SOUTH DAKOTA COMMISSION ON GAMING

445 E. Capital Avenue • Pierre, SD 57501
(605) 773-6051 • dor.sd.gov/gaming

NOTICE OF AMINISTRATIVE HEARING
PUBLIC HEARING ON PROPOSED RULE AMENDMENT
AND QUARTERLY BUSINESS MEETING

NOTICE IS HEREBY GIVEN that the South Dakota Commission on Gaming will hold an administrative hearing, a public hearing on a proposed rule amendment and the quarterly business meeting on March 19, 2024 beginning at 9:00 a.m. MDT in the City Commission Chambers at Deadwood City Hall, 102 Sherman Street, Deadwood, South Dakota

Join Zoom Meeting

https://state-sd.zoom.us/j/96301490323

Meeting ID: 963 0149 0323

Join by telephone Dial:

1-669-900-9128 (San Jose) or
Find your local number: https://state-sd.zoom.us/u/asn0AGh3q

Meeting ID: 963 0149 0323
When prompted state your name followed by the #

All participants will be muted when joining the meeting.
Dial in participants *6 mute/unmute, * 9 to raise your hand

AGENDA

Call to Order
Conflicts of Interest Disclosure
Approval of Meeting Agenda Pages 1 - 2

ADMINISTRATIVE HEARINGS

In the matter of seized slot machines:

1) Caleb Amos

- One Yamasa Mega Max themed slot machine Serial Number 802721 Pages 3 - 21

PROPOSED RULE AMENDMENT Pages 22- 24

1) Proposed amendment to ARSD 20:18:15:30.17. Addition Paytable TriLux Bonus Blackjack with Super 3

QUARTERLY BUSINESS MEETING

Approval of the minutes of Quarterly Meeting of December 12, 2023 Pages 25 - 31

Old Business

Comments Executive Secretary Susan Christian

Stipulation and Assurance of Voluntary Compliances

1) DWD Resort LLC DBA The Lodge at Deadwood Pages 32 - 47
   - SDCG Complaint # 23-11-083A
   - SDCG Complaint # 23-12-094A

2) Meghan Olson Pages 48 - 58
   - SDCG Complaint # 23-11-083B

3) Jeff B. Girard Pages 59 - 69
   - SDCG Complaint # 23-11-094

Sports Wagering Catalog Page 70

- Remove USFL

Deadwood Licensing Matters Pages 71 - 88

Approval of next quarterly commission meeting

- Tuesday, June 25, 2024

Public Comment

Executive Session pursuant to SDCL 1-25-2

Adjournment

Susan Christian
Susan Christian, CIA
Executive Secretary

For access, persons with special needs may call the Commission office (605) 578-3074.

SOUTH DAKOTA COMMISSION ON GAMING

445 E. Capital Avenue • Pierre, SD 57501
(605) 951-9173 • dor.sd.gov/gaming

NOTICE OF HEARING

TO: Caleb Amos
[redacted]

In the matter of one Yamasa slot machine with a theme name of Mega Max Serial Number 802721 and a manufacture date of September 15, 2023.

Notice is hereby given that a hearing will be held before the South Dakota Commission on Gaming on the 19th, March 2024 at 9:00 AM in the City Commission Chambers in the Deadwood City Hall, 102 Sherman Street, Deadwood, South Dakota.

The purpose of this hearing is to determine if the Mega Max which were seized from [redacted] is contraband and may be destroyed pursuant to SDCL 42- 7B-39.

This hearing is held the authority of SDCL 42-7B-39 and 42-7B-39.2.

The particular statutes involved are SDCL 42-7B-39, 42-7B-39.2, 22-25-13, 22-25-14 and 22-25-14.1.

The matter to be asserted is that the slot machine described above is contraband and should be destroyed.

As a result of this hearing the Commission on Gaming can order the destruction of the slot machine which was seized on.

This hearing is an adversary proceeding. Any person who claims an ownership interest in the machine described above has the right to be present, to be represented by a lawyer, to call witnesses to testify in their behalf and to question witnesses who testify against them. These and other due process rights will be forfeited if they are not exercised at the hearing.

SDCL 42-7B-39.2 provides that the slot machine which was seized may be destroyed after notice and without hearing if you fail to appear at the time and place scheduled in this hearing notice.

The decision of the Commission on Gaming may be appealed to the Circuit Court and the State Supreme Court as provided by law.

Dated at Spearfish, South Dakota, the 22nd day of January 2024.

Susan Christian

Executive Secretary

CERTIFICATE OF SERVICE

I, Susan Christian, do hereby certify that I served a copy of the foregoing Notice of Hearing upon:

Caleb Amos

[redacted]

By certified mail, return receipt requested with postage prepaid thereon on the 22nd day of January 2024.

Susan Christian

7022 1670 0002 1060 8578

U.S. Postal Service™
CERTIFIED MAIL® RECEIPT
Domestic Mail Only

For delivery information, visit our website at www.usps.com®.

[redacted]

Certified Mail Fee $4.40
$ $7.65

Extra Services & Fees (check box, add fee as appropriate)
- ☐ Return Receipt (hardcopy) $ $0.00
- ☐ Return Receipt (electronic) $ $0.00
- ☐ Certified Mail Restricted Delivery $ $0.00
- ☐ Adult Signature Required $ $0.00
- ☐ Adult Signature Restricted Delivery $

Postage $0.68
$

Total Postage and Fees $8.73
$

Sent To Caleb Amos

Str[redacted]

Cit[redacted]

PS [redacted] See Reverse for Instructions

DEADWOOD, SD
0732
20
JAN 27 2024
Postmark Here
01/22/2024
USPS 57732-9998

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Caleb Amos

[redacted]

9590 9402 7694 2122 1319 21

2. Article Number (Transfer from service label)

7022 1670 0002 1060 8578

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X Dawn E Amos

☐ Agent
☐ Addressee

B. Received by (Printed Name) Dawn E Amos

C. Date of Delivery 1/25/24

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type
- ☐ Adult Signature
- ☐ Adult Signature Restricted Delivery
- ☒ Certified Mail®
- ☐ Certified Mail Restricted Delivery
- ☐ Collect on Delivery
- ☐ Collect on Delivery Restricted Delivery
- ☐ Mail
- ☐ Mail Restricted Delivery (over $500)
- ☐ Priority Mail Express®
- ☐ Registered Mail™
- ☐ Registered Mail Restricted Delivery
- ☐ Signature Confirmation™
- ☐ Signature Confirmation Restricted Delivery

PS Form 3811, July 2020 PSN 7530-02-000-9053 Domestic Return Receipt

SOUTH DAKOTA COMMISSION ON GAMING
120 Industrial Dr, Suite 1 • Spearfish, SD 57783
(605) 578-3074 • dor.sd.gov/gaming

INCIDENT REPORT

INCIDENT: Seized slot machine

INCIDENT NUMBER: 23-12-092

DATE OF INCIDENT: 12/13/23

PLACE OF INCIDENT: [redacted]

REPORTING AGENT: Special Agent Nick Allender

DATE OF REPORT: 12/22/23

SUSPECT: **NAME:** Caleb Amos
D.O.B: 7-21-81
Address: [redacted]
Phone: [redacted]

VIOLATION(S):

22-25-13. Keeping slot machines--Free play machines excepted--Misdemeanor--Manufacture not prohibited.

No person may have in his possession, custody, or under his control or permit to be kept in any place under his possession or control, any slot machine or device. A slot machine or device is any machine upon the action of which anything of value is staked and which is operated by placing therein or thereon any coins, checks, slugs, balls, chips, tokens, or other articles, or in any other manner as a result of such operation anything of value is won or lost by the operation of such machine, when the result of such operation is dependent upon chance. This section does not extend to coin-operated nonpayout pin tables and arcade amusements, with free play features. A violation of this section is a Class 1 misdemeanor.

This section does not prohibit the manufacture, or any act appurtenant to the manufacture, of slot machines or devices in this state for distribution and sale.

NARRATIVE:

On December 10th, 2023, I noticed a slot machine posted for sale on Facebook Market Place. The tittle read, "Skill Stop Slot Machine" and was listed for $500.00. It was posted by Facebook Vanity Name "Caleb Amos". The URL of the Facebook profile was [redacted]. The general address listed on the item was Hermosa, SD.

I contacted Caleb using a fake Facebook account. Caleb responded by telling me about the machine and sent me multiple pictures and a video of the machine being played. I ended up making arrangements to come see the machine on December 13th, 2023 at 1800 hours. Caleb sent me the address of [redacted].

I contacted Rapid City Police Department and asked if they had a Caleb Amos in their system. They had a Caleb Amos listed at the [redacted] with a date of birth of [redacted]. I had his name run through NCIC and he was negative of any wants or warrants.

On December 13th, 2023, Agent Snyder and I responded to the address in plain clothes driving an unmarked car. I knocked on the front door and Caleb Amos answered the door and welcomed us inside. He showed us the slot machine which was a Yamasa Mega Max slot machine. We believed at the time that the serial number was a listed number on the machine of 6613054. Using Google Translation App we found out the serial number was actually 802721. The manufacture date was posted on a sticker on the top of the machine with a date of 09/15/2003.

Once we recognized the machine was not an antique and manufactured earlier than 25 years we identified ourselves as Agents of the SD Commission on Gaming.

I explained to Caleb we would not be pursing criminal charges for this incident, but would be submitting it to the commission for identification as contraband and then have it destroyed.

Caleb turned over his South Dakota Driver's License and I positively identified him. Caleb made the comment that he had received another message on Facebook about the machine. It was a subject saying that to be careful of the South Dakota

Commission on Gaming and that they will contact you with Facebook profiles with nothing on them.

I seized the slot machine and tokens that were in the machine.

On December 14, 2023 I took pictures of the slot machine. I also plugged in the machine and verified that it did run and would work by placing tokens in the coin slot. I also located a quarter in the lot of tokens. I placed the quarter, tokens and slot machine into evidence.

The Commission mailed Caleb a certified letter containing a Notice of Hearing for March 19th, 2023, in Deadwood, SD at 9:00 AM at the scheduled South Dakota Commission on Gaming public meeting.

End of report.

Attachments:

- [redacted]
- [redacted]
- [redacted]
- [redacted]
- [redacted]

STATE OF SOUTH DAKOTA

OMMISSION ON GAMI

Pierre, SD
605-773-6050

Deadwood, SD
605-578-3074

PROPERTY RECEIPT

Business Caleb Amos

Address [redacted]

Received from Caleb Amos
(Person or Business Representative)

(Description of property, gaming device, etc. Include serial or ID No.):

Yamasa Mega Max ~~02~~
6613054 SEP 15 03

/s/ [signature]
Person or Business Representative

Date 12/13/23 Time 1800

Allender
Agent, Commission on Gaming

No A 1062

ORIGINAL—Licensee
YELLOW—Agent Copy
PINK—Book Copy

ENF—01

5

500 printed at a cost of .23 each

YAMASA
MAX
REPLAY
MEGA
RUSH
PAY OUT
CREDIT
CAUTION
MEGA
MAX
WARNING

2

COUNTRY OF ORIGIN:
JAPAN
V3

MAX
2

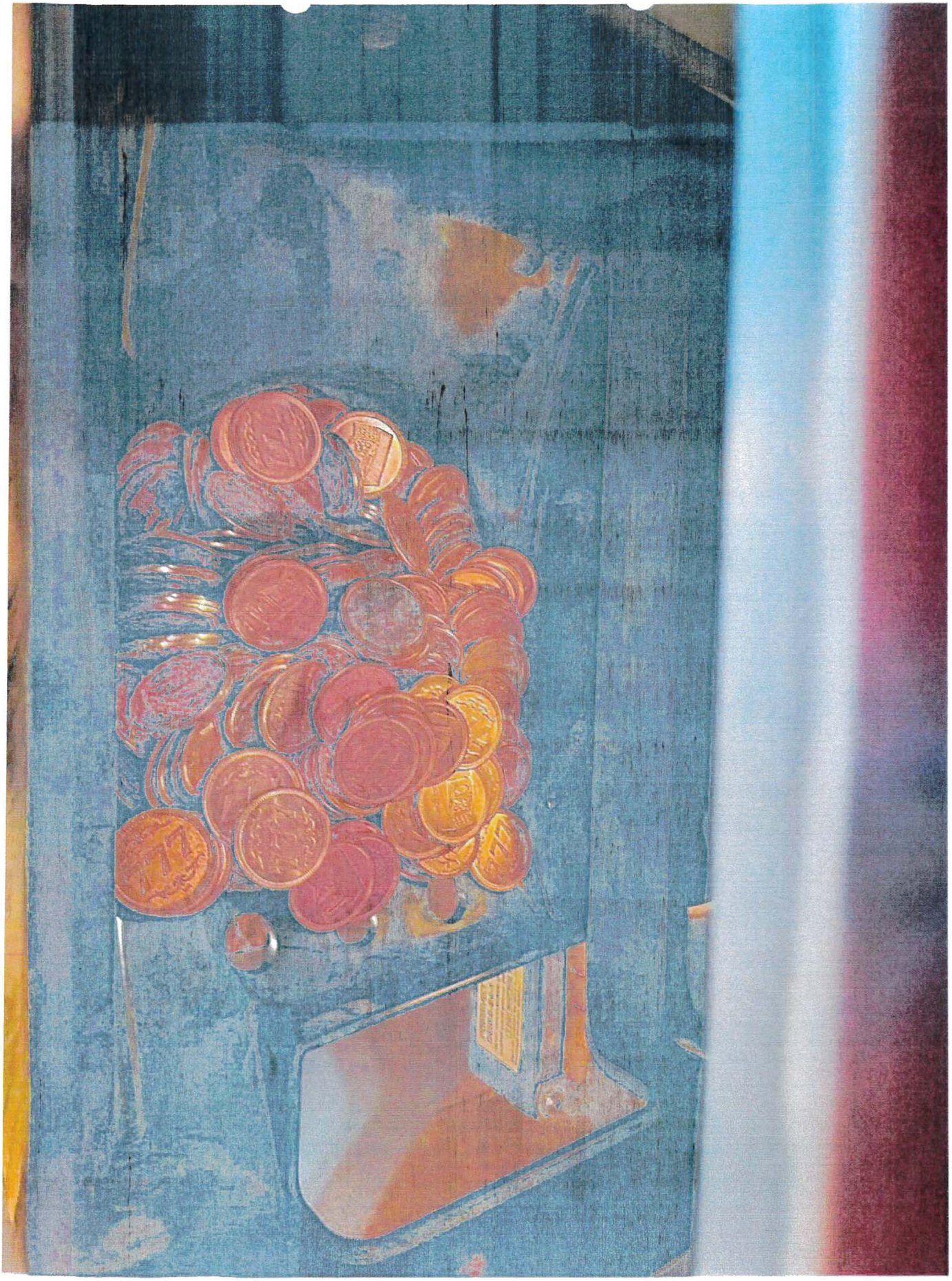
N10030902295 No.7
楽園大宮店
2003/09/15
Y-4-171 000720
9YⅡ 97344

COUNTRY OF ORIGIN-
JAPAN
型式名 ガマックスR
製造番号 802721
製造年月 2003.8
製造業者名 山佐株式会社

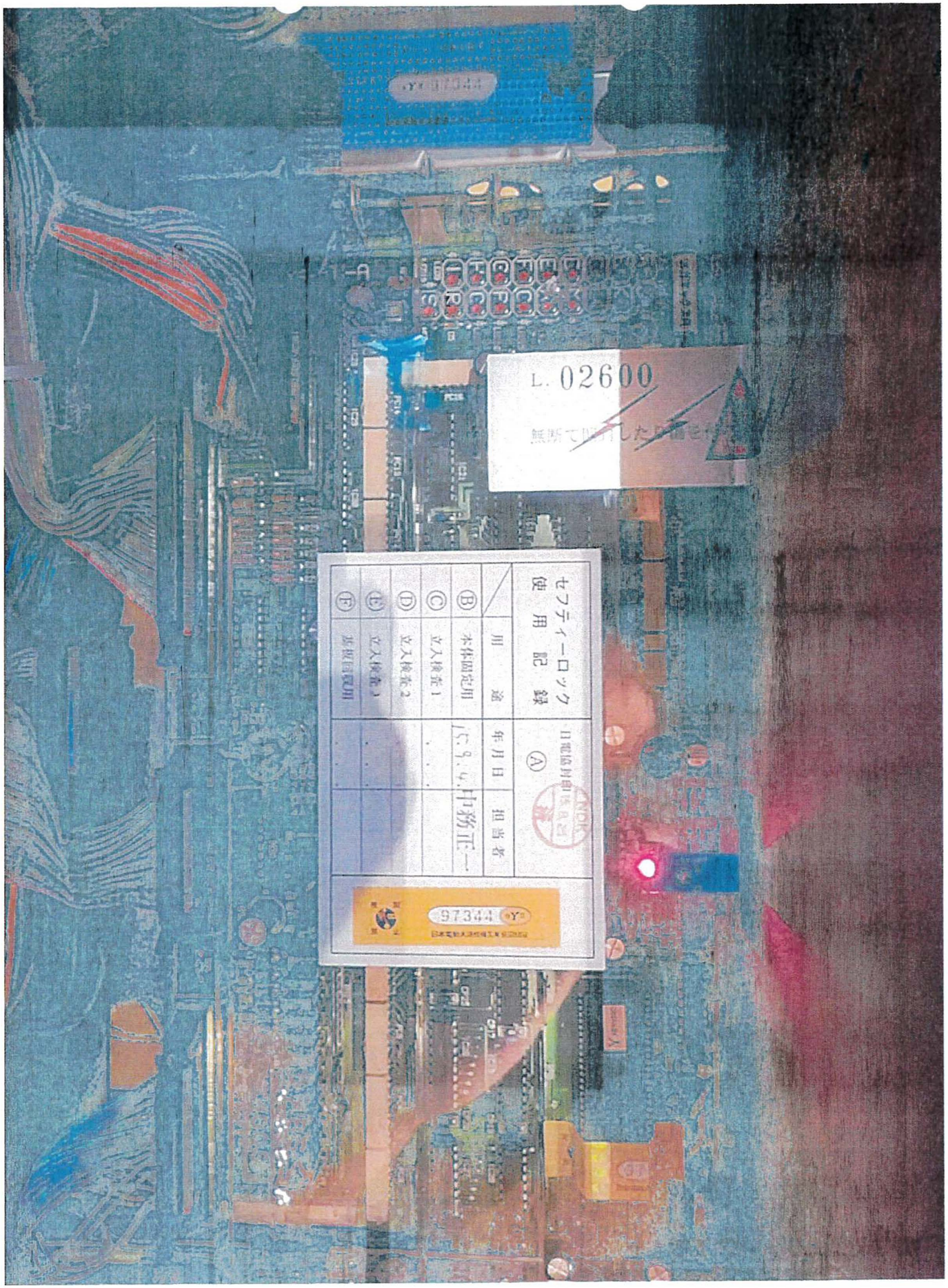
メガマックスR
YAMASA CO.,LTD.
日電協証紙
箱型
Y-4-171
000720
日本電動式遊技機工業協同組合

許諾証
NDT
登録第
№6613054
号
日本電動式遊技機特許
山佐
製造年月・平成 15年 9月・有効期限3年

E 25817
97344
L. 02600
セフティーロック
使用記録
用途
年月日
担当者
Ⓑ 本体固定用
Ⓒ 立入検査1
Ⓓ 立入検査2
Ⓔ 立入検査3
Ⓕ 基板回収用
97344



3


L. 02600
セフティーロック
使用記録
用途
年月日
担当者
Ⓐ
Ⓑ 本体固定用
Ⓒ 立入検査1
Ⓓ 立入検査2
Ⓔ 立入検査3
Ⓕ 基板回収用
97344

メガマックスR
YAMASA CO.,LTD.
日電協証紙
箱型
Y-4-171
000720
日本遊動式遊技機工業協同組合

NDT
登録番号
№6613054
日本電動式遊技機特許
製造年月・平成 15 9 月・有効期限 3 年

The effect of the rules will be to add an additional pay level to the TriLux Bonus Blackjack with Super 3 table game.

The reason for adopting the proposed rules is to authorize a new paytable.

20:18:15:30.17. Variations of the play -- TriLux Bonus Blackjack with Super 3

TriLux Bonus Blackjack with Super 3 is an optional wager for use with the standard game of blackjack. The TriLux Bonus Blackjack wager considers the first two cards and the dealer's up-card. If the TriLux Bonus Blackjack wager is made, there is an optional secondary wager known as Super 3 that gives the patron the chance to win a higher payout. The Super 3 wager also considers the first two player cards along with the dealer's up-card. Both the TriLux Bonus Blackjack wager and the Super 3 wager pay if the player's two cards and the dealer's up-card make a qualifying hand based on the game's paytable. All payouts are against a paytable. Additional requirements are:

(1) TriLux Bonus Blackjack with Super 3 may be played with one, two, four. five, six, or eight standard decks;

(2) TriLux Bonus Blackjack and Super 3 are both optional bonus bets for blackjack with one exception:

(a) The player must make the TriLux Bonus wager to be eligible to make the TriLux Super 3 wager. This subsection only applies if the casino offers the TriLux Super 3 bonus wager;

(3) To begin each round, players must make the standard blackjack wager. A player may optionally make the TriLux Bonus wager and (if offered) the TriLux Super 3 bonus wager;

(4) The dealer then follows the house procedures for dealing blackjack;

(5) After each player and the dealer has received two cards, the dealer shall settle the TriLux Bonus and (if offered) TriLux Super 3 wagers in one of two ways:

(a) When the cards are dealt face up, the TriLux Bonus and (if offered) TriLux Super 3 wagers must be settled immediately after each player and the dealer receives the first two cards. Winning TriLux Bonus and (if offered) TriLux Super 3 bets must be paid and losing bets must be picked up in order of placement from the dealer's right to left. Then, standard blackjack play shall resume; or

(b) When the cards are dealt face down, the TriLux Bonus and (if offered) TriLux Super 3 wagers must be settled on a hand-to-hand basis, as the dealer goes from left to right asking for hit/stand determinations;

(6) TriLux Blackjack also offers the Lucky George (dealer envy) TriLux Bonus paytable. The Lucky George payout is paid directly to the dealer or dealer toke pool if applicable paytables are being offered. When the player hits a corresponding hand, the dealer shall receive a payout based on the applicable paytables;

(7) A TriLux Bonus Blackjack wager must be paid in accordance with one of the following paytables:

TriLux Bonus Paytables				
Paytable	TRI-01	TRI-02	TRI-03	TRI-04
Number of Decks	4D-8D-BJ	DD BJ	DD-8D-BJ	DD-8D-BJ
Hand	Pays	Pays	Pays	Pays
Mini Royal (A,K,Q, Suited)	NA	NA	100 to 1	N/A
Three of a Kind	9 to 1	2.5 to 1	33 to 1	20 to 1
Straight Flush	9 to 1	2.5 to 1	35 to 1	30 to 1
Straight	9 to 1	2.5 to 1	10 to 1	10 to 1
Flush	9 to 1	2.5 to 1	5 to 1	5 to 1
Pair	NA	2.5 to 1	NA	N/A

(8) A TriLux Bonus Blackjack with dealer envy must be paid in accordance with one of the following paytables:

TriLux Blackjack with Lucky George Paytables								
Paytable	TRILG-01		TRILG-02		TRILG-03		TRILG-04	
Number of Decks	1D-8D		1D-8D		1D-8D		1D, 2D, 6D, 8D	
Hand	Pays	LkyGrg*	Pays	LkyGrg*	Pays	LkyGrg*	Pays	LkyGrg*
Straight Flush	8 to 1	$1	25 to 1	$10	25 to 1	$10	25 to 1	$10
Three of a Kind	8 to 1	$1	15 to 1	$5	15 to 1	$5	15 to 1	$5
Straight	8 to 1	$1	8 to 1	$2	10 to 1	$2	10 to 1	$2
Flush	8 to 1	$1	5 to 1	$1	5 to 1	NA	5 to 1	$1

*Payouts are fixed dollar pays; and

(9) A Super 3 Blackjack wager must be paid in accordance with one of the following paytables:

TriLux Super 3 Paytables	
Paytable	SUP-01*
Number of Decks	4D - 8D BJ
Hand	Pays*
Three of a Kind (Suited)	270 to 1
Straight Flush	180 to 1
Three of a Kind	90 to 1

*TriLux bet must be made to bet Super 3 bet.

Source: 44 SDR 65, effective October 16, 2017.
General Authority: SDCL 42-7B-7.
Law Implemented: SDCL 42-7B-4(3), 42-7B-7, 42-7B-15.

SOUTH DAKOTA COMMISSION ON GAMING

120 Industrial Drive, Suite 1 • Spearfish, SD 57783
(605) 578-3074 • dor.sd.gov/gaming

UNAPPROVED MINUTES

South Dakota Commission on Gaming
Administrative Hearing, Proposed Rules Hearing, and Quarterly Business Meeting
City Hall, Deadwood, South Dakota

MINUTES
December 12, 2023

At 9:00 a.m. the meeting was called to order. Chairman Karen Wagner, Vice Chairman Harry Christianson, Commissioner Bob Goetz, Commissioner Spencer Hawley, and Commissioner Mark Millage were present. Staff members present for the meeting were Doug Abraham, Commission Attorney; Susan Christian, Executive Secretary; Mark Heltzel, Deputy Executive Secretary; and Phil Schlief, IT Specialist.

Chairman Wagner welcomed the new Commissioner Mark Millage.

The meeting was called to order by Chairman Wagner at 9:00 a.m. a roll call was taken, and a quorum was present.

Vice Chairman Christianson	Aye
Commissioner Goetz	Aye
Commissioner Millage	Aye
Commissioner Hawley	Aye
Chairman Wagner	Aye

Conflicts of Interest Disclosure

On a roll call no conflicts of interest were disclosed.

Vice Chairman Christianson	Nay
Commissioner Goetz	Nay
Commissioner Millage	Nay
Commissioner Hawley	Nay
Chairman Wagner	Nay

Approval of Meeting Agenda

Chairman Wagner stated that there was one change to the agenda. The live racing section on the agenda states 2023 racing dates and should be 2024 racing dates. Commissioner Hawley made a motion to approve the agenda with the change. Commissioner Goetz seconded the motion which carried unanimously.

Administrative Hearings

The hearings officer was Chairman Wagner. The following cases were scheduled to be heard:

In the Matter of Seized Slot Machines

1) David Grote
   - One GT Haywire themed slot machine with Serial #956393
2) Steven Lanz
   - One IGT White Ice themed slot machine with no serial number plate
   - One IGT Double Diamond themed slot machine with no serial number plate

The Matter of one GT Haywire themed slot machine

The purpose of the hearing is to determine if the GT Haywire slot machine which was collected by the Edmunds County Sheriff and later received by the South Dakota Commission on Gaming, is contraband and may be destroyed pursuant to SDCL 42-7B-39. David Grote was served notice of the hearing by certified mail but was not present for the hearing. Staff recommended that pursuant to 42-7B-39.2 which provides that any slot machine seized pursuant to the provisions of 42-7B-39 may be destroyed after notice and without hearing of the person from whom the slot machine was seized fails to appear at the time and place scheduled in the hearing notice.

The Matter of one IGT White Ice and one IGT Double Diamond themed slot machines

The purpose of the hearing is to determine if the IGT White Ice and Double Diamond themed slot machines which were seized from 3715 Hillsview Rd in Spearfish, SD on September 28, 2023, are contraband and may be destroyed pursuant to SDCL 42-7B-39. Steven Lanz was served notice of the hearing by certified mail and was present for the hearing. Mr. Lanz testified on his behalf. Staff recommended that pursuant to 42-7B-39 is contraband and may be destroyed.

The hearing portion of the meeting was concluded at 9:25 a.m.

Decision on Administrative Hearings

Decision of one GT Haywire themed slot machine

Commissioner Hawley made a motion to destroy the slot machine. Commissioner Goetz seconded the motion which carried unanimously.

Decision of one IGT White Ice and one IGT Double Diamond themed slot machines

Vice Chairman Christianson made a motion to destroy the slot machines. Commissioner Millage seconded the motion which carried unanimously.

Vice Chairman Christianson made a motion to return the $100.00 bill that was in one of the slot machines to Mr. Lanz. Commissioner Hawley seconded the motion which carried unanimously.

Proposed Amendments to Rules

Susan Christian, Executive Secretary, and Doug Abraham, Commission counsel presented the proposed changes for each rule, the opportunity for public comment was offered and no member of the public testified in regard to the proposed changes.

1) **20:18:06:01. Applications**

Vice Chairman Christianson made a motion to reject the changes in lines one through three and accept the remaining modifications on page 17 of the meeting packet. Commissioner Hawley seconded the motion which carried unanimously.

2) **20:18:06:03. Use of application fee—Additional fees required**
3) **20:18:06:04. Gaming contracts—Regulations**
4) **20:18:06:09. Regulation of ownership interests**

Commissioner Goetz made a motion to adopt the rule changes as presented on pages 18-20 of the meeting packet. Commissioner Hawley seconded the motion which carried unanimously.

5) **20:18:07:01. Approval**

Commissioner Hawley made a motion to adopt the rule changes per the law implemented and cross reference sections and reject the remaining modifications on page 21 of the meeting packet. Vice Chairman Christianson seconded the motion which carried unanimously.

6) **20:18:07:01.01. Approval with conditions or for a limited time**
7) **20:18:07:02. Qualifying licensee, manager, or agent**
8) **20:18:07:03. Termination of qualifying licensee, manager, or agent**
9) **20:18:09:02. Proscribed conduct**
10) **20:18:09:03. Revocation or suspension of other license**
11) **20:18:09:04. Facts of criminal charge**
12) **20:18:10:02. Dismissal of complaint**
13) **20:18:10:03. Informal consultation**
14) **20:18:10:06. Contents of commission complaint**
15) **20:18:10:07. Date of hearing**
16) **20:18:10:10. Per diem and mileage**
17) **20:18:10:11. Final action by commission**
18) **20:18:11:01. Petition for hearing**
19) **20:18:11:02. Petition for review**
20) **20:18:12:02. Grounds for summary suspension**
21) **20:18:12:03. Notice**
22) **20:18:12:04. Complaint required**
23) **20:18:15:30.06. Variations of the play --STREAK blackjack**

Commissioner Hawley made a motion to adopt the rule changes as presented on pages 22-42 of the meeting packet. Commissioner Millage seconded the motion which carried unanimously.

24) 20:18:16:15.14. **The play -- Mississippi Stud with optional three card bonus**

Commissioner Hawley made a motion to adopt the rule changes as recommended by Commission counsel. Commissioner Goetz seconded the motion which carried unanimously.

25) 20:18:16:15.18. **The play -- Fortune Pai Gow poker**

Vice Chairman Christianson made a motion to adopt the rule changes as recommended by Commission counsel. Commissioner Goetz seconded the motion which carried unanimously.

26) 20:18:17:24.04. **Progressive jackpot**
27) 20:18:17:24.05. **Multiple linkage of progressive slot machine**
28) 20:18:17:24.06. **Alternating displays**

Commissioner Goetz made a motion to adopt the rule changes as presented on pages 55-57 of the meeting packet. Commissioner Hawley seconded the motion which carried unanimously.

29) 20:18:17:24.08. **Separate software meter for a progressive slot machine**

Vice Chairman Christianson made a motion to reject the changes in the first paragraph and accept the change in the law implemented section on page 58 of the meeting packet. Commissioner Goetz seconded the motion which carried unanimously.

30) 20:18:17:24.09. **Separate key and key switch for resetting progressive meter**

Commissioner Hawley made a motion to reject the rule changes as presented on page 59 of the meeting packet. Commissioner Millage seconded the motion which carried unanimously.

31) 20:18:17:24.10. **Limits on jackpot of progressive slot machines**
32) 20:18:17:24.13. **Discontinuance of progressive slot machine--Transfer of progressive prizes**
33) 20:18:17:24.16. **Cash requirement**
34) 20:18:17:24.18. **Defaults**
35) 20:18:26:01. **Licensing of financial institutions**
36) 20:18:26:02. **Requirements for foreign financial institutions**

Vice Chairman Christianson made a motion to adopt the rule changes as presented on pages 60-65 of the meeting packet. Commissioner Goetz seconded the motion which carried unanimously.

37) 20:18:26:03. **Commission may limit license**

Commissioner Hawley made a motion to adopt the rule changes as presented on page 66 of the meeting packet. Vice Chairman Christianson seconded the motion which carried unanimously.

38) 20:18:31:03. **Organization to be considered person**

Vice Chairman Christianson made a motion to adopt the rule changes as recommended by Commission counsel. Commissioner Goetz seconded the motion which carried unanimously.

The rules hearing portion of the meeting was concluded at 9:54 a.m.

General Meeting

Chairman Wagner called the general meeting to order at 9:55 a.m.

September 12, 2023, Quarterly Meeting

Commissioner Goetz made a motion to adopt the minutes as drafted for the September 12, 2023, quarterly meeting. Commissioner Hawley seconded the motion which carried unanimously.

Old Business

There was no old business to be discussed at the meeting.

Comments Executive Secretary

Susan Christian, Executive Secretary, gave a brief report on the following items:

- Mark Heltzel introduced Nick Allender, the new enforcement agent.
- Thanked Mike Rodman for assisting in arranging a spot at the Visitor Center to take pictures.
- On December 13th, 14th, and 18th from 9:00 am to 2:30 p.m. licensees can go to the visitor center to get their license for 2024. On those dates the renewal process will be at the Spearfish office from 3:30 to 5:00 p.m. A notice was sent out to the casinos.
- The live horse racing meet was held at Ft. Pierre racetrack on October 7th and October 8th and a brief report on the following:
  - There were no injuries to the jockeys or the horses.
  - There were minimal vet scratches.
  - 13 total races were held.
  - 139 licenses were issued.
  - The track received $163,400.00 in allocations to fund the track operations and purses.
  - A sampling of two horses per race was completed and one exceeded the bute allowable limit. The stewards held a hearing, the individual was fined $500.00, and the purse for that race was redistributed.
  - The stewards accessed a fine at the track for a couple of horses that were entered but were not qualified to race.
- The annual report for FY23 was released and is out on the website and there are also extra copies of the report at the office.
- Will be attending the National Council of Legislatures from Gaming States conference on January 2, 2024, through January 7, 2024; topics discussed will be AI, responsible gaming, and sports wagering underage issues.
- Will be on vacation December 22nd through December 29th.

Racing Licensing Matters

Triple Crown Simulcast Site Renewal

Vice Chairman Christianson made a motion to approve the simulcast site renewal. Commissioner Goetz seconded the motion which carried unanimously.

AmWest Simulcast Provider Renewal

Commissioner Goetz made a motion to approve the simulcast provider renewal. Vice Chairman Christianson seconded the motion which carried unanimously.

Live Racing Matters

Verendrye Benevolent Association
Racing Dates

Commissioner Hawley made a motion to approve the 2024 live horse racing dates as presented by the Verendrye Benevolent Association. Commissioner Goetz seconded the motion which carried unanimously.

Release of Deposit In Lieu of Bond

Commissioner Goetz made a motion to approve Resolution 12-12-23-01. Commissioner Millage seconded the motion which carried unanimously.

Deadwood Licensing Matters

Key License Approvals

Deputy Executive Secretary Heltzel recommended approval of the following:

- Krystal Keller
- Jordan Kruse
- Joseph Simon
- Lawrence Peterson
- Lisa Girard
- Matthew Wilson
- Rahul Welde
- Linyi Feng
- David Quick
- Sally Denby
- Trudie Feldman
- James Allen
- Barry Diller
- Billy Lance, Jr.
- Troy Winslow
- Jon Lucas

Additional Key License Approval

- Mikel Reed

Commissioner Goetz made a motion to approve the Key license approvals as staff recommended. Commissioner Hawley seconded the motion which carried unanimously.

Business License Approval

Deputy Executive Secretary Heltzel recommended approval of the following:

- Approval of Empire Technological Group for a Manufacturer license #11755-MA

Commissioner Goetz made a motion to approve the Business license approval as staff recommended. Commissioner Hawley seconded the motion which carried unanimously.

2024 Key License Renewals

Deputy Executive Secretary Heltzel recommended approval of the Key license renewals as listed on pages 82-85 of the meeting packet.

Commissioner Hawley made a motion to approve the Key license renewals as staff recommended. Commissioner Goetz seconded the motion which carried unanimously.

Approval of Dates of 2024 Quarterly Meetings

- March 19, 2024
- June 25, 2024
- September 10, 2024
- December 10, 2024

Vice Chairman Christianson made a motion to approve the dates scheduled for the 2024 quarterly meetings and changing March 12, 2024, to March 19, 2024. Commissioner Hawley seconded the motion which carried unanimously.

Public Comment

Shane Kramme, on behalf of the Verendrye Benevolent Association, thanked the Executive Secretary, Susan Christian for working cooperatively with the association on hosting a successful race meet.

Executive Session

Executive Session pursuant to SDCL 1-25-2.

With no administrative decisions the Commissioners did not go into Executive Session.

Adjournment

Commissioner Goetz made a motion to adjourn the meeting. Commissioner Millage seconded the motion which carried unanimously.

The meeting was adjourned at 10:15 a.m.

Respectfully Submitted,

Kathy Beringer

Karen Wagner, Madam Chairman

Susan Christian, Executive Secretary

SOUTH DAKOTA COMMISSION ON GAMING

445 E. Capital Avenue • Pierre, SD 57501
(605) 951-9173 • dor.sd.gov/gaming

MEMORANDUM

TO: Commissioners and Doug Abraham
FROM: Susan Christian, Executive Secretary
SUBJECT: Stipulation and Assurance of Voluntary Compliance
DWD Resorts dba The Lodge at Deadwood SDCG Lic. #0217-OP
Compliant #'s 23-11-083A and 23-12-094A

DATE: March 19, 2024

On February 7,2024 an informal consultation per ARSD 20:18:10:03 was held to resolve the violations alleged in the Initial Complaints that were filed by SDCG Agent Nick Allender on or about December 20, 2023 and on or about January 22, 2024. Licensee and the Executive Secretary agreed to resolve the violations with one Stipulation and Assurance of Voluntary Compliance.

Licensee responded on December 29, 2023 and on January 27, 2024 and did not contest the conduct alleged in the complaints.

Staff determined that the violations were not caused by Operator error but were from an inexperienced dealer and an employee not following the established policies of The Lodge.

Based on prior SDCG agreed upon Stipulation and Assurance of Voluntary Compliances regarding conducting table games with a deck of more or less than the 52 cards as required per ARSD 20:18:15:02 Licensee was fined one hundred dollars. The fine was suspended providing the licensee has no gaming violations for the next year.

Staff is recommending that the Commission accept the Stipulation and Assurance of Voluntary Compliance.

SOUTH DAKOTA COMMISSION ON GAMING

120 Industrial Drive, Suite 1 • Spearfish, SD 57783
(605) 578-3074 • dor.sd.gov/gaming

SOUTH DAKOTA COMMISSION ON GAMING,

PLAINTIFF

VS.

DWD Resort LLC
DBA The Lodge at Deadwood
SDCG Lic. # 0217-OP

DEFENDANT

STIPULATION AND ASSURANCE

OF VOLUNTARY COMPLIANCE

SDCG Complaint #23-11-083A
SDCG Complaint #23-12-094A

RECITALS

SDCG Complaint #23-11-083A was filed against the Defendant on or about December 20, 2023 and SDCG Complaint #23-12-094A was filed on or about January 22, 2024. Both complaints were filed by Nick Allender , an agent for the South Dakota Commission on Gaming.

Complaints were for the violation of conducting black jack without the required 52 cards in a deck. The parties wish to resolve the complaints with a single a Stipulation of Assurance and Voluntary Compliance.

An Informal Consultation was held between the Executive Secretary and the Defendant on February 7, 2024.

I

SDCG Complaint #23-11-083A filed on or about December 20, 2023 and alleged that the Defendant engaged in conduct constituting grounds for disciplinary action on November 18, 2023 for conducting a blackjack game with less than 52 cards in a deck.

SDCG Complaint #23-12-094A was filed on or about January 22, 2024 and alleged that the Defendant engaged in conduct constituting grounds for disciplinary action on December 19, 2023, for conducting a black jack game with 53 cards in a deck.

The conduct for these complaints are in direct violation of ARSD 20:18:15:02 in that the Defendant conducted black jack games without the required number of cards in a deck.

II

The Defendant answered the complaint on January 2, 2024. The licensee's answer admitted to the conduct alleged in the complaints filed.

III

The South Dakota Commission on Gaming recognizes that the Defendant took corrective action at the time they were made aware of the violations.

Defendant has adequate policies in place that would have prevented the violations if the employees had complied with them. Defendant reviewed the current policy in place and determined that no updates or changes were needed. South Dakota Commission on Gaming is in agreement with the determination of the Defendant.

Defendant has counseled and retrained employees involved in the violations and issued written disciplinary action.

Defendant refunded all buy ins to the players that were participating during the time that the incorrect number of cards were used to conduct the games.

IV

The Executive Secretary imposes a monetary penalty of $250.00. The Executive Secretary suspends the monetary penalty providing licensee has no gaming violations for the next twelve(12) months.

V

The Defendant recognizes that this Stipulation of Assurance and Voluntary Compliance will be made a public record.

The Defendant recognizes that this Stipulation of Assurance and Voluntary Compliance is subject to the approval of the South Dakota Commission on Gaming and that execution of this document does not prohibit the Commission from re-opening this matter for further investigation which could lead to an administrative hearing before the Commission and further disciplinary action against the Defendant.

DATED at Spearfish, South Dakota, the 7th day of February 2024 .

SUSAN CHRISTIAN, CIA
Executive Secretary
South Dakota Commission on Gaming

The Lodge at Deadwood, DWD Resorts LLC

By _____

Its Casino General Manager

SOUTH DAKOTA COMMISSION ON GAMING

445 E. Capitol Avenue • Pierre, SD 57501
(605) 951-9173 • dor.sd.gov/gaming

Hand delivered and sent via e-mail to cborsch@deadwoodlodge.com

January 26, 2024

Casey Borsch, Casino Manager
The Lodge At Deadwood
100 Pine Crest Lane
Deadwood, SD 57732

RE: South Dakota Commission on Gaming vs The Lodge at Deadwood, Dwd Resorts, LLC
SDCG Lic #0217-OP
SDCG Complaint # 23-11-083A

Mr. Borsch,

Your response to the initial complaint delivered to you on or about December 20, 2023, has been received. Per ARSD 20:18:10:03 it has been determined that the complaint has merit for disciplinary action. A copy of ARSD 20:18:10:03 is enclosed.

An informal consultation to resolve this matter is scheduled for 1:30 pm MST on, February 7, 2024 at the South Dakota Commission on Gaming office located at 102 Industrial Drive, Suite 1, Spearfish, South Dakota.

Sincerely,

Susan Christian
Executive Secretary

1 Enclosure
CC:
Doug Abraham by e-mail
Mark Heltzel by e-mail
Nick Allender by e-mail

20:18:10:03. Informal consultation. If the executive secretary considers the complaint to have merit for disciplinary action, the executive secretary may consult with the licensee and the parties affected in an effort to resolve the matter satisfactorily without a formal hearing. The executive secretary must notify in writing the complainant, the licensee complained against, and affected parties of the results of the informal consultation. The informal consultation does not prevent the commission from conducting a formal hearing.

Source: 16 SDR 57, effective October 1, 1989.

General Authority: SDCL 42-7B-7.

Law Implemented: SDCL 42-7B-1, 42-7B-2, 42-7B-3, 42-7B-7, 42-7B-11, 42-7B-18, 42-7B-19, 42-7B-20, 42-7B-21, 42-7B-22, 42-7B-24, 42-7B-25, 42-7B-26.

SOUTH DAKOTA COMMISSION ON GAMING

445 E. Capitol Avenue • Pierre, SD 57501
(605) 773-6051 • dor.sd.gov/gaming

January 22, 2024

DWD Resorts, LLC
C/O Joshua Schmaltz, Registered Agent
13389 US Highway 16A
Custer, SD 57107

RE: South Dakota Commission on Gaming vs The Lodge at Deadwood, DWD Resorts LLC
SDCG Lic. #0217-OP. Complaint
Number # 23-12-094A

Dear Mr. Schmaltz,

Enclosed you will find an Initial Complaint that has been filed with the South Dakota Commission on Gaming by Enforcement Agent Nick Allender regarding an alleged incident that occurred on December 19, 2023, where The Lodge at Deadwood operated a Blackjack table with more than 52 cards in a deck. This is in direct violation of ARSD 20:18:15:02 which states that a standard blackjack deck must contain 52 cards in four suits.

Pursuant to ARSD 20:18:10:01, you have 20 days to file a written answer with this office after the service of the complaint. For purposes of computing the 20 days you should use the date of this correspondence. Your answer may admit, deny, qualify or explain the allegations contained in the complaint. The answer must be in writing and mailed to the Executive Secretary of the South Dakota Commission on Gaming at:

The South Dakota Commission on Gaming
Executive Secretary Susan Christian
445 E. Capitol Avenue
Pierre, SD 57501

Copies of the regulations and statutes cited in the complaint are available at the Deadwood Public Library and are also available on the South Dakota Commission on Gaming website https://dor.sd.gov/businesses/gaming/ and at the Spearfish office located at 120 Industrial Drive Suite 1.

After the receipt of the answer, our office will determine whether the complaint has merit and whether it charges conduct constituting grounds for disciplinary action.

If you have additional questions feel free to contact me at by e-mail at susan.christian@state.sd.us or by telephone at (605) 578-3074 or (605) 951-9173.

Best regards.

Susan Christian
Executive Secretary
South Dakota Commission on Gaming

1 Enclosure
CC:
Doug Abraham, SDCG Legal Counsel by e-mail daa@mayadam.net
Casey Borsch, The Lodge Gaming Manager Hand Delivered
Mark Heltzel, SDCG Deputy Executive Secretary by e-mail mark.heltzel@state.sd.us
SDCG Enforcement Agent Nick Allender by e-mail

SOUTH DAKOTA COMMISSION ON GAMING

120 Industrial Dr, Suite 1 • Spearfish, SD 57783
(605) 578-3074 • dor.sd.gov/gaming

South Dakota Commission on Gaming *Plaintiff,* Vs. DWD Resort LLC DBA The Lodge at Deadwood SDCG Lic. # 0217-OP *Defendant.*	)	Initial Complaint Filed Pursuant to ARSD 20:18:10:01 Complaint # 23-12-094A

The Complaint is made against the following Licensee:

DWD Resort LLC
DBA The Lodge at Deadwood
100 Pine Crest Lane
Deadwood, SD 57732

Generally, Licensee has engaged in conduct constituting grounds for disciplinary action pursuant to 20:18:09:01. The conduct complained against is as follows:

On December 19th, 2023, an investigation was performed of an incident where The Lodge operated a Blackjack table with more than 52 cards in a deck. This is a violation of A.R.S.D. 20:18:15:02 Cards and A.R.S.D 20:18:15:08.

20:18:15:02. Cards. The value of the cards contained in a deck of cards is as follows:

(1) A card from 2 to 10 has its face value;
(2) A jack, queen, or king has a value of 10; and
(3) An ace has a value of 11 unless that would give a player or the dealer a score in excess of 21, in which case it has a value of one.

A standard blackjack deck must contain 52 cards in four suits, hearts, diamonds, clubs, and spades, with each suit consisting of numerical cards from 2 to 10 and a jack, a queen, a king, and an ace.

The back of the cards must display a mirror image design approved by the executive secretary.

More than one deck of cards may be used for play at blackjack.

Any cards which have been opened and placed on house banked table games which are handled by players shall be removed from play and cancelled in twenty-four (24) hours or less.

Source: 16 SDR 57, effective October 1, 1989; 23 SDR 126, effective February 13, 1997; 41 SDR 7, effective July 29, 2014.

General Authority: SDCL 42-7B-7, 42-7B-11.
Law Implemented: SDCL 42-7B-3, 42-7B-4, 42-7B-7, 42-7B-15.

20:18:15:08. Inspection of cards. After receiving the cards at the table, the dealer must sort and inspect the cards.

Source: 16 SDR 57, effective October 1, 1989.

General Authority: SDCL 42-7B-7.
Law Implemented: SDCL 42-7B-1, 42-7B-2, 42-7B-3, 42-7B-4, 42-7B-7, 42-7B-14, 42-7B-15.

Name of complainant - Special Agent Nick Allender

Address - 120 Industrial Dr, Suite 1
Spearfish, SD 57783
(605) 578-3074

The following witnesses could give testimony about the complaint:

Special Agent Nick Allender
120 Industrial Dr, Suite 1
Spearfish, SD 57783
(605) 578-3074

NOTICE TO:

DWD Resort LLC
C/O Joshua Schmaltz, Registered Agent
13389 US Highway 16A
Custer, SD 57107
(DEFENDANT)

You are hereby notified that this complaint has been received by the Executive Secretary, Susan Christian. Pursuant to the rules, you have 20 (twenty) days to answer this complaint. The answer may admit, deny, qualify, or explain the allegations contained in the complaint. You must file an original response with the Executive Secretary of the South Dakota Commission on Gaming. Attach additional sheets of paper listing additional witnesses if necessary. Please mail response to the following address:

South Dakota Commission on Gaming
Executive Secretary
Susan Christian
445 E Capitol Avenue
Pierre, SD 57501
(605) 773-6051

Dated the 22nd day of January 2024

South Dakota ~~Commission~~ on Gaming
Executive Secretary
Susan Christian
445 E Capitol Avenue
Pierre, SD 57501
(605) 773-6051

SOUTH DAKOTA COMMISSION ON GAMING

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December 20, 2023

DWD Resorts, LLC
C/O Joshua Schmaltz, Registered Agent
13389 US Highway 16A
Custer, SD 57107

RE: South Dakota Commission on Gaming vs The Lodge at Deadwood, DWD Resorts LLC
SDCG Lic. #0217-OP.
Complaint Number #23-11-083A

Dear Mr. Schmaltz,

Enclosed you will find an Initial Complaint that has been filed with the South Dakota Commission on Gaming by Enforcement Agent Nick Allender regarding an alleged incident that occurred on November 19, 2023, where The Lodge at Deadwood operated a Blackjack table with less than 52 cards in a deck. This is in direct violation of ARSD 20:18:15:02 which states that a standard blackjack deck must contain 52 cards in four suits.

Pursuant to ARSD 20:18:10:01, you have 20 days to file a written answer with this office after the service of the complaint. For purposes of computing the 20 days you should use the date of this correspondence. Your answer may admit, deny, qualify or explain the allegations contained in the complaint. The answer must be in writing and mailed to the Executive Secretary of the South Dakota Commission on Gaming at:

The South Dakota Commission on Gaming
Executive Secretary Susan Christian
445 E. Capitol Avenue
Pierre, SD 57501

Copies of the regulations and statutes cited in the complaint are available at the Deadwood Public Library and are also available on the South Dakota Commission on Gaming website https://dor.sd.gov/businesses/gaming/ and at the Spearfish office located at 120 Industrial Drive Suite 1.

After the receipt of the answer, our office will determine whether the complaint has merit and whether it charges conduct constituting grounds for disciplinary action.

If you have additional questions feel free to contact me at by e-mail at susan.christian@state.sd.us or by telephone at (605) 578-3074 or (605) 951-9173.

Best regards.

Susan Christian
Executive Secretary
South Dakota Commission on Gaming

1 Enclosure
CC:
Doug Abraham, SDCG Legal Counsel by e-mail daa@mayadam.net
Mark Heltzel, SDCG Deputy Executive Secretary by e-mail mark.heltzel@state.sd.us
SDCG Enforcement Agent Nick Allender by e-mail

SOUTH DAKOTA COMMISSION ON GAMING

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(605) 578-3074 • dor.sd.gov/gaming

South Dakota Commission on Gaming	)	
Plaintiff,	)	Initial Complaint Filed Pursuant to ARSD 20:18:10:01
Vs.	)	
DWD Resort LLC DBA The Lodge at Deadwood SDCG Lic. # 0217-OP	)	Complaint # 23-11-083A
Defendant.	)	

The Complaint is made against the following Licensee:

DWD Resort LLC
DBA The Lodge at Deadwood
100 Pine Crest Lane
Deadwood, SD 57732

Generally, Licensee has engaged in conduct constituting grounds for disciplinary action pursuant to 20:18:09:01. The conduct complained against is as follows:

On November 19th, 2023, I investigated an incident where The Lodge operated a Blackjack table with less than 52 cards in a deck. This is a violation of A.R.S.D. 20:18:15:02 Cards.

20:18:15:02. Cards. The value of the cards contained in a deck of cards is as follows:

(1) A card from 2 to 10 has its face value;
(2) A jack, queen, or king has a value of 10; and
(3) An ace has a value of 11 unless that would give a player or the dealer a score in excess of 21, in which case it has a value of one.

A standard blackjack deck must contain 52 cards in four suits, hearts, diamonds, clubs, and spades, with each suit consisting of numerical cards from 2 to 10 and a jack, a queen, a king, and an ace.

The back of the cards must display a mirror image design approved by the executive secretary.

More than one deck of cards may be used for play at blackjack.

Any cards which have been opened and placed on house banked table games which are handled by players shall be removed from play and cancelled in twenty-four (24) hours or less.

Source: 16 SDR 57, effective October 1, 1989; 23 SDR 126, effective February 13, 1997; 41 SDR 7, effective July 29, 2014.

General Authority: SDCL 42-7B-7. 42-7B-11.
Law Implemented: SDCL 42-7B-3. 42-7B-4. 42-7B-7. 42-7B-15.

Name of complainant - Special Agent Nick Allender

Address - 120 Industrial Dr, Suite 1
Spearfish, SD 57783
(605) 578-3074

The following witnesses could give testimony about the complaint:

Special Agent Nick Allender
120 Industrial Dr, Suite 1
Spearfish, SD 57783
(605) 578-3074

NOTICE TO:

DWD Resort LLC
C/O Joshua Schmaltz, Registered Agent
13389 US Highway 16A
Custer, SD 57107
(DEFENDANT)

You are hereby notified that this complaint has been received by the Executive Secretary, Susan Christian. Pursuant to the rules, you have 20 (twenty) days to answer this complaint. The answer may admit, deny, qualify, or explain the allegations contained in the complaint. You must file an original response with the Executive Secretary of the South Dakota Commission on Gaming. Attach additional sheets of paper listing additional witnesses if necessary. Please mail response to the following address:

South Dakota Commission on Gaming
Executive Secretary
Susan Christian
445 E Capitol Avenue
Pierre, SD 57501
(605) 773-6051

Dated the 20th day of December 2023

South Dakota Commission on Gaming
Executive Secretary
Susan Christian
445 E Capitol Avenue
Pierre, SD 57501
(605) 773-6051

SOUTH DAKOTA COMMISSION ON GAMING

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MEMORANDUM

TO: Commissioners and Doug Abraham
FROM: Susan Christian, Executive Secretary
SUBJECT: Stipulation and Assurance of Voluntary Compliance
Meghan A. Olson SDCG Lic. # 13276-23-SP
Compliant #23-11-083B

DATE: March 19, 2024

On February 7, 2024 an informal consultation per ARSD 20:18:10:03 was held to resolve the violations alleged in the Initial Complaint that was filed by SDCG Agent Nick Allender on or about December 20, 2023.

Licensee responded on January 2, 2021 and did not contest the conduct alleged in the complaint and accepted full responsibility for her oversight that allowed a deck to contain less than 52 cards as required.

Based on prior SDCG agreed upon Stipulation and Assurance of Voluntary Compliances regarding conducting table games with a deck of less than the 52 cards as required per ARSD 20:18:15:02 Licensee was fined fifty dollars. Additional consideration was given because the Licensee is new to gaming and has only been licensed for 6 months, having acknowledged her oversight and recognizing the importance of the integrity of the game. The fine was suspended providing licensee has no gaming violations for the next year

Staff is recommending that the Commission accept the Stipulation and Assurance of Voluntary Compliance.

SOUTH DAKOTA COMMISSION ON GAMING

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SOUTH DAKOTA COMMISSION ON GAMING,

PLAINTIFF

VS.

Meghan Olson
SDCG Complaint # 23-11-083B
SDCG Lic# 13276-23-SP

DEFENDANT

STIPULATION AND ASSURANCE

OF VOLUNTARY COMPLIANCE

RECITALS

A complaint was filed against the Defendant on or about December 20, 2023 by Nick Allender , an agent for the South Dakota Commission on Gaming.

The parties wish to resolve the complaint by a Stipulation of Assurance and Voluntary Compliance.

An Informal Consultation was held between the Executive Secretary and the Defendant on February 7, 2024.

I

The complaint filed on or about December 20, 2023 alleged that the Defendant engaged in conduct constituting grounds for disciplinary action on November 19, 2023 for conducting a blackjack game with less than 52 cards in a deck. This is violation of ARSD 20:18:15:02.

II

The Defendant answered the complaint on January 2, 2024. The licensee's answer admitted to the conduct alleged in the complaint filed on or about December 20, 2023.

III

On November 19, 2023, while dealing a blackjack game the licensee lost control of the cards allowing
the cards to fall from the table and be held against her body. This action allowed the 4 of Diamonds
card to fall from the table to the floor. Licensee did not verify that she had all cards or retire the compromised deck but proceeded to conducted the blackjack game with less than 52 cards.

During the table rotation of dealers the 4 of Diamonds was discovered on the floor under the blackjack table.

This is in direct violation of ARSD 20:18:15:02 requiring a blackjack game to be conducted using a deck containing 52. This violation is a direct result of the licensees actions.

IV

The South Dakota Commission on Gaming recognizes that the licensee has held the gaming license for approximately six(6) months and is new to the gaming industry.

The South Dakota Commission on Gaming further recognizes the licensee has accepted full responsibility for the violation and recognizes that her actions not only violated ARSD 20:18:15:02 but also compromised the integrity of the game. License has stated she is committed to learning from this experience and ensuring that she is in compliance with ARSD 20:18 South Dakota Commission on Gaming Rules and Regulations.

V

The Executive Secretary imposes a monetary penalty of $50.00. The Executive Secretary suspends the monetary penalty providing licensee has no gaming violations for the next twelve(12) months.

VI

The Defendant recognizes that this Stipulation of Assurance and Voluntary Compliance will be made a public record.

The Defendant recognizes that this Stipulation of Assurance and Voluntary Compliance is subject to the approval of the South Dakota Commission on Gaming and that execution of this document does not prohibit the Commission from re-opening this matter for further investigation which could lead to an administrative hearing before the Commission and further disciplinary action against the Defendant.

DATED at Spearfish, South Dakota, the 7th day of February 2024 .

SUSAN CHRISTIAN, CIA
Executive Secretary
South Dakota Commission on Gaming

Meghan Olson
Defendant

DEPARTMENT OF REVENUE

SOUTH DAKOTA COMMISSION ON GAMING

445 E. Capitol Avenue • Pierre, SD 57501
(605) 951-9173 • dor.sd.gov/gaming

E-mailed to meggolson@icloud.com and sent USPS Certified

January 26, 2024

Meghan Olson
828 Ridgeview St
Belle Fourche, SD 57717

RE: South Dakota Commission on Gaming vs Meghan Olson SDC Lic. #13276-23-SP
SDCG Complaint # 23-11-083B

Ms. Olson,

Your response to the initial complaint delivered to you on or about December 20, 2023, has been received. Per ARSD 20:18:10:03 it has been determined that the complaint has merit for disciplinary action. A copy of ARSD 20:18:10:03 is enclosed.

An informal consultation to resolve this matter is scheduled for 10:45 am MST on, February 7, 2024 at the South Dakota Commission on Gaming office located at 120 Industrial Drive, Suite 1, Spearfish, South Dakota

Sincerely,

Susan Christian
Executive Secretary

1 Enclosure
CC:
Doug Abraham by e-mail
Mark Heltzel by e-mail
Nick Allender by e-mail

20:18:10:03. Informal consultation. If the executive secretary considers the complaint to have merit for disciplinary action, the executive secretary may consult with the licensee and the parties affected in an effort to resolve the matter satisfactorily without a formal hearing. The executive secretary must notify in writing the complainant, the licensee complained against, and affected parties of the results of the informal consultation. The informal consultation does not prevent the commission from conducting a formal hearing.

Source: 16 SDR 57, effective October 1, 1989.

General Authority: SDCL 42-7B-7.

Law Implemented: SDCL 42-7B-1, 42-7B-2, 42-7B-3, 42-7B-7, 42-7B-11, 42-7B-18, 42-7B-19, 42-7B-20, 42-7B-21, 42-7B-22, 42-7B-24, 42-7B-25, 42-7B-26.

SOUTH DAKOTA COMMISSION ON GAMING

445 E. Capitol Avenue • Pierre, SD 57501
(605) 773-6051 • dor.sd.gov/gaming

December 20, 2023

[redacted]
825 Ridgeview St
Belle Fourche, SD 57717

RE: South Dakota Commission on Gaming vs Meghan Olson
SDCG Lic. #13276-23-SP
Complaint Number #23-11-083B

Dear Ms. Olson,

Enclosed you will find an Initial Complaint that has been filed with the South Dakota Commission on Gaming by Enforcement Agent Nick Allender regarding an alleged incident that occurred on November 19, 2023, where Meghan Olson operated a Blackjack table with less than 52 cards in a deck. This is in direct violation of ARSD 20:18:15:02 which states that a standard blackjack deck must contain 52 cards in four suits.

Pursuant to ARSD 20:18:10:01, you have 20 days to file a written answer with this office after the service of the complaint. For purposes of computing the 20 days you should use the date of this correspondence. Your answer may admit, deny, qualify or explain the allegations contained in the complaint. The answer must be in writing and mailed to the Executive Secretary of the South Dakota Commission on Gaming at:

The South Dakota Commission on Gaming
Executive Secretary Susan Christian
445 E. Capitol Avenue
Pierre, SD 57501

Copies of the regulations and statutes cited in the complaint are available at the Deadwood Public Library and are also available on the South Dakota Commission on Gaming website https://dor.sd.gov/businesses/gaming/ and at the Spearfish office located at 120 Industrial Drive Suite 1.

After the receipt of the answer, our office will determine whether the complaint has merit and whether it charges conduct constituting grounds for disciplinary action.

If you have additional questions feel free to contact me at by e-mail at susan.christian@state.sd.us or by telephone at (605) 578-3074 or (605) 951-9173.

Best regards.

Susan Christian
Executive Secretary
South Dakota Commission on Gaming

1 Enclosure
CC:
Doug Abraham, SDCG Legal Counsel by e-mail daa@mayadam.net
Mark Heltzel, SDCG Deputy Executive Secretary by e-mail mark.heltzel@state.sd.us
SDCG Enforcement Agent Nick Allender by e-mail

SOUTH DAKOTA COMMISSION ON GAMING

120 Industrial Dr, Suite 1 • Spearfish, SD 57783
(605) 578-3074 • dor.sd.gov/gaming

South Dakota Commission on Gaming	)	
Plaintiff,	)	Initial Complaint Filed Pursuant to ARSD 20:18:10:01
Vs.	)	
Meghan A Olson SDCG Lic. # 13276-23-SP	)	Complaint # 23-11-083B
Defendant.	)	

The Complaint is made against the following Licensee:

Meghan A Olson
828 Ridgeview St,
Belle Fouche, SD 57717

Generally, Licensee has engaged in conduct constituting grounds for disciplinary action pursuant to 20:18:09:01. The conduct complained against is as follows:

On November 19th, 2023, I investigated an incident where Licensee operated a Blackjack table with less than 52 cards in a deck. This is a violation of A.R.S.D. 20:18:15:02 Cards.

20:18:15:02. Cards. The value of the cards contained in a deck of cards is as follows:

(1) A card from 2 to 10 has its face value;
(2) A jack, queen, or king has a value of 10; and
(3) An ace has a value of 11 unless that would give a player or the dealer a score in excess of 21, in which case it has a value of one.

A standard blackjack deck must contain 52 cards in four suits, hearts, diamonds, clubs, and spades, with each suit consisting of numerical cards from 2 to 10 and a jack, a queen, a king, and an ace.

The back of the cards must display a mirror image design approved by the executive secretary.

More than one deck of cards may be used for play at blackjack.

Any cards which have been opened and placed on house banked table games which are handled by players shall be removed from play and cancelled in twenty-four (24) hours or less.

Source: 16 SDR 57, effective October 1, 1989; 23 SDR 126, effective February 13, 1997; 41 SDR 7, effective July 29, 2014.

General Authority: SDCL 42-7B-7, 42-7B-11.
Law Implemented: SDCL 42-7B-3, 42-7B-4, 42-7B-7, 42-7B-15.

Name of complainant - Special Agent Nick Allender

Address - 120 Industrial Dr, Suite 1
Spearfish, SD 57783
(605) 578-3074

The following witnesses could give testimony about the complaint:

Special Agent Nick Allender
120 Industrial Dr, Suite 1
Spearfish, SD 57783
(605) 578-3074

NOTICE TO:

Meghan A Olson
828 Ridgeview St
Belle Fourche, SD 57717
(DEFENDANT)

You are hereby notified that this complaint has been received by the Executive Secretary, Susan Christian. Pursuant to the rules, you have 20 (twenty) days to answer this complaint. The answer may admit, deny, qualify, or explain the allegations contained in the complaint. You must file an original response with the Executive Secretary of the South Dakota Commission on Gaming. Attach additional sheets of paper listing additional witnesses if necessary. Please mail response to the following address:

South Dakota Commission on Gaming
Executive Secretary
Susan Christian
445 E Capitol Avenue
Pierre, SD 57501
(605) 773-6051

Dated the 20th day of December 2023

South Dakota Commission on Gaming
Executive Secretary
Susan Christian
445 E Capitol Avenue
Pierre, SD 57501
(605) 773-6051

SOUTH DAKOTA COMMISSION ON GAMING

445 E. Capital Avenue • Pierre, SD 57501
(605) 951-9173 • dor.sd.gov/gaming

MEMORANDUM

TO: Commissioners and Doug Abraham
FROM: Susan Christian, Executive Secretary
SUBJECT: Stipulation and Assurance of Voluntary Compliance
Jeff Girard SDCG Lic. #13406-23-SP
Compliant # 23-11-094

DATE: March 19, 2024

On February 7, 2024 an informal consultation per ARSD 20:18:10:03 was held to resolve the violations alleged in the Initial Complaints that was filed by SDCG Agent Nick Allender on January 22, 2024.

Licensee responded on January 25, 2024 and did not contest the conduct alleged in the complaint and accepted responsibility for allowing a deck to contain more than 52 cards as required. Mr. Girard stated during the Informal that building the six deck shoe was not his responsibility and he was performing this job duty as a "courtesy". It was determined that the violation occurred due to employee's negligence.

Based on prior SDCG agreed upon Stipulation and Assurance of Voluntary Compliances regarding conducting table games with a deck of more than the 52 cards as required per ARSD 20:18:15:02 Licensee was fined fifty dollars.

Licensee paid the fine on February 7, 2024.

Staff is recommending that the Commission accept the Stipulation and Assurance of Voluntary Compliance.

SOUTH DAKOTA COMMISSION ON GAMING

120 Industrial Drive, Suite 1 • Spearfish, SD 57783
(605) 578-3074 • dor.sd.gov/gaming

SOUTH DAKOTA COMMISSION ON GAMING,

PLAINTIFF

VS.

Jeff B. Girard
SDCG Complaint # 23-11-094
SDCG Lic# 13406-23-SP

DEFENDANT

STIPULATION AND ASSURANCE

OF VOLUNTARY COMPLIANCE

RECITALS

A complaint was filed against the Defendant on or about January 22, 2024 by Nick Allender , an agent for the South Dakota Commission on Gaming.

The parties wish to resolve the complaint by a Stipulation of Assurance and Voluntary Compliance.

An Informal Consultation was held between the Executive Secretary and the Defendant on February 7, 2024.

I

The complaint filed on or about January 22, 2024 alleged that the Defendant engaged in conduct constituting grounds for disciplinary action on December 19, 2023 for allowing a deck with 53 cards to be placed in the shoe.

II

The Defendant answered the complaint on January 25, 2024. The licensee's did not deny the conduct alleged in the complaint filed on or about January 22, 2023.

III

On December 19, 2023, while building the shoe to be used on the blackjack tables license did not identify and remove a joker allowing a deck with 53 cards to be placed in the shoe. The licensee was responsible for building the shoe and ensuring that it contained the cards as required by ARSD 20:18:15:02.

The joker was discovered later in the day of December 19, 2024. when the shoe was used in the conduct of a blackjack game.

A surveillance review was completed by South Dakota Commission on Gaming Enforcement Agent Nick Allender revealing that licensee did not complete the required proofing of the shoe as required by ARSD 20:18:15:08.

The violations of ARSD 20:18:15:02 and ARSD 20:18:15:08 are a direct result of the licensees actions.

IV

The South Dakota Commission on Gaming recognizes that the licensee has held the gaming license for approximately six(6) months and is new to the gaming industry.

V

The Executive Secretary imposes a monetary penalty of $50.00. The monetary penalty is to be paid no later than February 21, 2024.

Please remit penalty payment to:

South Dakota Commission on Gaming
120 Industrial Drive, Suite 1
Spearfish, SD 57783

VI

The Defendant recognizes that this Stipulation of Assurance and Voluntary Compliance will be made a public record.

The Defendant recognizes that this Stipulation of Assurance and Voluntary Compliance is subject to the approval of the South Dakota Commission on Gaming and that execution of this document does not prohibit the Commission from re-opening this matter for further investigation which could lead to an administrative hearing before the Commission and further disciplinary action against the Defendant.

DATED at Spearfish, South Dakota, the 7th day of February 2024 .

SUSAN CHRISTIAN, CIA
Executive Secretary
South Dakota Commission on Gaming

Jeff B. Girard
Defendant

DEPARTMENT OF REVENUE

SOUTH DAKOTA COMMISSION ON GAMING

445 E. Capitol Avenue • Pierre, SD 57501
(605) 951-9173 • dor.sd.gov/gaming

Emailed to jgirard06@gmail.com and sent USPS Certified

January 26, 2024

Jeff B. Girard
709 Joy Ave.
Rapid City, SD 57701

RE: South Dakota Commission on Gaming vs Jeff B. Girard
SDC Lic. #13406-23-SP
SDCG Complaint # 23-11-094

Mr. Girard,

Your response to the initial complaint delivered to you on or about January 22, 2024, has been received. Per ARSD 20:18:10:03 it has been determined that the complaint has merit for disciplinary action. A copy of ARSD 20:18:10:03 is enclosed.

An informal consultation to resolve this matter is scheduled for 10:00 am MST on, February 7, 2024 at the South Dakota Commission on Gaming office located 102 Industrial Drive, Suite 1, Spearfish, South Dakota.

Sincerely,

Susan Christian
Executive Secretary

1 Enclosure
CC:
Doug Abraham by e-mail
Mark Heltzel by e-mail
Nick Allender by e-mail

20:18:10:03. Informal consultation. If the executive secretary considers the complaint to have merit for disciplinary action, the executive secretary may consult with the licensee and the parties affected in an effort to resolve the matter satisfactorily without a formal hearing. The executive secretary must notify in writing the complainant, the licensee complained against, and affected parties of the results of the informal consultation. The informal consultation does not prevent the commission from conducting a formal hearing.

Source: 16 SDR 57, effective October 1, 1989.

General Authority: SDCL 42-7B-7.

Law Implemented: SDCL 42-7B-1, 42-7B-2, 42-7B-3, 42-7B-7, 42-7B-11, 42-7B-18, 42-7B-19, 42-7B-20, 42-7B-21, 42-7B-22, 42-7B-24, 42-7B-25, 42-7B-26.

SOUTH DAKOTA COMMISSION ON GAMING

445 E. Capitol Avenue • Pierre, SD 57501
(605) 773-6051 • dor.sd.gov/gaming

January 22, 2024

Jeff B. Girard
709 Joy Ave.
Rapid City, SD 57701

RE: South Dakota Commission on Gaming vs Jeff B. Gerard
SDCG Lic. #13406-23-SP
Complaint Number #23-12-094

Dear Mr. Girard,

Enclosed you will find an Initial Complaint that has been filed with the South Dakota Commission on Gaming by Enforcement Agent Nick Allender regarding an alleged incident that occurred on December 19, 2023, where you operated a Blackjack table with more than 52 cards in a deck. This is in direct violation of ARSD 20:18:15:02 which states that a standard blackjack deck must contain 52 cards in four suits.

Pursuant to ARSD 20:18:10:01, you have 20 days to file a written answer with this office after the service of the complaint. For purposes of computing the 20 days you should use the date of this correspondence. Your answer may admit, deny, qualify or explain the allegations contained in the complaint. The answer must be in writing and mailed to the Executive Secretary of the South Dakota Commission on Gaming at:

The South Dakota Commission on Gaming
Executive Secretary Susan Christian
445 E. Capitol Avenue
Pierre, SD 57501

Copies of the regulations and statutes cited in the complaint are available at the Deadwood Public Library and are also available on the South Dakota Commission on Gaming website https://dor.sd.gov/businesses/gaming/ and at the Spearfish office located at 120 Industrial Drive Suite 1.

After the receipt of the answer, our office will determine whether the complaint has merit and whether it charges conduct constituting grounds for disciplinary action.

If you have additional questions feel free to contact me at by e-mail at susan.christian@state.sd.us or by telephone at (605) 578-3074 or (605) 951-9173.

Best regards.

Susan Christian
Executive Secretary
South Dakota Commission on Gaming

1 Enclosure
CC:
Doug Abraham, SDCG Legal Counsel by e-mail daa@mayadam.net
Mark Heltzel, SDCG Deputy Executive Secretary by e-mail mark.heltzel@state.sd.us
SDCG Enforcement Agent Nick Allender by e-mail

SOUTH DAKOTA COMMISSION ON GAMING

120 Industrial Dr, Suite 1 • Spearfish, SD 57783
(605) 578-3074 • dor.sd.gov/gaming

South Dakota Commission on Gaming *Plaintiff* Vs. Jeff B Girard SDCG Lic. # 13106-23-SP *Defendant.*	)	Initial Complaint Filed Pursuant to ARSD 20:18:10:01 Complaint # 23-12-094

The Complaint is made against the following Licensee:

Jeff B Girard
709 Joy Avenue
Rapid City, SD 57701

Generally, Licensee has engaged in conduct constituting grounds for disciplinary action pursuant to 20:18:09:01. The conduct complained against is as follows:

On December 19th, 2023, I investigated an incident where licensee approved a deck of cards to be operated at a Blackjack table with 53 cards in a deck. This is a violation of A.R.S.D. 20:18:15:02 Cards and A.R.S.D 20:18:15:08.

20:18:15:02. Cards. The value of the cards contained in a deck of cards is as follows:

(1) A card from 2 to 10 has its face value;
(2) A jack, queen, or king has a value of 10; and
(3) An ace has a value of 11 unless that would give a player or the dealer a score in excess of 21, in which case it has a value of one.

A standard blackjack deck must contain 52 cards in four suits, hearts, diamonds, clubs, and spades, with each suit consisting of numerical cards from 2 to 10 and a jack, a queen, a king, and an ace.

The back of the cards must display a mirror image design approved by the executive secretary.

More than one deck of cards may be used for play at blackjack.

Any cards which have been opened and placed on house banked table games which are handled by players shall be removed from play and cancelled in twenty-four (24) hours or less.

Source: 16 SDR 57, effective October 1, 1989; 23 SDR 126, effective February 13, 1997; 41 SDR 7, effective July 29, 2014.

General Authority: SDCL 42-7B-7, 42-7B-11,
Law Implemented: SDCL 42-7B-3, 42-7B-4, 42-7B-7, 42-7B-15.

20:18:15:08. Inspection of cards. After receiving the cards at the table, the dealer must sort and inspect the cards.

Source: 16 SDR 57, effective October 1, 1989.

General Authority: SDCL 42-7B-7,
Law Implemented: SDCL 42-7B-1, 42-7B-2, 42-7B-3, 42-7B-4, 42-7B-7, 42-7B-14, 42-7B-15.

Name of complainant - Special Agent Nick Allender

Address - 120 Industrial Dr, Suite 1
Spearfish, SD 57783
(605) 578-3074

The following witnesses could give testimony about the complaint:

Special Agent Nick Allender
120 Industrial Dr, Suite 1
Spearfish, SD 57783
(605) 578-3074

NOTICE TO:

Jeff B Girard
709 Joy Ave
Rapid City, SD 57701
(DEFENDANT)

You are hereby notified that this complaint has been received by the Executive Secretary, Susan Christian. Pursuant to the rules, you have 20 (twenty) days to answer this complaint. The answer may admit, deny, qualify, or explain the allegations contained in the complaint. You must file an original response with the Executive Secretary of the South Dakota Commission on Gaming. Attach additional sheets of paper listing additional witnesses if necessary. Please mail response to the following address:

South Dakota Commission on Gaming
Executive Secretary
Susan Christian
445 E Capitol Avenue
Pierre, SD 57501
(605) 773-6051

Dated the 22nd day of January 2024.

South Dakota Commission on Gaming
Executive Secretary
Susan Christian
445 E Capitol Avenue
Pierre, SD 57501
(605) 773-6051

SOUTH DAKOTA COMMISSION ON GAMING

445 E. Capital Avenue • Pierre, SD 57501
(605) 951-9173 • dor.sd.gov/gaming

MEMORANDUM

TO: Commissioners and Doug Abraham
FROM: Susan Christian, Executive Secretary
SUBJECT: Removal of USFL from SDCG Sporting Event and Sports Wagering Catalog

DATE: March 19, 2024

The United States Football League (USFL) ceased operations on December 31, 2023, and merged into the United Football League (UFL) along with the XFL.

On March 14, 2023 at the Quarterly Commission meeting a request to add XFL was denied due to integrity issues. To the Commission staff's knowledge the issues with the XFL have not been resolved.

No request has been submitted to add the UFL to the Sporting Event and Sports Wagering Catalog.

Staff is requesting that the USFL be removed from the South Dakota Commission on Gaming Sporting Event and Sports Wagering Catalog.

SOUTH DAKOTA COMMISSION ON GAMING

120 Industrial Drive, Suite 1 • Spearfish, SD 57783
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South Dakota Commission on Gaming
licensing for the March 19, 2024

Key License

Richard Stone	Steven Stone	Wayne Morris	Lee Harstad
Carsten Koerl	Eduard Blonk	Andrew Bimson	Sandra Kane
Joseph Lovoie	Mark Labay	Genney Jones	Lia Jagow
Jackson Schoolmeester			

2023 Key License Renewals

Jesse Allen	Mary Baudhuin	Dylan Cole	Ernest Matthews	William Stearns
Gaylene Septka	Britton Siemonsma	Lori Keehn	Rosa Gonzalas-Costa	
Tim Karli				

Business License Approval

Nugget Saloon, LLC for a Gaming Property Owners license.

Sportradar Solutions, LLC for an Associated Equipment Manufacture / Distributors license.

Seminole Hard Rock Support Services, LLC for an Associated Equipment Manufacture / Distributors license.

Seminole Hard Rock Entertainment, Inc. for an Operator's license.

Move Retail license 0596 from 801 Main Street to an unassigned location.

Move Retail license 12569 from an unassigned location to 801 Main Street.

SOUTH DAKOTA COMMISSION ON GAMING

120 Industrial Dr, Suite 1 • Spearfish, SD 57783
(605) 578-3074 • dor.sd.gov/gaming

MEMORANDUM

DATE: February 16th, 2024
TO: South Dakota Commission on Gaming
FROM: S/A Nick Allender
SUBJECT: Richard Glen Stone / 13527-23-KY

Applicant Summary:

The applicant is applying for a Gaming Property Owner License. The applicant has never been license in any gaming industry except for South Dakota Lottery. He is 50% owner in Stone Oil Co along with his brother, Steven Stone, which is based out of Watertown, SD.

Concerns: None

Recommendations:

It is recommended that Richard Stone be **approved** for a Gaming Property Owner License. No derogatory information was discovered during this background investigation that would prevent the applicant from obtaining a license.

SOUTH DAKOTA COMMISSION ON GAMING

120 Industrial Dr, Suite 1 • Spearfish, SD 57783
(605) 578-3074 • dor.sd.gov/gaming

MEMORANDUM

DATE: February 16th, 2024
TO: South Dakota Commission on Gaming
FROM: S/A Nick Allender
SUBJECT: Steven Duane Stone / 13526-23-KY

Applicant Summary:

The applicant is applying for a Gaming Property Owner License. The applicant has never been licensed in any gaming industry except for South Dakota Lottery. He is the president and 50% owner in Stone Oil Co along with his brother, Richard Stone, which is based out of Watertown, SD.

Concerns: None

Recommendations:

It is recommended that Steven Stone be **approved** for a Gaming Property Owner License. No derogatory information was discovered during this background investigation that would prevent the applicant from obtaining a license.

SOUTH DAKOTA COMMISSION ON **GAMING**

120 Industrial Dr, Suite 1• Spearfish, SD 57783
(605) 578-3074 • dor.sd.gov/gaming

MEMORANDUM

DATE: February 13th, 2024
TO: South Dakota Commission on Gaming
FROM: S/A Nick Allender
SUBJECT: Wayne Morris

Applicant Summary:

The applicant is seeking licensure because he is currently a property owner of the Nugget Building in Deadwood, SD. The applicant is part owner of the "Nugget Saloon LLC" which owns multiple adjoining buildings on Main St Deadwood. The applicant also had a support license back in 1989 and 1996 with no derogatory information records for those periods.

Concerns: None

Recommendations: It is recommended that **Wayne Morris be approved for a Key License**. No derogatory information was discovered during this background investigation that would prevent the applicant from obtaining a license.

SOUTH DAKOTA COMMISSION ON GAMING

120 Industrial Dr, Suite 1• Spearfish, SD 57783
(605) 578-3074 • dor.sd.gov/gaming

MEMORANDUM

DATE: 01/23/2024
TO: South Dakota Commission on Gaming
FROM: S/A Nick Allender
SUBJECT: Lee M Harstad

Applicant Summary: The applicant is currently working for the Nugget Saloon LLC as the managing partner. He has been employed since May of 2023 where before he was working as the Marketing / Executive Director for the Deadwood Chamber of Commerce for the past 15 years. He is seeking a Key License for his current position.

Concerns: None

Recommendations: It is recommended that Lee Harstad be approved for a Key License. No derogatory information was discovered during this background investigation that would prevent the applicant from obtaining a license.

SOUTH DAKOTA COMMISSION ON GAMING

120 Industrial Drive • Spearfish, SD 57783
(605) 578-3074 • dor.sd.gov/gaming

MEMORANDUM

DATE: January 24, 2024
TO: South Dakota Commission on Gaming
FROM: S/A John Cargill
SUBJECT: Carsten Marcus Koerl / 13260-23-KY

Name of Gaming Business associated with:

The applicant is seeking licensure because he is the President and CEO and Founder of Sportradar AG. Sportradar AG is the parent company of Sportradar Solutions LLC. Sportradar Solutions LLC is an international sports betting company that is applying for licensure in South Dakota.

Past Employment:

Carsten Koerl has founded several businesses to include Spektrum GBMH and Spektrum Distribution GBMH. Carsten is the founder of Sportradar AG as well. Currently Mr. Koerl holds gaming licenses in several jurisdictions around the United States. They are all in good standing.

Concerns: None

Recommendations: As a result of this background investigation it is recommended that Carsten Koerl be approved as a Key Licensee with Sportradar Solutions LLC.

SOUTH DAKOTA COMMISSION ON GAMING

120 Industrial Drive • Spearfish, SD 57783
(605) 578-3074 • dor.sd.gov/gaming

MEMORANDUM

DATE: January 24, 2024
TO: South Dakota Commission on Gaming
FROM: S/A John Cargill
SUBJECT: Eduard H. Blonk / 13261-23-KY

Name of Gaming Business associated with:

The applicant is seeking licensure because he is the Managing Director of global Sales as well as the Chief Commercial Officer of Sportradar Solutions LLC. Sportradar Solutions LLC is an international sports betting company that is applying for licensure in South Dakota.

Past Employment:

Eduard Blonk worked for Siemens Communications as well as Gigaset Communications prior working at Sportradar. Currently Mr. Blonk holds gaming licenses in several jurisdictions around the United States. They are all in good standing.

Concerns: None

Recommendations: As a result of this background investigation it is recommended that Eduard Blonk be approved as a Key Licensee with Sportradar Solutions LLC.

SOUTH DAKOTA COMMISSION ON GAMING

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(605) 578-3074 • dor.sd.gov/gaming

MEMORANDUM

DATE: January 24, 2024
TO: South Dakota Commission on Gaming
FROM: S/A John Cargill
SUBJECT: Andrew H. Bimson / 13262-23-KY

Name of Gaming Business associated with:

The applicant is seeking licensure because he is the President and COO of Sportradar Solutions LLC. Sportradar Solutions LLC is an international sports betting company that is applying for licensure in South Dakota.

Past Employment:

Andrew Bimson was the Global Head of Marketing Operations for Bloomberg LP from 07/2012 to 12/2021. He also serves as an advisor for Australian Mental Health and fitness company "Gotyaforlife". Bimson has been employed with the company since 2019. Currently Mr. Bimson holds gaming licenses in several jurisdictions around the United States. They are all in good standing.

Concerns: None

Recommendations: As a result of this background investigation it is recommended that Andrew Bimson be approved as a Key Licensee with Sportradar Solutions LLC.

SOUTH DAKOTA COMMISSION ON GAMING

120 Industrial Dr, Suite 1 • Spearfish, SD 57783
(605) 578-3074 • dor.sd.gov/gaming

MEMORANDUM

DATE: January 24th, 2024
TO: South Dakota Commission on Gaming
FROM: S/A Nick Allender
SUBJECT: Sandra Kane / 13721-23-KY

Applicant Summary:

Sandra has had a support license since July 2nd, 2019, with no violations reports. Sandra is currently working as a cashier for the Landmark Casino and has applied for a Key License due to her current and possible future positions at the Landmark.

Concerns:

None

Recommendations:

It is recommended that Sandra Kane be **approved** for a Key License. No derogatory information was discovered during this background investigation that would prevent the applicant from obtaining a license.

SOUTH DAKOTA COMMISSION ON GAMING

87 Sherman Street • Deadwood, SD 57732
(605) 578-3074 • dor.sd.gov/gaming

MEMORANDUM

DATE: 01/24/2024
TO: South Dakota Commission on Gaming
FROM: Brandon Snyder
SUBJECT: Joseph Lovoie
LIC. #: 13523-23-KY

The applicant is currently the slot manager at Tin Lizzie Gaming Resort. He has been there since August 2023. He has had a support license since then with no derogatory action taken on his license. The applicant said he is seeking a key license for his current position at Tin Lizzie Gaming Resort and to be more valuable as an employee.

Concerns: None

Recommendation: Approval

SOUTH DAKOTA COMMISSION ON GAMING

120 Industrial Drive, Suite 1 • Spearfish, SD 57783
(605) 578-3074 • dor.sd.gov/gaming

January 17, 2024

MEMORANDUM

DATE: 01/17/2024
TO: South Dakota Commission on Gaming
FROM: Brandon Snyder
SUBJECT: Mark Foster Labay/13766-KY

Name of Gaming Business associated with:

The applicant is seeking licensure because he is the Executive Vice President, Chief Financial Officer, Treasurer, and a Director at Everi Payments Inc.

Everi Holdings, Inc., is a company that produces slot machines and provides financial equipment and services to casinos. Everi Holdings, Inc. Everi Holdings, Inc owns Everi Payments, Inc and Everi Games, Inc and they are both licensed in South Dakota. Everi Payments is licensed as an Associated Equipment license and Everi Games is licensed as a Manufacture license.

Past Employment:

The applicant has been employed by Everi Payments since 2002, is a Manager for Central Credit, LLC and City Planner for the City of Henderson.

Concerns: None

Recommendations: As a result of this background investigation, it is Recommended that Mark Labay be approved as a Key with Everi Holdings Inc.

SOUTH DAKOTA COMMISSION ON GAMING

120 Industrial Dr, Suite 1 • Spearfish, SD 57783
(605) 578-3074 • dor.sd.gov/gaming

MEMORANDUM

DATE: February 16th, 2024
TO: South Dakota Commission on Gaming
FROM: S/A Nick Allender
SUBJECT: Zinita Genevieve Jones (Genney Jones)

Applicant Summary:

Applicant has had a support license since August of 2010. Applicant is currently working as a cashier at Cadillac Jack's Gaming Resort. Applicant is applying for a key license.

Concerns:

Applicant has been denied for a key license once and withdrew her second attempt. Applicant has been terminated from two casinos in her past. Applicant has issues with customer service and work place relationships.

Recommendations:

Recommendation as a result of this background investigation is that Zinita Jones (Genney Jones) be approved for a Key Employee License.

SOUTH DAKOTA COMMISSION ON GAMING
120 Industrial Drive, Suite 1 • Spearfish, SD 57783
(605) 578-3074 • dor.sd.gov/gaming

MEMORANDUM

DATE: February 16, 2024
TO: South Dakota Commission on Gaming (SDCG)
FROM: S/A Angela J. Wilkerson
SUBJECT: Lia D. Jagow

Lia Jagow is presently employed with Saloon No. 10 in Deadwood, SD. Ms. Jagow has worked for Saloon No. 10 as a bartender for about 16 years total. She applied for a Key License in September of 2023 at her employer's request.

Ms. Jagow has never held a gaming license with the SDCG or any other gaming jurisdiction.

Recommendation: Upon completion of this background investigation, it is recommended that Lia D. Jagow be **approved** for a Key license with the SDCG.

SOUTH DAKOTA COMMISSION ON GAMING

120 Industrial Drive • Spearfish, SD 57783
(605) 578-3074 • dor.sd.gov/gaming

MEMORANDUM

DATE: 02/22/2024
TO: South Dakota Commission on Gaming
FROM: John Cargill
SUBJECT: Jackson Edward Schoolmeester
LIC. #: 13465-23-KY

The applicant is currently working for Tin Lizzie Casino as a Cashier. The applicant has been employed there since February 2023 and has had a support license since March of 2023, with no derogatory action on his license. He is seeking a key license for his current position.

Concerns: None

Recommendation: Approval

SOUTH DAKOTA COMMISSION ON GAMING

120 Industrial Dr, Suite 1 • Spearfish, SD 57783
(605) 578-3074 • dor.sd.gov/gaming

MEMORANDUM

DATE: February 16th, 2024
TO: South Dakota Commission on Gaming
FROM: S/A Nick Allender
SUBJECT: Nugget Building (Nugget Saloon, LLC) / 13476-PO

Establishment Summary:

Nugget Saloon, LLC entered an operating agreement on May 1st, 2023 by three members. Member A is Stone Oil Company, Inc which is owned by Steven Stone and Richard Stone from Watertown, SD. Member B is Wayne Morris from Deadwood, SD. Member C is Lee Harstad from Spearfish, SD. The LLC will be operated as a building property manager.

Concerns: None

Recommendations:

As a result of the investigation, it is recommended that the Nugget Saloon LLC be **approved** for a property owner's license. Nothing derogatory was found in the investigation which would prevent licensure.

SOUTH DAKOTA COMMISSION ON GAMING

120 Industrial Drive• Spearfish, SD 57783
(605) 578-3074 • dor.sd.gov/gaming

MEMORANDUM

DATE: 01/24/2024
TO: South Dakota Commission on Gaming
FROM: John Cargill
SUBJECT: Sportradar Solutions LLC
LIC#: 13259-AE

Sportradar Solutions LLC is a Global Sports Technology Company headquartered in St. Gallen, Switzerland. The U.S. Operations are headquartered in Minneapolis, Minnesota; however, they informed us the company will relocate its U.S. Operations headquarters to Las Vegas. The company also has offices in NYC, Australia, and Austria. They are attempting to expand their market and become licensed in South Dakota to provide sports wagering data to their clients. Sportradar Solutions LLC, is currently licensed in multiple gaming jurisdictions around the United States and the rest of the world.

Concerns: None

Recommendations: It is recommended that the applicant be approved for a Manufacturer/Distributor License. Nothing derogatory was found in the applicant's background investigation that would prevent them from obtaining a SDCG license.

SOUTH DAKOTA COMMISSION ON GAMING

120 Industrial Drive, Suite 1 • Spearfish, SD 57783
(605) 578-3074 • dor.sd.gov/gaming

MEMORANDUM

DATE: 02/16/2024
TO: South Dakota Commission on Gaming
FROM: Brandon Snyder
SUBJECT: Seminole Hard Rock Support Services, LLC
LICENSE: 13514-AE

Seminole Hard Rock Support Services, LLC. is 100% owned by SHRE/SHRI, LLC. SHRE/SHRI, LLC. is wholly owned by Seminole HR Holdings, LLC. Seminole HR Holdings, LLC is wholly owned by the Seminole Tribe of Florida.

Seminole Hard Rock Support Services, LLC. was created to provide support worldwide to hotels, casinos, and cafes for Seminole Gaming and Hard Rock International. They plan to implement a stand-alone players' reward program in South Dakota under the Unity branding, to be implemented at the Rocksino.

Seminole HR Holdings, LLC has gaming licenses worldwide under various subsidiaries.

Concerns: None

Recommendations: It is recommended that the applicant be approved for an Associated Equipment Manufacturer/Distributer License. Nothing derogatory was found in the applicant's background investigation that would prevent them from obtaining a SDCG license.

SOUTH DAKOTA COMMISSION ON GAMING

120 Industrial Drive, Suite 1 • Spearfish, SD 57783
(605) 578-3074 • dor.sd.gov/gaming

MEMORANDUM

DATE: 02/16/2024
TO: South Dakota Commission on Gaming
FROM: Brandon Snyder
SUBJECT: Seminole Hard Rock Entertainment, Inc.
LICENSE: 13401-OP

Seminole Hard Rock Entertainment, Inc. is 100% owned by SHRE/SHRI, LLC. SHRE/SHRI, LLC. is wholly owned by Seminole HR Holdings, LLC. Seminole HR Holdings, LLC is wholly owned by the Seminole Tribe of Florida. Seminole Hard Rock Entertainment, Inc. owns and operates casino hotels.

Seminole Hard Rock Entertainment, Inc. does not manage or operate the Rocksino, but does have input on decisions to protect the integrity of the Hard Rock Brand. They were the developer and received a development fee. They also license certain trademark and related items to DHIH, LLC (Retail Licensee).

Seminole HR Holdings, LLC has gaming licenses worldwide under various subsidiaries.

Concerns: None

Recommendations: It is recommended that the applicant be approved for an Operator License. Nothing derogatory was found in the applicant's background investigation that would prevent them from obtaining a SDCG license.