Outdoor Advertising Billboards

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

Dubuque Racing Association, Ltd.: Brian Rakestraw, General Manager, presented the following contracts for Commission approval:

- Allied Production & Sales – Amphitheatre Rigging (OSV)
- Bristol Associates, Inc – Recruitment Fees for New President & CEO (OSV)
- Keg 1 Iowa LLC – Beer Purchases
- Torus Technologies, Inc. – Security Mechanisms: PaloAlto Firewall, SentinelOne EDR, Artic Wolf MDR

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

Rhythm City Casino, LLC: Mr. Hyder presented the following contracts for Commission approval:

- Forte – Audio Visual Equipment – Projector, LED Wall, Audio System Upgrade
- The Hartford – Employee Supplemental Insurance (OSV)

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

Harveys Iowa Management Company LLC: Mr. Roberts presented the following contacts for Commission approval:

- C3 Booking, LLC – Entertainment Programming Services
- Gitchi Gaming, Inc – Casino Floor Chairs – Replace Swivel Tops Only (OSV)
- Johnson Controls/JC Fire Prevention – Fire Control Systems
- MCL Construction – Construction Vendor
- Plains Mechanical Services – Boiler and Cooling Tower Repairs
- Southwest Airlines – Guest & Employee Travel

Hearing no comments or questions, Chair Campbell requested a motion. Commissioner Ostergren moved to approve the contracts as presented by Harveys Iowa Management Company LLC. Commissioner Burkhart seconded the motion, which carried unanimously.

**HEARINGS:** Ms. Eick presented the Stipulated Agreements with Diamond Jo, LLC and Diamond Jo Worth, LLC for violations of Iowa Code § 99F.4(22). Both of these matters involve a common incident involving the same individual and are self-exclusion violations.

Diamond Jo, LLC: Ms. Runde said Diamond Jo takes their obligation to protect those with gambling problems and responsible gaming efforts very seriously. She said this situation is a

difficult one because regardless of their diligence to do the right thing they have guests who are equally as determined to defraud and deceive. Ms. Runde said the staff took all the correct steps and did all the right things, but it was just one of those situations where the patron was just not telling the truth.

Hearing no further comments or questions, Chair Campbell requested a motion. Commissioner Olsen moved to approve the Stipulated Agreement with an administrative penalty of \$5,000. He said this is an unfortunate situation where someone is really trying to beat the system, but they have to make self-exclusion a high priority. Commissioner Burkhart seconded the motion, which carried unanimously.

Diamond Jo Worth, LLC: Scott Smith, General Manager, said this unfortunate situation started at Diamond Jo Worth and although his team takes pride in their due diligence to try to ensure someone who is excluded is not signing up for a card or entering the property, this one did get past. He said what this situation has allowed them to do is to reinforce and retrain their team. Mr. Smith said he can stand before the Commission and say that the team is fully engaged and aware of the process. He said they take full responsibility for this unfortunate situation. He also thanked Ms. Eick and the IRGC staff for their dialogue on this and being able to talk through it.

Commissioner Burkhart noted that there have been no violations from either of these properties that have come before the Commission in the last two full calendar years. She said that shows they do take this seriously and their commitment to those with gambling addictions and who have self-excluded in our state. Commissioner Ostergren said he agreed and this is a great example of what it means to be a highly regulated industry and how extraordinarily important the self-exclusion program is. He said he does not feel that either of these two casinos are out of control but it is a violation of the rules.

Hearing no further comments or questions, Chair Campbell requested a motion. Commissioner Ostergren moved to approve the Stipulated Agreement with an administrative penalty of \$5,000. Commissioner Burkhart seconded the motion, which carried unanimously.

**ADMINISTRATIVE BUSINESS:** Ms. Eick advised this is the time of year when the reversion of regulatory fees is announced. She stated the Commission will be reverting \$282,210.81 to the industry for FY 2025. Ms. Eick stated staff will advise each facility of the specific amount to be credited to their facility at a later date.

#### **COMMISSION STAFF AND PERSONNEL UPDATES:**

Appointment of Administrator: Ms. Eick announced that under Iowa law, the Commission is tasked with appointing an Administrator subject to the confirmation of the Iowa Senate. The Administrator serves a four-year term. Ms. Eick said she was appointed in February of 2024 to complete Brian Ohorilko's term which was through April 30, 2026. Historically the Commission has appointed the Administrator prior to the expiration of the term so the information can be forwarded to the legislature at the beginning of the legislative session.

Hearing no further comments or questions, Chair Campbell requested a motion. Commissioner Olsen moved to appoint Tina Eick as Administrator. Commissioner Burkhart seconded the motion, which carried unanimously.

Commissioner Ostergren thanked Ms. Eick for all she does. He said he has found her to be very helpful and available for questions. He said he enthusiastically supports this. Commissioner Olsen and Chair Campbell agreed with the comments and thanked Ms. Eick for making their jobs easier.

Election of Commission Chair and Vice Chair: Chair Campbell announced that he was appointed the Director of the Department of Administrative Services and will be stepping down from the Commission. He said they will need to appoint a new chair and vice chair to be effective at the end of this meeting.

Commissioner Burkhart took a moment to thank Chair Campbell for his service to the Commission. She said he spent a lot of time outside of the Commission meetings with stakeholders discussing issues and trying to seek both sides of the coin in times of conflict or difficult issues. She said he would be missed but she is very excited for him.

Commissioner Olsen agreed with those comments and moved to nominate Commissioner Burkhart for the position of Chair. Commissioner Ostergren seconded the motion, which carried unanimously.

Commissioner Burkhart stated that she felt it was important to have someone as Vice Chair who has served as Chair or Vice Chair previously as to not have both positions filled with brand new officers. She then moved to nominate Commissioner Olsen as Vice Chair. Commissioner Ostergren seconded the motion, which carried unanimously.

**PUBLIC COMMENT:** Chair Campbell took a moment to say a few words. He thanked Governor Kim Reynolds, for the trust she has placed in him. He thanked his fellow Commissioners, Burkhart, Ostergren and Olsen, for their dedication, professionalism, and commitment to fairness and integrity. He thanked former Commissioners, Julie Andres and Lance Horbach, for their wisdom and unmatched wit. He thanked the staff, Tina, Ian, Cody, David and Chantelle, for being the driving force behind everything the Commission does. He thanked Brian Ohorilko for his deep knowledge and historical insight. And he thanked the owners, operators, and QSOs across Iowa. He said their dedication to the communities they serve and the success of the state's gaming industry is nothing short of remarkable. Chair Campbell said it has been an honor to serve alongside these people.

**EXECUTIVE SESSION:** Chair Canipbell requested a motion to go into Executive Session. Commissioner Burkhart moved to go into closed session under Iowa Code Section 21.5(1)(f), to discuss the decision to be rendered in a contested case. Commissioner Ostergren seconded the motion, which carried unanimously on a voice roll call.

**RETURN TO OPEN SESSION/POSSIBLE ACTION ON EXECUTIVE SESSION ITEM:**

Chair Campbell returned the meeting back to open session, and hearing no action, the meeting moved on to the next agenda item.

**ADJOURN:** At 10:18 AM, hearing no further business to come before the Commission, Chair Campbell requested a motion to adjourn. Commissioner Ostergren so moved. Commissioner Olsen seconded the motion, which carried unanimously.

MINUTES TAKEN BY:



CHANTELLE S. ARMINTROUT

# **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 15<sup>th</sup> at Lakeside Hotel Casino in Osceola, IA. The submission deadline for that meeting will be Wednesday, December 31<sup>st</sup>. 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 5<sup>th</sup> 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 9<sup>th</sup> 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 Burkhardt 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 28<sup>th</sup> 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 1<sup>st</sup> and a public hearing was held on October 21<sup>st</sup>. 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 29<sup>th</sup>. A public hearing was held on November 18<sup>th</sup>. 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 23<sup>rd</sup> or the 27<sup>th</sup> 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 effects 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.

IRGC Commission Minutes

November 20, 2025

Page 13

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.

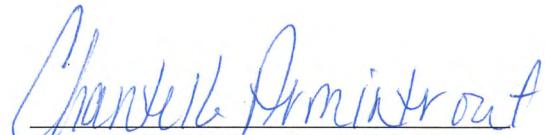
Commissioner Boal moved to direct staff to attempt to enter into a voluntary agreement with HISA to utilize Commission resources in an effort to obtain the maximum credit available for Iowa stakeholders to cover the 2026 assessment, contingent upon the simulcast of races at Prairie Meadows for the 2026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