

## **Colorado Limited Gaming Control Commission**

### **Minutes of Public Session**

**April 17, 2025**

#### **PUBLIC SESSION**

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

Vice-Chair Tipton called the April 17, 2025, meeting of the Colorado Limited Gaming Control Commission to order at 9:20 a.m. MDT in person at the Division of Gaming Office at 1707 Cole Blvd., Suite 300, Lakewood, CO 80401, and virtually via Zoom. Commissioners Hyland, George, and Workman were present in person, and a quorum existed. Commissioner Armstrong was excused for good cause.

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

John Tipton, Commissioner/Vice-Chair  
Kevin Hyland, Commissioner  
Ahilya George, Commissioner  
Phil Workman, Commissioner  
Michael Phibbs, Senior Director, Specialized Business Group  
Christopher Schroder, Director  
Kirsten Gregg, Chief of Investigations  
Allen Hiserodt, Chief of Sports Betting  
Kenya Collins, Director of Administration via Zoom  
Bradford Jones, Senior Assistant Attorney General  
Torrey Samson, Senior Assistant Attorney General  
Paul Hogan, Chief Auditor  
J. Wolff, Agent in Charge, Central City/Black Hawk  
Dane Albin, Agent in Charge, Cripple Creek  
John Madruga, Agent in Charge, Background Unit  
Michael Payne, Table Games Chair  
Corrie Martinez, Responsible Gaming Manager  
Breanne Nolan, Executive Assistant, Secretary to CLGCC

#### **EXECUTIVE SESSION**

The Commission voted unanimously to go into the Executive Session pursuant to sections 24-6-402(3)(a)(III), 44-30-521(1)(a), 44-30-526(1)(d), and 44-30-1507 of the Colorado Revised Statutes to review confidential background licensing reports that were scheduled for consideration in the Public Session.

The Executive Session was called to order at 9:25 a.m. MDT.

The Executive Session was adjourned at 10:14 a.m. MDT.

#### **PUBLIC SESSION**

The Public Session was called back to order by Vice-Chair Tipton at 10:21 a.m. MDT.

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

The Commission voted unanimously to approve the First Associated Equipment Supplier License for FIRST AMERICAN BANKCARD, INC. d/b/a FABI Cash. This Associated Equipment Supplier License will expire two years from its date of issuance.

The Commission voted unanimously to approve the Renewal of the Retail and Master Licenses for the Gilpin Casino, LLC d/b/a the Gilpin Hotel Casino. These Retail and Master Licenses shall expire two years from their current dates of expiration.

The issuance of the above Master license does not concurrently grant approval to entities or individuals with whom this licensee has entered into or considered entering into contracts for sports betting operations or internet sports betting operations; nor does it preclude any entities or individuals from being called forward by the Division to conduct a comprehensive background investigation regarding their suitability to operate in Colorado.

The Commission voted unanimously to table the approval of the Retail and Master Licenses, as well as the Manufacturer/Distributor License for The Lodge Casino, LLC d/b/a The Lodge Casino at Black Hawk until the June 2025 meeting of the Colorado Limited Gaming Control Commission requesting supplemental information from The Lodge Casino as part of the renewal application investigation.

The Commission voted unanimously to approve the Change of Ownership of the Retail and Master Licenses for DOSTAL ALLEY, INC. d/b/a Dostal Alley. These Retail and Master Licenses shall expire on their current dates of expiration.

The issuance of the above Master license does not concurrently grant approval to entities or individuals with whom this licensee has entered into or considered entering into contracts for sports betting operations or internet sports betting operations; nor does it preclude any entities or individuals from being called forward by the Division to conduct a comprehensive background investigation regarding their suitability to operate in Colorado.

The Commission voted unanimously to approve the Renewal of the Internet Sports Betting Operator License for BETFRED SPORTS (COLORADO) LLC d/b/a Betfred Sports. This Internet Sports Betting Operator License will expire two years from its current date of expiration.

The Commission voted unanimously to approve the Renewal of the Sports Betting Operator License for BETFRED SPORTS (COLORADO) LLC d/b/a Betfred Sports. This Sports Betting Operator License will expire two years from its current date of expiration.

In accordance with Commission Policy 24-01, the Commission voted unanimously to approve the First issuance and the Renewal of the Vendor Minor Licenses listed in the Consent Agenda in the April 2025 public packet. The Vendor Minor Licenses will expire two years from their current dates of issuance and/or expiration.

## **III. Consideration of Applicant Seminole Hard Rock Digital, LLC's Petition for Waiver and Application for Internet Sports Betting Operator**

Torrey Samson, Senior Assistant Attorney General, presented the Petition and Approval of Petition for Waiver of Application Requirements in the matter of Seminole Hard Rock Digital, LLC, Internet Sports Betting Operator Applicant, No. 96374028.

Discussion was had regarding the Seminole Indian Tribe's ownership of the casino and its federal recognition as an Indian Tribe in Florida.

The Commission voted unanimously to approve and authorize the Vice-Chair to sign and issue the Order Approving Petition and Approval of Petition for Waiver of Application Requirements in the matter of Seminole Hard Rock Digital, LLC, Internet Sports Betting Operator Applicant, No. 96374028.

The Commission voted unanimously to approve the First Internet Sports Betting Operator License for Seminole Hard Rock Digital, LLC. This Internet Sports Betting Operator license will expire two years from its date of issuance.

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

The Chair gave anyone from the public an opportunity to address the Commission on any item not appearing in the agenda.

Jamie Glick, President, Problem Gambling Coalition of Colorado, stated that Governor Polis had declared March as Problem Gaming Awareness Month in Colorado. He detailed that PGCC attended Problem Gambling Awareness Day at the Capitol and thanked the Division of Gaming and Colorado Lottery for their participation. He also stated that Chigbo Nzoiwu had been appointed as Events Director for PGCC.

#### **V. Consideration of Limited Gaming Financial Statements for February 2025**

The Commission voted unanimously to approve the Statement of Gaming Revenues, Gaming Taxes, and Expenditures (unaudited) for the eight months ending on February 28, 2025, and to authorize its distribution.

#### **VI. Consideration of Division Sports Betting Financial Statement for February 2025**

The Commission voted unanimously to approve the Statement of Sports Betting Revenues, Taxes, and Expenditures (unaudited) for the eight months ending on February 28, 2025, and to authorize its distribution.

#### **VII. Consideration of the Stipulation and Settlement Agreement in the matter of Xavier Montoya, Case No. DOG24004478**

Bradford Jones, Senior Assistant Attorney General, presented the Stipulation and Settlement Agreement in the matter of Xavier Montoya, Case No. DOG24004478.

Discussion was had between the Commission and Senior Assistant Attorney General Jones, who explained that the evidentiary hearing would be cancelled as part of the settlement agreement.

The Commission voted unanimously to approve and authorize the Vice-Chair to sign and issue the Stipulation and Settlement Agreement for Case No. DOG 24004478 in the matter of Xavier Montoya, Support License No. 58752.

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

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

Paul Hogan, Chief Auditor, was sworn in and gave a presentation overviewing the Gaming Tax Setting process.

Paul Hogan submitted into the record the Statements of Gaming Impacts/Annual Reports for the Colorado Judicial Branch. He noted that these documents were included in the materials as part of the tax setting hearing.

Annie Levinsky, Vice President & Chief Operating Officer, History Colorado, and Chris Creighton, Chief Financial Officer, History Colorado, gave a presentation regarding the statement of gaming impacts and annual report for History Colorado. It was detailed that History Colorado received approximately 55% of its revenues from gaming tax distribution to provide exhibits and preservation, as well as school programs to residents and visitors of Colorado.

Discussion was had between the Commission, Annie Levinsky, and Chris Creighton regarding age groups of children who attended school programs provided by History Colorado.

Mark Superka, Vice Chancellor for Finance and Administration, Colorado Community College System, gave a presentation regarding the gaming impacts for the over 114,000 students who attend schools within the Community College System. He detailed that the Colorado Community College System received \$30 million from the gaming tax distribution, which supported direct instruction and staff salaries. He stated that the gaming tax distribution had a powerful impact and helped serve students, especially lower income and first-generation students, in the Community College System. He recommended that the gaming tax rate remain unchanged.

Discussion was had between the Commission and Mark Superka regarding the 30% of students who receive trade instruction through the Colorado Community College System. The Commission also asked if any responsible gaming measures were being implemented on community college campuses. Mark Superka stated that he was unsure and would have to get answers directly from each school.

The Chair extended an opportunity for members of the public to testify on behalf of Gaming Rule 14, Gaming Tax. No members of the public came forward to testify.

The Commission voted unanimously to close and continue the hearing on Gaming Rule 14, Gaming Tax, until approximately 9:55 a.m. on Thursday, May 22, 2025, at the Lakewood Division of Gaming Office and via Zoom.

## **IX. Fiscal Year 2026 Budget Requests**

Matt Packard, Chief, Colorado State Patrol presented the fiscal year 2026 budget request and annual area impacts for Colorado State Patrol (CSP). He explained that the overall budget request had decreased from the previous fiscal year; however, the level of service provided would not change. He stated that the overall goal of the CSP in gaming areas was to increase

safety by reducing crashes through enforcement of traffic violations. He explained that injury crashes had significantly decreased in Gilpin County but increased in Teller County. He detailed that the fatal crashes in Teller County had both been motorcyclists.

Discussion was had between the Commission and Chief Packard regarding increased DUI arrests in gaming cities. Chief Packard stated that there had not been issues with establishments overserving patrons and detailed the investigation process in these cases. He stated that impaired driving was an increased point of emphasis for CSP Troopers.

The Commission voted unanimously to approve the fiscal year 2026 budget request of the Colorado State Patrol in the amount of \$4,747,625.

Chris Brunette, Fire and Life Safety Section Chief, presented the fiscal year 2026 budget request for the Division of Fire Prevention and Control (DFPC). He stated that the DFPC provided oversight to gaming communities for inspection of fire systems and fire suppression, and ensured those systems were installed and maintained properly. He explained that the DFPC also provided training programs in local jurisdictions.

Discussion was had between the Commission and Chief Brunette on the process of fire inspections for Black Hawk, Central City, and Cripple Creek. It was explained that DFPC aided in inspections in Black Hawk and Central City, but the cities had final determination; whereas, in Cripple Creek, DFPC had sole authority to approve or deny fire inspections.

The Commission asked Chief Brunette if the DFPC had experienced staffing issues. He stated that the Division did not have staffing issues and had just completed a study and classification of salaries to help match local jurisdictions.

The Commission voted unanimously to approve the fiscal year 2026 budget request of the Division of Fire Prevention and Control in the amount of \$247,063.

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

### Approval of Minutes

The minutes from the March 20, 2025, public session of the Colorado Limited Gaming Control Commission were approved with corrections.

### Directors Updates

Michael Phibbs, Senior Director, Specialized Business Group stated that there would be a lease agreement for the new Black Hawk Division of Gaming Office (Richman building) within the next week. He explained that the Department of Revenue Facilities Director had worked with the building manager on a tenant improvement project and that if the initial construction bid could be revived, the net difference would be a \$15,000 increase to the budget. Discussion was had between the Commission and Michael Phibbs regarding the lease timeline. It was determined that the lease contract was for five years, and that completion of construction was projected for September 2025. He emphasized that lease payments would not be made until the Division took possession of the building.

Senior Director Phibbs stated that the uniform project was nearing completion and that the body worn camera contract was executed. He explained that networking hardware had to be installed into the bodycams and that they would be fully functional within two months.

Christopher Schroder, Director, Division of Gaming, stated that he and other Division staff would travel to Durango on May 12<sup>th</sup> to visit with the Southern Ute Indian Tribe and Ute Mountain Ute Tribe for the bi-annual meetings. He stated that Commissioner George would be leaving the Colorado Limited Gaming Control Commission and thanked her for her service as Commissioner.

Commissioner George stated that it was an honor to serve on the Commission and thanked the Division for the opportunity to learn about gaming in Colorado. Vice-Chair Tipton thanked Commissioner George for her kind and impactful contributions to the Colorado Limited Gaming Control Commission.

#### **X. Opportunity for the Industry Members to Address the Commission**

The Chair extended an opportunity for any members of the gaming industry to address the Commission regarding any current issues or events. No gaming industry members came forward for comment.

#### **XI. Adjournment**

The Commission voted unanimously to adjourn the April 17, 2025, meeting of the Colorado Limited Gaming Control Commission at approximately 11:43 a.m. MDT.

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Breanne Nolan, Secretary to the Colorado Limited Gaming Control Commission