



VICCC Special Meeting and Hearing 04182024

Casino Control Commission (VICCC)

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- 0:00:00 Good morning. Good morning. Good morning. This special meeting and hearing number 002-2024 of the Northern Islands Casino Control Commission of April 18, 2024 is hereby called to order.
- 0:00:45 Good morning. Commissioner Luther F. Rene. Present. Commissioner Carolyn P. Herman Purcell. Present. Commissioner Marvin L. Pickering. Present. Mr. Chair, all commissioners are counted for today and noted as present. Thank you Madam Clerk.
- 0:01:16 The Commission is comprised of three members. All three members are present, thereby establishing a caller. Madam Clerk, will you read the rest of the agenda? Special meeting and hearing number 002-2024. Thursday, April 18th, 2024, at 10 a.m. Agenda is as follows. Subject matters, VIGL Casino License Renewal Application, VIGL Racino License Initial Application.
- 0:02:03 Agenda Item 1, call to order. Agenda Item 2, roll call. Agenda Item 3, Adoption of Minutes of February 2021 Special Meeting and Hearing. Agenda Item Number 4, Chairman's Opening Statement. Agenda Number 5, VIGL Casino License Renewal Application. Agenda Item Number 6, VIGL Racino License Initial Application. agenda item number seven chairman's closing statement and agenda item eight adjournment thank you madam clerk i would like to remind order of attendance please silence i'd like to acknowledge uh all the members of our commission staff uh sitting here with us our legal counsel attorney devin carrington um executive director linda smith uh special assistant for licensing and compliance mr henry shang uh the inspector inspector brown and then i see inspector uh i'd like to recognize uh bje director attorney oliver david she's all friends from uh vigo and i saw our friends from uh with that uh we will uh did i miss anything overflow yeah i i'm not seeing anyone oh no our inspectors uh four inspectors over there uh inspector all right and louise and inspector okay thank you very much

- 0:04:11 so let's proceed um the next item on the agenda is item number three the action of this of the president 21st february 21st 2024 special meeting and hearing uh commissioner mr chair i move that the georgia islands casino control commission approve and adopt the verbatim transcript of the special meeting and hearing held on february 21st 2024 as the official minutes of seven meeting i saw your meeting mr chairman i second the motion to adopt the minutes of february 21st 2024 special meeting thank you the motion to adopt the minutes from the february 21st 2024 special meeting and hearing has been moved by commissioner karen p hermann to sell and seconded by commissioner lisa f renee hearing no objections the motion to approve the virgin islands to see the control commission verbatim transcript of the special meeting and hearing held on february 21st 2024 as the official meetings of said meeting is hereby approved thank you moving on to the next item on the agenda is the chairman's opening statement which i shall now make
- 0:05:59 good morning again on behalf of the virgin isles casino control commission i welcome each of you to this special meeting and hearing i am marvin l pickering chairman ceo of the commission and i am joined by commissioner carolyn p herman gussell vice chairman and commissioner luther f renee secretary treasurer in accordance with the virgin isles code title 32 section 439a the commission has called this special meeting and hearing on the application of bigl operations llc crg holdings llc and casino holdings llc for the renewal of a license to operate a casino at the caravan hotel in downtown christianstead st. croy and on the application of vigl operations llc for the initial license to operate a casino colloquially known as a racino at the randall dot james racetrack also here on st boy this special meeting and hearing is the commission's second on these matters having held the first special meeting and hearing on february 21st 2024 at the fritz elowets legislative chamber once again the commission wishes to thank senate president nobel e francis jr and the executive director's office of the legislature for accommodating us for that purpose at the february 21st 2024 meeting the commission clearly stated that its work at that point was limited to fact finding the commission received testimony from the applicants industry stakeholders and interested individuals from the general public and heard the arguments of the applicant's council
- 0:08:04 and i uh neglected to acknowledge the presence of the applicant's council attorney by his class who has joined us by by his own the commission also received testimony and recommendations from the virgin islands department of justice department of gaming enforcement dje as well subsequent to that special meeting and hearing the commission reviewed the voluminous evidence and other information gathered prior to and at the hearing the applicants were then required to submit certain additional information and the clarifications to complete the deliberations by the commission now based on that exhaustive fact-finding process we are here today today's special meeting and hearing is a decision-making meeting no additional testimony or evidence will be elicited heard or received the commission will decide today on whether it will approve or deny the applications that are the subject matters before it but before proceeding to that portion of the agenda i feel compelled to address and clarify certain misunderstandings pervading in the community regarding these applications and the commission's licensing process in this instance the applicants vjir operations llc crg holdings llc and casino holdings llc along with qualifiers andrew dubuque janice bobeck susanna dubuque austin jones and howard bayless submitted to the commission the application for renewal of a casino license at caravan hotel on august 8 2023 shortly thereafter on august 12 2023 bigl operations llc submitted to the commission its initial application to operate a casino at the randall dot james racetrack while the bigl special purpose revocable trust rlt did not file an application it was nonetheless subject to the process as it is intended to be an owner based on the corporate reorganization
- 0:10:32 structure of the igl operations llc pending before the commission the qualifiers for the receiver license and their renewal license are the same persons as such we are speaking of a combined total of nine entities and individuals that had to be vetted pursuant to 32 vi code section 428 b1 by the commission the dge lacked the resources to conduct investigations on a massive scale and had to outsource that process to one of the premier gaming consulting firms worldwide spectrum gaming group these investigations require numerous time consuming interviews with the applicants and a thorough review of criminal background checks financial transactions that go back go as far back as five to ten years court records media searches and even included interviews with known associates of the applicants this is no small fee this is not akin to a credit card application wherein the application is submitted and a credit score check is done and voila a license is issued within hours it is much more intense and more importantly this type of intense venting is required by law it is the responsibility of the commissioners of the virgin islands casino control commission to determine the financial suitability and integrity of any applicant for a casino license and that once granted to ensure that their conduct is not inimical to the public interest in other words folks the commission must do its job within
- 0:12:26 applicable law namely the virgin islands casino and resort control act of 1995 as amended Each of us as commissioners has sworn to uphold and obey the law. This commission will not be deterred in our efforts to fulfill the letter of the law, no matter who complains, and no matter how long it takes for us to accomplish our sworn mandate. The Commission is not unmindful that a traditional favorite and beloved pastime of our community, horse racing, is impacted by one of the matters before us today. A vote to approve the application for the casino license at the Randall Doc James Racetrack will

be the pathway to the resumption of horse racing on St. Croix. I get that. the commission is also very aware of the financial and economic benefits that would approve on the resumption of horse racing on the big island to the treasury of the government of the virgin islands and by extension to the commission itself on many levels increased fees and tax revenue additional employment opportunities etc all worthwhile considerations however the bottom line and overarching issue before the commission is this the determination of integrity and financial suitability of the applicants to be granted these licenses we only ask for the process to be respected in this instance and in the future i have attempted to respond to the unwarranted and negative personal attacks that have been leveled against me and at times at my college over the

0:14:14 airwaves and other venues but i will not i'm a public figure in the public square and criticism on the issues is expected it comes with the territory but personal attacks and attempts a character assassination should be avoided i will say this however in the words of the former flotus first lady of the united states michelle obama when they go low we go high with that being said the commission is aware of the high sentiments throughout our community for the matters before us today the commission expects that all persons present will conduct themselves with proper decorum and with respect for these proceedings the commission will tolerate no disruptions or disturbances whether verbal outbursts applause or other interruptions as the commission is very concerned with having a complete and clear stenographic record as is required by law finally my colleagues and i thank you for your interest by joining us here today for this special meeting and hearing and for your civic mindedness by participating in this important business of the virgin islands casino control commission thank you i'm going to take a five minute recess this uh special meeting of hearing stands at recess for five minutes

0:16:09 Thank you. okay Thank you. Thank you.

0:18:09 Thank you. Thank you. That's just a bit of fear of that. Okay. Please slide. Thank you. . He's always. . . . Thanks.

0:20:08 Thank you. um I think that they're going to be .

0:21:16 I thought this is a I think it's I think it's I think it's I don't know why you guys are not small still so it was it looks like it looks like there is one big right yeah um yeah okay yeah very good Recense is over and we are back on the record. Before proceeding, I'd like to recognize the presence of Senate President,

0:24:11 the world crisis junior uh former lieutenant governor and senate president the former senate president barbara richards i see uh my good friend former senator tucker in the back welcome one and all so uh the next item on the agenda is item number five the ideal casino license renewal application commissioner burman pursue mr chair in accordance with the virgin islands casino resort control acts of 1995 as amended and codified at virgin islands code title 32 section 401 etc the rules and regulations promulgated thereto all other applicable laws rules and regulations and legal requirements and after due and thorough consideration and deliberations relevant documents including but not limited to the investigatory reports and recommendations submitted by the original department of justice division of gaming enforcement pertaining to vgl operations llc CRG Holdens, LLC, and Casino Holden, LLC, and the qualifiers identified as Andrew Dubuque, Susanna Dubuque, Janice Boback, Austin Jones, and Howard Bayless. after determining determining the qualifications and suitability of the igl operations llc crg holdings llc casino holdings llc the igl special purpose revocable trust

0:26:09 Andrew Dubuque, Susanna Dubuque, Janet Bogat, Austin Jones and Howard Bayless by clear and convincing evidence as mandated by law I move as follows that the Virgin Islands Casino Control commission renew the class 4 casino license held by vigo operations llc crg holdings llc casino holdings llc for the operation of a casino at a caravel hotel and casino located on st. croix u.s virgin islands for a period of four years in accordance with title 32 virgin islands code section 440 subsection a such period to be effective effective beginning on april 18 2024. that as it retains the set class 4 casino license the virgin islands casino control commission issue casino key employee licenses to qualifiers andrew dubuque susanna Dubuque janice boback austin jones and howard bayless for a period of two years in accordance with title 32 virgin island's code section 437 stop section c such period to be effective beginning on april 18 2024 that the virgin islands can see the control commission timely issue a resolution containing findings and conditions on a renewal of the sec has seen class 4 casino license

0:27:58 and the casino and casino key employee licenses mr chair i still move thank you commissioner mr chairman i'll second the motion thank you the motion has been moved and by commissioner chairman michelle seconded by commissioner commissioner luther f renee yes commissioner carolyn p herman purcell yes commissioner marvin l pickering yes mr chair we have three yeas thank you madam clark the motion that the virgin islands casino control commission we do the class for casino license held by the idea of relations llc crg holdings llc casino holdings llc for the operation of a casino at the parallel hotel and casino located on st core u.s virgin islands for a period of four years in accordance with 32 vic section 448 such period to be effective beginning on april 18 2024 that as it pertains to set class four casino license the virgin honest casino control commission issued casino key and glory licenses to qualifiers andrew dubuque susana dubuque janice boback austin jones and howard bayless for a period of two years in accordance with 32 vic section 437c

such fear to be effective beginning on april 18 2024 by the virgin isles casino control commission timing issue a resolution containing findings and conditions on the renewal of the set class 4 casino license and the casino and casino key employee's license has been unanimously approved next item

0:30:06 on the agenda is item number six commissioner herman herself in accordance with the virgin islands casino and resort control act of 1995 as amended and codified and virgin honest code title 32 section 401 except the rules and regulations propagated thereto all applicable laws rules and regulations and legal requirements and after due and thorough consideration and deliberation of all relevant documents including but not limited to the horse racing license the lease and the franchise agreements between the government of the virgin islands and bigl operations llc the investigatory reports and recommendations submitted by the virgin islands department of justice division of gaming enforcement pertaining to bigl operations llc and its qualifiers identified as andrew dubuque Susanna Dubuque, Janice Bobeck, Austin Jones, and Howard Bayless and the plans proposed by VIGL Operations LLC for the Casino and Related Facilities at the Randall Doc James Wage Strap and after determining the qualifications and suitability of VIGL Operations LLC and its qualifiers Andrew Dubuque, Susanna Dubuque, Janice Bobeck, Austin Jones, and Howard Bayless by clear and convincing evidence as mandated by law I move as follows that the Virgin Islands

0:32:07 Casino Control Commission issue a license to VIGL Operations LLC to operate a casino at the Randall dot james racetrack located on st floyd u.s virginalis for initial period of one year in accordance with title 32 for denial code section 434 subsection d such period to be effective effective beginning of april 18th 2024. the virginalis casino control commission issue casino key employee licenses to the qualifiers identified as Andrew Dubuque, Susanna Dubuque, Janice Bobeck, Austin Jones, and Howard Wayless for a period of two years in accordance with Title 32, Virgin Islands Code, Section 437C. Such period to be effective beginning on April 18, 2024 for the Virgin Islands Casino Control Commission timely issue a resolution containing filings and conditions pertaining to this matter and the casino and casino key employee licenses. I'll so move Mr. Chair. Thank you Commissioner Ramon-Michelle. Mr. Chairman, i second the motion and thank you commissioner renee the motion has been moved by commissioner herman burser and seconded by commissioner renee madam clerk will call the motion please commissioner luther f renee yes commissioner carolyn p herman herself yes commissioner marvin l pickering yes mr chairman three eyes thank you the motion that the virgin islands casino control commission issue a license to the igr for instance and a suite

0:34:10 to operate a casino at the randall dot james race track located on the city for u.s virgin islands for an initial period of one year in accordance with 32 vic section 434d such period to be effective beginning on april 18 2024 that the virgin isles casino control commission issue casino key employee licenses to the qualifiers identified as andrew dubuque susanna dubuque janice boback austin jones and howard bayless for a period of two years in accordance with 52 vi code section 437 c such freedom to be effective beginning on april 18 2024 that the virgin islands casino control commission issue a resolution containing findings and conditions to the application of vig operations llc the casino and casino key employee licenses has been unanimously approved which brings us to item number seven on the agenda which is the chairman's closing statement but before we do that we are going to offer mr dubuque and any members of this evening to address the public yes um thank you commission um and everybody at the commission

0:35:54 for um your work throughout this process um uh it's a day that we look forward to a long time so we're very appreciative of all the hard work that you've done and um we look forward to um getting the resolution and conditions and due time to to see what that contains but uh we're cautiously optimistic this is a very happy day for all of us so thank you very much thank you before adjourning this special meeting and hearing number 002-2024 i would like to state that this part of the process the favorable approval of the casino license renewal for carroll hotel and casino and the approval of the initial casino racino license for the randall dot james race track is now complete the advocates can now proceed with their next steps in complying with the licenses approved the formal resolutions will be forthcoming as expeditiously as possible it is my fervent hope that this process is understood and appreciated this is not the end of the process but a step in the process as your licensees will now have to fulfill and put into place whatever obligations and conditions of licensure are required the members of the commission and staff are available to provide any guidance within our authority if so desired I will not regurgitate previous comments regarding the licensing application process, but suffice it to say that the Commission did its job, and we believe fulfilled our duties and responsibilities and getting to this point.

0:37:47 we appreciate the community's patience and we look forward to the day when we can hear the words write us up and they're off and running at the dark james place track at this time i would like to express our attention and appreciation to all the members of the audience who took time to be present here with us today like to thank the media wtjx and other members of the media uh comprising that uh fourth branch of government and for the state to ensure that those who could not be here today are still informed so thank you to our stenographer miss andrews and certainly last but not least executive staff and all of our staff members here at the commission not only for today's hearing and meeting for meeting

and hearing but always for the task ahead this special meeting and hearing number 002-2024 of the virgin islands casino control permission is hereby adjourned Mr. Chairman Mr. Chairman Mr. Chairman Mr. Chairman, can you hear me afterwards?

0:39:43 i was hoping to speak to to not it doesn't have to be on the record i was just wondering if you can hear me Not everybody. Stop. Thank you. Nice to meet you. Thank you. Nice to meet you. Thank you. Thank you.

People named in this transcript

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2x **Commissioner Carolyn P. Herman Purcell**

2x **Commissioner Luther F. Rene**