

## KANSAS RACING AND GAMING COMMISSION

### MINUTES – MAY 13, 2022

CALL TO ORDER  
(A.)

Chairman David Moses called the May 13, 2022, meeting to order at 10:00 a.m. The meeting was held at the Eisenhower State office building in Topeka, Kansas. Notice of this meeting was given to the public via the KRGC and Public Square websites. Commissioners Brandon Jones, Larry Turnquist, Kelly Kultala, and Sheryl Spalding were also present. Others present included Executive Director Don Brownlee, General Counsel Judith Taylor, Director of IT and Electronic Security Dennis Bachman, Director of Administration, Audit, and Finance Brandi White, Director of Security Roger Bailey, and other staff.

MOTION, APPROVE  
AGENDA  
(B.)

Commissioner Spalding (Turnquist) moved to approve the agenda. Motion carried 5-0.

MOTION, APPROVE  
April 15, 2022  
MEETING MINUTES  
(C.)

Commissioner Jones (Spalding) moved to approve the minutes of the April 15, 2022, meeting. Motion carried 5-0.

MOTION, APPROVE  
CONSENT AGENDA  
(D.)

Commissioner Kultala (Jones) moved to approve the consent agenda (six items). Motion carried 5-0.

LOTTERY GAMING  
FACILITY  
REPORTS/ITEMS; BOOT  
HILL CASINO & RESORT  
(E.1.a.)

Diane Giardine, General Manager, reported:

- April 2022 revenue numbers compared to April 2021:
  - Total gaming revenue up 1.91 %
  - Total slot revenue down 1.12%
  - Table games revenue up 41.20%
- Events and Promotions:
  - Weekly Kiosk Games
  - Weekly Food and Beverage Specials
  - Gift Promotions
  - VIP Promotions
  - DC Appliance Giveaway
  - 100K Lucky Draw
  - Clint Black – April 29<sup>th</sup>
- Upcoming Entertainment & Events
  - Live to Rock Tour – May 7
  - SW Storm (Arena Football) – May 14
  - DCHS Graduation – May 21
  - SW Storm (Arena Football) – June 4
  - Jon Pardi (Dodge City Days Concert) – July 30

LOTTERY GAMING  
FACILITY  
REPORTS/ITEMS; KANSAS  
STAR  
(E.2.a.)

Jeff Babinski, Vice President and General Manager, reported:

- Admissions down 10.3% compared to April 2021
- April 2022 revenue numbers compared to April 2021:
  - Total gross gaming revenue down 8.2%
  - Slot coin-in down 14.3%
  - Slot hold up 0.14 pts
  - Table games drop up 25.4%
  - Table games hold up 1.3 pts
- Past Events and Promotions:
  - Facebook Gas Card Giveaway every Friday
  - Gin Blossoms – April 2
  - Boyz II Men – April 9
  - Titanium Renewal Party – April 9
  - Onyx Renewal Party – April 16
  - Emerald Renewal Party – April 23
  - Big B Bonus Promotion – April 29 & 30
- Upcoming Events and Promotions:
  - Kansas High School Rodeo – May 26-30
  - Southern Plains Wrestling – June 3-5
  - Ricky Skaggs – June 18
  - Tuan Hung Nguyen – July 9
  - Big and Rich – July 15
  - Ted Nugent – August 5
  - Oak Ridge Boys – September 23
  - Third Eye Blind – October 22

LOTTERY GAMING  
FACILITY  
REPORTS/ITEMS;  
HOLLYWOOD CASINO AT  
KANSAS SPEEDWAY  
(E.3.a.)

Rick Skinner, Vice President & General Manager, reported:

- Admissions were flat compared to April 2021
- April 2022 revenue numbers compared to April 2021:
  - Total gross gaming revenue up 7.7%
  - Slot revenue up 3.5%
  - Table games revenue up 70.6%
- Recent/Upcoming Events and Promotions:
  - Sporting KC \$200K Kick Picks
  - Tree of Life – April 22
  - 10 Year \$200K Drawing – April 23
  - MyChoice Winners Weekend – April 29
  - Table Games Hot Seats – Tuesdays in May
  - Crazy 8's – May 1
  - Pick Your Purse – May 6
  - Need for Speed – May 14

- NASCAR Cup Series Advent Health 400 – May 15
- Even/Odd Drawing – May 15
- Cooler Giveaway – May 21
- 10 Year \$200K Drawing – May 21
- Kansas City BBQ Drawing – May 29

LOTTERY GAMING  
FACILITY  
REPORTS/ITEMS; KANSAS  
CROSSING CASINO  
(E.4.a.)

Jeff McKain, General Manager, reported:

- Admissions up 14.4% compared to April 2021
- April 2022 revenue numbers compared to April 2021:
  - Net slot revenue up 3.3%
  - Coin in up 14%
  - Table games drop up 24%
  - Net gaming revenue up 6.9%
- Events and Promotions:
  - Point Multipliers every Tuesday
  - Camp 49 Hot promotional specials every Wednesday
  - Casino Hot Seats every Thursday
  - Table Game Hot Seats every Friday
  - Casino Gift Day every Saturday
  - Kiosk games every Sunday
  - Cash is King promotion – April 29<sup>th</sup>
  - Texas Hippie Coalition concert – April 30<sup>th</sup>
  - Mother's Day buffet – May 8<sup>th</sup>
  - Jordan Fletcher concert – May 14<sup>th</sup>
  - Cash is King promotion – May 27<sup>th</sup>
  - Bonus gift day – May 29<sup>th</sup>
  - Scotty McCreery – July 29<sup>th</sup>
  - Uncle Cracker – September 10<sup>th</sup>
  - Trace Adkins – September 24<sup>th</sup>
  - Hairball – October 1<sup>st</sup>
- Incident Report Update
  - Installed a new 80kVA UPS unit and located a 300kVA UPS unit that will be installed in two weeks.

COMMISSION ITEMS –  
OLD BUSINESS  
(F.)

There was no old business.

COMMISSION ITEMS –  
NEW BUSINESS  
(G.)

There was no new business.

PUBLIC COMMENTS  
(H.)

There were no public comments.

STAFF REPORTS  
(I.1. and I.2.)

Garrett Rogers, Paralegal, reported on the Voluntary Exclusion Program statistics for the month of April 2022.

Todd Allen, Government Relations Manager, legislative report:

- SB 84 passed both the Kansas House and Senate on April 28<sup>th</sup> and was signed into law by Governor Kelly on May 12<sup>th</sup>.
- KRGC is now working to develop processes to implement sports wagering in Kansas.

Executive Director Brownlee reported:

- The Missouri legislature is nearing the end of session and has not yet passed sports wagering legislation, and it does not appear likely to pass this session.
- KRGC and the Kansas Lottery are reviewing the legislation to determine each agency's responsibilities.
- As KRGC develops regulations surrounding sports wagering, the agency will keep Casino Managers informed about proposed regulations. Casino Managers are welcomed to submit regulations for KRGC to consider. KRGC will work with Gaming Labs Incorporated (GLI) to review industry standard regulations.
- The Licensing Division is reviewing the application disclosure process to streamline the process.
- Commissioner Turnquist requested a timetable of the deadlines in the sports wagering legislation. Executive Director Brownlee stated that one will be provided, once it is confirmed what KRGC's responsibilities are.
- The next commission meeting will be held on June 10<sup>th</sup> at a location to be determined.

DISCIPLINARY REVIEW  
BOARD ACTIONS; CASE  
NUMBER 2022-2001,  
CREIGHTON MOORE  
(J.1.)

Judith Taylor appeared on behalf of the Kansas Racing and Gaming Commission and the Disciplinary Review Board. Creighton Moore did not appear. A hearing was held.

Commissioner Jones (Turnquist) moved to uphold the Disciplinary Review Board's statements of fact and conclusions of law and revoke the license of Creighton Moore. The motion carried 5-0.

MOTION, EXECUTIVE  
SESSION; CONFIDENTIAL  
BACKGROUND REPORTS  
(K.1.)

Commissioner Turnquist (Kultala) moved that the Commission go into executive session for the purpose of reviewing confidential background reports presented today by the commission's security division. In addition to the commissioners, the confidential background reports portion included the executive director, general counsel, and director of security. The total time for the executive session was anticipated to be thirty-two (32) minutes until 11:35 a.m. No action is to be taken in executive session, and the subjects discussed are to be limited as previously described. A full record of this motion is to be maintained as part of the permanent record of the Kansas Racing and Gaming Commission. At the conclusion of the executive session, the meeting is to be continued in open session. The motion carried 5-0, and the meeting was adjourned to executive session at 11:03 a.m.

RECONVENE  
(K.2.)

The commission meeting returned to open session at 11:35 a.m. with Chairman Moses, Commissioner Jones, Commissioner Turnquist, Commissioner Kultala, and Commissioner Spalding present.

MOTION, EXECUTIVE  
SESSION; ATTORNEY-  
CLIENT PRIVILEGE  
(K.3.)

Commissioner Spalding (Jones) moved that the Commission go into executive session for the purpose of consulting with the agency's attorney on attorney-client privileged communications. In addition to the commissioners, the attorney-client privileged communications will include the executive director, general counsel, and government relations manager. After discussion, the total time for the executive session was anticipated to be forty-five (45) minutes until 12:20 p.m. No action is to be taken in executive session, and the subjects discussed are to be limited as previously described. A full record of this motion is to be maintained as part of the permanent record of the Kansas Racing and Gaming Commission. At the conclusion of the executive session, the meeting is to be continued in open session. The motion carried 5-0, and the meeting was adjourned to executive session at 11:35 a.m.

RECONVENE  
(K.4.)

The commission meeting returned to open session at 12:20 p.m. with Chairman Moses, Commissioner Jones, Commissioner Turnquist, Commissioner Kultala, and Commissioner Spalding present.

MOTIONS ON LICENSE  
APPLICATIONS  
(L.1.)

Commissioner Turnquist (Kultala) moved to *deny five* license applications and *approve the remaining 204* license applications from the May 13,

2022, list of background reports referred to the commission for action. The motion carried 5-0.

OTHER BUSINESS

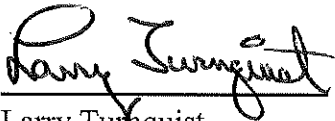
There were no other items for discussion or motion.

ADJOURNMENT  
(M.)

Chairman Moses stated that the June 10, 2022, commission meeting will begin at 10:00 a.m. for an in-person meeting at a site to be determined.

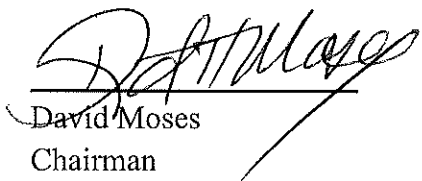
Commissioner Kultala (Jones) moved to adjourn the meeting. Motion passed 5-0. The meeting was adjourned at 12:22 p.m.

SUBMITTED BY:



Larry Turnquist  
Secretary

APPROVED BY:

  
David Moses  
Chairman