

KANSAS RACING AND GAMING COMMISSION

MINUTES – DECEMBER 13, 2024

CALL TO ORDER

(A.)

Chairman David Moses called the December 13, 2024, 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 and the agency's social media pages.

Commissioners Brandon Jones and Mike Fleming were also present. Others present included Executive Director Don Brownlee, General Counsel Judith Taylor, Director of IT&C-s Dennis Bachman, Director of Security Roger Bailey, Director of Sports Wagering and Licensing DJ Lopez, Director of Casino Operations Rick Wilson, Government Relations Managers Randy Evans, and other staff. Commissioner Turnquist was unable to attend the meeting.

MOTION, APPROVE AGENDA

(B.)

Commissioner Fleming (Jones) moved to approve the agenda. Motion carried 3-0.

MOTION, APPROVE NOVEMBER 15, 2024 MEETING MINUTES

(C.)

Commissioner Jones (Fleming) moved to approve the minutes of the November 15, 2024, meeting. Motion carried 3-0.

MOTION, APPROVE CONSENT AGENDA

(D.)

Commissioner Fleming (Jones) moved to approve the consent agenda (six items). Motion carried 3-0.

LOTTERY GAMING FACILITY REPORTS/ITEMS; BOOT HILL CASINO & RESORT

(E.1.a.)

Diane Giardine, General Manager, reported:

- That December 15th will be the facilities 15th opening anniversary.
- November 2024 revenue numbers compared to November 2023:
 - Total gaming revenue increased 5.24%
 - Total slot revenue was up 8.67%
 - Table games revenue was down 20.62%
 - General Manager Giardine explained that table games revenue was down due to a hold issue. Prior year's hold percentage was in the mid-twenties, which is phenomenal, and this year it was just below twenty.
- General Manager Giardine highlighted that the carpet improvement project was completed. The project impacted October's revenue, but November's revenue came back. General Manager Giardine thanked all involved with the project.
- November 2024 Sports Wagering revenue numbers
 - Retail Sportsbook Revenue \$43,772.00
 - Up 4,219.80% from November 2023
 - Handle was down about 28%, but hold was up 3,900%.
 - Digital Sportsbook Revenue: \$12,524,998.00
 - Up 197.79% from November 2023
 - This is a new revenue record for the facility, the previous record was set in September 2024.

- Handle was up 16%, which was also a new record; the previous highest month was October 2024. Hold was up 158%, which was also a record beating July 2023
- Top Events
 - Eagles vs Rams
 - Texas vs Texas A&M
 - Cardinal vs Seahawks
- Top Sports
 - NFL was 31% of handle.
 - NCAA Football was 26.7% of handle.
 - NCAA Basketball was 25.9% of handle.
- Commissioner Fleming asked what the total digital sportsbook revenue for October was. General Manager Giardine responded that revenue was close to negative. Commissioner Fleming asked what the General Manager attributes November's banner month to. General Manager Giardine explained that when the Chiefs do not cover the point spread the sportsbook does very well.
- Upcoming Events and Promotions:
 - Weekly Kiosk Games
 - Weekly Food and Beverage Specials
 - Gift Giveaways
 - Charity Match Hot Seats
 - \$150,000 15th Anniversary Prize Wheel
 - Hero Tree – Holiday Donation Drive
 - 12 Days of Giveaway Scratcher
 - Beast Burger – January 1st
 - VIP Promotions
 - Sportsbook Promotions
- Upcoming Entertainment & Events
 - Sara Evans – December 6
 - Clint Black – Feb 8
- Chairman Moses recalled that in the south-central Kansas media markets the smokeless casino legislation is getting a lot of chatter. The facility just finished a major remodel that depending on how the legislation is written, may need to be redone. Chairman Moses asked General Manager Giardine if they would like to comment on this topic. General Manager Giardine deferred to the facility's CEO and legal counsel; Chris Reedy. Mr. Reedy explained that hundreds of thousands of dollars were spent on the air handling equipment and original design, there are areas of non-smoking, there are all sorts of planning and thought process going out with respect to that matter. Chairman Moses followed up stating that he presumes that means there will be some attempts at educating those that are going to be considering changes about all the things that have already been done regarding that issue. Mr. Reedy confirmed that was accurate. Chairman Moses commented that he was curious because it seems that there is significantly more attention this year than last year. General Manager Giardine commented that if any employee has a request the facility will work with them; there are several positions that do not have to be in the

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

smoking area. The facility would make a medical accommodation request for the employee and go through that process.

- General Manager Giardine recognized a few individuals for their actions on December 2nd. Beverage Lead Michael Montoya, Director of Security Zam Marvilla, KRGC Agent Michael Robbins, and KRGC Agent Eric Lalicker recognized a patron in need and took swift steps to help that patron. Agent Robbins used a AED machine and started performing CPR compressions on the patron, Director Marvilla switched out with Agent Robbins to continue the CPR until first responders were able to arrive. The patron was transported to Dodge City Hospital and eventually transferred to a hospital in Colorado where the patron was from. Last Friday, the facility was contacted by the patron's daughter thanking all who were involved in saving her father's life. The doctor in Colorado said that if CPR had not been started as quickly as it had, her father would not have survived.

Alli Kuplen, General Manager, reported:

- November 2024 revenue numbers compared to November 2023:
 - Total gross gaming revenue was up 15.5%
 - Total slot revenue up 9.7%
 - Table games revenue up 35.1%
 - Table games hold was at 24% which contributed to increase.
- November 2024 Sports Wagering revenue
 - Retail Sportsbook Revenue \$237,500.00.
 - Up compared to November 2023's revenue of \$57,000.00.
 - Digital Sportsbook Revenue: \$8,670,000.00
 - Up from November 2023's revenue of \$1,800,000.00.
- November 2024 Sports Wagering
 - \$96 million was wagered on FanDuel online.
 - The total handle in retail was \$1.525 million for November.
 - Football once again ruled the betting in retail as College Football had 45% of the total handle followed by the NFL with 39%. They were followed by College Basketball at 6%, NBA at 4%, NHL at 2%, MMA at 2% and Boxing at 1%.
 - The Kansas City Chiefs game on Black Friday brought a huge crowd in as it was only available on Prime Network.
 - The Mike Tyson/Jake Paul boxing event on 11/15 brought in one of the largest crowds that we have ever seen at FanDuel Sportsbook at KSC. The event brought in a handle of \$13,626 with 281 total bets.
- Upcoming Events and Promotions:
 - Double Down | Friday and Saturdays in December | 10:00am – 11:59pm
 - Point Multiplier | Thursdays in December | 10:00am - 10:00pm
 - Countdown to the Holidays | Saturdays in December | 6:00pm – 9:30pm
 - 15pc Home Security Gift Giveaway | Friday, December 6 | 4p-9p
 - Brookstone "Snackle Box" Gift Giveaway | Friday, December 13 | 4p-9p
 - Cast Iron Skillet Gift Giveaway | Friday, December 20 | 4p-9p
 - Grab Bag Gift Giveaway | Friday, December 27 | 4p – 9p

- Trees of Hope Voting | Monday, November 25 – Thursday December 19
- New Year Tier Drawings | Monday, December 30 | 6p-10pm
- Upcoming Entertainment & Events:
 - New Year's Eve begins the year-long celebration of Boyd Gaming's 50th Anniversary which will be celebrated all year long with promotions, giveaways, and celebrations for both team members and guests.
 - NYE Dinner at Woodfire Grille | Invited Hosted Guests | Tuesday, December 31
 - NYE Festivities | Live DJ on Floor, Balloon Drop and Party Favors | Tue, December 31
- General Manager Kuplen stated that would like to echo what was said by Mr. Reedy. General Manager Kuplen noted that commissioners have visited the facility and would be surprised if they noticed smoke anywhere. The facility has state of the art air handling systems, dedicated non-smoking area, there is no smoking at table games, restaurants, or sportsbook. General Manager Kuplen stated that they felt that unless you are next to a smoking patron, that smoke impacts guest experience. Any team member with concerns can ask for accommodations if one is needed, and the facility manager is happy to provide one. Chairman Moses noted that he senses this time around that employee exposure to second-hand smoke is more of the focus and asked if General Manager Kuplen also had that sense. General Manager Kuplen responded stating that she thinks that generally in the nation people are more conscious. General Manager Kuplen commented that she has worked on the property since opening, has asthma, and has not had an issue with smoke.

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

Lydia Garvey, General Manager, reported:

- November 2024 admissions were up 4.8% compared to November 2023
- November 2024 revenue numbers compared to November 2023:
 - Total gross gaming revenue increased 14.6%
 - Slot revenue increased 14.7%
 - Table games revenue increased 13.8%
- November 2024 Sports Wagering revenue numbers
 - Retail Sportsbook Taxable Revenue: \$818,046.00
 - Up 79.4% compared to November 2023
 - Due to both increased handle and favorable hold. Handle was up 45%.
 - Retail Sportsbook: Top Sports
 - NFL was 35% of handle
 - NCAA Basketball was 27% of handle
 - NCAA Football was 19% of handle
 - Digital Sportsbook Taxable Revenue: \$841,750.00
 - Up 122.6% compared to November 2023
 - Handle was down 43% compared to prior year.
 - Digital Sportsbook: Top Sports
 - NFL was 33% of handle
 - NCAA Basketball was 25% of handle

- NCAA Basketball was 13% of handle
- Recent/Upcoming Events and Promotions:
 - December 6 – Windy Winnings Money Booth
 - December 7 – No Place Like Hollywood Match Game
 - December 14 – Topsy’s KC Popcorn Giveaway
 - December 24 – Holiday Pay Day
 - December 28 - \$30K Winners Party
 - December 28 – Pick, Pull & Win
 - December 31 - \$25,000 for 2025
- The facility manager held a hiring event targeting those positions that have recently been approved to hire between eighteen and twenty-one years of age. Hiring events typically have around 200 people RSVP and about 50 people show up, this event had 300 RSVP with 90 actually attending and close to 50 job offers.
- General Manager Garvey said that their position is very similar to the previous two facility managers. State of the art air handling systems ensure that the facility is not smokey and accommodations are available for team members who request them. There are non-smoking slot areas, sportsbook, and restaurants.
- Chairman Moses asked if the Women’s Soccer National Championship caused a bump in business. General Manager Garvey explained that the facility did not see a impact for that event, but there is an expectation for the 2026 World Cup to have a lot of impact because of the proximity. Chairman Moses followed up by asking if they will use both facilities as well as Arrowhead Stadium. General Manager Garvey confirmed they will.

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

John Spiers, Director of Marketing, reported:

- November 2024 admissions decreased 4.5% compared to November 2023
- November 2024 revenue numbers compared to November 2023:
 - Coin in increased 6.5%
 - Table games drop increased 11.6%
 - Net gaming revenue was up 6%
- November 2024 Sports Wagering revenue numbers
 - Retail Sportsbook Taxable Revenue: \$62,757.00
 - Up 69.4% compared to November 2023’s revenue of \$37,042.00.
 - Retail wagers were \$931,885.00 compared to November 2023’s \$651,756, an increase of 43%.
 - Digital Sportsbook Taxable Revenue: \$3,838,509.00.
 - Up compared to November 2023’s revenue of \$1,278,562.
 - Digital wagers were \$53,296,085, up 26.4% compared to November 2023.
- Top Sports Based on Handle:
 - NFL was 38% of handle.
 - NCAA Football was 35% of handle.
 - NCA Basketball was 18% of handle.
- Largest winning wager was \$11,924 on NCAA Basketball, South Dakota vs Missouri.

- Largest losing wager was \$13,500 on NCAA Football, Iowa vs UCLA.
- Events and Promotions:
 - November
 - Casino Hot Seats every Monday.
 - Kiosk games on Tuesdays.
 - Camp 49 promotions every Wednesday.
 - Slot Tournament Friday 22nd and 29th.
 - VIP event in the Corral on Saturday the 9th.
 - Casino gifts on Sundays.
 - Corall events include *Jackyl* on the 1st and comedian *Ben Bailey* on the 15th.
 - December
 - Casino Hot Seats every Monday.
 - Kiosk games on Tuesdays.
 - Camp 49 promotions every Wednesday.
 - Christmas Cash Climb promotion every Friday.
 - Casino gifts on Sundays.
 - Corall events include *That Arena Rock Show* on the 14th, *Mixtapes* on the 28th, and *The Breakfast Club* on the 31st.

HISTORICAL HORSE
RACING FACILITY
LICENSEE
REPORTS/ITEMS;
GOLDEN CIRCLE
(E.5.a.)

Scott Beeler, Golden Circle Representative, reported:

- Construction is winter-tight. Now working on electrical, plumbing, duct system, and the internal wall systems.
- The project is on budget and on time for a late 2025 opening.
- A lot of the contracts are still in negotiation and will be submitted to staff once there are signatures on them.
- Regarding the Chairman's question on the smokeless casino legislation, the facility licensee is in a different situation for a number of legal reasons, but they believe there is some ambiguity in the law. The facility is designed in terms of its construction to have the proper handling systems in the event that the facility is deemed to fit within one of the exceptions under the Clean Air Act. Mr. Beeler explained that at the time the Clean Air Act was enacted there was no such thing as a Historical Horse Racing facility, but believes that the spirit of the act in terms of granting exceptions was for gaming facilities.

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 and Sports Wagering Exclusion Program statistics for November 2024 and Kansas-Bred Program enrollments.

Executive Director Brownlee reported:

- Garrett Rogers was able to reserve the regular meeting space for all of 2025. We will be scheduling at least one of the commission meetings to occur at a lottery gaming facility, the specific meeting date and location will be up to the discretion of the Commissioners.
- The January 17th Kansas Racing and Gaming Commission meeting is scheduled for 10:00a.m. to occur at the Eisenhower State Office Building.

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

Commissioner Jones (Fleming) moved that the Commission go into executive session for the purpose of reviewing personnel issues presented today by the commission's executive director. In addition to the commissioners, the confidential background reports portion included the executive director, general counsel, director of security, licensing, and backgrounds. The total time for the executive session was anticipated to be fifteen (15) minutes until 10:50 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 3-0, and the meeting was adjourned to executive session at 10:35 a.m.

RECONVENE
(J.2.)

The commission meeting returned to open session at 10:50 a.m. with Chairman Moses, Commissioner Jones, and Commissioner Fleming present.

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

Commissioner Fleming (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 staff attorney James Bain. After discussion, the total time for the executive session was anticipated to be thirty (30) minutes until 11:21 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 3-0, and the meeting was adjourned to executive session at 10:51 a.m.

RECONVENE
(J.4.)

The commission meeting returned to open session at 11:21 a.m. with Chairman Moses, Commissioner Jones, and Commissioner Fleming present.

MOTIONS ON LICENSE
APPLICATIONS
(L.)

Commissioner Jones (Fleming) moved to *deny one* license applications and *approve the remaining 157* license applications from the December 13, 2024, list of background reports referred to the commission for action. The motion carried 3-0

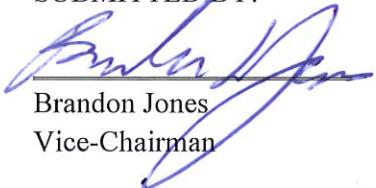
OTHER BUSINESS; (M.)

There were no other items for discussion or motion.

ADJOURNMENT
(N.)

Chairman Moses stated that the January 17, 2025, commission meeting will begin at 10:00 a.m. for an in-person meeting at the Eisenhower State Office Building in Topeka, Kansas.

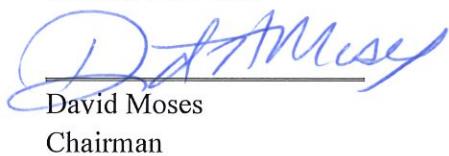
SUBMITTED BY:



Brandon Jones
Vice-Chairman

Commissioner Fleming (Jones) moved to adjourn the meeting. Motion passed 3-0. The meeting was adjourned at 11:22 a.m.

APPROVED BY:



David Moses
Chairman