

**Regular Meeting, Open Session Minutes – Video**  
**Illinois Gaming Board**  
**Chicago, Illinois**  
**September 14, 2018**

The Illinois Gaming Board (“Board”) convened for a Regular Meeting – Video – on Friday, September 14, 2018 in the Conference Room of the Gaming Board office on the 3<sup>rd</sup> floor of the Michael Bilandic Building Center, Chicago, Illinois pursuant to the Illinois Open Meetings Act, 5 ILCS 120/1 et seq.

The following Board members were physically present: Chairman Don Tracy, Members Hector Alejandro, Dee Robinson, and Steve Dolins. Four members of the Board being present, a quorum was satisfied.

The following Staff members were also in attendance: Acting Administrator Agostino Lorenzini, Assistant General Counsel Daniel Gerber, Assistant General Counsel Jared Smith, Assistant General Counsel Richard Harlovic, Deputy Administrator-Investigations Scott Deubel, Deputy Administrator-Audit and Financial Analysis Jim Lopinski, Audit and Financial Analysis Manager Tammy Compton, License Coordinator Robert Burke, Administrative Assistant and Acting Secretary to the Board Alicia Passfield, Senior Project Manager Mark Stevens, Deputy Administrator-Enforcement Frank Spizzirri, Legislative Liaison Caleb Melamed, and Operations Officer William Doster.

Chairman Tracy called the meeting to order at 1:31 PM. The Board Secretary verified that no one from the public was present to attend the meeting at that time.

At 1:32 P.M. Member Dolins moved that the Board go into closed session pursuant to Section 2(c), paragraphs (1), (11), (14), and (21) of the Open Meetings Act and Section 6(d) of the Riverboat Gambling Act to discuss items on the closed session agenda relating to specific personnel, the closed session minutes, investigations, and pending litigation. Member Robinson seconded the motion. The Board approved the motion unanimously by voice vote. Thereafter, the Board discussed matters referenced in the closed session agenda.

At 1:54 PM, Member Dolins moved to adjourn the video closed session meeting and return to open session. Member Robinson seconded the motion. The Board approved the motion unanimously by voice vote.

At 1:54 PM, Member Alejandro moved to adjourn the open meeting to Friday, September 14, 2018 at 9:15 AM. Member Robinson seconded the motion. The motion passed unanimously by voice vote.

The Board reconvened in Open Session on Friday, September 14, 2018 on the 5th Floor of the Michael Bilandic Building at 160 N. LaSalle, Chicago, Illinois. Present were the following: Chairman Don Tracy, Members Dee Robinson, Steve Dolins and Hector Alejandro.

## **APPROVAL OF OPEN SESSION MINUTES**

Member Alejandro moved that the Board approve the open session minutes from its Regular Meeting of August 1<sup>st</sup> and 2<sup>nd</sup>, 2018. Member Robinson seconded the motion. The motion passed unanimously by voice vote.

## **CHAIRMAN'S REPORT/COMMENTS**

None.

## **BOARD MEMBERS' COMMENTS**

None.

## **ADMINISTRATOR COMMENTS**

The Administrator reported that there are 6,547 licensed location establishments operating approximately 29,441 Video Gaming terminals.

## **PUBLIC COMMENTARY**

Claudia Cox – Location Applicant, Gaggle Dining Corporation, 180700990

Kathy Pals - J & J Ventures Gaming LLC – Spoke on the topic of the use of ID scanning devices in certain gaming rooms of licensed location establishments for which it serves as the terminal operator.

## **MANUFACTURER, DISTRIBUTOR & SUPPLIER LICENSEE ITEMS**

None.

## **TERMINAL OPERATOR LICENSEE ITEMS**

### Initial License

- Aces Up Gaming LLC

Member Robinson moved that the Board issue a Terminal Operator license to Aces Up Gaming LLC for a term of one year, expiring in September, 2019, as the applicant has demonstrated its qualifications and suitability for licensure. Member Dolins seconded the motion. The motion passed unanimously by voice vote.

## License Renewals

Member Alejandre moved that the Board renew the Terminal Operator License of Bell Gaming LLC for a term of one year, expiring in September 2019. Member Robinson seconded the motion. The motion passed unanimously by voice vote.

Member Dolins moved that the Board renew the Terminal Operator License of FJC Technologies LLC for a term of one year retroactive to July 2018, and expiring in July 2019. Member Alejandre seconded the motion. The motion passed unanimously by voice vote.

## **TECHNICIANS & TERMINAL HANDLERS**

### Initial Licenses - Approvals and Denials

Member Dolins moved that the Board approve seventy six (76) applications for Terminal Handler licenses and one (1) application for Technician license that were submitted to the Board since our last meeting, and authorize the Administrator to issue Notices of Denial to:

- Lee Archie William-Clark
- Michael Frank Harris

Member Alejandre seconded the motion. The motion passed unanimously by voice vote.

### License Renewals and Non-Renewals

Member Robinson moved that the Board renew the licenses of Technicians and Terminal Handlers who were licensed or renewed in September 2017 and who have properly updated their applications, timely paid their annual fees, and are in compliance with the requirements of the Video Gaming Act and the Board's Rules. Member Dolins seconded the motion. The motion passed unanimously by voice vote.

## **VIDEO GAMING ESTABLISHMENT APPLICATIONS**

### Initial Licenses - Approvals & Denials

Member Dolins moved that the Board approve 237 Video Gaming Establishment Licenses, for a period of one year, expiring in September 2019, and authorize the Administrator to issue Notices of Denial to:

- Pub 225 LLC d/b/a Pub 225
- Johnny Dollar's Inc. d/b/a Johnny Dollar's
- JoAnn Dawson d/b/a Joe Jo's Tavern
- Fill-Up Mart, Inc. d/b/a Fill-Up Mart # 12
- G and G Valley Ridge LLC d/b/a Valley Ridge Golf Course
- Champs Bar & Grill Inc. d/b/a Champs Bar & Grill

- Caliber Management LLC
- Big Muddy Pub LLC d/b/a Bottle And Barrel
- Antguel Inc. d/b/a Pepe's Mexican Restaurant
- Angie's Whistle Stop Inc d/b/a Angie's Whistle Stop

Member Alejandre seconded the motion. The motion passed unanimously by voice vote.

Next, Member Robinson moved that the Board authorize the Administrator to issue Notices of Denial to:

- Lacey's Place LLC Series Belvidere 2 d/b/a Lucky Penny's
- Lacey's Place LLC Series Clinton d/b/a Lacey's Place
- Lacey's Place LLC Series River Grove d/b/a Lacey's Place
- Lacey's Place LLC Series DeKalb d/b/a Lacey's Place LLC Series DeKalb
- Lacey's Place LLC Series Crestwood 2 d/b/a Lacey's Place

Member Alejandre seconded the motion. The motion passed unanimously by voice vote 3-0 with Member Dolins recusing himself from the vote.

#### License Renewals

Member Dolins moved that the Board renew the licenses of Retail Establishments, Truck Stop Establishments, Veteran Establishments and Fraternal Establishments that were licensed or renewed in September 2017 and that have properly updated their applications, timely paid their annual fee, and are otherwise in compliance with the requirements of the Act and the Board's Rules.

Member Alejandre seconded the motion. The motion passed unanimously by voice vote

#### **REQUESTS FOR HEARING**

Member Alejandre move that the Board deny the request for hearing submitted by Terje Fletcher  
Member Robinson seconded the motion. The motion passed unanimously by voice vote.

Member Robinson moved that the Board deny the request for hearing submitted by SMILIN GOAT, Inc. Member Dolins seconded the motion. The motion passed unanimously by voice vote.

Member Dolins moved that the Board grant the request for hearing submitted by Luna Properties II, Inc. Member Alejandre seconded the motion. The motion passed unanimously by voice vote.

Member Alejandre moved that the Board deny the request for hearing submitted by The Bullpen Inc. d/b/a The Bullpen Bar & Grill. Member Robinson seconded the motion. The motion passed unanimously by voice vote.

Member Alejandro moved that the Board rescind the August 2018 denial of renewal and grant renewal to Vail #1 Inc. d/b/a The Oasis, retroactive to August 2018. Member Robinson seconded the motion. The motion passed unanimously by voice vote.

Member Robinson moved that the Board deny the request for hearing submitted by Symplegades, Inc. d/b/a Top Fuel Saloon. Member Dolins seconded the motion. The motion passed unanimously by voice vote.

Member Dolins moved that the Board grant the hearing request submitted by Lansing Investment Corporation d/b/a Kilroy's. Member Alejandro seconded the motion. The motion passed unanimously by voice vote.

Member Robinson moved that the Board deny the request for hearing submitted by Patricia Marie Martin d/b/a Memories Lake Villa. Member Dolins seconded the motion. The motion passed unanimously by voice vote.

Member Dolins moved that the Board grant the hearing request submitted by THE LOADED BUFFALO BAR AND GRILL INC. d/b/a THE ORIGINAL SUNDANCE SALOON. Member Alejandro seconded the motion. The motion passed unanimously by voice vote.

Member Alejandro moved that the Board rescind the prior denial and grant a license renewal to THOMAS'S BARBEQUE, INC. d/b/a THOMAS BBQ, retroactive to August 2018. Member Robinson seconded the motion. The motion passed unanimously by voice vote.

Member Robinson moved that the Board grant the request for hearing submitted by STUCKY'S BAR & GRILLE, INC. d/b/a STUCKY'S BAR & GRILLE. Member Dolins seconded the motion. The motion passed unanimously by voice vote.

Member Alejandro moved that the Board deny the request for hearing submitted by TNT Gas-Mart, Inc. d/b/a TNT Gas-Mart. Member Robinson seconded the motion. The motion passed unanimously by voice vote.

Member Robinson moved that the Board grant the hearing request submitted by BRICKS & IVY, LLC d/b/a Parkside Pub. Member Dolins seconded the motion. The motion passed unanimously by voice vote.

Member Alejandro moved that the Board deny the request for hearing submitted by Terri Shepard d/b/a KJ's Bar & Grill. Member Robinson seconded the motion. The motion passed unanimously by voice vote.

Member Dolins moved that the Board rescind the prior denial and grant a license renewal to SA & TA Incorporated d/b/a Rose Garden Restaurant, retroactive to August 2018. Member Alejandro seconded the motion. The motion passed unanimously by voice vote.

## **Requests to Reapply**

Member Alejandre moved that the Board grant the request by I & I MADISON MART CORP. d/b/a MADISON LIQUOR AND MORE to reapply for an establishment license. Member Robinson seconded the motion. The motion passed unanimously by voice vote.

Member Dolins moved that the Board grant the request by CORNER SPOT, INC. d/b/a THE KAVE to reapply for an establishment license. Member Alejandre seconded the motion. The motion passed unanimously by voice vote.

Member Robinson moved that the Board grant the request by C L Quick Stop Of Belvidere, Inc. d/b/a Lucky Poker to reapply for an establishment license. Member Dolins seconded the motion. The motion passed unanimously by voice vote.

Member Dolins moved that the Board grant permission to Roger Salmon d/b/a Monticello Bowl & Lounge to reapply for an establishment license. Member Alejandre seconded the motion. The motion passed unanimously by voice vote.

Member Robinson moved that the Board grant the request by EAST CAPE PIZZA LLC d/b/a PIT STOP PIZZA to reapply for an establishment license. Member Alejandre seconded the motion. The motion passed unanimously by voice vote.

## **DISCIPLINARY ACTIONS**

### Terminal Handlers

Member Dolins moved to issue a disciplinary complaint revoking the license of James Robert Pruitt for conduct that discredits the Illinois gaming industry and poses a threat to the good order and general welfare of the people of the State of Illinois, said actions to take effect 21 days from the date of service of the Complaints, unless Answers are properly filed within that timeframe. Member Alejandre seconded the motion. The motion passed unanimously by voice vote.

### Illegal Gambling Activities

Member Alejandre moved the Board to issue Disciplinary Complaints fining the following establishment licensees in the amount of \$5,000:

- Clover Restaurant Group LLC d/b/a Shamrocks Café (150700580)
- Tony's Breakfast Cafe, LLC d/b/a Tony's Breakfast Café
- BK & MM VENTURES LLC d/b/a Kane County Rookies
- Puzzled Minds Management Group, LLC d/b/a JT's Corner Tap & Eatery
- CDT ENTERPRISE, INC. d/b/a PLAYOFFS BAR & GRILL
- Tavern on 60, Inc. d/b/a Tavern on 60
- Hallie & Glenn Inc. d/b/a D'Arcy's Pint
- AMSIA MARKET LLC d/b/a ANNIE'S PLACE

- Grand Tavern, Inc. d/b/a Grand Tavern

for knowingly permitting underage play of video gaming terminals, said actions to take effect 21 days from the date of service of the Complaints, unless Answers are properly filed within that timeframe. Member Robinson seconded the motion. The motion passed unanimously by voice vote.

#### VGTs play by owner

Member Robinson moved that the Board issue a Disciplinary Complaint fining the establishment Pal-Rose Enterprises, Inc. d/b/a Nancy's Pizza \$2,500 for permitting recreational play by the owner, this to take effect 21 days from the date of service of the Complaint, unless an Answer is properly filed within that timeframe. Member Dolins seconded the motion. The motion passed unanimously by voice vote.

#### Failure to Monitor

Member Alejandro moved that the Board issue a Disciplinary Complaint fining Grumpy's Smokehouse, Inc. \$2000 for violation of section 58 of the Video Gaming Act, said action to take effect 21 days from the date of service of the Complaint, unless an Answer is properly filed within that timeframe. Member Dolins seconded the motion. The motion passed unanimously by voice vote.

### **LITIGATION**

#### Settlements

Member Dolins moved that the Board rescind the previous denial and grant a terminal handler license to James Thomas Stewart. Member Alejandro seconded the motion. The motion passed unanimously by voice vote.

Member moved that the Board delegate to the Administrator authority to enter into a settlement agreement with the licensee R.W. SKIP SMITH, INC. d/b/a JESSE OAKS and to take the necessary actions to resolve the disciplinary complaint. Member Alejandro seconded the motion. The motion passed unanimously by voice vote.

Member Alejandro moved that the Board delegate to the Administrator authority to enter into a settlement agreement with the licensee GOUNTANIS ENTERPRISES INC. d/b/a Gojos and to take the necessary actions to resolve the disciplinary complaint. Member Alejandro seconded the motion. The motion passed unanimously by voice vote.

Member Alejandro moved that the Board rescind the prior denial, grant renewal retroactive to January 2018, and delegate to the Administrator authority to enter into a settlement agreement with the licensee IBPO Elks of the World, Capital City Lodge #1160. Member Robinson seconded the motion. The motion passed unanimously by voice vote.

Member Alejandro moved that the Board delegate to the Administrator authority to enter into a settlement agreement with the licensee PAREDES & SCHMITT LLC d/b/a FAMOUS CITY BILLIARDS and to take the necessary actions to resolve the disciplinary complaint. Member Robinson seconded the motion. The motion passed unanimously by voice vote.

## **OTHER MATTERS**

### BMM North America Inc. (BMM) v. Gaming Laboratories International (GLI), Illinois Gaming Board (IGB) – 2017 CH 02587

Following oral arguments made by legal counsel for both BMM and GLI, Member Dolins moved that, on remand from the Circuit Court of Cook County, pursuant to the court's July 25, 2018 order and in accordance with the court's directives, and having considered the administrative record, including the supplemental record, briefs by both parties, and arguments of counsel, the Board make the following findings: First, that the circumstances surrounding the August 23, 2016 meeting between GLI and Board staff did not taint the administrative process and decision to award GLI the exclusive independent testing contracts; Second, that there was insufficient evidence that the alleged staff bias tainted the administrative process and decision to award GLI the exclusive independent testing contracts to warrant an adverse inference; Third, that the Board determine not to reverse its prior determination that GLI be awarded the exclusive right to perform independent testing lab services under the subject contracts. Member Alejandro seconded the motion. The motion passed unanimously via voice vote.

**ADJOURN:** Member Alejandro moved to adjourn the meeting. Member Robinson seconded the motion. The motion passed unanimously by voice vote.

Respectfully submitted,

Richard P. Harlovic  
Assistant General Counsel