



CANNON BUILDING
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STATE OF DELAWARE
BOARD OF CHARITABLE GAMING

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| MEETING MINUTES: | BOARD OF CHARITABLE GAMING |
| MEETING DATE AND TIME: | May 28, 2020 |
| PLACE: | Telephonically at 861 Silver Lake Boulevard, Dover, Delaware |
| MINUTES FOR APPROVAL: | |

MEMBERS PRESENT

Richard MacDonald, State Lottery Office Member-Chair
James Ascione, Public Member – Vice Chair
Francis Gant, Delaware Firefighters Association Member
Don Poore, Non-Profit Member
Ellen Magee, Public Member

MEMBERS ABSENT

DIVISION STAFF/DEPUTY ATTORNEY GENERAL PRESENT

Kevin Maloney, District Attorney General
Mary Veenema, Administrative Specialist II
Eric Rauch, Gaming Inspector
Ted Kimmey, Gaming Inspector

PUBLIC PRESENT

Bill Holena
Debra Brown
Peggy Hullinger
Chris Hullinger
Rubin Kelly
Wayne English
Deb Lopez
Keith Hasslet

CALL TO ORDER

Mr. MacDonald called the meeting to order at 11:00 AM

REVIEW AND APPROVAL OF MINUTES

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Mr. Gant moved, seconded by Mr. Poore to approve the meeting minutes from January 22, 2020 as written. The motion carried unanimously.

UNFINISHED BUSINESS

None

NEW BUSINESS

Ratification of Bingo Event Permits Issued

Mr. Gant moved, seconded by Mr. Ascione to ratify the bingo permit events listed below. The motion carried unanimously.

Northern Star Children's Foundation, Inc.
Indian River Band Booster Association
Mill Creek Fire Company Ladies Auxiliary
St. Mary Magdalan School
Exceptional Care for Children
Frederica Volunteer Fire Company (Handbag Bingo)
Oak Orchard American Legion Post 28
CAB Calloway Parent Teacher Student Organization
Skyline Support Association
St. Elizabeth Ann Seton
Cape Henlopen Senior Center
Everett Meredith Middle School PTA
Howard J. Weston Community & Senior Center, Inc.
St. Helenas Roman Catholic Church
Indian River Senior Center
Pot Nets Homeowners Association
Milford Elks Lodge #2401
Kiwanis Club Of Seaford
Newark Senior Center
Holy Rosary Catholic Church
Dover Elks Lodge #1903
M.O.T. Senior Center
The Rainbow Chorale of Delaware
Delaware Veterans Post II
Frederica Senior Center
Frederica Volunteer Fire Company
Camden Wyoming Fire Company
Walter L Fox American Legion Post 2
St. Vincent DePaul Society
Old State Elementary PTO
Ladies Auxiliary of the Good Will Fire Company
Harrington Fire Company, Inc.
Mamie A Warren Senior Center, Inc.
Aetna Hose, Hook & Ladder Company
Edgemoor Community center
Sgt William Lloyd Nelson VFW Post 3792
Cape Henlopen Elks Lodge 2540
Lakeside Community Center Homeowners Association
St. James Episcopal Church

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Brandywine Counseling and Community Services, Inc.
Read-Aloud Delaware
Milton Little League, Inc.
Seaford Elks
Bowers Fire Company
Newark Elks Lodge #2281
Milford Elks Lodge #2401
Howard J Weston Community & Senior Center

Ratification of Charitable Gaming Event Permits Issued

Mr. Poore moved, seconded by Mr. Gant, to ratify the charitable gaming permit events listed below. The motion carried unanimously.

Lt. J. Allison O' Daniel VFW Post 475
Loyal Order of the Moose East Sussex #2542
Henlopen Post 5 American Legion
Fraternal Order of Eagles Lodge 4528
Kay's Foundation
Sons of Amvets Post 22
Mason Dixon VFW Post 7234
Lewes Rehoboth Moose Lodge #646
Cape Henlopen Elks Lodge #2540
Fraternal Order of Eagles Post 4528 (2/28/2020-4/2/2020)
Sussex County Fraternal Order of Eagles Ladies Auxiliary Post #4528
Harrington Moose Lodge #534
Knights of Columbus Seton Council #7990
Oak Orchard Riverdale American Legion Post 28
American Legion Post 17
American Legion Auxiliary Post 6
Past Exalted Rulers of Cape Henlopen Elks Lodge#2540
Veterans of Foreign Wars Auxiliary Post 4961
Lt. J. Allison O'Daniel Post 475 VFW
Sons of Amvets Post 22
Mason Dixon VFW Post 7234
Amvets Post 22 Ladies Auxiliary
Cape Henlopen Elks #2540
American Legion Post 17
Amvets Post 2
Amvets Post 2 Ladies Auxiliary
American Legion Post 24
Newark Elks Lodge #2281
Milford Elks Lodge #2401

Ratification of Raffle Applications

Mr. Poore moved, seconded by Mr. Ascione to ratify the raffle permits listed below. The motion carried unanimously.

Little Sisters of the Poor
Milford Lions Club Service Foundation, Inc
The Ministry of Caring
Horsey Family Youth Foundation
Newark Elks Lodge #2281

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Exceptional Care for Children
Warrior Weekend Corporation
Townsend Fire Company
Village Improvement Association of Rehoboth Beach, Inc.
Harrington Fire Company
Gumboro Fire Company
Lewes Public Library
Meals on Wheels Delaware
Opera Delaware, Inc.
Little Sisters of the Poor
The Holly's Club, Inc.
United Way of Delaware
Friends of Rehoboth Beach Library

Review of Letter of Concern

Ms. Veenema went over the letters of concern. Informed the Board that only two organizations submitted the responses to the letters which were sent out. Ms. Veenema asked what we should do regarding the ones who did not respond. The Board decided the investigators should reach out to the organization's member in charge and give them an additional 30 days to send the responses to the Division.

Response to Letters of Concern

Ms. Veenema gave the Board a brief explanation of the responses from East Sussex Moose Lodge #2542 and Knights of Columbus Seton Council 7990.

CORRESPONDENCE

There was no correspondence.

OTHER BUSINESS BEFORE THE BOARD (FOR DISCUSSION ONLY)

Ms. Veenema informed the Board that when the State of Emergency went in to effect she reached out to all the organizations which had active permits to give them the opportunity to push the dates further out so as not to lose the application fees, she told them that most places have moved and are still moving their permit dates. Some have opted to forgo the permits and some have not responded at all.

PUBLIC COMMENT

Due to the COVID-19 pandemic and the Governors State of Emergency Non-Profit Organizations have not been permitted to hold their charitable gaming events. Members of the Public joined in for the meeting to discuss potential alternative methods to hold bingo events with the current restrictions.

Drive In Bingo-Participants would park in the parking lot and play bingo from their car following proper safety guidelines. Mr. Maloney stated that it would not be optimal to comply with the regulations. Ms. Veenema brought up the 15th modification to the State of Emergency which details Drive in Services, several restrictions would inhibit the ability to play bingo and enforce the rules and regulations. There was argument regarding the definition of the word "room" as stated in 4.2 under conduct of bingo in rules and regulations.

Mr. Hullinger addressed the Board asking for a temporary waiver/reconsideration of the vintage rules so they can be applied to current day matters. He would like to see the onus of alcohol and age restrictions not be controlled at the Board level but at the event level, where each event holder is responsible to maintain and

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managing the rules and regulations. Mr. MacDonald explained that the onus is not at the Board for these regulations, these rules and regulations were written and put out to the State of Delaware for guidelines, were written and sent out the general public for approval and the way the rules are written, the Board cannot supersede these rules because we are in a COVID situation. He also stated that if the general public wants to change these rules there is a process for this and it has to be followed as well as informed him the only person that can supersede these rules is the Governor.

Ms. Hullinger asked if the Board has participated in any conversations with the Governor in regards to charitable gaming. Mr. MacDonald responded that the Board has not been asked to participate in any discussions; everyone is feeling the pain right now. The Governor's prime focus right now is getting people back to work and to get the economy back up and running.

Ms. Hullinger asked what the Board's position is in advocating for Charitable Gaming. Mr. Maloney pointed out the guidelines state that social gatherings limit to 10 people.

Mr. Rauch asked Mr. Holena since he has the first opportunity once phase 1 goes into effect on June 1st. He said it depends on the outcome of this meeting, He is willing to set up his parking lot for an outdoor bingo, said he would prefer not to have 30% capacity in the hall. Mr. MacDonald said that the Board is not in a position to approve indoor bingo that the onus is on the organization to reach out to public health with a plan and ask if they can hold it. Outdoor bingo in an open air tent, following proper health and safety guidelines would be allowed.

Mr. MacDonald reiterated that the onus is on the organizations to follow the rules and regulations set forth by the Board and to follow the governor's guidelines as they stand right now. As of today there are no guidelines out there for charitable organizations as of yet to hold events, he encouraged them to reach out to the Division of public health for guidelines, perhaps have your representatives contact the Governor's office for guidance. Mr. Rauch asked for clarification, If an organization holds an event they have a permit for, but are not following the guidelines set forth by the Governor, it does not fall on the investigators to issue letters of concern, it would be a call to the State Police and to Public Health, Mr. MacDonald responded that is correct, all the Board does is issue the permit and make sure they are following the rules and regulations set forth for charitable gaming.

Ms. Hullinger inquired about the possibility of changing the rules and regulations to incorporate electronic/handheld bingo devices. She stated that they are losing money because everyone is going to the surrounding states because they are using these devices; these devices are not a substitute for the paper bingo they are in addition to the paper cards. Mr. MacDonald conferred with Mr. Maloney in regarding the process for changing the rules. Mr. Maloney said this would require a regulatory change; and that there is a provision in the Administrative Procedure Act which would allow individuals to petition the Board for the regulatory change he then recommended that those entities who are interested in this concept, look at the laws developed in other states and make that information available to the Board. Ms. Hullinger said she had that information and can make that available. Mr. MacDonald said he has no problem with modernization but have to make sure we do it in the correct fashion.

Mr. Holena said that since parking lot bingo is out of the question, he assumed that Zoom bingo (internet/video) would be as well, Ms. Veenema stated that virtual bingo cannot be enforced, cannot ensure there is no alcohol, under age players. Mr. Rauch pointed out that the regs state the winner must be in the room.

Mr. Holena also brought up the Pull Tab Bingo games, he explained how the games are played using the bingo machine with the balls, a player opens the "pull tabs" to reveal a series of numbers, balls are drawn and the players mark off the numbers. There is confusion whether this type of game falls under the Instant or Sealed Bingo License or a Bingo Event Permit. Mr. Maloney was asked his interpretation of the regs, he stated if you are playing Instant or sealed you would follow 5.0 if you are playing bingo you follow 4.0. Ms. Veenema pointed out that with 5.0, Instant Bingo the winning tickets are predetermined in advance so that when it is opened the

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player knows instantly if they have won, in 4.0 the use of the bingo machine with the balls constitutes a bingo game that would fall under a bingo event permit and would have to adhere to the maximum per game payouts. Ms. Hullinger commented that these are sealed games and does not know why it would fall under 4.0 Conduct of Bingo. Ms. Veenema referred her to 5.4.1 which talks about Break Open or Game Event Bingo, which are also sealed games which are covered in 4.29 and are part of the bingo event and not instant games. Ms. Hullinger then asked how these should be handled; Ms. Veenema told her that when filing out the application for the permit on the Addendum A page indicate it is a pull tab game and list the maximum prize amount for each game.

Mr. English asked the board about accepting credit card for paying for bingo, there is nothing in the regs that indicate payment be made by cash only, he also mentioned it be safer in this timeframe. Ms. Veenema mentioned that the only regulation that remotely mentions credit card payments would be for raffles, which only indicates no online raffles or third party payers such as Paypal or Venmo. It was agreed that as long as proper identifications are being done to ensure the person is the card holder there is no problem using a credit card to pay for bingo admission.

NEXT MEETING

The next scheduled Board meeting is Wednesday June 24, 2020 at 10:00 a.m., (via Teleconference) Conference Room B, 861 Silver Lake Boulevard, Cannon Building, Dover, Delaware.

ADJOURNMENT

There being no further business before the Board Ms. Magee moved, seconded by Mr. Gant to adjourn the meeting at 12:17 PM. The motion carried unanimously.

Respectfully submitted,



Administrative Specialist II