



SOUTH DAKOTA COMMISSION ON GAMING

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South Dakota Commission on Gaming Special Meeting

MINUTES

February 2, 2022

The South Dakota Commission on Gaming special meeting was held by telephone conference call at 3:30 p.m. CST. Commissioner Karen Wagner, Commissioner Karl Fischer, Commissioner Bob Goetz, Commissioner Spencer Hawley, and Commissioner Harry Christianson were present. Staff members present for the meeting were Mike Shaw, Commission Attorney; Susan Christian, Executive Secretary; Mark Heltzel, Deputy Executive Secretary; Kelly Hanson, Director of Operations; Brian Swets, Enforcement Agent, and Kathy Beringer, Recorder. Other persons participating in the meeting telephonically were Garrett Gross, Basil Hofer, and Brendan Reilly, Dakota Gaming Group; Gary King, Rushmore Gaming, LLC; Jaci Pearson, Black Hills Pioneer; Steve Schaeffer, First Gold; and Mike Rodman, Deadwood Gaming Association.

The meeting was called to order by Commissioner Wagner at 3:30 p.m. CST and a roll call was taken. Commissioner Wagner welcomed the new Commissioner Harry Christianson.

On a roll call all Commissioners were present.

Commissioner Goetz	Aye
Commissioner Fischer	Aye
Commissioner Hawley	Aye
Commissioner Christianson	Aye
Commissioner Wagner	Aye

Conflicts of Interest Disclosure

On a roll call no conflicts of interest were disclosed.

Commissioner Goetz	Nay
Commissioner Fischer	Nay
Commissioner Hawley	Nay
Commissioner Christianson	Nay
Commissioner Wagner	Nay

Old Business

There was no old business to be discussed.

December 15, 2021 Quarterly Meeting

Commissioner Fischer made a motion to adopt the minutes as drafted for the December 15, 2021 quarterly meeting. Commissioner Hawley seconded the motion. Commissioner Christianson abstained from the roll call vote.

On a roll call vote motion carried.

Commissioner Goetz	Aye
Commissioner Fischer	Aye
Commissioner Hawley	Aye
Commissioner Wagner	Aye

Deadwood Licensing Matters

Business License Temporary Approval

Deputy Executive Secretary Heltzel recommended approval of the following:

- ✓ Temporary approval of Dakota Gaming Group, Inc. dba BetKota for a Sports Wagering Service Providers License **(12215-SW)** for twelve (12) months to allow for the completion of the background investigation, or until the Commission makes a final determination on the application upon the following conditions:
 - Successful completion of the background investigation within twelve (12) months;
 - Report all disciplinary action taken against Applicant by any regulatory agency and providing updates to Commission Staff as to the status of any disciplinary action;
 - Taking full responsibility for the actions or inactions of any third party contracted with to provide sports wagering services to licensed operators in Deadwood, complete and sign the attached agreement; and
 - Provide a list of all third-party vendors contracted with to provide sports wagering services to licensed operators within the city of Deadwood, including associated equipment providers, within fourteen (14) days of temporary licensure and supplemented within fourteen (14) days of any additional contracts.

Commissioner Fischer made a motion to approve the temporary conditional license for Dakota Gaming Group, Inc. as staff recommend. Commissioner Hawley seconded the motion.

On a roll call vote motion carried unanimously.

Commissioner Goetz	Aye
Commissioner Fischer	Aye
Commissioner Hawley	Aye
Commissioner Christianson	Aye
Commissioner Wagner	Aye

- ✓ Approval of Dakota Gaming Group, Inc. dba BetKota for a Route Operator License **(12625-RO)**.

Commissioner Goetz made a motion to approve the Route Operator License as staff recommended. Commissioner Hawley seconded the motion.

On a roll call vote motion carried unanimously.

Commissioner Goetz	Aye
Commissioner Fischer	Aye
Commissioner Hawley	Aye
Commissioner Christianson	Aye
Commissioner Wagner	Aye

- ✓ Temporary approval of Rushmore Gaming, LLC dba BetRushmore for a Sports Wagering Service Providers License **(12216-SW)** for twelve (12) months to allow for the completion of the background investigation, or until the Commission makes a final determination on the application upon the following conditions:

- Successful completion of the background investigation within twelve (12) months;
- Report all disciplinary action taken against Applicant by any regulatory agency and providing updates to Commission Staff as to the status of any disciplinary action;
- Taking full responsibility for the actions or inactions of any third party contracted with to provide sports wagering services to licensed operators in Deadwood, complete and sign the attached agreement; and
- Provide a list of all third-party vendors contracted with to provide sports wagering services to licensed operators within the city of Deadwood, including associated equipment providers, within fourteen (14) days of temporary licensure and supplemented within fourteen (14) days of any additional contracts.

Commissioner Hawley made a motion to approve the temporary conditional license for Rushmore Gaming, LLC as staff recommended. Commissioner Goetz seconded the motion.

On a roll call vote motion carried unanimously.

Commissioner Goetz	Aye
Commissioner Fischer	Aye
Commissioner Hawley	Aye
Commissioner Christianson	Aye
Commissioner Wagner	Aye

- ✓ Approval of Rushmore Gaming, LLC dba BetRushmore for a Route Operator License **(12626-RO)**.

Commissioner Goetz made a motion to approve the Route Operator License as staff recommended. Commissioner Christianson seconded the motion.

On a roll call vote motion carried unanimously.

Commissioner Goetz	Aye
Commissioner Fischer	Aye
Commissioner Hawley	Aye
Commissioner Christianson	Aye
Commissioner Wagner	Aye

Deputy Executive Secretary Heltzel stated that there is not an immediate timeline as when Dakota Gaming Group, Inc. and Rushmore Gaming, LLC can start sports wagering. There are still issues to work on as far as internal controls, staffing issues, inspections on the systems, and surveillance. Both parties agreed that there are still issues to accomplish before they can start sports wagering.

Individual License

Deputy Executive Secretary Heltzel recommended approval of the following:

- ✓ Approval of Garret Gross **(12194-DR)**, Basil Hofer **(12195-DR)**, Gregory Anderson **(12196-DR)**, and Jason Baskin **(12197-DR)** as Directors associated with Dakota Gaming Group, Inc. dba BetKota.

Commissioner Fischer made a motion to approve the individual licenses as staff recommended. Commissioner Goetz seconded the motion.

On a roll call vote motion carried unanimously.

Commissioner Goetz
Commissioner Fischer
Commissioner Hawley
Commissioner Christianson
Commissioner Wagner

- ✓ Approval of Ryan Karst **(12200-DR)**, Gary King **(12201-DR)**, Jared Miller **(12202-DR)**, Terry Schmidt **(12203-DR)**, and Eldon Swingler **(12204-DR)** as Directors associated with Rushmore Gaming, LLC dba BetRushmore.

Commissioner Goetz made a motion to approve the individual licenses as staff recommended. Commissioner Hawley seconded the motion.

On a roll call vote motion carried unanimously.

Commissioner Goetz
Commissioner Fischer
Commissioner Hawley
Commissioner Christianson
Commissioner Wagner

Next Commission Meeting

The next Commission meeting is scheduled for March 23, 2022.

Public Comment

There was no participation for the comment period of the meeting.

Adjournment

With no further business to be discussed Commissioner Fischer made a motion to adjourn the meeting. Commissioner Hawley seconded the motion.


On a roll call vote motion carried unanimously.

Commissioner Goetz
Commissioner Fischer
Commissioner Hawley
Commissioner Christianson
Commissioner Wagner

The meeting was adjourned at 3:42 p.m. CST

Respectfully Submitted,

Kathy Beringer


Karen Wagner, Madam Chairman


Susan Christian, Executive Secretary