



SOUTH DAKOTA COMMISSION ON GAMING

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UNAPPROVED MINUTES

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

MINUTES

June 25, 2024

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; Brandon Snyder, Enforcement Agent.

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

On a roll call all Commissioners were present.

Vice Chairman Christianson
Commissioner Goetz
Commissioner Millage
Commissioner Hawley
Chairman Wagner

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

Election of Chair and Vice Chair for Fiscal Year 2025

Vice Chairman Christianson made a motion to reappoint Commissioner Wagner as the Chairman. Commissioner Goetz seconded the motion which carried unanimously.

Chairman Wagner made a motion to reappoint Commissioner Christianson as the Vice Chairman. Commissioner Hawley seconded the motion which carried unanimously.

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

Adoption of Quarterly Business Meeting Agenda

Chairman Wagner stated that there was one change and one addition to the agenda:

- On page 30 of the meeting packet in Section 1 the year should be 2024
- The Deadwood licensing section to add page 51A

Commissioner Millage made a motion to adopt the meeting agenda with the change and addition. Commissioner Goetz seconded the motion which carried unanimously.

Proposed Rules to be Amended

Susan Christian, 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 20:04:27:13.13 Maximum threshold for Phenylbutazone (bute)**
- 3) ARSD 20:04:27:14 Restrictions on use of authorized drugs**

Commissioner Hawley made a motion to adopt the proposed amendments with LRC changes for their style and form compliance as presented on pages 3-7 of the meeting packet. Commissioner Goetz seconded the motion which carried unanimously.

General Meeting

Chairman Wagner called the general meeting to order at 9:22 a.m.

Mark Heltzel, Deputy Executive Secretary, introduced new staff members, John Cargill, Monica Lucio, Jarle Randall, and Courtnie Marie Ritter.

April 30, 2024, Special Meeting

Commissioner Goetz made a motion to adopt the minutes as drafted for the April 30, 2024, special meeting. Commissioner Millage seconded the motion which carried unanimously.

March 19, 2024, Quarterly Meeting

Commissioner Hawley made a motion to adopt the minutes as drafted for the March 19, 2024, quarterly meeting. Commissioner Goetz seconded the motion which carried unanimously.

Old Business

There was no old business to be discussed.

Remarks by DGA Executive Director, George Milos

George Milos, the new Executive Director for the Deadwood Gaming Association, is taking over for Mike Rodman and has been in the position for about a month. He thanked the Commissioners and to call him if they needed anything.

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

Vice Chairman Christianson 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

Susan Christian, Executive Secretary, stated that staff recommended approval of the Verendrye Benevolent Association condition book as listed on pages 22-28 of the meeting packet for the 2024 live horse racing season.

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

2) Allocations

Susan Christian, Executive Secretary, stated that staff recommended the proposed resolutions for the allocation of funds to the Verendrye Benevolent Association for the 2024 live horse racing season.

Resolution 06-25-24-01

The allocation of funds from the Revolving and Bred funds for purse supplements and racing operations for the 2024 live horse racing season.

Commissioner Hawley made a motion to approve Resolution 06-25-24-01. Commissioner Millage seconded the motion which carried unanimously.

3) Jockey Bonus

Resolution 06-25-24-02

The allocation of funds from Revolving fund for the Jockey bonus for the 2024 live horse racing season.

Commissioner Millage made a motion to approve Resolution 06-25-24-02. Commissioner Goetz seconded the motion which carried unanimously.

4) Track Bond and Insurance

Resolution 6-25-24-03

Susan Christian, 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 Hawley seconded the motion which carried unanimously.

5) Verendrye Benevolent Association Horse Racing Officials

Commissioner Goetz made a motion to approve the Verendrye Benevolent Association horse racing officials as listed on pages 32-33 of the meeting packet for the 2024 live horse racing season. Vice Chairman Christianson seconded the motion which carried unanimously.

6) Commission Horse Racing Officials

Commissioner Hawley made a motion to approve the Commission horse racing officials as listed on page 35 of the meeting packet for the 2024 live horse racing season. Commissioner Goetz seconded the motion which carried unanimously.

7) Horse Racing Contracts

- a) Cooper Animal Clinic**
- b) Center for Tox Services Consulting Contract**
- c) Stanley County Sheriff Cooperative Agreement**

Commissioner Millage made a motion to approve the horse racing contracts as listed above for the 2024 live horse racing season. Vice Chairman Christianson seconded the motion which carried unanimously.

Deadwood Licensing Matters

Key License Approvals

Deputy Executive Secretary Heltzel recommended approval of the following:

- Matthew Schuffert
- Richard Garza
- Timothy Conrad
- Melissa Stennes
- Jaqueline Mattingley
- Thomas Mertens
- Alton Schoppe
- Michael Freeman
- Harjinder Chana
- William Martinez
- Andrew Cardno
- Marc Masi
- Matthew Gorman
- Tristan Sjoeborg
- Randall Knust
- Simon Burgess
- Jennifer Masi
- Amanda Roth
- Michael Knutsson
- Anna Sainsbury
- David Briggs
- Lindsey Drake

Key License Renewal

Deputy Executive Secretary Heltzel recommended approval of the following:

- Emily Sheridan

Vice Chairman Christianson made a motion to approve the Key license approvals and Key license renewal as staff recommended. Commissioner Goetz seconded the motion which carried unanimously.

Business License Approvals

Deputy Executive Secretary Heltzel recommended approval of the following:

- Approval of Data Financial Inc. for a Manufacturer/Distributor license
- Approval of Game Changing Technologies for an Associated Equipment license
- Approval of Genesis Gaming Solutions, Inc. for an Associated Equipment license
- Approval of TCS John Huxley America, Inc. for an Associated Equipment license
- Approval of Deadwood Gaming, BHCI, LLC. for an Operator license (13520-OP), Gaming Property Owners license (13534-PO), and three retail licenses (13531-RT,13532-RT,13533-RT)
- Approval of SGMSD, LLC for six retail licenses (14020,14022,14023,14024,14025,14026) assigned at 1906 Deadwood Mt. Drive, Deadwood, SD.
- Approval of Geo Comply Solutions, Inc for an Associated Equipment license.

Business License Renewals

Deputy 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 52-53 of the meeting packet.

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

Date of Next Meeting

The next quarterly meeting is scheduled for September 12, 2024.

Public Comment

Shane Kramme, on behalf of the Verendrye Benevolent Association and the SD Horsemen Association, thanked the Commission for providing the opportunity for SD horse racing and look forward to the races on October 5th and October 6th in Ft. Pierre.

Executive Session

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

At 9:42 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 Vice Chairman Christianson made a motion to adjourn the meeting. Commissioner Goetz seconded the motion which carried unanimously.

The meeting was adjourned at 11:27 a.m.

Respectfully Submitted,

Kathy Beringer

Karen Wagner, Madam Chairman

Susan Christian, Executive Secretary