



---

## Meeting Minutes

---

**Date/Time:** September 19, 2013 – 9:30 a.m.

**Place:** Boston Convention and Exhibition Center  
415 Summer Street, Room 109-A  
Boston, Massachusetts

**Present:** Commissioner Stephen P. Crosby, Chairman  
Commissioner Gayle Cameron  
Commissioner James F. McHugh  
Commissioner Bruce Stebbins  
Commissioner Enrique Zuniga

**Absent:** None

Clicking on the time posted in the margin will link directly to the appropriate section of the video.

### Call to Order

See transcript pages 2.

9:38 a.m. Chairman Crosby opened the 77th public meeting.

### Approval of Minutes

See transcript page 2-5.

9:38 a.m. Commissioner McHugh stated that the minutes for the public meeting spanning September 4th and 6th are ready for approval.

*Motion made by Commissioner McHugh that the minutes of August 4th and 6th, 2013 be accepted. Motion seconded by Commissioner Stebbins. The motion passed unanimously.*

### Administration

Report by Executive Director Day. See transcript pages 5-88.

9:40 a.m. Executive Director Day provided an update on a variety of administrative matters at the Commission. The Commission is working on acquiring a licensing database

system. A temporary document management system will be in place to facilitate RFA-2 application review. The staff is working with DCAM to secure permanent office space. The Director of Workforce and Supplier Development has completed the inaugural meeting of the statewide task force designed to strengthen the Commission's efforts to support positive impacts from gaming establishments. The Commission has selected a human resources manager who will start on October 7th, is currently conducting background checks on the top candidates for the CIO position and the CFAO position, and is in the final stages of hiring accounting and reception staff. The first suitability reports for the casino proposals will be available in early October. The licensing team completed a week of gaming enforcement training hosted by the Ohio Casino Control Commission. The Racing Division has a new license application form and is preparing to receive completed applications in October.

- 9:45 a.m. Executive Director Day discussed the timeline for the RFA-2 evaluation process for Category 2 applicants. Applicant presentations will be held on October 7th and the Licensing Department expects to have the applications ready to start substantive evaluation by October 14th.
- 9:51 a.m. The Commission discussed how the suitability reports will be factored into the RFA-2 evaluation and agreed that the full Commission, rather than individual evaluation teams, will be able to consider relative suitability in making its final determination.
- 9:54 a.m. The Commission discussed the types of questions that it will be able to ask of applicants during the RFA-2 evaluation process. The Commission agreed that applicants may clarify their answers but the Commission does not want applicants to be able to improve their responses after the deadline. The Commission requested that staff provide a written description of the process and standards for asking questions of applicants during the RFA-2 evaluation.
- 10:21 a.m. The Commission discussed whether individual evaluators are required to provide a rating and explanation for the answers to each question that an applicant submits. The Commission agreed that evaluators are only required to provide bullet points of their ideas regarding an answer without giving a rating.
- 10:48 a.m. The Commission discussed the language on how to interpret the ratings that the evaluation teams agree on and made several modifications to the language proposed in the packet.
- 10:54 a.m. The Commission took a brief recess.
- 11:05 a.m. Commissioner Zuniga introduced the draft annual report to the legislature and briefly discussed several portions of the report.

**IEB Report**

Report by Director Wells. See transcript pages 88-114.

- 11:10 a.m. Director Wells raised several questions for the Commission's consideration regarding who must submit applications by the September 30 deadline for the Region C RFA-1 process. The Commission was in agreement that it would like to see applications from interested parties on September 30 even if an operator has not been identified. Existing applicants in other regions or for the Category 2 license may also apply to Region C and introduce new land partners after the September 30 deadline.
- 11:27 a.m. Director Wells discussed the staffing needs of the IEB for placing State Police into the gaming establishments and how training will be conducted.

**Ombudsman Report**

Report by Ombudsman Ziemba. See transcript pages 115-167.

- 11:33 a.m. Ombudsman Ziemba presented the Milford citizen's notice to the Commission and recommended that the Commission approve the notice's language.

*Motion made by Commissioner McHugh that the Commission approve the Milford citizens notice as set forth in the Commission packet. Motion seconded by Commissioner Cameron. The motion passed unanimously.*

- 11:33 a.m. The Commission discussed several of the clarifications that the staff proposed to the RFA-2 application in response to questions from applicants.
- 11:44 a.m. Ombudsman Ziemba reported on the status of surrounding communities. Category 2 applicants have not executed any agreements with surrounding communities. The Commission will not extend the deadline but will monitor the progress. Commissioner McHugh recommended that the Commission proactively encourage agreements between the parties. Staff will provide more details on the process by the October 3rd public meeting.

**Executive Session**

See transcript pages 167-169.

- 12:23 p.m. Chairman Crosby stated that the Commission will hold an executive session pursuant to G.L. c. 30A, § 21(a)(5), § 21(a)(7), G.L. c. 66, G.L. c. 4, § 7, and G.L. c. 4, § 26(f). The Commission will reconvene in open session at the end of the executive session.

*Motion made by Commissioner Stebbins to enter into executive session. Motion seconded by Commissioner McHugh. The motion passed unanimously by roll call vote.*

12:24 p.m. Meeting moved to executive session.

2:32 p.m. Chairman Crosby reconvened the public meeting. Meeting adjourned.

### **List of Documents and Other Items Used**

1. Massachusetts Gaming Commission September 19, 2013 Notice of Meeting and Agenda
2. Massachusetts Gaming Commission September 4 & 6, 2013 Meeting Minutes
3. Massachusetts Gaming Commission Draft Annual Report
4. Massachusetts Gaming Commission Definitions of RFA-2 Evaluation Ratings
5. Massachusetts Gaming Commission Outstanding/New Policy Questions Relative to Phase 2- Parts 2&3
6. Massachusetts Gaming Commission RFA-2 Application Q&A
7. Notice to Milford Voters issued pursuant to 205 CMR 115.00 and Special Election on Destination Resort Casino
8. Massachusetts Gaming Commission Draft Agenda for the Forum on Responsible Gaming
9. Massachusetts Gaming Commission Memo Regarding Accepting Applications from Non-Gaming Establishment Applicants.

/s/ Catherine Blue  
Catherine Blue  
Assistant Secretary