



**SOUTH DAKOTA COMMISSION ON GAMING**

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**South Dakota Commission on Gaming Public Hearing to Amend Rules  
and  
Quarterly Business Meeting  
Deadwood City Hall, Deadwood, South Dakota**

**MINUTES**

June 17, 2025

At 9:00 a.m. the meeting was called to order. Commissioner Harry Christianson, Commissioner Bob Goetz, Commissioner Spencer Hawley, and Commissioner Daryl Christensen were present. Commissioner Mark Millage was unable to attend the meeting. Staff members present for the meeting were Doug Abraham, Commission Attorney; Mark Heltzel, Executive Secretary; and Brandon Snyder, Director of Enforcement.

The meeting was called to order by Vice Chairman Christianson at 9:00 a.m. and a quorum was present.

On a roll call all Commissioners were present.

Commissioner Hawley  
Commissioner Goetz  
Commissioner Christensen  
Vice Chairman Christianson

**Conflicts of Interest Disclosure**

On a roll call no conflicts of interest were disclosed.

Commissioner Hawley	Nay
Commissioner Goetz	Nay
Commissioner Christensen	Nay
Vice Chairman Christianson	Nay

**Election of Chair and Vice Chair for Fiscal Year 2026**

Commissioner Hawley made a motion to nominate Vice Chairman Christianson for Chairman. Commissioner Goetz seconded the motion which carried unanimously.

Commissioner Goetz made a motion to nominate Commissioner Hawley for Vice Chairman. Chairman Christianson seconded the motion which carried unanimously.

With no other nominations Commissioner Christianson is the Chairman and Commissioner Hawley is the Vice Chairman.

### **Adoption of Quarterly Business Meeting Agenda**

Commissioner Goetz made a motion to adopt the meeting agenda with the addition of new business added to the agenda after old business. Commissioner Hawley seconded the motion which carried unanimously.

### **Proposed Rules to be Amended**

Mark Heltzel, Executive Secretary, 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) ARSD 20:04:27:12 Penalty for use of illegal substances**
- 2) ARSD 20:04:27:14 Restrictions on use of authorized drugs**

Commissioner Hawley made a motion to adopt the ARCI model with LRC changes for their style and form compliance. Commissioner Christensen seconded the motion which carried unanimously.

### **General Meeting**

#### **March 18, 2025, Quarterly Meeting**

Commissioner Goetz made a motion to adopt the minutes as drafted for the March 18, 2025, quarterly meeting. Commissioner Hawley seconded the motion which carried unanimously.

### **Old Business**

There was no old business to be discussed.

### **New Business**

#### **Senate Bill 62**

The South Dakota Legislature during the 2025 Session passed Senate Bill 62, which requires state agencies to “adopt a written policy on reporting improper governmental conduct and crime and submitting records evidencing the improper governmental conduct or crime.” SB 62 becomes effective July 1, 2025.

The South Dakota Commission on Gaming (Commission) therefore adopts the following policy:

Effective July 1, 2025, the Commission adopts the written policy or policies adopted by BHRA on or before July 1, 2025, regarding mandatory reporting, the reporting of improper governmental conduct and crime, and the submission of records evidencing improper governmental conduct or crime. The Commission’s policy is applicable to all individuals statutorily subject to SB 62.

Commissioner Goetz made a motion to adopt the policy as stated above. Commissioner Christensen seconded the motion which carried unanimously.

## **Remarks by Representative of Gaming Laboratories International**

Steven May, Client Solutions Executive, for Gaming Laboratories International, gave a brief report on testing and consulting services.

## **Approval of GLI Contract for Device Testing and Consulting Services**

Commissioner Goetz made a motion to approve the contract with Gaming Laboratories International. Commissioner Hawley seconded the motion which carried unanimously.

## **Live Racing Matters**

### **1) Condition Book**

Mark Heltzel, Executive Secretary, stated that staff recommended approval of the Verendrye Benevolent Association condition book as listed on pages 22-30 of the meeting packet for the 2025 live horse racing season.

Commissioner Hawley made a motion to approve the condition book. Commissioner Goetz seconded the motion which carried unanimously.

### **2) Allocations**

Mark Heltzel, Executive Secretary, stated that staff recommended the proposed resolutions for the allocation of funds to the Verendrye Benevolent Association for the 2025 live horse racing season.

### **Resolution 06-25-01**

The allocation of funds from the Revolving and Bred funds for purse supplements and racing operations for the 2025 live horse racing season.

Commissioner Christensen made a motion to approve Resolution 06-25-01. Commissioner Hawley seconded the motion which carried unanimously.

### **3) Jockey Bonus**

### **Resolution 06-25-02**

The allocation of funds from Revolving fund for the Jockey bonus for the 2025 live horse racing season.

Commissioner Hawley made a motion to approve Resolution 06-25-02. Commissioner Goetz seconded the motion which carried unanimously.

#### **4) Track Bond and Insurance**

##### **Resolution 6-25-03**

Mark Heltzel, Executive Secretary, stated that staff recommended that as a condition of any horse track's license that the corporation or association which holds the license obtain an insurance policy or policies with the limits of \$1 million naming the South Dakota Commission on Gaming and its agents and employees as additional insured. The policy or policies shall include general liability, liquor liability, jockey insurance, and horse racing activities.

The Executive Secretary also stated that staff recommended that the track be required to obtain a bond, deposit in lieu of bond, or letter of credit to be used, if necessary, to pay purses, salaries, wages, and payments to vendors for goods and services provided to the corporation or association in conducting its racing operations in the amount of \$25,000.00.

Commissioner Goetz made a motion to approve the track insurance and bond of \$25,000.00. Commissioner Christensen seconded the motion which carried unanimously.

#### **5) Verendrye Benevolent Association Horse Racing Officials**

Commissioner Hawley made a motion to approve the Verendrye Benevolent Association horse racing officials as listed on pages 49-50 of the meeting packet for the 2025 live horse racing season. Commissioner Goetz seconded the motion which carried unanimously.

#### **6) Commission Horse Racing Officials**

Commissioner Goetz made a motion to approve the Commission horse racing officials as listed on page 53 of the meeting packet for the 2025 live horse racing season. Commissioner Hawley seconded the motion which carried unanimously.

#### **7) Horse Racing Contracts**

##### **Dr. Cooper, DVM**

Commissioner Goetz made a motion to approve the contract with Dr. Cooper for the 2025 live horse racing season. Commissioner Christensen seconded the motion which carried unanimously.

##### **Center for Tox Services Consulting Contract**

Commissioner Christensen made a motion to approve the contract with Center for Tox Services for the 2025 live horse racing season. Commissioner Hawley seconded the motion which carried unanimously.

##### **Stanley County Sheriff Cooperative Agreement**

Commissioner Christensen made a motion to approve the contract with Stanley County Sheriff for the 2025 live horse racing season. Commissioner Hawley seconded the motion which carried unanimously.



## **Approval of Stipulation and Assurance of Voluntary Compliance**

### **Aces, Full Inc., dba Mr. Wu's**

A monetary penalty of \$5,000.00 to be paid not later than June 2, 2025, was imposed for a complaint that was filed on February 20, 2025, alleging that the Defendant engaged in conduct constituting grounds for disciplinary action. The Defendant failed to place a patron on their self-exclusion plan violating ARSD 20:18:12.01:26. An informal consultation was held, and licensee agreed to the complaint, agreed to return \$3,450.00 to the affected patron, and paid the fine.

### **Brinton Hamm**

A monetary penalty of \$250.00 to be paid no later than April 30, 2025, and Defendant's gaming license suspended for two days, was imposed for a complaint that was filed on February 20, 2025, alleging that the Defendant engaged in conduct constituting grounds for disciplinary action. The Defendant failed to place a patron on their self-exclusion plan violating ARSD 20:18:12.01:26. An informal consultation was held, and licensee agreed to the complaint, paid the fine and turned in gaming license from April 23, 2025, to April 25, 2025.

Commissioner Goetz made a motion to accept the Stipulation and Assurance of Voluntary Compliance for Aces Full, Inc., dba Mr. Wu's and Brinton Hamm. Commissioner Hawley seconded the motion which carried unanimously.

### **Clark and Apex, LLC**

A monetary penalty of \$750.00 to be paid not later than April 30, 2025, was imposed for a complaint that was filed on February 20, 2025, alleging that the Defendant engaged in conduct constituting grounds for disciplinary action. The Defendant did not have licensed employees on premises while gaming was being operated, violating ARSD 20:18:12.01:16 and SDCL 42-7B-40. An informal consultation was held, and licensee agreed to the complaint, and paid the fine.

Commissioner Christensen made a motion to accept the Stipulation and Assurance of Voluntary Compliance. Commissioner Hawley seconded the motion which carried unanimously.

### **Internet Sports International (ISI)**

A monetary penalty of \$11,500.00 to be paid not later than June 3, 2025, was imposed for a complaint that was filed on February 20, 2025, alleging that the Defendant engaged in conduct constituting grounds for disciplinary action. The Defendant failed to have an annual integrity and risk assessment completed in calendar year 2024, violating ARSD 20:18:35:01.06. An informal consultation was held, and licensee agreed to the complaint, and paid the fine.

Commissioner Hawley made a motion to accept the Stipulation and Assurance of Voluntary Compliance. Commissioner Goetz seconded the motion which carried unanimously.

## **Deadwood Licensing Matters**

### **Key License Approvals**

Executive Secretary Heltzel recommended approval of the following:

Jeff Girard	Angela Miller	Michael Dowty
Aimee Miller	Oliver Chow	John Steely
Jeffrey Hook	Kurt Sullivan	Jacqueline Sarcinelli
Hiroshi Matsumoto	Chad Boynak	Benjamin Winston
Michael Marchetti	Anne Tucker	Jehad Attiyah
Husam Attiyah	Jolene Krajnik	Michael Costanzo
Russell Harper	Gil Rotem	James Gwynn
Lori Plew	Jason Rood	Craig Sasamura
Robert Smith, Jr.	William Walkowski	

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

### **Business License Approvals**

Executive Secretary Heltzel recommended approval of the following:

- Approval of Passport Technology USA for an Associated Equipment license
- Approval of BetWorks, Inc. for a Sports Wagering Provider's license
- Approval of SGI, LLC for a Gaming Property Owner's license
- Approval of Hospitality Management, LLC for a Gaming Property Owner's license
- Approval of Deadwood Gaming Inc. for an Operator license and five Retail licenses to be assigned at Deadwood Gulch Resort.

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

### **Business License Renewals**

Executive Secretary Heltzel recommended the approval of all Operators, Route Operators, Retails, Property Owners, Manufacturers, Associated Equipment, and Sports Wagering Service Provider licenses as listed on pages 111-112 of the meeting packet.

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

## **Exclusion List**

### **Removal of Pamela Potter**

Commissioner Hawley made a motion to remove Pamela Potter from the exclusion list. Commissioner Goetz seconded the motion which carried unanimously.

### **Comments by Tim Stupka from OTB, LLC, dba Railbirds**

Tim Stupka, representing OTB, LLC, dba Railbirds, gave a brief report on how the OTB is going since opening in March of 2025. He addressed some issues that players want to see transactions in real time, players want 24/7 access, and the future of horse betting apps.

### **Comments by DGA Executive Director George Milos**

George Milos, Executive Director of the Deadwood Gaming Association, a few weeks ago had discussions with Executive Secretary Mark Heltzel on some issues that the industry is having, and Mr. Heltzel gave an update on the progress for creating rules for cashless wagering.

### **Public Comment**

Shane Kramme thanked the Commission for approving the fund request and condition book and appreciated the comments by Mr. Chairman and Mr. Stupka regarding the challenges that SD horse racing is facing.

### **Date of Next Meeting**

The next quarterly meeting is scheduled for September 16, 2025.

Commissioner Goetz made a motion to approve the scheduled meeting for September 16, 2025. Commissioner Christensen seconded the motion which carried unanimously.

### **Executive Session**

Commissioner Hawley made a motion to go into Executive Session. Commissioner Goetz seconded the motion which carried unanimously.

At 10:30 a.m. the Commissioners went into Executive Session pursuant to SDCL 1-25-2 and 42-7B-8.1

The Executive Session was concluded at 11:24 a.m. with no action taken.

### **Adjournment**

With no further business to be discussed Commissioner Hawley made a motion to adjourn the meeting. Commissioner Christensen seconded the motion which carried unanimously.

The meeting was adjourned at 11:25 a.m.

Respectfully Submitted,

Kathy Beringer

A handwritten signature in dark ink, appearing to read "H. Christianson", written over a horizontal line.

Harry Christianson, Chairman

A handwritten signature in dark ink, appearing to read "Mark Heltzel", written over a horizontal line.

Mark Heltzel, Executive Secretary