

# MINUTES

## WEST VIRGINIA LOTTERY COMMISSION

March 31, 2022

### **Call to Order - Approval of Minutes**

The monthly meeting of the West Virginia Lottery Commission was called to order at Lottery Headquarters on Thursday, March 31, 2022 at 11:02 a.m.

Commission Members present: Chairman Ken Greear, Vice-Chairman Roy Shrewsbury, Dan Marshall, and Peggy Pope. Commissioners Doug Bicksler and Andy Kniceley, joined the meeting by phone.

Also present were: Director John Myers, Kim Lamb, Keith Morgan, June Somerville, David Bradley, Steve Compston, Paul Barnette, Danielle Snidow, Dustin Lamar, Elizabeth Webb, Kris Franko, Annamarie Short and the public.

A motion to approve the minutes of the February 24, 2022 monthly meeting was made by Commissioner Shrewsbury. This motion was seconded by Commissioner Marshall and passed by unanimous voice vote.

A motion to approve the minutes of the February 16, 2022 conference call was made by Commissioner Marshall. This motion was seconded by Commissioner Shrewsbury and passed by unanimous voice vote.

### **Report of the Director**

Director Myers reported the list of iGaming approvals for February has been placed in Commissioners' Drop Box.

Director Myers announced a couple of retirements. Byron Salisbury who has worked in our video lottery group for twenty years, he started in October 2001 about the time we started up LVL. Today is his last day, he will be leaving effective tomorrow. And also Keith Morgan our Director of IT has announced his retirement will be April 8, 2022. This certainly will leave a big hole here. Both of those gentlemen have been integral parts of our operation. Chairman Greear wished both of them the best.

Director Myers further reported we have staff in the video lottery group that have applied for Bryon's job. We have started the process through Division of Personnel to backfill Keith's position. I have staff on-site, Darrin Stroup, he has been with us for many years and has worked in a management role to help keep us running without much issue. We also have had conversations with consultants on the outside to help us if needed on a regular basis.

Director Myers reported David Bradley's group has completed an inventory of the ware LVL warehouses. That inventory matched up to the number of permits that we issued.

Director Myers reported on legislative bills. In the Traditional Lottery side, the way would be cleared to offer iLottery which would allow sale of tickets on an iPhone or similar device. And, would allow Limited Video Lottery to do a little bit of advertising, for example, advertise for an employee for limited video lottery rather than somebody applying and thinking it was for a waitress job and it turns out to be limited video lottery. Allowed to have a six square foot sign on outside of the building, and do to some advertising on social media targeting anybody above 21 years old.

Director Myers reported approving the following license renewals:

Sports Wagering Management Services Provider:

- Golden Nugget Online Gaming, LLC dba Golden Nugget Sports

Sports Wagering Suppliers:

- IMG Arena US, LLC
- YourPay, LLC
- TeleCheck Services, Inc.
- Dish Integration, LLC
- LIR Industries, LLC
- Socure, Inc.

i-Gaming Management Services Provider

- Betfair Interactive US, LLC dba FanDuel Casino

i-Gaming Suppliers:

- NYX Digital Gaming (USA), LLC
- SG Gaming, Inc.

Table Games Supplier

- Genesis Gaming Solutions, Inc.

Table Games Supplier and Limited Gaming Facility Supplier

- TGS John Huxley America, Inc. as a Table Games Supplier

**- Finance**

Paul Barnette reviewed the financial report for the month of February.

**- Traditional Performance and Marketing**

Danielle Snidow reviewed the monthly Traditional Performance and Marketing report.

**- Security Division – Traditional/Limited Video Lottery**

Steve Compston provided the Traditional Security and Limited Video Lottery reports.

**- Security Division - Casino Gaming/Sports Wagering/iGaming**

Kris Franko reviewed the reports for February.

**- Video Lottery**

Dustin Lamar reviewed the monthly report for the Video Lottery Division. Mr. Lamar introduced Eric Ford, recently hired as a Games Test Analyst II.

**- Licensing**

Elizabeth Webb provided the Licensing report.

### **Questions for Contractor**

There were no questions for IGT.

### **Finance and Audit Committee**

The first item was possible approval of a change of ownership in Action Gaming, Inc. a Limited Video Lottery Operator.

**VOTE:** Vice Chairman Bicksler moved to approve the change of ownership in Action Gaming, Inc. a Limited Video Lottery Operator. This motion was seconded by Commissioner Marshall and passed by unanimous voice vote.

The next item was possible approval of a change of ownership in Poke, Inc. a Limited Video Lottery Operator.

**VOTE:** Vice Chairman Bicksler moved to approve the change of ownership in Poke, Inc. a Limited Video Lottery Operator. This motion was seconded by Commissioner Pope and passed by unanimous voice vote.

The last item was a review of the February 2022 financial statements.

### **Games, Rules, Security and Marketing Committee**

The first item was possible approval of the request of Jeffrey Luther to be removed from the WV statewide self-exclusion list.

**VOTE:** Vice Chairman Shrewsbury moved to approve the request of Jeffrey Luther to be removed from the WV statewide self-exclusion list. This motion was seconded by Commissioner Marshall and passed by unanimous voice vote.

The next item was possible approval of the request of Kevin Do to be removed from the WV statewide self-exclusion list.

**VOTE:** Vice Chairman Shrewsbury moved to approve the request of Kevin Do to be removed from the WV statewide self-exclusion list. This motion was seconded by Commissioner Pope and passed by unanimous voice vote.

The next item was possible approval of the request of Francesca Hodge to be removed from the WV statewide self-exclusion list.

**VOTE:** Vice Chairman Shrewsbury moved to approve the request of Francesca Hodge to be removed from the WV statewide self-exclusion list. This motion was seconded by Commissioner Pope and passed by unanimous voice vote.

The next items were approval of hardware and software of licensed or permitted video lottery terminal manufacturers. Approvals have been received from the Lottery's independent test labs and reviewed by Lottery staff.

**VOTE:** Vice Chairman Shrewsbury moved to approve hardware and software of licensed or permitted video lottery terminal manufacturers received from the Lottery's independent test labs and reviewed by lottery staff. A list of these approvals is attached to these minutes. This motion was seconded by Commissioner Marshall and passed by unanimous voice vote.

### **Unfinished Business**

There was no Unfinished Business.

### **New Business**

The only item was possible approval of Sports Wagering Suppliers: 3312276 Nova Scotia Limited dba National Football Post, Leadstar Media, Inc., Sharprank, Inc., Univision Interactive Media, Inc., Vegas Sports, Inc., and YouBet Technology, Inc. dba PickUp/PlayPickUp.

**VOTE:** Commissioner Shrewsbury moved to approve Sports Wagering Suppliers: 3312276 Nova Scotia Limited dba National Football Post, Leadstar Media, Inc., Sharprank, Inc., Univision Interactive

Media, Inc., Vegas Sports, Inc., and YouBet Technology, Inc. dba PickUp/PlayPickUp. This motion was seconded by Commissioner Marshall and passed by unanimous voice vote.

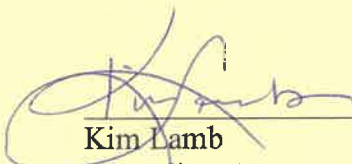
**Scheduling of the next monthly meeting**

The date for the next monthly meeting was set for April 27, 2022 at 11:00 a.m. The date for the conference call was set for April 13, 2022 at 12:00 noon.

**VOTE:** Commissioner Marshall moved to accept the meeting dates. This motion was seconded by Commissioner Pope and passed by unanimous voice vote.

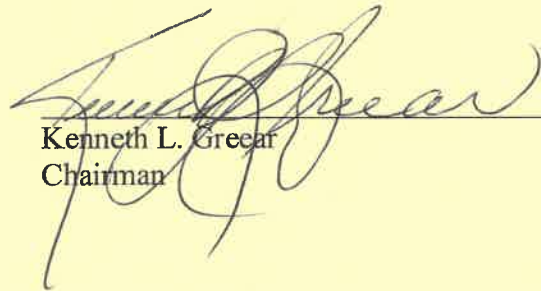
**Adjourn**

**VOTE:** Vice Chairman Shrewsbury moved to adjourn the meeting.



---

Kim Lamb  
Recording Secretary



---

Kenneth L. Greear  
Chairman

## March 2022 Conference Call Agenda

1. **AGS LLC. "Tiki Fortune" Personality Program for the West Virginia Racetracks (MO-22-CAD-21-10) - action item.** This is a progressive game with a payout range of 83.90% - 94.97%.
2. **AGS LLC. "AGS LLC LCD Button Deck Assembly" for the West Virginia Racetracks (MO-22-CAD-21-12) - action item.** The button panel allows the player to perform various functions in the game such as placing a bet, selecting paylines, starting a new game and making selections in a bonus feature.
3. **Bally Gaming Inc. "USB Charger (Racetrack)" for the West Virginia Racetracks (MO-73-BAL-21-87) - action item.** This is a door mounted USB port used to charge any electronic device containing a USB port.
4. **Bally Gaming Inc. "Perfect Peacock - Coin Combo" Personality Program for the West Virginia Racetracks (MO-73-BAL-21-97) - action item.** This is a progressive game with a payout range of 87.21% - 94.50%.
5. **Everi Games, Inc. "Crystal Star Deluxe" Personality Program for the West Virginia Racetracks (MO-214-MMG-18-04) - action item.** This is a progressive game with a payout range of 80.55% - 97.95%.
6. **Everi Games, Inc. "Black Diamond Deluxe" Personality Program for the West Virginia Racetracks (MO-214-MMG-18-04) - action item.** This is a progressive game with a payout range of 82.72% - 97.95%.
7. **IGT "Dream Card Poker" Personality Program for the West Virginia Racetracks (MO-73-IGT-21-63) - action item.** This game has a payout range of 92.97% - 98.80%.
8. **IGT "Sign Controller (MO-73-IGT-21-12)" Progressive Sign for the West Virginia Racetracks (MO-73-IGT-20-126) - action item.** This software is used to display progressive jackpot information to the player on an over head video display.
9. **IGT "Super Wheelmania Link Treasure Fish" Personality Program for the West Virginia Racetracks (MO-73-IGT-20-126) - action item.** This is a progressive game with a payout range of 85.62% - 98.60%.
10. **Konami Gaming, Inc. "Upper Door Panel (331703)" for the West Virginia Racetracks (MO-73-KON-21-63) - action item.** This hardware is used to convert an older machine to a newer machine type.
11. **Konami Gaming, Inc. "Lower Door Panel (331702)" for the West Virginia Racetracks (MO-73-KON-21-63) - action item.** This hardware is used to convert an older machine to a newer machine type.

## March 2022 Commission Meeting Agenda

1. **Aristocrat, Inc. "Golden Century" Personality Program for the West Virginia Racetracks (MO-73-ARI-20-43) - *action item*.** This is a progressive game with a payout range of 88.75% - 94.97%.
2. **Aristocrat, Inc. "Happy & Prosperous" Personality Program for the West Virginia Racetracks (MO-73-ARI-20-41) - *action item*.** This is a progressive game with a payout range of 88.75% - 94.97%.
3. **Aristocrat, Inc. "Autumn Moon" Personality Program for the West Virginia Racetracks (MO-73-ARI-20-39) - *action item*.** This is a progressive game with a payout range of 88.75% - 94.97%.
4. **Aristocrat, Inc. "Crazy Rich Asians Vertex Schedule (MO-73--ARI-20-67)" Progressive Controller for the West Virginia Racetracks (MO-73-ARI-20-66) - *action item*.** This software is used to link multiple VLTs to one or more progressive jackpot pools.
5. **Aristocrat, Inc. "Crazy Rich Asians" Personality Program for the West Virginia Racetracks (MO-73-ARI-20-66) - *action item*.** This is a progressive game with a payout range of 85.95% - 93.40%.
6. **Aristocrat, Inc. "Tian Ci Jin Lu Vertex Schedule" Progressive Controller for the West Virginia Racetracks (MO-73-ARI-20-77) - *action item*.** This software is used to link multiple VLTs to one or more progressive jackpot pools.
7. **Aristocrat, Inc. "Phoenix" Personality Program for the West Virginia Racetracks (MO-73-ARI-20-76) - *action item*.** This is a progressive game with a payout range of 88.50% - 94.38%.
8. **Aristocrat, Inc. "Timber Wolf Gold" Personality Program for the West Virginia Racetracks (MO-73-ARI-20-23) - *action item*.** This game has a payout range of 85.09% - 94.03%.
9. **Everi Games, Inc. "Super Dragon" Personality Program for the West Virginia Racetracks (MO-73-MMG-21-40) - *action item*.** This is a progressive game with a payout range of 86.77% - 97.95%.
10. **IGT "Ultimate X Bonus Streak Poker" Personality Program for the West Virginia Racetracks (MO-22-IGT-20-74) - *action item*.** This game has a payout range of 90.92% - 99.05%.
11. **IGT "Super Times Pay Poker" Personality Program for the West Virginia Racetracks (MO-05-IGT-21-03) - *action item*.** This game has a payout range of 91.23% - 99.85%.



## EMERGENCY MEETING MINUTES

### WEST VIRGINIA LOTTERY COMMISSION

March 31, 2022

#### **Call to Order - Approval of Minutes**

The emergency meeting of the West Virginia Lottery Commission was called to order at Lottery Headquarters on Thursday, March 31, 2022 at 11:36 a.m.

Commission Members present: Chairman Ken Greear, Vice-Chairman Roy Shrewsbury, Dan Marshall, and Peggy Pope. Commissioners Doug Bicksler and Andy Kniceley joined the meeting by phone.

Also present were: Director John Myers, Kim Lamb, Keith Morgan, June Somerville, David Bradley, Steve Compston, Danielle Snidow, Dustin Lamar, Elizabeth Webb, Kris Franko, Annamarie Short, and the public.

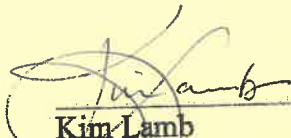
Director Myers stated the purpose of the meeting was to address the consideration of Century Casino's request for approval of refinancing of \$167 million debt for Mountaineer Casino currently held by Macquarie Group Financial Services through a \$350 million corporate loan to be held by Goldman-Sachs. The Mountaineer Casino is a major employer in Northern WV and a major gaming revenue generator for West Virginia.

**VOTE:** Vice Chairman Shrewsbury moved to approve Century Casino's request for approval of refinancing of \$167 million debt for Mountaineer Casino currently held by Macquarie Group Financial

Services through a \$350 million corporate loan to be held by Goldman-Sachs. This motion was seconded by Commissioner Pope and passed by unanimous voice vote.

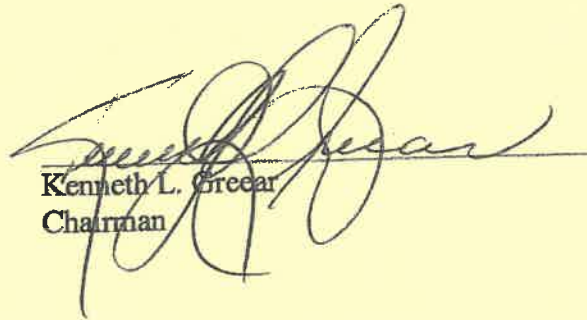
**Adjourn**

**VOTE:** Vice Chairman Shrewsbury moved to adjourn the meeting. This motion was seconded by Commissioner Pope and passed by unanimous voice vote.



---

Kim Lamb  
Recording Secretary



---

Kenneth L. Greear  
Chairman

Ken Greear