

**Colorado Limited Gaming Control Commission**  
Minutes of Public Session  
January 18, 2018

**Public Session**

**I. Call to Order**

The January 18, 2018 meeting of the Colorado Limited Gaming Control Commission was called to order by Chairman Roger Hutson at approximately 9:15 a.m. at the Division of Gaming office, 17301 W. Colfax Ave, Suite 135, Golden, Colorado. Commissioners Mohr, Carlson and Mares were present and a quorum existed; Commissioner Shirley was excused for good cause.

**Officials & Administrators in Attendance**

Roger Hutson, Chairman  
Jannine Mohr, Vice-Chairman  
Cynthia Mares, Commissioner  
Tim Carlson, Commissioner  
Flavio Quintana, Senior Director of Enforcement  
Kirsten Gregg, Chief of Investigations  
Ceri Williams, Senior Assistant Attorney General  
Paul Hogan, Chief Auditor  
Vickie Floyd, Controller  
Lad Sullivan, Agent in Charge, Central City  
Phil Spencer, Supervisory Investigator, Cripple Creek  
John Madruga, Agent in Charge, Golden  
Terri Feagans, Secretary pro tem to the Commission  
Wendy Spaulding, Assistant to the Senior Director

**Executive Session**

The Commission voted unanimously to go into Executive Session pursuant to sections 24-6-402(3)(a)(III), 12-47.1-522(1)(a) and 12-47.1-527(1) of the Colorado Revised Statutes to review confidential reports from the Division of Gaming.

**Public Session** (reconvened)

**II. Opportunity for the Public to Address the Commission**

The Chairman extended an opportunity for the public in attendance to address the Commission on any topic not on the agenda. No one came forward.

**III. Approval of Licensing Actions**

The Commission voted unanimously to approve the Renewal of the Retail License for Minter Holdings, LLC d/b/a Johnny Nolan's Casino. The license renewal shall expire two years from the date of its current expiration.

The Commission also voted unanimously to approve the Change in Ownership of the Manufacturer/Distributor and the Operator Licenses for Incredible Technologies, Inc.

#### **IV. Consideration of Disciplinary Actions**

The Commission voted unanimously to approve and authorize the Chairman to sign the Stipulation and Agreement in Case No. DOG 17000776, In the Matter of Michael A. Barlam, Support License No. 26760, and the Order of Summary Suspension in Case No. DOG 17002773, In the Matter of Roger Wayne Oran, Support License No. 44229.

#### **V. Consideration of Division Financial Statement for November 2017**

Vickie Floyd, Controller, presented the Statement of Gaming Revenues, Gaming Taxes, and Expenditures (unaudited) for the fifth (5th) month ending November 30, 2017.

The Commission voted unanimously to approve the financial statement and authorize its distribution.

#### **VI. Consideration of Organizational Matters**

Approval of Minutes – Minutes of the December 21, 2017 Public Session of the Colorado Limited Gaming Control Commission were approved as presented.

##### Directors' Update:

*Flavio Quintana, Senior Director of Enforcement*, apprised the Commission that the Colorado Gaming Association will come before the Commission at its March meeting to address its proposed rule at the rule making hearing. He also stated that he is working to fill the Gaming Director position along with other vacancies, and closed by introducing three new Division employees.

The Chairman extended an opportunity for the public in attendance to address the Commission before adjournment. No one came forward.

Adjournment – The meeting was adjourned at approximately 9:41 a.m.



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Terri Feagans, Secretary pro tem to the Colorado Limited Gaming Control Commission

**Colorado Limited Gaming Control Commission**  
Minutes of Public Session  
February 15, 2018

**Public Session**

**I. Call to Order**

The February 15, 2018 meeting of the Colorado Limited Gaming Control Commission was called to order by Chairman Roger Hutson at approximately 9:15 a.m. at the Division of Gaming office, 17301 W. Colfax Ave, Suite 135, Golden, Colorado. Commissioners Mohr and Mares were present and a quorum existed; Commissioners Carlson and Shirley were excused for good cause.

**Officials & Administrators in Attendance**

Roger Hutson, Chairman  
Jannine Mohr, Vice-Chairman  
Cynthia Mares, Commissioner  
Flavio Quintana, Senior Director of Enforcement  
Donia Amick, Director  
Ceri Williams, Senior Assistant Attorney General  
Kirsten Gregg, Chief of Investigations  
Paul Hogan, Chief Auditor  
Vickie Floyd, Controller  
Lad Sullivan, Agent in Charge, Central City  
Chris Moore, Agent in Charge, Cripple Creek  
John Madruga, Agent in Charge, Golden  
Terri Feagans, Secretary pro tem to the Commission  
Wendy Spaulding, Assistant to the Senior Director

**Executive Session**

The Commission voted unanimously to go into Executive Session pursuant to sections 24-6-402(3)(a)(III), 12-47.1-522(1)(a) and 12-47.1-527(1) of the Colorado Revised Statutes to review confidential reports from the Division of Gaming.

**Public Session (reconvened)**

**II. Opportunity for the Public to Address the Commission**

The Chairman extended an opportunity for the public in attendance to address the Commission on any topic not on the agenda. No one came forward.

**III. Approval of Licensing Actions**

The Commission voted unanimously to approve the Renewal of the Retail Licenses for FHR-Colorado LLC d/b/a Bronco Billy's Casino, FHR-Colorado LLC d/b/a Buffalo Billy's Casino and FHR-Colorado LLC d/b/a Billy's Casino; the Renewal of the Operator License for Full House Resorts, Inc., and the renewal of the Manufacturer/Distributor License for FHR-Colorado LLC d/b/a Bronco Billy's Casino. The license renewals shall expire two years from the date of their current expirations.

#### **IV. Consideration of Division Financial Statement for December 2017**

Vickie Floyd, Controller, presented the Statement of Gaming Revenues, Gaming Taxes, and Expenditures (unaudited) for the sixth (6th) month ending December 31, 2017.

The Commission voted unanimously to approve the financial statement and authorize its distribution.

#### **V. Consideration of Organizational Matters**

Approval of Minutes – Minutes of the January 18, 2018 Public Session of the Colorado Limited Gaming Control Commission were approved as presented.

#### Directors' Update:

Flavio Quintana, Senior Director of Enforcement introduced Donia Amick, the new Director for the Division of Gaming. He then updated the Commission on several bills currently in the legislature that could impact the Division. Senior Director Quintana then stated that he is pleased to report that incidents of underage gaming and lingering have been drastically reduced and credits the industry and enforcement posture.

Donia Amick, Director thanked the Commission and Senior Director Quintana for the opportunity and stated she is very happy to have been selected as the Division Director.

The Chairman extended an opportunity for the public in attendance to address the Commission before adjournment. No one came forward.

Adjournment – The meeting was adjourned at approximately 9:40 a.m.

  
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Wendy Spaulding, Secretary to the Colorado Limited Gaming Control Commission

## Colorado Limited Gaming Control Commission

Minutes of Public Session  
March 15, 2018

### Public Session

#### I. Call to Order

The March 15, 2018 meeting of the Colorado Limited Gaming Control Commission was called to order by Chairman Hutson at approximately 9:15 a.m. at the Division of Gaming office, 17301 W. Colfax Ave, Suite 135, Golden, Colorado. Commissioners Mohr, Carlson and Shirley were present and a quorum existed. Commissioner Mares was excused for good cause.

#### Officials & Administrators in Attendance

Roger Hutson, Chairman  
Jannine Mohr, Vice Chairman  
Tim Carlson, Commissioner  
Ryan Shirley, Commissioner  
John Lizza, First Assistant Attorney General  
Ceri Williams, Senior Assistant Attorney General  
Donia Amick, Director  
Kenya Collins, Director of Administration  
Kirsten Gregg, Chief of Investigations  
Paul Hogan, Chief Auditor  
Stephanie Johnson, Audit Supervisor  
Sean Ballain, Table Games Chairman  
Vickie Floyd, Controller  
Phil Spencer, Acting Agent In Charge, Cripple Creek  
Lad Sullivan, Agent In Charge, Central City  
John Madruga, Agent In Charge, Background Unit  
Terri Feagans, Licensing  
Wendy Spaulding, Assistant to the Director

#### Executive Session

The Commission voted unanimously to go into Executive Session pursuant to sections 24-6-402(3)(a)(III), 12-47.1-522(1)(a) and (b) and 12-47.1-527(1) of the Colorado Revised Statutes to review confidential reports from the Division of Gaming and the Colorado Bureau of Investigation.

#### Public Session (reconvened)

#### II. Opportunity for the Public to Address the Commission

The Chairman extended an opportunity for the public in attendance to address the Commission on any topic not on the agenda. Mr. Lawrence Wall, President of the Problem Gambling Coalition, updated the Commission on activities that the Coalition has planned to raise funds. Mr. Wall stated that their budget is approximately \$40,000-\$50,000, with hopes for \$100,000. Mr. Wall apprised the

Commission that their yearly golf tournament is scheduled for August 1, 2018 at the Arrowhead Golf Club and the National Problem Gambling Conference will be held in Denver next year in July 2019.

### **III. Consideration of Licensing Actions**

The Commission voted unanimously to approve the Renewal of the Retail Licenses for CC Gaming, LLC d/b/a Johnny Z's Casino and American Gaming Group LLC d/b/a Wildwood Casino at Cripple Creek, the Renewal of the Operator License for Merit Cripple Creek LLC and the Renewal of the Manufacturer/Distributor Licenses for Merit Cripple Creek LLC and NRT Technologies, Inc.

The license renewals shall expire two years from the date of their current expirations.

### **IV. Consideration of Disciplinary Actions**

Ceri Williams, Senior Assistant Attorney General, presented the Order of Summary Suspension in Case No. DOG18000107, In the Matter of Toure Symone Powell, Support License No. 46394.

The Commission voted unanimously to approve and authorize the Chairman to sign the disciplinary action.

### **V. Consideration of Amendments to Rule 21 – Rules for Blackjack-Poker Combination Games**

The Commission voted unanimously to open the hearing on proposed amendments to Colorado Limited Gaming Regulations, Rule 21. Sean Ballain, Table Games Chairman, Division of Gaming, presented the proposed changes. No one from the public came forward to testify on the amendments.

The Commission voted unanimously to close the rulemaking hearing and to amend Colorado Limited Gaming Regulations, Rule 21, as presented.

### **VI. Consideration of Division Financial Statement for January 2018**

Vickie Floyd, Controller, presented the Statement of Gaming Revenues, Gaming Taxes, and Expenditures (unaudited) for the seventh (7th) month ending January 31, 2018.

The Commission voted unanimously to approve the financial statement and authorize its distribution.

### **VII. Rulemaking Hearing on Colorado Gaming Rule 14, Gaming Tax**

The Commission voted unanimously to open the hearing on Colorado Gaming Rule 14, Gaming Tax.

*Kenya Collins, Director of Administration, Division of Gaming*

Ms. Collins presented an overview of the gaming tax methodology the Commission will use in the process of setting the tax rates for the upcoming fiscal year. Ms. Collins also summarized the anticipated presentations the Commission would hear during the meeting.

*Colorado Gaming Association (CGA)*  
Mark Grueskin, General Counsel

Mr. Grueskin addressed the Commission on CGA's proposed amendment to Rule 14, regarding Free Play. Mr. Grueskin summarized the procedural background over the last year of the present CGA proposal. Mr. Grueskin addressed the propriety of the proposal being heard during the Commission's annual gaming tax setting hearings because the proposed amendments relate to a tax policy or attribute. Mr. Grueskin addressed a procedural challenge made by opponents to the CGA's proposal and stated his view that the CGA followed the requirements of the Administrative Procedures Act.

David Farahi, President of the CGA

Mr. Farahi entered into the record the CGA's presentation regarding its free play proposal and a February 19, 2018 letter from Mr. Anthony F. Lucas, Ph.D. supplementing an article titled "The Free-Play Tax Deduction Debate: How Academic Research Can Help." Mr. Farahi testified that the CGA's goal is to stimulate and maximize the growth of gaming in Colorado to the benefit of all funding beneficiaries. Mr. Farahi stated it has taken 10 years to reach the same level of gaming revenue for the state as was generated back in 2007. He stated that this is despite the tremendous growth in GDP and population. Mr. Farahi testified that the growth the industry has experienced over the last 10 years came from growth in table games and is directly related to the increase in bet limits from \$5 to \$100. Regarding slot machines, the table games growth is proportionately a larger percentage of gaming revenue. Slot revenue is still lower than in 2007. Mr. Farahi stated that the CGA's proposal will encourage the use of promotional coupons sent to patrons inviting them to play basically for free on a slot machine. He stated that different states have different taxing schemes on these promotional coupons and Colorado is one of only 7 states that fully taxes these coupons which puts Colorado at a distinct disadvantage when competing against other states. Nevada is one of the largest beneficiaries of Colorado tourists, and the goal of the CGA's proposal is to encourage them to stay and play in Colorado to benefit Colorado. Mr. Farahi emphasized a slide that showed the tax effect of promotional coupons in Colorado versus other states that do not tax coupons. He also noted that these other states are limited license jurisdictions that limit the number of casinos, not like Colorado where anybody can come and apply and build a casino. It shows Colorado is under-using promotional coupons because of the taxation. In response to a previous question by the Commission, Mr. Farahi reported that the state of New York and Indiana put a specific amount of promotional credits that would be tax free, and it worked so well they increased the amount to further drive growth.

*Kenya Collins, Director of Administration, Division of Gaming*

Ms. Collins presented the Division's proposed amendment to the CGA's proposal and entered into the rulemaking record documents from the following entities:

- The City of Cripple Creek's Resolution in support of the CGA's proposal.
- The City of Black Hawk's letter in support of the CGA's proposal.
- The City of Central's submission in opposition to the CGA's proposal.
- History Colorado's letter in support of the CGA's proposal.
- Teller County Board of County Commissioners' letter in support of the CGA's proposal.

The following presentations were then made:

*Colorado Community College System*

Dr. Nancy McCallin, President

Dr. McCallin testified in support of the CGA's Proposal in its current form stating that it struck a reasonable balance between encouraging additional investment in limited gaming facilities and the industry as well as protecting the recipients' limited gaming tax revenues which are critical as revenue streams to the Community College System. Dr. McCallin presented a letter and stated that two primary features were critical to the CCCS's support: 1) Pilot Evaluation System - the 3 year pilot period that allows all parties to gauge success of the proposal and the specific targets net of any tax rate changes, are set out during the pilot period for overall tax revenue growth; if these targets are not met during the pilot period, the program would end; and 2) Minimum tax rate growth rate target - if the pilot is deemed successful and the program continues, the minimum annual tax revenue growth rate net of the tax rate reduction of 3.5% would continue into perpetuity. This minimum annual growth rate would grow from the FY17 -18 base revenues regardless of economic circumstances and would be compounded into the future. Dr. McCallin stated this protects the limited gaming tax revenue recipients long term and has the potential to reduce the volatility as well as to encourage gaming investment throughout the state.

Mark Superka, VP Finance and Administration

Mr. Superka submitted and explained a document containing 5 different scenarios illustrating the main features and impact of the CGA's proposal:

Scenario 1 – Pilot Criteria Not Met - tax revenues do not meet growth, so the program would end.

Scenario 2 – Pilot Criteria Met and Steady Post-Pilot – growth revenues meet pilot, all growth throughout the various years, additional tax revenue, tax rate adjustments by casinos.

Scenarios 3 – 5 - Different Rates of Growth.

*City of Central*

Mr. Daniel Miera, City Manager

Mr. Miera presented a written presentation and testified that Central City is opposed to the CGA's proposal. He stated for the record that Gilpin County previously was in support, but has scaled back that support to a neutral position. Mr. Miera stated the City is opposed to the proposal because compliance issues aside, even if the proposal is ready to go and is legal, the public policy behind the proposal is not necessary; it is not fair to provide a tax break to casinos at this time; it is unwarranted and there are other public interests at stake such as gambling addictions and social economic interests. Mr. Miera disagrees with the CGA's position regarding the health of the industry stating that the industry is up as far as numbers - 2017, 2018, first 1/2 of 2018, revenue was up nearly 8%. He stated there is no data that proves an increase in the use of promotional credits has been the cause of the increases seen. Regarding extended gaming for community colleges and other recipients, Mr. Miera stated since 2010, the average change from year to year was over 8.3% so there has been continued growth and why cap that growth at 3.5% when the beneficiaries continue to struggle. Central City struggles to provide services the gaming community needs. Mr. Miera noted that 3.5% does not reach recent inflation rates. Mr. Miera stated it is not a question if the proposal can be done, but should it be done and he is struggling to understand why it is necessary and why tailored to one particular type - electronic vs. non electronic credits. The proposal will

result in fundamental unfairness in the market capture between 2 local governments, and Central City will not benefit. Mr. Miera stated he would not rehash numbers provided last year, but many are still valid.

*The Famous Bonanza Casino/Easy Street Casino*

Mr. Roger Brown, General Manager

Mr. Brown presented two documents for the record in opposition to the CGA's proposal. Mr. Brown testified that his casinos fully support the City of Central's position that questions the necessity of the proposal. He testified that the Commission asked the CGA to work with the industry as a whole, but there has not been communication from CGA regarding a proposal that could work for all casinos. He stated that a tax rate change could benefit all casinos, while the CGA's proposal would only benefit some casinos but not others. He stated that it had come to his attention that some of the casinos who were in support last year are no longer in support of the proposal. Mr. Brown stated that they are siding with the City of Central stating that there are too many questions to make a fair judgment on the proposal.

The Chairman extended an opportunity for the public to testify on Rule 14, Gaming Tax and the CGA Proposal, and the following came forward:

*Wildwood Casino*

Mike Chaput, Director of Operations

Mr. Chaput testified in support of CGA's proposal. He stated that the current system taxes the dollars that customers leave in slot machine and also taxes dollars casinos give customers as incentive to walk through their doors. Mr. Chaput stated that the customer who is offered free play to play the slot machine has nothing to lose by coming to his casino and that the competition in the industry is fierce. He stated that they develop and retain customers by providing them with incentives such as free play and that the taxation of these promotions make it less viable to offer them to a wider audience. Mr. Chaput stated he knows based on 27 years of working in Cripple Creek that the customers they draw to Cripple Creek with free play will not necessarily spend all their visit at his casino. Customers who use the free play that his casino has given them will add to the revenue picture of the neighboring casinos. That is the nature of condensed geographic casinos. Mr. Chaput stated that those at the Wildwood Casino are in favor of the CGA's proposal and believe it will have a positive effect for all operators in the industry. Any stimulant that can drive increases to the gaming towns will benefit all operators with long term benefit.

*Jeff Aiken, Citizen of City of Central*

Mr. Aiken testified that living in Central City prior to gaming gives him insight into the present debate. He testified that free play only benefits casinos that can afford it and that tax breaks to one group and not to another is not fair and is against the original purpose behind limited gaming in Colorado regarding saving the historical cities.

*Jane Tomlinson, Century Casino, Compliance Manager*

Ms. Tomlinson testified that Michael Rosenbaum, General Manager, was not able to be at the meeting so she was testifying on his behalf in support of the CGA's proposal. Ms. Tomlinson stated that as long time operators, they know that customers visit multiple casinos each time they visit a gaming town. They see the CGA proposal as a clear way to increase visitation to Central City which

will have a positive impact on all casinos. She stated that they operate in both the smaller communities in Colorado, and think the long term benefit will be significant and positive for all casinos.

*Ray DuBois, City of Cripple Creek*

Mr. DuBois testified that as has already been stated by the City of Cripple Creek, they are in favor of the CGA's proposal.

*Joe Behm, Johnny Z's*

Mr. Behm testified to a letter the casino had previously sent in opposition to the CGA's proposed amendment. He testified that the two main reasons for the casino's opposition are the competitive issues as well as the potential for the City of Central to see lower gaming revenues. He testified that those lower revenues to Central City would be passed along to the casinos in the form of high device fees and other burdens that would be detrimental to their business.

*David Farahi, CEO, Monarch Gaming*

Mr. Farahi testified that the CGA did try to communicate with Easy Street. Mr. Farahi stated that the Monarch Casino endorses the CGA's proposed amendment.

The Commission voted unanimously to close the hearings on Colorado Gaming Rule 14, Gaming Tax, and continue the hearings at 9:30 a.m. on Thursday, April 19, 2018 at 17301 W. Colfax Ave, Suite 135, Golden, Colorado.

## **VIII. Consideration of Organizational Matters**

Approval of Minutes – Minutes of the February 15, 2018 Public Session of the Colorado Limited Gaming Control Commission were approved as presented.

Approval of Property Ownership - The Commission voted unanimously to approve the Division of Gaming employees' ownership of private property in Gilpin or Teller counties for residential purposes pursuant to §12-47.1-401(1)(b), C.R.S.

The Chairman extended an opportunity for the public in attendance to address the Commission on any topic not on the agenda, no one came forward.

Directors' Update:

Donia Amick – Director, stated that the Division will be commencing review of the background investigation rate. If there is a change from the current amount, the Division will bring the matter to the Commission at its April or May meeting. Director Amick then reminded all meeting attendees that the meeting next month will most likely be longer and to plan accordingly. Lastly, Director Amick updated the Commission on legislation that the Division is monitoring including, bills introduced on Simulated Gambling Activity and the Local Government Limited Gaming Impact Fund. She also stated that the Confirmation of Commissioner Carlson has been moved to the Senate floor.

Adjournment – The meeting was adjourned at approximately 11:17 a.m.

  
Wendy Spaulding, Secretary to the Colorado Limited Gaming Control Commission

## Colorado Limited Gaming Control Commission

### Minutes of Public Session

April 19, 2018

#### Public Session

##### **I. Call to Order**

The April 19, 2018 meeting of the Colorado Limited Gaming Control Commission was called to order by Chairman Roger Hutson at approximately 9:15 a.m. at the Division of Gaming office, 17301 W. Colfax Ave, Suite 135, Golden, Colorado. Commissioners Mohr, Carlson, Mares, and Shirley were present and a quorum existed.

#### Officials & Administrators in Attendance

Roger Hutson, Chairman  
Jannine Mohr, Vice Chairman  
Tim Carlson, Commissioner  
Cynthia Mares, Commissioner  
Ryan Shirley, Commissioner  
John Lizza, First Assistant Attorney General  
Ceri Williams, Senior Assistant Attorney General  
Flavio Quintana, Senior Director, Enforcement  
Donia Amick, Director  
Kenya Collins, Director of Administration  
Kirsten Gregg, Chief of Investigations  
Paul Hogan, Chief Auditor  
Tseko Ivanov, Reporting Accountant  
Phil Spencer, Supervisory Investigator, Cripple Creek  
Lad Sullivan, Agent In Charge, Central City  
Wendy Spaulding, Assistant to the Director  
Terri Feagans, Licensing Specialist  
Ryan Reather, Budget Director, Department of Revenue  
Ramon Alvarado, Budget Director, Enforcement Business Group  
Jenna Culver, Budget Officer

#### Executive Session

The Commission voted unanimously to go into Executive Session pursuant to sections 24-6-402(3)(a)(III), 12-47.1-522(1)(a), and 12-47.1-527(1) of the Colorado Revised Statutes to review confidential reports from the Division of Gaming.

#### Public Session (reconvened)

##### **II. Opportunity for the Public to Address the Commission**

The Chairman extended an opportunity for the public in attendance to address the Commission on any topic not on the agenda. No one came forward.

### **III. Consideration of Licensing Actions**

The Commission voted unanimously to approve the Renewal of the Associated Equipment Supplier license for Table Trac, Inc. The license will expire two years from the date of its current expiration.

### **IV. Consideration of Disciplinary Actions**

Ceri Williams, Senior Assistant Attorney General, presented the Order of Summary Suspension in Case No. DOG18000883, In the Matter of Tafari Lee Ownbey, Support License No. 47132.

The Commission voted unanimously to approve and authorize the Chairman to sign the disciplinary action.

### **V. Division Financial Statement**

Tseko Ivanov, Reporting Accountant, presented the Statement of Gaming Revenues, Gaming Taxes, and Expenditures (unaudited) for the eight (8) months ending February 28, 2018.

The Commission voted unanimously to approve the financial statement and authorize its distribution.

### **VI. Fiscal Year 2019 Budget Requests**

- *Presentation by the Colorado Division of Gaming* – Ramon Alvarado, Budget Director, Department of Revenue, presented the FY2019 budget request for the Colorado Division of Gaming in the amount of \$12,064,419. The Commission voted unanimously to approve the request as presented.
- *Presentation by the Colorado Department of Local Affairs* – Crystal Andrews, Gaming Impact Grant Program Manager, DLG, James McCoy, Finance Director, DOLA and Sherry Hubbard, Manger of Budget/Finance, DLG, presented the FY2019 budget request in the amount of \$211,365 for the Local Government Limited Gaming Impact Program, which is within the Colorado Department of Local Affairs. A discussion was had with DOLA representatives regarding questions from the Commission. The Commission voted unanimously to approve the request as presented.

*Presentation by the Colorado Department of Public Safety* – Matthew Packard, Chief, Colorado State Patrol, stated that Executive Director Hilkey was unable to attend the meeting and gave an overview of the budget requests being presented for the three Divisions within CDPS. Terri Anderle, CDPS Budget Director, came forward to answer questions posed by the Commission regarding the following budget requests.

- *Colorado State Patrol* – Deputy Chief Mark Savage presented the FY2019 budget request in the amount of \$3,399,827 and also provided detailed statistics and handouts concerning CSP activities in the gaming areas. The Commission voted unanimously to approve the request as presented.

- *Division of Fire Prevention and Control* – Mike Morgan, Director, presented the FY2019 budget request in the amount of \$199,073. The Commission voted unanimously to approve the request as presented.
- *Colorado Bureau of Investigation* – John Camper, Division Director, presented the FY2018 budget request in the amount of \$1,126,014. The Commission voted unanimously to approve the request as presented.

## VII. Continuation of Hearing on Colorado Gaming Rule 14, Gaming Tax

The Commission voted unanimously to open the continued hearing on proposed amendments to Colorado Gaming Rule 14, Gaming Tax. Representatives of the cities and counties impacted by gaming provided the following information which was admitted into the rulemaking record:

*Division of Gaming* - Kenya Collins, Director of Administration, presented an overview of the tax setting methodology and explained that testimony will also be heard on the Colorado Gaming Association's (CGA) proposal regarding tax rate adjustments for electronic promotional credits provided to patron by casinos.

Ms. Collins reviewed the Statements of Gaming Impacts/Annual Reports and entered the following reports into record as the representatives from the entities were not present:

- Colorado Judicial Branch
- Report from the City of Black Hawk
- Report from Colorado Office of Film, Television and Media
- Report from the Colorado Advanced Industries Accelerator Program

*History Colorado* – Steve Turner, Executive Director and Tim Stroh, Director of the State Historical Fund, requested to keep the tax structure at their current levels. Mr. Turner gave a brief overview of where the funds from limited gaming tax revenue has been spent by History Colorado in the past year and extended an invitation to the Commission to take a tour of the museum.

*Community College System* - Mark Superka, Vice President, Finance and Administration, presented the annual report and stated that the State Board supports maintaining the current tax structure to keep stability within the industry. He then gave a brief overview of the positive gaming tax revenue impacts on the community colleges in Colorado.

*Colorado Gaming Association (CGA)* – David Farahi, President and Mark Grueskin, General Counsel addressed the Commission. Mr. Grueskin stated that the CGA is not requesting a change in the current tax rate structure and asked that the Commission continue the existing structure. Regarding the CGA's proposed change to Rule 14 relating to Free Play, Mr. Grueskin provided the Commission a series of technical amendments after having conversations with the Division's Audit staff on verbiage that may be misconstrued by future Commissioners. He stated the purpose behind the amendments from the Division was to ensure there was no double counting or double deductions, which was never the CGA's intent. The most substantial change presented was a formalization of the process used so that the Commission can provide notice to beneficiaries and casinos of how the rates will be adjusted before the close of the budget year.

Mr. Farahi thanked the Commission for their time in reviewing all the information that has been provided and stated that the goal of the CGA is to stimulate growth in the gaming industry in

Colorado and increase the tax revenue for beneficiaries. He presented a chart showing survey data of gaming guests from all three gaming towns and explained that 69% of people visit 3 or more casinos per visit. He then explained that the proposal is broadly supported by the majority of the industry, and asked for support from the Commission on this pilot program to stimulate growth in the industry.

City of Cripple Creek – Paul Harris, Finance Director, stated the Cripple Creek City Council approved the Full House Resorts/Bronco Billy’s expansion project which will add 250 rooms, spa and additional gaming devices. He also stated that Cripple Creek recommends keeping the current tax rate structure.

City of Central City – Daniel Miera, City Manager, provided a PowerPoint presentation presenting new information that and an analysis of the CGA’s Free Play proposal. Mr. Miera provided statistics that shows positive growth in the industry in Colorado. He testified that need for Promotional Coupons to stimulate gaming revenue and keep gambling in the state of Colorado has not been substantiated. He respectfully requested that the Commission reject the proposed amendment and stated that the City supports keeping the current tax rate structure.

Gilpin County – Ron Engles, County Commissioner stated that the County is in support of keeping the current tax rate structure and explained that due to the lack of consensus amongst the casinos, Gilpin County is taking a neutral stance on the CGA’s Free Play proposal.

Division of Gaming – Kenya Collins, Director of Administration, Division of Gaming, presented an analysis conducted by the Division of the CGA’s Free Play proposal. Ms. Collins also entered a letter from the Famous Bonanza into the record stating the casino’s opposition to the proposal.

Department of Revenue – Ramon Alvarado, Budget Manager, Enforcement Business Group, Department of Revenue, presented the Division of Gaming’s projected AGP tax, AGP proceeds as well as the tax projections. Fiscal Year 2018 includes a projected AGP of \$835,600,000 and a projected tax of approximately \$124,700,000. The projected Fiscal Year 2019 AGP is \$864,400,000 resulting in a projected tax of \$129,400,000.

Anton Collins Mitchell LLP – Stacey Hekkert, Managing Partner and Kristin Holthus, Audit Manager, presented the materials that were provided to the Commission in their packets.

### Executive Session

The Commission voted unanimously to go into Executive Session pursuant to sections 24-6-402(3)(a)(II) and (III), 12-47.1-527(1)(a) of the Colorado Revised Statutes to review confidential tax information of individual casinos and to receive legal advice if necessary.

### Public Session (reconvened)

The Chairman called for a motion to certify that the continuation budget requests for Fiscal Year 2019 for the Department of Local Affairs, Colorado State Patrol, Division of Fire Prevention and Control, the Colorado Bureau of Investigation and the Colorado Division of Gaming, are being considered by the Commission in setting the gaming tax rate beginning July 1, 2018. The Commission voted unanimously to certify the FY19 budget requests.

The Chairman extended an opportunity for anyone from the public to address the Commission on Colorado Gaming Rule 14, Gaming Tax.

Roger Brown, Famous Bonanza and Easy Street Casino, asked the Commission to refer to the State of the State document, pages 9 and 10, which illustrate the fact that although the CGA's stated purpose for the Free Play proposal is to stimulate growth in Colorado, the information provided on these pages show a healthy growth in Colorado already. Mr. Brown testified that the Colorado limited gaming industry is already competitive and there is no need for a change.

Ann Dodson, President, Famous Bonanza and Easy Street Casino, expressed concern about the Free Play proposal and stated that they feel the tax setting policy should be based on empirical evidence and the needs of all stakeholders, including the entire industry, and the beneficiaries of the tax revenue received by the state from limited gaming. Ms. Dodson testified that the current tax rate structure has been in place for many years and the stability of this structure has been a positive attribute for investment in Colorado. Everybody knew what the structure was and still invested and came into Colorado and it has allowed all businesses large and small to thrive. Ms. Dodson stated that casinos are not all the same, that the Free Play proposal will not work, and will generally be a detriment to the entire industry. Ms. Dodson asked that the Commission consider the casinos that have been paying taxes for 25 years and who enjoy the stability of the current tax structure without special privilege.

Brian Watts, Isle and Lady Luck Casino, El Dorado Corporation, addressed a few points that were brought up earlier, including the suggestion that the rule change would somehow attract criminal activity or organized crime. Mr. Watts stated that having worked and being licensed in three states, he had full confidence that the Commission staff would never allow that to happen. Mr. Watts stated that Central City raised the AGP slot machine statistic as a growth measure, but he thinks that statistic is not correct. Mr. Watts emphasized that if the proposal does not show growth, it is only a pilot program. He stated that the proposal is a great opportunity and free play is a great tool and believes this proposal will be positive for the State of Colorado.

Mickey Rosenbaum, General Manager, Century Casino, stated he wanted to bring two points to the Commission's attention. First, he testified that the proposal is a pilot program, and may not work, but is just a test. The other important item to note was that it is an opt-in type program where a casino does not need to participate to get the advantage and does not need to purchase the system or become involved if a casino does not choose to. Mr. Rosenbaum feels it is a benefit for growth for those who wish to participate.

Edward Dodson, Famous Bonanza and Easy Street Casino, testified that this pilot program effects the entire state of Colorado and he would therefore not call that a pilot program. Mr. Dodson stated that adopting the proposal would create an intra-jurisdictional problem and bring the danger for creating Free Play wars. Mr. Dodson emphasized his opposition to the proposal.

The Chairman extended a last opportunity for anyone from the public to address the Commission on Colorado Gaming Rule 14, Gaming Tax. No one came forward.

The Commission voted unanimously to close the hearings on Colorado Gaming Rule 14, Gaming Tax.

The Commission then publicly deliberated on the proposed amendments to Rule 14.

Commissioner Shirley stated that he is in favor of keeping the current tax rate structure in place because he heard no disagreements and no reason to change the current rate structure. He then expressed his thoughts regarding the CGA's proposed Free Play amendment and stated that he has appreciated hearing the positions of both sides. Commissioner Shirley stated that he will vote in favor of the amendment because it will be rolled out as a pilot program. Commissioner Shirley explained that he is interested to see after the first three years how things fall out and hopefully it is positive for all jurisdictions.

Commissioner Mares first noted for the record that although she was not present at the last Commission meeting, she had reviewed all the documentation related to the CGA proposal and had listened to the audio files of that meeting. Commissioner Mares stated she spent a lot of time thinking about the proposal and the effect on Central City in particular and said she found it a very difficult decision based on the documentation and presentations from both sides. She stated she was leaning in favor of the amendment because it is a pilot program and is able to be changed at any time if the Commission sees some things happening which are against what people think the proposal will do. Commissioner Mares also stated that she is in favor of keeping the current tax rate structure in place.

Vice-Chairman Mohr thanked everybody from both sides who gave the Commission the information last month and this month and agreed with fellow commissioners that the Commission had received compelling information from both sides. Vice-Chairman Mohr stated that last year when a proposal came to the Commission from the CGA, she spoke at length about how she liked the idea but did not think the Commission had the authority to do what the CGA was asking. She then stated that to the CGA's credit, the CGA came back after working with the stakeholders with a proposal that contained features that she liked, primarily the pilot program. Vice-Chairman Mohr explained that without the pilot program she would be more conflicted. She stated that she would vote in favor of the amendment and agreed that after hearing a lot of testimony about facts and figures, the good news was that this was a rule change and that the Commission will have the ability to revisit the matter and will be able to look at actual data generated in the next couple of years. Vice-Chairman Mohr also stated that she is in favor of keeping the current tax rate structure.

Commissioner Carlson stated that he will vote in favor of keeping the tax rate structure the same. He then stated that as far as the CGA's proposed change, as the new guy, he thanked everybody for the education on the issue, from the small owners to the large casino operators, and to the counties and cities. Commissioner Carlson said he appreciated the passion on both sides and understood the business opportunity, but that his struggle was with the original intent of the amendment allowing gaming in the state and keeping the historical perspective. He also agreed with the other Commissioners that all the data can be confusing, but feels he understands the issue enough to make a decision. Commissioner Carlson also agreed that because this was a rule change, the rule can be changed back at any time if needed. He understood the struggle of the potential impact on the casinos, especially in the Central City, and stated he hopes they can grow business like anybody else. Commissioner Carlson stated that he would vote in support of the amendment to the rule at least initially and stated that it is something that needs to be watched closely over the next couple years to see the impact on recipients.

Commissioner Hutson said he echoed what his fellow Commissioners had stated regarding the CGA's Free Play proposal and that he is also in favor of leaving the current tax rate structure unchanged.

The Chairman called for a motion to amend Colorado Limited Gaming Rule 14 as follows: approve the CGA's proposed amendment (Regulation 47.1-1403) presented last month with the subsequent amendments presented today.

The Commission voted unanimously to amend Colorado Limited Gaming Rule 14 as stated in the motion.

The Commission made no changes to the current tax rate structure.

### **VIII. Consideration of Petition for Declaratory Order**

John Lizza, First Assistant Attorney General, Counsel to the Commission, addressed the Commission regarding the Petition for Declaratory Order filed by William J. Stecker, CPA and the Marble Group, Ltd. The Commission voted unanimously to deny the Petition and directed Mr. Lizza to prepare a written order to that effect.

### **IX. Consideration of Organizational Matters**

Approval of Minutes – Minutes of the March 15, 2018 Public Session of the Colorado Limited Gaming Control Commission were approved as presented.

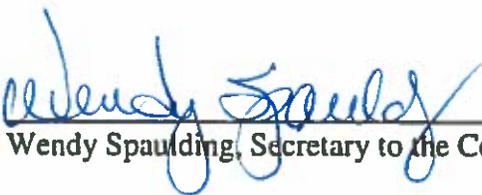
#### Directors' Update:

Flavio Quintana – Senior Director, Enforcement Business Group, thanked Director Amick and the Division staff for all their hard work in preparation for the annual tax setting hearings.

Donia Amick – Director, Division of Gaming, explained that the Division recently lost a team member, Andrew Jenicek, an auditor with the Division, and expressed her gratitude for the outpouring of support from the Department, Commission and the Industry and provided the venue and address where the services would be held.

Chairman Hutson extended an opportunity for the public to address the Commission before it adjourned. No one came forward.

Adjournment – The meeting was adjourned at approximately 11:55 a.m.



Wendy Spaulding, Secretary to the Colorado Limited Gaming Control Commission

## Colorado Limited Gaming Control Commission

Minutes of Public Session  
May 17, 2018

### Public Session

#### I. Call to Order

The May 17, 2018 meeting of the Colorado Limited Gaming Control Commission was called to order by Chairman Roger Hutson at approximately 9:15 a.m. at the Division of Gaming office, 17301 W. Colfax Ave., Suite 135, Golden, Colorado. Commissioners Mohr, Mares and Carlson were present and a quorum existed. Commissioner Shirley was excused for good cause.

#### Officials & Administrators in Attendance

Roger Hutson, Chairman  
Jannine Mohr, Vice Chairman  
Tim Carlson, Commissioner  
Cynthia Mares, Commissioner  
Flavio Quintana, Senior Director, Enforcement  
Donia Amick, Director  
Kenya Collins, Director of Administration  
Kirsten Gregg, Chief of Investigations  
Paul Hogan, Chief Auditor  
Vickie Floyd, Controller  
Ceri Williams, Senior Assistant Attorney General  
Lad Sullivan, AIC, Central City  
Phil Spencer, Supervisory Investigator, Cripple Creek  
John Madruga, AIC, Background Unit  
Wendy Spaulding, Assistant to the Director and Secretary to the Commission  
Terri Feagans, Licensing Specialist  
Ryan Reather, Budget Director, Department of Revenue  
Ramon Alvarado, Budget Manager, Enforcement Business Group  
Jenna Culver, Budget Analyst, Enforcement Business Group

#### Executive Session

The Commission voted unanimously to go into Executive Session pursuant to sections 24-6-402(3)(a)(III), 12-47.1-522(1)(a) and 12-47.1-527(1) of the Colorado Revised Statutes to review confidential reports from the Division of Gaming.

#### Public Session (reconvened)

#### II. Opportunity for the Public to Address the Commission

The Chairman extended an opportunity for the public in attendance to address the Commission on any topic not on the agenda. No one came forward.

### **III. Consideration of Licensing Actions**

The Commission voted unanimously to approve the Renewal of the Retail License for G Investments, LLC d/b/a Colorado Grande Hotel and Casino. The license shall expire 2 years from the date of its current expiration.

### **IV. Consideration of Disciplinary Actions**

Ceri Williams, Senior Assistant Attorney General, presented the Stipulation and Agreement in Case No. DOG17001258, In the Matter of Desi Paul Morejon, Support License No. 46671.

The Commission voted unanimously to approve and authorize the Chairman to sign the disciplinary action

### **V. Supplemental Budget Requests - Division of Gaming FY2018 and 2019**

Flavio Quintana, Senior Director, presented the FY2019 Supplemental Budget Request for Criminal and Compliance Investigator Salary Increases.

The Commission voted unanimously to approve the changes to the budget as presented.

Kenya Collins, Director of Administration, presented the Supplemental Budget Request to address two impacts to the Division due to the passage of the Free Play rule change. The first is for required programming costs to the Division's tax system. The CGA agreed to pay \$250,000 in programming costs, however, spending authority of \$42,000 in FY18 and \$208,000 in FY19 is needed to accomplish this task. The second impact is due to the Division's increased workload and the proposed additional FTE to be filled as an Auditor II. The Division requested additional spending authority of \$84,000 for FY19 to accommodate this new position.

The Commission voted unanimously to approve the changes to the budget as presented.

### **VI. Consideration of Amendments to Colorado Gaming Rule 3 - Applications, Investigations, and Licensure**

The Commission voted unanimously to open the hearing on Colorado Gaming Regulation, Rule 3 – Applications, Investigations and Licensure.

Ramon Alvarado, Budget Manager, Enforcement Business Group, presented a License Fee Analysis regarding Colorado Limited Gaming Regulation 47.1-305 for Fiscal Year 2018-19 and recommended no changes for this period.

Mr. Alvarado then presented a rate analysis prepared for the Background Investigation Hourly Rate for FY 2018-19. The analysis concluded the rate should be increased from \$69 to a rate of \$73 per hour.

The Chairman extended an opportunity for the public in attendance to address the Commission on Rule 3. No one came forward.

The Commission voted unanimously to close the hearing on Colorado Gaming Regulations, Rule 3, and to increase the hourly background investigation rate from \$69.00 to \$73.00, effective July 1, 2018.

## VII. Division Financial Statement

Vickie Floyd, Controller, presented the Statement of Gaming Revenues, Gaming Taxes, and Expenditures (unaudited) for the Nine (9) months ending March 31, 2018.

The Commission voted unanimously to approve the financial statement and authorize its distribution.

## VIII. Consideration of Organizational Matters

Approval of Minutes – Minutes of the April 19, 2018 Public Session of the Colorado Limited Gaming Control Commission were approved as presented.

### Directors' Update:

Donia Amick - Director, Division of Gaming, updated the Commission on Legislation beginning with SB18-191, Limited Gaming Impact Fund, which affects the distribution of money to DOLA and the General Fund. Director Amick also apprised the Commission of amendments to House Bill 18-1234 which clarifies laws governing simulated gaming activity.

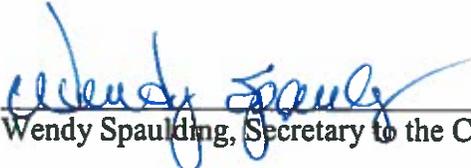
Director Amick explained that as part of the Compact requirements, the Division will be meeting with both the Southern Ute and Ute Mountain Ute Tribes beginning next month. A conference call will be set up with the Ute Mountain Ute Tribe and the Southern Utes will attend the July Commission meeting. The Division will make its annual trip to visit both tribes in late September.

Director Amick proceeded to explain the Interagency Governmental Agreements (IGA's) that were included in the Commission packets. Most changes in the contracts were not substantive but were made to clarify requirements and promote more effective communication.

Director Amick then apprised the Commission that the Division prepared a Fact Sheet regarding Sports Betting that was posted on the website and distributed via email to Stakeholders regarding the Supreme Court decision. The Division fielded many calls and media requests regarding this issue. Director Amick explained that it is each State's right to allow Sports Betting but the activity is currently illegal in Colorado. Legalizing such activity would take a vote of the people of Colorado and would require legislative changes. Sports betting is currently criminalized under Title 18, and if it were to pass, determinations would need to be made regarding who, where and how it is regulated.

Chairman Hutson extended an opportunity for the public to address the Commission before it adjourned. No one came forward.

Adjournment – The meeting was adjourned at approximately 9:59 a.m.

  
Wendy Spaulding, Secretary to the Colorado Limited Gaming Control Commission

# Colorado Limited Gaming Control Commission

Minutes of Public Session  
June 21, 2018

## **Public Session**

### **I. Call to Order**

The June 21, 2018 meeting of the Colorado Limited Gaming Control Commission was called to order by Chairman Roger Hutson at approximately 9:15 a.m. at the Division of Gaming office, 17301 W. Colfax Ave, Suite 135, Golden, Colorado. Commissioners Mohr, Carlson and Shirley were present and a quorum existed. Commissioner Mares was excused for good cause.

#### **Officials & Administrators in Attendance**

Roger Hutson, Chairman  
Jannine Mohr, Vice Chairman  
Tim Carlson, Commissioner  
Ryan Shirley, Commissioner  
Flavio Quintana, Senior Director, Enforcement  
Cory Amend, Deputy Senior Director, Enforcement  
Donia Amick, Director  
Kenya Collins, Director of Administration  
Kirsten Gregg, Chief of Investigations  
John Lizza, First Assistant Attorney General  
Ceri Williams, Senior Assistant Attorney General  
Paul Hogan, Chief Auditor  
Roger Pinson, Audit Manager  
John Madruga, AIC, Background Unit  
Lad Sullivan, AIC, Central City  
William Vidmar, Criminal Investigator, Cripple Creek  
Doug Leavy, Criminal Investigator, Central City  
Tseko Ivanov, Reporting Accountant  
Terri Feagans, Licensing Specialist  
Wendy Spaulding, Assistant to Director, Secretary to Commission

#### **Executive Session**

The Commission voted unanimously to go into Executive Session pursuant to sections 24-6-402(3)(a)(III), 12-47.1-522(1)(a), and 12-47.1-527(1) of the Colorado Revised Statutes to review confidential reports from the Division of Gaming.

#### **Public Session** (reconvened)

### **II. Opportunity for the Public to Address the Commission**

The Chairman extended an opportunity for the public in attendance to address the Commission on any topic not on the agenda. Mr. Mark Grueskin, General Counsel for the Colorado Gaming Association

(CGA), came forward to update the Commission on two matters. First, Mr. Grueskin reported that the CGA and the Division have been proactive in working together to get the funding in place for the Free Play rule implementation. He stated that the Division staff has been terrific. Second, he explained to the Commission that the CGA, Industry, Division and Law Enforcement have been working together to determine language for a proposed Underage Lingering Rule to ensure the language is useful for all constituents. That draft should be going before the Commission in the next few months.

### **III. Consideration of Disciplinary Actions**

The Commission voted unanimously to approve and authorize the Chair to sign the Orders to Show Cause in Case No. DOG18001709, In the Matter of Brett A. Brown, Support License No. 26401 and Case No. DOG18001790, In the Matter of Payton Henson, Support License No. 47135.

### **IV. Consideration of Proposed Amendments to Colorado Gaming Rules 10, 21 and 22**

The Commission voted unanimously to open the hearing on proposed amendments to Colorado Limited Gaming Regulations, Rule 10, Rule 21 and Rule 22. Doug Leavy, Investigator, Division of Gaming, presented the proposed changes. No one from the public came forward to testify on the proposed amendments.

The Commission voted unanimously to close the rulemaking hearing and to amend Colorado Limited Gaming Regulations, Rules 10, 21 and 22, as presented.

### **V. Division Financial Statement**

Tseko Ivanov, Reporting Accountant, presented the Statement of Gaming Revenues, Gaming Taxes, and Expenditures (unaudited) for the ten (10) months ending April 30, 2018.

The Commission voted unanimously to approve the financial statement and authorize its distribution.

### **VI. Consideration of Organizational Matters**

Approval of Minutes – Minutes of the May 17, 2018 Public Session of the Colorado Limited Gaming Control Commission were approved as presented.

#### Directors' Update:

*Flavio Quintana* – Senior Director, Enforcement, recognized Chairman Hutson's last Commission meeting as his term expires on June 30, 2018. Senior Director Quintana thanked Chairman Hutson for his service and dedication to the Division and Commission over the past 7 years and presented him with a commemorative shadow box from the Division of Gaming.

*Donia Amick* – Director, Division of Gaming, thanked Chairman Hutson for his leadership for the limited time she has been Director and presented Chairman Hutson with a plaque from the Division.

*Cory Amend* – Deputy Senior Director, Enforcement, presented a Colorado Flag that was flown over the Capitol and thanked Chairman Hutson for his service, dedication and friendship.

Chairman Hutson thanked the Division, the Commission and public members for the time he served on the Limited Gaming Control Commission and stated that it has been a privilege and an honor to have served on the Commission.

Chairman Hutson extended an opportunity for the public to address the Commission before adjournment; nobody came forward.

Adjournment – The meeting was adjourned at approximately 9:57 am

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Wendy Spaulding, Secretary to the Colorado Limited Gaming Control Commission

# Colorado Limited Gaming Control Commission

Minutes of Public Session  
July 19, 2018

## Public Session

### **I. Call to Order**

The July 19, 2018 meeting of the Colorado Limited Gaming Control Commission was called to order by Vice Chairman Jannine Mohr at approximately 9:15 a.m. at the Division of Gaming office, 17301 W. Colfax Ave, Suite 135, Golden, Colorado. Commissioners Carlson and Shirley were present and a quorum existed. Commissioner Mares was excused for good cause.

#### Officials & Administrators in Attendance

Jannine Mohr, Vice Chairman  
Tim Carlson, Commissioner  
Ryan Shirley, Commissioner  
Cory Amend, Acting Senior Director, Enforcement  
Donia Amick, Director  
Kenya Collins, Director of Administration  
Kirsten Gregg, Chief of Investigations  
Ceri Williams, Senior Assistant Attorney General  
Roger Pinson, Audit Manager  
John Madruga, AIC, Background Unit  
Lad Sullivan, AIC, Central City  
William Vidmar, Criminal Investigator, Cripple Creek  
Vickie Floyd, Controller  
Ramon Alvarado, Budget Manager, Enforcement  
Wendy Spaulding, Assistant to Director, Secretary to Commission

## Executive Session

The Commission voted unanimously to go into Executive Session pursuant to sections 24-6-402(3)(a)(III), 12-47.1-522(1)(a) and (b), and 12-47.1-527(1) of the Colorado Revised Statutes to review confidential reports from the Division of Gaming and the Colorado Bureau of Investigation.

## Public Session (reconvened)

### **II. Opportunity for the Public to Address the Commission**

The Chairman extended an opportunity for the public in attendance to address the Commission on any topic not on the agenda. No one came forward.

Vice Chairman Mohr introduced members of the Southern Ute Tribe, Chairman Edward Box, Commissioner Hilda Burch, Division Director Jackie Budd and Administrative Assistant to the Director and Secretary to the Commission, Andi Cook-Hiett. Ms. Mohr explained that per the Compact Agreement with the Ute Tribes, two meetings must occur per year and she thanked the Southern Utes for visiting the Golden Gaming office and attending the Commission meeting.

Staff from the Division and the Department of Revenue will make the annual trip to meet with the Ute Tribes at the end of September.

### **III. Consideration of Licensing Actions**

The Commission voted unanimously to approve the Renewal of the Retail License for Double Eagle Resorts, Inc. d/b/a Double Eagle Hotel & Casino, the Renewal of the Operator Licenses for Bally Gaming, Inc. d/b/a Bally Technologies and Colorado Casino Resorts, Inc., and the Renewal of the Manufacturer/Distributor License for Bally Gaming, Inc. d/b/a Bally Technologies.

The licenses shall expire 2 years from the date of their current expirations.

### **IV. Consideration of Disciplinary Actions**

The Commission voted unanimously to approve and authorize the Chair to sign the Order of Summary Suspension in Case No. DOG18002335, In the Matter of Jeffrey Christopher Hildebrandt, Support License No. 36857.

### **V. Consideration of Policy 96-01**

Kenya Collins, Director of Administration, presented a proposed amendment to Policy 96-01, adding a paragraph that designates the Director of Administration as the Contract Manager for all interagency agreements and to act as liaison to the Commission in regard to the agreements.

The Commission voted unanimously to approve the amendment as presented.

### **VI. Supplemental Budget Changes – Division of Gaming FY2018**

Ramon Alvarado, Budget Manager, presented the supplemental budget changes for FY 2018.

The Commission voted unanimously to approve the changes to the budget as presented.

### **VII. Division Financial Statement**

Vickie Floyd, Controller, presented the Statement of Gaming Revenues, Gaming Taxes, and Expenditures (unaudited) for the eleven (11) months ending May 31, 2018.

The Commission voted unanimously to approve the financial statement and authorize its distribution.

### **VIII. Election of Commission Officers for FY2019**

Vice Chairman Mohr relinquished the floor to Senior Assistant Attorney General Ceri Williams who conducted the Election of Chairman and Vice Chairman of the Colorado Limited Gaming Control Commission for Fiscal Year 2019. Nominations were made and accepted. The Commission voted unanimously to elect Commissioner Mohr as Chairman and Commissioner Mares as Vice Chairman for FY 2019.

## **IX. Consideration of Organizational Matters**

Approval of Minutes – Minutes of the June 21, 2018 Public Session of the Colorado Limited Gaming Control Commission were approved as presented.

Directors' Update:

Cory Amend – *Acting Senior Director, Enforcement*, congratulated Chairman Mohr and Vice Chair Mares on their appointments.

Donia Amick – *Director, Division of Gaming*, also congratulated the new Chair and Vice Chair and thanked the Southern Ute Tribe for being in attendance and making the trip to Golden.

Director Amick gave an update on the next few months of Commission meetings, stating that the August meeting will be delayed, with a date to be determined after discussion with the Commissioners; the September meeting will be held in Cripple Creek on September 20, 2018 and the October meeting will be in Central City, October 18, 2018. An open house will be held in both outer offices the morning of the Commission meeting beginning at 9:30 am.

Director Amick then stated that the Commission is working with the Governor's Office to fill the Business Member seat recently vacated by Roger Hutson. She also apprised the Commissioners that per HB 18-1198, all Boards and Commissions must receive annual training which the Division will set up toward the end of the calendar year. The Division will also facilitate two workshops with the Commissioners, one to review the Gaming Commission policies and the second to review the current Interagency Governmental Agreements.

Chairman Mohr extended an opportunity for the public to address the Commission before the meeting was adjourned. No one came forward.

Adjournment – The meeting was adjourned at approximately 10:05 a.m.

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Wendy Spaulding, Secretary to the Colorado Limited Gaming Control Commission

# Colorado Limited Gaming Control Commission

Minutes of Public Session  
August 29, 2018

## Public Session

### **I. Call to Order**

The August 29, 2018 meeting of the Colorado Limited Gaming Control Commission was called to order by Chair Jannine Mohr at approximately 9:16 a.m. at the Division of Gaming office, 17301 W. Colfax Ave, #135, Golden, Colorado. Commissioners Carlson and Shirley were present and a quorum existed. Vice-Chair Mares was excused for good cause.

#### Officials & Administrators in Attendance

Jannine Mohr, Chair  
Tim Carlson, Commissioner  
Ryan Shirley, Commissioner  
Michael Hartman, Executive Director, Department of Revenue  
Cory Amend, Acting Senior Director, Enforcement Business Group  
Donia Amick, Director  
Kenya Collins, Director of Administration  
John Lizza, First Assistant Attorney General  
Ceri Williams, Senior Assistant Attorney General  
Paul Hogan, Chief Auditor  
Vickie Floyd, Controller  
Tseko Ivanov, Reporting Accountant  
John Madruga, AIC, Background Unit  
Lad Sullivan, AIC, Central City  
Phil Spencer, Supervisory Investigator, Cripple Creek  
Sean Ballain, Tables Games Chairperson  
Wendy Spaulding, Assistant to the Director, Secretary to the Commission

## Executive Session

The Commission voted unanimously to go into Executive Session pursuant to sections 24-6-402(3)(a)(II) and (III), 12-47.1-522(1) (a), and 12-47.1-527(1) of the Colorado Revised Statutes to review confidential reports from the Division of Gaming, and to receive legal advice regarding standards for limited gaming suitability.

## Public Session (reconvened)

### **II. Consideration of Licensing Actions**

The Commission voted unanimously to approve the Change of Ownership of the Retail License for Kings, Queens, and Jacks, LLC d/b/a Saratoga Casino Black Hawk.

The Commission voted unanimously to approve the Renewal of the Manufacturer/Distributor License for Aces Up Gaming Inc. The license shall expire 2 years from the date of its current expiration.

### **III. Opportunity for the Public to Address the Commission**

The Chair extended an opportunity for the public in attendance to address the Commission on any topic not on the agenda; no one came forward.

### **IV. Consideration of Disciplinary Actions**

The Commission voted unanimously to approve and authorize the Chair to sign the Order of Summary Suspension in Case No. DOG 18001294, In the Matter of Mark Anthony Delbosque, Support License No. 47278.

The Commission voted unanimously to approve and authorize the Chair to sign the Findings, Conclusions and Orders in Case No. DOG 18001709, In the Matter of Brett A. Brown, Support License No. 26401 and in Case No DOG 1800 1790, In the Matter of Payton Henson, Support License No 47135.

### **V. Consideration of Amendments to Rule 10 – Rules for Poker**

The Commission voted unanimously to open the hearing on proposed amendments to Colorado Limited Gaming Regulations, Rule 10. Sean Ballain, Tables Games Chairperson, Division of Gaming, presented the proposed changes. No one from the public came forward to testify on the proposed amendments.

The Commission voted unanimously to close the rulemaking hearing and to amend Colorado Limited Gaming Regulations, Rule 10, as presented.

### **VI. Division Financial Statement**

Vickie Floyd, Controller, presented the Statement of Gaming Revenues, Gaming Taxes, and Expenditures (unaudited) for the twelve (12) months ending June 30, 2018.

The Commission voted unanimously to approve the financial statement and authorize its distribution.

### **VII. Fiscal Year 2018 Distribution**

Tseko Ivanov, Reporting Accountant, presented the Fiscal Year 2018 Distribution of the Limited Gaming Fund and the Extended Limited Gaming Fund.

The Commission voted unanimously to certify the Fiscal Year 2018 Distribution of the Limited Gaming Fund and the Extended Limited Gaming Fund as presented by the Division.

Paul Harris, Cripple Creek's Finance Director, was present to accept Cripple Creek's distribution check.

## VIII. Consideration of Organizational Matters

Approval of Minutes – Minutes of the July 19, 2018 Public Session of the Colorado Limited Gaming Control Commission were approved as presented.

### Directors' Update:

Michael Hartman - *Executive Director, Department of Revenue*, thanked the Commission and Division for their hard work and dedication and stated that Gaming is a very important industry for the State of Colorado.

Cory Amend - *Acting Senior Director, Enforcement Business Group*, thanked Gaming staff for their hard work on completing the recent audit. He then explained that the First Annual Enforcement Golf Tournament will be held on September 1 with over 80 golfers currently registered. The proceeds will be donated to the D'Evelyn Junior-Senior High School scholarship fund in memory of Andrew Janicek, a former Gaming employee who passed away tragically earlier this year.

Donia Amick - *Director, Division of Gaming*, thanked Vicki Floyd and the accounting staff for completing the FY2018 distribution. She then explained that Chris Moore, AIC, Cripple Creek is retiring after over 14 years with the Division and will be greatly missed. Director Amick apprised the Commission that effective October 1, all Gaming statutes will be listed under Title 44, instead of Title 12. She then added that a Formal Attorney General Opinion regarding sports betting was issued. Executive Director Mike Hartman added that Executive Director Office is keeping a close watch on this matter as it may land within DOR to regulate. The issue will go before the legislature this session and the regulatory body will be determined at that time.

Director Amick then introduced four new Investigators who started with the Division of Gaming, Ian Graham and Orlando Canel from the Central City Office and Richard (Dusty) DuVall and Daryl Hollingworth who are working in the Golden Office.

Chair Jannine Mohr extended an opportunity for the public to address the Commission before it adjourned. No one came forward.

Adjournment – The meeting was adjourned at approximately 10:15 a.m.

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Wendy Spaulding, Secretary to the Colorado Limited Gaming Control Commission

## Colorado Limited Gaming Control Commission

Minutes of Public Session  
September 20, 2018

### Open House

### Public Session

#### **I. Call to Order**

The September 20, 2018 meeting of the Colorado Limited Gaming Control Commission was called to order by Chair Jannine Mohr at approximately 10:03 a.m. at the Division of Gaming office, 350 W. Carr Avenue, Cripple Creek, Colorado. Commissioners Shirley and Carlson were present and a quorum existed. Commissioner Mares was excused for good cause.

#### Officials & Administrators in Attendance

Jannine Mohr, Chair

Ryan Shirley, Commissioner

Tim Carlson, Commissioner

Cory Amend, Acting Senior Director, Enforcement Business Group

Donia Amick, Director

Kenya Collins, Director of Administration

Kirsten Gregg, Chief of Investigations

Ceri Williams, Senior Assistant Attorney General

Paul Hogan, Chief Auditor

Georgia McBride, Chief Technology Officer

Vickie Floyd, Controller (via telephone)

John Madruga, Agent in Charge, Golden

Lad Sullivan, Agent in Charge, Central City

Phil Spencer, Acting Agent in Charge, Cripple Creek

Wendy Spaulding, Secretary to the Commission

#### Executive Session

The Commission voted unanimously to go into Executive Session pursuant to sections 24-6-402(3)(a)(II) and (III), 12-47.1-522(1)(a) and 12-47.1-527(1) of the Colorado Revised Statutes to review confidential reports from the Division of Gaming and to receive legal advice, if necessary, regarding marijuana and standards for limited gaming license suitability.

### Public Session

#### **II. Opportunity for the Public to Address the Commission**

The Chair extended an opportunity for the public in attendance to address the Commission on any topic not on the agenda; no one came forward.

### **III. Approval of Licensing Actions**

The Commission voted unanimously to approve the Renewal of the Retail licenses for CCSC/Blackhawk, Inc. d/b/a Lady Luck Casino Black Hawk, Isle of Capri Black Hawk, LLC d/b/a Isle Casino Hotel Black Hawk and Dostal Alley, Inc. d/b/a Dostal Alley.

The Commission voted unanimously to approve the Renewal of the Operator license for CCSC/Blackhawk, Inc. d/b/a Lady Luck Casino Black Hawk, the renewal of the Manufacturer/Distributor License for IOC-Black Hawk Distribution Company, LLC and the First Licensing of the Associated Equipment Supplier License for Programs on Demand, Inc.

The license and license renewal shall expire two years from the date of their current expirations.

The Commission voted unanimously to approve the Change in Ownership of the Retail, Operator and Manufacturer/Distributor License for Ameristar Casino Black Hawk, Inc. d/b/a Ameristar Casino Black Hawk.

### **IV. Consideration of Proposed Resolution Regarding Marijuana and Limited Gaming License Suitability**

The Commission considered a proposed draft of a resolution regarding marijuana and limited gaming license suitability. Chair Mohr stated that the Commission had reviewed the law in the State of Colorado and the manner in which the Colorado Supreme Court views the law. She then stated the Commission feels the Resolution is certainly timely and in keeping with the legal requirements for limited gaming in Colorado.

The Chair extended an opportunity for the public in attendance to address the Commission on the proposed resolution; no one came forward.

The Commission voted unanimously to approve and authorize the Chair to sign the proposed Resolution, as presented.

### **V. Division Financial Statement**

Vickie Floyd, Controller, presented (via telephone) the Statement of Gaming Revenues, Gaming Taxes, and Expenditures (unaudited) for the one (1) month ending July 31, 2018.

The Commission voted unanimously to approve the financial statement and authorize its distribution.

### **VI. Consideration of Organizational Matters**

Approval of Minutes – Minutes of the August 29, 2018 Public Session of the Colorado Limited Gaming Control Commission were approved as presented.

Directors' Update:

*Cory Amend, Acting Senior Director, Enforcement*, complimented the Cripple Creek Gaming staff on their welcoming atmosphere. He then apprised the Commission that the First Annual Enforcement Golf Tournament was held on September 1 and was a success with 84 golfers participating. The net charitable income of \$6,000 was donated to D'Evelyn High School scholarship fund in memory of Division auditor Andrew Jenicek who tragically passed away earlier this year.

*Donia Amick, Director, Division of Gaming*, thanked the Cripple Creek Gaming office and the community for its hospitality. Director Amick introduced two new Gaming Investigators, Mike Payne and Tim Allmond, and congratulated them on their recent appointments. She then stated that there is no new information regarding Sports Betting and that the Division is waiting for the legislative session for further information. Director Amick explained that last month the Division coordinated a working group for the Commission regarding Interagency Governmental Agreements. The working group was open to the public and members from Colorado Department of Public Safety were in attendance. Concerning the adopted Resolution Regarding Marijuana and Limited Gaming License suitability, Director Amick stated the Division of Gaming will work on policies and procedures to further clarify requirements for gaming licensees so they are well represented in the process. Lastly, Director Amick stated that this will be Chair Mohr's last Commission meeting in Cripple Creek, as her term expires June 2019.

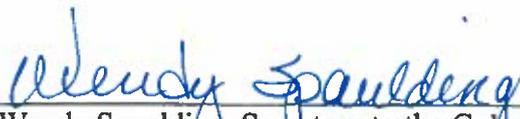
Chair Mohr welcomed the new Division employees and then thanked members of Cripple Creek for their hospitality throughout the years and stated she will greatly miss the annual trip to the city.

The public was given an opportunity to address the Commission before adjournment.

Members of Penn National Gaming came forward to thank the Commission for the approval of their change of ownership that allows them to combine Penn National and Pinnacle Entertainment. They look forward to a long lasting relationship with the Gaming Commission and to reinvesting in the Colorado gaming industry.

Rodney Turlan, Vice President and General Manager, Isle Casino Black Hawk, thanked the Commission on behalf of Eldorado Resorts for renewing their licenses and stated the organization looks forward to growing their business in the State of Colorado.

Adjournment – The meeting was adjourned at approximately 10:51a.m.



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Wendy Spaulding, Secretary to the Colorado Limited Gaming Control Commission

# Colorado Limited Gaming Control Commission

Minutes of Public Session  
October 18, 2018

## Open House

## Public Session

### **I. Call to Order**

The October 18, 2018 meeting of the Colorado Limited Gaming Control Commission was called to order by Chair Jannine Mohr at approximately 10:02 a.m. at the Division of Gaming office, 142 Lawrence Street, Central City, Colorado. Commissioners Mares, Shirley and Carlson were present and a quorum existed.

#### Officials & Administrators in Attendance

Jannine Mohr, Chair  
Cynthia Mares, Vice-Chair  
Ryan Shirley, Commissioner  
Tim Carlson, Commissioner  
Cory Amend, Senior Director, Enforcement Business Group  
Donia Amick, Director  
Kenya Collins, Director of Administration  
Kirsten Gregg, Chief of Investigations  
Ceri Williams, Senior Assistant Attorney General  
Paul Hogan, Chief Auditor  
Tseko Ivanov, Reporting Accountant  
John Madruga, Agent in Charge, Golden  
Lad Sullivan, Agent in Charge, Central City  
Billy Vidmar, Supervisory Investigator, Cripple Creek  
Brenda Davis, Audit and Program Manager  
Ramon Alvarado, Budget Manager, Enforcement (via telephone)  
Wendy Spaulding, Secretary to the Commission

### Executive Session

The Commission voted unanimously to go into Executive Session pursuant to sections 24-6-402(3)(a)(III), 44-30-521(1)(a), and 44-30-526(1) of the Colorado Revised Statutes to review confidential reports from the Division of Gaming.

## Public Session

### **II. Opportunity for the Public to Address the Commission**

The Chair extended an opportunity for the public in attendance to address the Commission on any topic not on the agenda; no one came forward.

### **III. Approval of Licensing Actions**

The Commission voted unanimously to approve the Renewal of the Retail Licenses for Affinity Gaming Black Hawk, LLC d/b/a Golden Gulch, Affinity Gaming Black Hawk, LLC d/b/a Golden Gates, Affinity Gaming Black Hawk, LLC d/b/a Golden Mardi Gras; and the Manufacturer/Distributor License for Affinity Gaming Black Hawk, LLC d/b/a Golden Mardi Gras.

The licenses shall expire two years from the date of their current expirations.

The Commission voted unanimously to approve the First Licensing of the Retail License for FHR – Colorado LLC d/b/a Christmas Casino & Inn by Bronco Billy’s.

The license shall expire on February 18, 2020, at the request of FHR, to coincide with the remaining licenses pursuant to the surrender of Buffalo Billy’s Casino retail license #31201421, and shall be subject to the Standard Conditions for a Retail License.

### **IV. Consideration of Amendments to Rule 1 – General Rules and Rule 6 – Declaratory Orders**

The Commission voted unanimously to open the hearing on proposed amendments to Colorado Limited Gaming Regulations, Rule 1 and Rule 6. Kirsten Gregg, Chief of Investigations, presented the proposed changes. Chief Gregg tendered a written statement by the Colorado Gaming Association (CGA) for inclusion in the rule making record.

The public was given an opportunity to testify. Mr. Mark Grueskin, General Counsel for CGA, came forward to thank the Division for its willingness to address the lingering issue and thanked Chief Gregg for her fortitude in keeping the project moving forward and running smoothly. He stated the CGA is in support of Rule 1 as proposed. Mr. Sean Demeule, General Manager, Ameristar Casino Black Hawk, came forward to thank the Division and Chief Gregg for their work on the linger rule and stated they are in support of Rule 1 as proposed.

The Commission voted unanimously to close the rulemaking hearing and to amend Colorado Limited Gaming Regulations, Rules 1 and 6, as presented.

### **V. Consideration of Supplemental Budget Request for FY18 and FY19**

Ramon Alvarado, Budget Manager, presented the supplemental budget changes (via telephone) and explained that the Division previously requested \$42,000 in spending authority for FY17-18 to facilitate tax system programming for the Electronic Promotional Credit System (EPCS). Because the programming did not begin when anticipated, the supplemental request asked that the Commission grant \$42,000 in spending authority for FY19 to facilitate the programming in the current fiscal year.

The Commission voted unanimously to approve the changes to the budget as presented.

## **VI. Division Financial Statement**

Tseko Ivanov, Reporting Accountant, presented the Statement of Gaming Revenues, Gaming Taxes, and Expenditures (unaudited) for the two (2) months ending August 31, 2018.

The Commission voted unanimously to approve the financial statement and authorize its distribution.

## **VII. Consideration of Organizational Matters**

Approval of Minutes – Minutes of the September 20, 2018 Public Session of the Colorado Limited Gaming Control Commission were approved as presented.

### Directors' Update:

*Cory Amend, Senior Director, Enforcement*, apprised the Commission of the Division's annual trip to meet with the Ute Mountain Ute and the Southern Ute Tribes. Director Amend explained that the conversations between the Division and the Tribes were stimulating and educational as this was his first time attending the tribal meetings.

*Donia Amick, Director, Division of Gaming*, thanked the Central City office and the community for their hospitality. Director Amick updated the Commission on the progress of the Resolution regarding marijuana and limited gaming suitability that was passed at the September meeting. She explained that John Madruga, Agent in Charge, has made significant progress toward creating solid policies and procedures.

Chair Mohr explained that this will be her last trip to Central City as part of the Gaming Commission as her term expires June 2018. She thanked members of Central City for their hospitality throughout the years and stated she will greatly miss the annual trip to the city.

The public was given an opportunity to address the Commission before adjournment.

Mr. Dan Lee, CEO and President, FHR-Colorado, LLC, Christmas Casino, came forward to thank the Commission for issuing the first retail license for the casino and thanked John Madruga and his team for processing the license so quickly so that the casino could be ready to open before the holiday season. Mr. Lee then described the Christmas theme and highlights of the casino décor.

Adjournment – The meeting was adjourned at approximately 11:49 a.m.

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Wendy Spaulding, Secretary to the Colorado Limited Gaming Control Commission

# Colorado Limited Gaming Control Commission

Minutes of Public Session  
November 15, 2018

## Public Session

### **I. Call to Order**

The November 15, 2018 meeting of the Colorado Limited Gaming Control Commission was called to order by Chair Jannine Mohr at approximately 9:25 a.m. at the Division of Gaming office, 17301 W. Colfax Ave, Golden, Colorado. Commissioners Mares, Shirley and Carlson were present and a quorum existed.

#### Officials & Administrators in Attendance

Jannine Mohr, Chair  
Cynthia Mares, Vice-Chair  
Ryan Shirley, Commissioner  
Tim Carlson, Commissioner  
Cory Amend, Senior Director, Enforcement Business Group  
Donia Amick, Director  
Kenya Collins, Director of Administration  
Kirsten Gregg, Chief of Investigations  
Ceri Williams, Senior Assistant Attorney General  
Vickie Floyd, Controller  
John Madruga, Agent in Charge, Golden  
Lad Sullivan, Agent in Charge, Central City  
Phil Spencer, Agent in Charge, Cripple Creek  
Brett Buckingham, Supervisory Investigator  
Jeff Marone, Field Operations Manager  
Gus Swartz, Field Operations Supervisor  
Wendy Spaulding, Secretary to the Commission

## Executive Session

The Commission voted unanimously to go into Executive Session pursuant to sections 24-6-402(3)(a)(III), 44-30-521(1)(a), and 44-30-526(1) of the Colorado Revised Statutes to review confidential reports from the Division of Gaming.

## Public Session

### **II. Approval of Licensing Actions**

The Commission voted unanimously to approve the Renewal of the Manufacturer/Distributor and Operator Licenses for Ainsworth Game Technology, Inc.

The licenses shall expire two years from the date of their current expirations.

### **III. Opportunity for the Public to Address the Commission**

The Chair extended an opportunity for the public in attendance to address the Commission on any topic not on the agenda; no one came forward.

### **IV. Interagency Governmental Agreements – Performance Measures**

Chair Mohr explained that presentations of proposed performance measures from CSP, CBI and Division of Fire Prevention and Control will be made today. By way of background, the recent audit performed by the Office of the State Auditor, recommended that the Commission more closely monitor funding from the Limited Gaming Fund to ensure that performance measures adequately support funding requests. Chair Mohr stated that the Commission will receive the proposals and gather information but no decisions will be made at this meeting.

#### Colorado State Patrol

Chief Matthew Packard, discussed a document titled 2019-2023 CSP Gaming Area Performance Measures which was previously submitted for the Commission's review. CSP's organizational goals will continue to focus on reducing numbers of crashes, increasing enforcement in Gilpin and Teller Counties to meet the increase in the number of vehicles traveling these roads and will work on community safety by building relationships within the community.

#### Colorado Bureau of Investigation

Director John Camper gave his perspective of the changing landscape of gaming enforcement. CBI proposed to continue to partner with existing law enforcement task forces, and to continue assisting local law enforcement in the gaming communities. He stated that CBI is not asking for any additional funding.

Chief Mike Rulo, Cripple Creek Police Department, addressed the Commission regarding his agency's work with CBI in Cripple Creek.

John Pierson, FBI Supervisor Special Agent, Safe Streets Task Force, described cases in which the FBI worked with CBI on crimes that took place in the gaming towns and gaming industry.

Agent in Charge, Tim Martinez, stated that CBI met with the Division in mid-October, 2018 and they were told enhancements were needed in the monthly reports including daily activities and more information on cases that are impacting gaming. A second request was to provide statistics regarding the agent assigned to the Safe Streets Task Force. Mr. Martinez stated they are learning what it is the Commission would like to see. Chair Mohr stated that because of the audit, the Commission has been tasked with doing more due diligence to be sure they are being good stewards of the limited gaming fund and are using it appropriately. She explained that what the Commission is grappling with is what CBI does and the nexus it has to limited gaming. Chair Mohr stated that it looks like there are currently metrics in the IGA that the Commission is not receiving and stated there needs to be a discussion regarding those metrics.

Commissioner Carlson thanked CBI for its time and stated he is sympathetic to the reporting challenges but explained that the IGA states the Commission is required to obtain certain data from CBI. He stated that he was interested to hear the narrative of the impact on gaming communities

that CBI is providing by working with the local agencies. The Commission needs numbers that show how CBI is supporting the gaming industry. Case specifics would be helpful.

Chair Mohr stated that the audit is requiring more diligence and she is requesting a working session to discuss the performance measures, and that the Commission is not prepared today to make any decisions. At the working session, a discussion will be had as to the Commission's need for a demonstrative nexus to gaming. Chair Mohr stated the Commission needs to fulfill its responsibility regarding the limited gaming fund.

All Commissioners agreed that the working session is the appropriate next step. Chair Mohr closed by stating the Commission is open to discussions with Director Camper.

#### Division of Fire Prevention and Control

Chris Brunette, Section Chief and Melissa Lineberger, Chief of Staff, presented the Division's Performance Measures which include increasing the percentage of time it takes to review inspections, issue certificates of compliance, and to provide an initial plan to local fire jurisdictions. The measures also include notifying the Commission timely of any revocation or denial of a certificate of compliance, meeting quarterly with each local fire jurisdiction and providing the Commission quarterly with financial reports and activities that took place within the time frame.

#### **V. Consideration of Disciplinary Actions**

The Commission voted unanimously to approve and authorize the Chair to sign the Order of Summary Suspension in Case No. DOG18002940, In the Matter of Jarret Lee Andrus, Support License No. 01130.

The Commission voted unanimously to approve and authorize the Chair to sign the Order to Show Cause in Case No. DOG18003071, In the Matter of Interblock USA LC, Manufacturer/Distributor License No. 14-63989-0002.

#### **VI. Division Financial Statements**

Vickie Floyd, Controller, presented the Statement of Gaming Revenues, Gaming Taxes, and Expenditures (unaudited) for the three (3) months ending September 30, 2018.

The Commission voted unanimously to approve the financial statement and authorize its distribution.

#### **VII. Consideration of Organizational Matters**

Approval of Minutes – Minutes of the October 18, 2018 Public Session of the Colorado Limited Gaming Control Commission were approved as presented.

#### Directors' Update:

*Cory Amend, Senior Director, Enforcement*, thanked the Division and Commission for their work on the IGA's and expressed his full support of the pending working session.

*Donia Amick, Director, Division of Gaming*, apprised the Commission that a new Commissioner, Kristen Blessman, is replacing Roger Hutson as the Commission's business member. Chair Mohr thanked Director Amick on her diligence and time in assisting the Governor's Office in nominating Ms. Blessman. Commissioner Blessman is currently the President of the Colorado Women's Chamber of Commerce and brings with her a wealth of business experience.

Director Amick advised the Commission that SB 18-1198 requires training for Commission members which will be held by the Division in January.

Director Amick thanked the Colorado State Patrol, Colorado Bureau of Investigation and the Division of Fire Prevention and Control for their presentations and continued collaboration on the performance measure and IGA process.

Director Amick thanked the Commission for their approval of the Salary Project. Chair Mohr stated it was long overdue and she was happy to see it come to fruition.

The Christmas Casino opened on time and Director Amick thanked all at the Division who helped make that happen.

Adjournment – The meeting was adjourned at approximately 11:05 a.m.

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Wendy Spaulding, Secretary to the Colorado Limited Gaming Control Commission

## Colorado Limited Gaming Control Commission

Minutes of Public Session  
December 20, 2018

### Public Session

#### **I. Call to Order**

The December 20, 2018 meeting of the Colorado Limited Gaming Control Commission was called to order by Chair Jannine Mohr at approximately 9:17 a.m. at the Division of Gaming office, 17301 W. Colfax Ave, Golden, Colorado. Commissioners Mares, Carlson and Blessman were present and a quorum existed. Commissioner Shirley was excused for good cause.

#### Officials & Administrators in Attendance

Jannine Mohr, Chair  
Cynthia Mares, Vice-Chair  
Tim Carlson, Commissioner  
Kristen Blessman, Commissioner  
Cory Amend, Senior Director, Enforcement Business Group  
Donia Amick, Director  
Kenya Collins, Director of Administration  
Kirsten Gregg, Chief of Investigations  
Ceri Williams, Senior Assistant Attorney General  
Vickie Floyd, Controller  
Lad Sullivan, Agent in Charge, Central City  
Billy Vidmar, Supervisory Investigator, Cripple Creek  
Allen Hiserodt, Supervisory Investigator, Golden  
Jeff Marone, Field Operations Manager  
Wendy Spaulding, Secretary to the Commission

### Executive Session

The Commission voted unanimously to go into Executive Session pursuant to sections 24-6-402(3)(a)(III), 44-30-521(1)(a) and (b), and 44-30-526(1) of the Colorado Revised Statutes to review confidential reports from the Division of Gaming and the Colorado Bureau of Investigation.

### Public Session

#### **II. Opportunity for the Public to Address the Commission**

The Chair extended an opportunity for the public in attendance to address the Commission on any topic not on the agenda. Cindy Payne, ICO, Isle Casino and Debbie Koch, ICO, Saratoga Casino came forward to present AIC Lad Sullivan with a retirement gift. They stated that he will be greatly missed and thanked Mr. Sullivan for his outstanding service to the gaming industry and community.

### **III. Consideration of Disciplinary Actions**

Ceri Williams, Senior Assistant Attorney General, presented the Orders to Show Cause in Case No. DOG18003924, In the Matter of Jeffrey Michael King, Support License No. 37744 and Case No. DOG18004417, In the Matter of Alexey D. Dillard, Support License No. 45539, and the Stipulation and Agreement in Case No. DOG18003072, In the Matter of The Lodge Casino at Black Hawk, LLC d/b/a The Lodge Casino, Retailer License No. 14-33682-0001.

The Commission voted unanimously to approve and authorize the Chair to sign the disciplinary actions.

### **IV. Consideration of Amendments to Rule 4 – Rights and Duties of Licensees and Rule 12 – Gaming Devices and Equipment**

The Commission voted unanimously to open the hearing on proposed amendments to Colorado Limited Gaming Regulations, Rules 4 and 12. Jeff Marone, Field Operations Manager, Division of Gaming, presented the proposed changes. No one from the public came forward to testify on the proposed amendments.

The Commission voted unanimously to close the rulemaking hearing and to amend Colorado Limited Gaming Regulations, Rules 4 and 12 as presented.

### **V. Division Financial Statements**

Vickie Floyd, Controller, presented the Statement of Gaming Revenues, Gaming Taxes, and Expenditures (unaudited) for the four (4) months ending October 31, 2018.

The Commission voted unanimously to approve the financial statement and authorize its distribution.

Chair Mohr congratulated Ms. Floyd and her staff for another clean financial audit for the Division. Vice-Chair Mares also congratulated the team and emphasized the significance of continual clean audits and that it is not to be taken lightly.

### **VI. Consideration of Organizational Matters**

Approval of Minutes – Minutes of the November 15, 2018 Public Session of the Colorado Limited Gaming Control Commission were approved as presented.

#### Directors' Update:

*Cory Amend, Senior Director, Enforcement*, welcomed Commissioner Blessman and thanked the current Commissioners for all their hard work this past year.

*Donia Amick, Director, Division of Gaming*, also welcomed Ms. Blessman to the Commission and continued by introducing John Tafoya, a new Criminal Investigator in the Central City Office. Director Amick congratulated Vickie Floyd and the accounting team for their hard work and clean financial audit. In closing, she thanked AIC Sullivan for his years of service to the Division and State of Colorado and wished him well in the future.

Chair Mohr also thanked AIC Sullivan and stated she appreciated his assistance through the years. Ms. Mohr thanked Director Amick for her hard work on the audit and wished everybody a happy new year.

Adjournment – The meeting was adjourned at approximately 10:03 a.m.

A handwritten signature in blue ink that reads "Wendy Spaulding". The signature is written in a cursive style and is positioned above a horizontal line.

Wendy Spaulding, Secretary to the Colorado Limited Gaming Control Commission