

**IOWA RACING AND GAMING COMMISSION
MINUTES
JUNE 3, 2021**

The Iowa Racing and Gaming Commission (IRGC) met on Thursday, June 3, 2021 at Catfish Bend Casino II in Burlington, Iowa. Commission members present were Julie Andres, Lance Horbach, Daryl Olsen and Mark Campbell.

ELECTION OF CHAIR AND VICE CHAIR: Commissioner Horbach called the meeting to order at 8:30 AM. He requested a nomination for Chair. Commissioner Olsen nominated Commissioner Andres to serve as Chair. Commissioner Campbell seconded the motion. Hearing no further nominations, Commissioner Horbach called for the vote, which carried unanimously.

Commissioner Horbach called for a nomination for the Vice Chair. Chair Andres nominated Commissioner Olsen to serve as Vice Chair. Commissioner Campbell seconded the motion. Hearing no further nominations, Commissioner Horbach called for the vote, which carried unanimously.

APPROVE AGENDA: Chair Andres advised Commission staff had received a request to withdraw agenda item 9F(6), a contract for Neesvig's submitted by Isle of Capri Bettendorf, L.C. She requested a motion to approve the agenda as amended. Commissioner Horbach so moved. Commissioner Campbell seconded the motion, which carried unanimously.

WELCOME: Gary Hoyer, President and Chief Executive Officer of Great River Entertainment, LLC, welcomed everyone to Burlington. He noted there were several employees, as well as several board members representing the 500+ Iowa shareholders, in attendance. Mr. Hoyer advised the property provides the community with numerous entertainment options: the casino, ample meeting and convention space, multiple bars and restaurants, bowling, the waterpark and arcade. The company operates five hotels, and a sixth hotel is undergoing an extensive remodel. He stated the crown jewel of the operations is the sportsbook, which was developed in partnership with PointsBet. Mr. Hoyer introduced Rob Higgins, General Manager.

Mr. Higgins welcomed everyone to the property. He showed a short Power Point presentation highlighting various aspects of the property. Mr. Higgins advised the property hosted the 2021 State Bowling tournament. He also noted they are the franchise holder for the Cold Stone ice cream shop.

Chair Andres thanked Mr. Higgins for the video and the tour of the property on Wednesday evening.

APPROVE MINUTES: Chair Andres requested a motion regarding the minutes. Commissioner Horbach moved to approve the minutes from the April 15, 2021 Commission meeting as submitted. Commissioner Olsen seconded the motion, which carried unanimously.

ANNOUNCEMENTS: Brian Ohorilko, Administrator of IRGC, advised the next meeting would be held on July 15th at Prairie Meadows Racetrack & Casino in Altoona. Submissions for the meeting are due in the Commission office by June 30th. The August meeting will be at Riverside Casino & Golf Resort on August 26th.

Mr. Ohorilko recognized Gaming Representative Erica Worrall, who is assigned to the Catfish Bend facility. He thanked her for her work on behalf of the IRGC.

ADVANCE DEPOSIT SPORTS WAGEING OPERATOR AGREEMENTS:
Casino Queen Marquette, Inc.: Don Ostert, General Manager, presented a First Amendment to the Amended and Restated Agreement with Fubo Gaming Inc., which provides for a delay of Casino Queen's termination rights in limited circumstances and provides for liquidated damages in the event of such a termination.

Hearing no comments or questions, Chair Andres requested a motion. Commissioner Olsen moved to approve the First Amendment to the Amended and Restated Agreement as presented. Commissioner Campbell seconded the motion, which carried unanimously.

Isle of Capri Bettendorf, L.C.: Nancy Ballenger, General Manager, presented a 10-year agreement with CG Iowa LLC (Carousel). The company currently operates in Colorado and is looking to expand into New Jersey, Indiana, and Iowa.

Hearing no comments or questions, Chair Andres requested a motion. Commissioner Campbell moved to approve the Advance Deposit Sports Wagering Operator Agreement between CG Iowa LLC and Isle of Capri Bettendorf, L.C. as presented. Commissioner Horbach seconded the motion, which carried unanimously.

Wild Rose Emmetsburg, L.L.C.: Rick Gilson, Corporate Internal Auditor, presented an agreement with Golden Nugget Online Gaming, LLC. He noted the company has been successful in New Jersey and Pennsylvania, and feel it will be well received by Iowans.

Hearing no comments or questions, Chair Andres requested a motion. Commissioner Olsen moved to approve the Advance Deposit Sports Wagering Operator Agreement between Golden Nugget Online Gaming, LLC and Wild Rose Emmetsburg, L.L.C. Commissioner Horbach seconded the motion, which carried unanimously.

HGI-Lakeside, LLC: Lorraine May, legal counsel, presented a 10-year agreement with Sports Information Group, LLC d/b/a Daily Racing Form. The agreement includes a 50-50 revenue split.

Hearing no comments or questions, Chair Andres requested a motion. Commissioner Horbach moved to approve the Advance Deposit Sports Wagering Operator Agreement between Sports Information Group, LLC d/b/a Daily Racing Form and HGI-Lakeside, LLC. Commissioner Campbell seconded the motion, which carried unanimously.

HGI-LAKESIDE, LLC: David Monroe, General Manager, requested approval for Phase One of a remodeling project which includes conversion of the gift shop into a coffee shop, remodel of the restaurant bar area, renovation of the public restrooms adjacent to the restaurant, finishes and lighting modernization of the public access ways from the entrance to the Casino around to the entrance to the hotel tower and finishes/lighting modernization of the Convention Center pre-function areas. The gift shop will be moved to the arcade area. The project is anticipated to take approximately six months and will be completed in two phases in order to facilitate ongoing operations and allow continuous guest access to various operating components. The restaurant will remain in operation during the project with the convention room being utilized as the dining room during the restaurant renovation.

Bill Trickey, Executive Director of Clarke County Development Corp., stated the board is extremely excited about the renovation, and requested the Commission's approval. He stated that the infusion of capital into the Osceola property shows Affinity Gaming's support and faith in the facility.

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

CATFISH BEND CASINOS II, LLC: Mr. Hoyer presented a refinancing package with Great Western Bank for approximately \$38 million to consolidate existing long-term debt and revolver funds. The interest rate is a combination of fixed and variable rates.

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

CONTRACT APPROVALS (OSV - OUT OF STATE VENDOR; RP – RELATED PARTY):
Catfish Bend Casinos II, LLC: Mr. Higgins presented a contract with Video Security Specialists for the installation of surveillance cameras/system upgrade (OSV).

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

Wild Rose Clinton, L.L.C.: Steve Nauman, General Manager, presented the following contracts for Commission approval:

- Wild Rose Leasing – Lease Company for Vehicles (RP)
- Another Round – Purchase of Liquor and Beer

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

Wild Rose Emmetsburg, L.L.C.: Steve Cody, General Manager, presented a contract with Wild Rose Leasing as the lease company for vehicles (RP).

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

Wild Rose Jefferson, L.L.C.: Travis Dvorak, General Manager, presented a contract with Wild Rose Leasing as the lease company for vehicles (RP).

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

Casino Queen Marquette, Inc.: Mr. Ostert presented the following contracts for Commission approval:

- Reinhart Food Service – Food Distributor
- Everi – Marketing Kiosks, All-in-One Kiosks, Check Warranty/Cash Access/ATM Service Schedule (OSV)

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

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

- Atlantic Coca-Cola Bottling Company – Coca-Cola Product Vendor
- Ecolab – Provides Dishwashing Equipment and Supplies
- Edward Don – Purchase Restaurant Equipment and Supplies
- King Food Service – Food Vendor – Provides Steaks, Poultry and Seafood
- Kone, Inc. – Purchase Elevator and Escalator Maintenance Contracts and Service/Parts
- Reinhart Institutional Foods – Purchase Food and Non-Food Products
- Taxslayer Center – Purchase Event Tickets, Luxury Box and Sponsorships (OSV)
- Treiber Construction – General Construction and Concrete Repairs
- Wells Fargo Bank – Company Credit Card Provider

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

HGI-Lakeside, LLC: Mr. Monroe presented the following contracts for Commission approval:

- Edge Commercial, LLC – Lakeside Casino Phase 1 Renovation
- MMC Contractors Iowa, Inc. – Repairs and Maintenance of Property
- Nyemaster Goode PC – Legal Services
- King Food Service – Proteins to include Seafood & Poultry Purchases for Restaurant
- Surveillance Systems Integration – Surveillance System Equipment & Software Upgrade (OSV)

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

Riverside Casino and Golf Resort, LLC: Damon John, Director of Marketing, presented the following contracts for Commission approval:

- DLR Group – Event Center Remodel – Professional Services
- Kluesner Construction, Inc. – Parking Area Asphalt Repair
- Milliken & Company – Event Center Remodel – Carpet (OSV)
- Modern Fold d/b/a Folding Partition Services – Event Center Remodel – Vinyl to Recover Partitions
- MTS Seating – Event Center Remodel – Banquet Stacking Chair (OSV)
- Scheel's Sporting Goods – Marketing Promotion – Gift Cards
- Sitler's Supplies, Inc. – Event Center Remodel – Lighting
- USPS – Postage Expense

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

Grand Falls Casino Resort, LLC: Sharon Haselhoff, General Manager, presented the following contracts for Commission approval:

- Barkley Asphalt, Inc. – Parking Lot Repairs
- Brintons – Gaming Floor Carpet (OSV)
- Imagine This – Continuity and Promotion Agreements (OSV)
- Wessels Oil Co. – Propane Gas Supplier

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

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

- Banana's Entertainment, LLC – Talent Agency (OSV)
- Beyond 10 Productions, Inc. f/s/o Shinedown – Entertainment Act (OSV)
- Day After Day Productions, Inc. – Talent Agency (OSV)
- Day of the Dog, Inc. f/s/o Brantley Gilbert – Entertainment Act (OSV)
- OTR Touring, Inc. f/s/o Staind – Entertainment Act (OSV)
- Siouxland ATM – ATM Services
- Toucan Productions, Inc. – Stage Production (OSV)

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

Prairie Meadows Racetrack and Casino, Inc.: A representative from Prairie Meadows was not in attendance. The following contracts were before the Commission for approval:

- Nestle USA (Starbucks) – Starbucks Coffee
- Quadient Leasing – Mailing Equipment Lease (OSV)
- Wells Enterprises – Promotional Freezer Equipment Leasing

Commissioner Olsen advised he did not see any issues with the above contracts, and moved to approve them as submitted by Prairie Meadows Racetrack and Casino, Inc. Commissioner Campbell seconded the motion, which carried unanimously.

REQUEST FOR PROPOSAL VENDOR PRESENTATIONS FOR SOCIOECONOMIC MARKET STUDY: Chair Andres advised four companies had responded to the Request for Proposal with regard to the Socioeconomic Market Study. The presentation order was determined by a lottery drawing. The Commission heard presentations from the following:

- Spectrum Gaming Group – Michael Pollock, Managing Director
- Global Market Advisors – Brendan Bussmann, Director of Government Affairs; and Kit Szybala, Executive Director of Operations
- Bâton Global – Jeffrey Kappen, Managing Partner
- The Innovation Group – Michael Vanaskie, Vice President, International Department

Each company presented information with regard to their experience in preparing this type of comprehensive study and the methodology, strategy and approach to be utilized. Each advised they would provide the Commission a hard copy of their completed report and would be available to present their findings in person.

PUBLIC COMMENT/ADMINISTRATIVE BUSINESS: As there was no Public Comment, Chair Andres called on Mr. Ohorilko for any Administrative Business to come before the Commission.

Approval of Regulatory Fees for FY 2022: Mr. Ohorilko stated the Commission is tasked with approving the regulatory fees for both IRGC and the Division of Criminal Investigation (DCI), which are based on legislative appropriations. The licensees will pay six weeks of regulatory fees to IRGC at the start of the fiscal year to fund the agency, and will stop paying the fees six weeks early. Mr. Ohorilko noted the regulatory fees before the Commission are not final at this time. If necessary, they will be brought back at a subsequent meeting to request changes; however, any changes should be immaterial.

Hearing no comments or questions, Chair Andres requested a motion. Commissioner Campbell moved to approve the regulatory fees for IRGC and DCI as presented. Commissioner Horbach seconded the motion, which carried unanimously.

Legislative Update: Mr. Ohorilko provided the following information on legislation passed this Legislative session which impacted IRGC:

- HF 513: Allows for simulcast signals from international jurisdictions. Licensees would submit contracts through the normal process.
- SF 615: Sets the minimum wage
- HG 861: Reduces fees for the DCI
- SF 619: Removes promo play. Staff is working with the vendor to modify the Revenue Collection System.

Mr. Ohorilko noted some of the above legislation is awaiting the Governor's signature.

Mr. Ohorilko advised he had received a letter from Hard Rock International advising that Mike Adams, Assistant General Manager at Hard Rock Hotel & Casino in Sioux City received the Hard Rock International Award for Leader of the Year for demonstrating a record of success, ability to drive profit, form strategic business partnerships and inspire team members. The letter stated Mr. Adams has been instrumental in the success of the property.

Chair Andres introduced Mark Campbell, the new Commission member, and welcomed him to the Commission.

Commissioner Horbach noted the Commission is required to complete the market study per Iowa statute. He asked Mr. Ohorilko to recap the process going forward and next month's deliberations.

Mr. Ohorilko advised Commission members would be reviewing the individual proposals submitted by the four companies. The Commissioners will compile an individual scoring sheet. Cost proposals will be opened at the July meeting and will be incorporated into the scoring. Following discussion at the July meeting, and based on the results of the technical and cost scoring, the Commission will select one or two vendors to perform the socioeconomic market study.

ADJOURN: Hearing no further business to come before the Commission, Chair Andres requested a motion to adjourn. Commissioner Horbach so moved. Commissioner Olsen seconded the motion, which carried unanimously.

MINUTES TAKEN BY:



JULIE D. HERRICK