



**MINUTES OF THE MEETING OF  
THE OHIO LOTTERY COMMISSION**

**HELD AT:  
THE FRANK J. LAUSCHE BUILDING  
FOURTH FLOOR CONFERENCE ROOM  
615 WEST SUPERIOR AVENUE - CLEVELAND, OHIO 44113**

**FEBRUARY 11, 2019  
12:00 P.M.**

**Present at the meeting were the following:**

**Members of the Commission:**

James Brady  
John Lewis  
Trevor McAleer  
Pat McDonald  
Angela Mingo  
Martin Sweeney  
Elizabeth Vaci  
Sean Whalen

**Executive Staff of the Commission:**

Dennis Berg, Interim Director  
Danielle Frizz-Babb, Deputy Director, Communications  
Maureen Hall, Interim Deputy Director, Information Technology  
Steve Kmiotek, Interim Deputy Director, General Services  
Nicole Kostura, Deputy Director, Government and Community Relations  
Sandy Lesko Sabbath, Deputy Director, Marketing Communications  
Charles LoPresti, Chief Legal Counsel  
Simeonia Mays, Interim Deputy Director, Security  
Constance Miller, Deputy Director, Operations  
Richard Perk, Deputy Director, Sales Management  
Liz Popadiuk, Deputy Director, Human Resources  
Carla Tricarichi, Deputy Director, Public Policy  
Traci Konesky, Assistant to the Interim Director

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### **Also Present Were:**

Ron Fornaro, Instant Ticket Product Manager  
Martin Morrow, Assistant Deputy Director of Sales  
Dan Carter, Office of Legal Counsel  
Karen Russo, Office of Public Policy  
Marie Kilbane Seckers, Office of Communication  
Rebecca McLemore, Office of Communications  
Mike Gonzalez, Office of Finance  
Ed Slyman, Office of Finance  
David Evans, Marcus Thomas  
John Walker, Scioto Downs  
Kathy Lenhardt, Hollywood Gaming, Mahoning Valley  
Kevin Davis, Hollywood Gaming, Dayton  
Rob Swedinovich, Miami Valley Gaming  
Sang Nguyen, Miami Valley Gaming  
Roger Bryant, Miami Valley Gaming  
Kyle Wentz, Hard Rock Rocksino  
Greg Kolocin, Hard Rock Rocksino  
Jeff Michie, Hard Rock Rocksino  
Ed Dick, JACK Thistledown  
Sam Porter, Penn  
John Oberle, Ice Miller  
Duane Miller, Three Leaf Productions  
Ron Stokes, Three Leaf Productions

### **CALL TO ORDER AND PLEDGE OF ALLEGIANCE**

- The Ohio Lottery Commission (“OLC”) meeting of February 11, 2019, was called to order at 12:05 p.m. at the Frank J. Lausche Building, Fourth Floor Conference Room by Chairman Pat McDonald, followed by the Pledge of Allegiance.

### **ROLL CALL**

- The following members of the Commission answered present to the Roll Call: James Brady, John Lewis, Trevor McAleer, Pat McDonald, Angela Mingo, Martin Sweeney, Elizabeth Vaci and Sean Whalen.

**INTRODUCTION OF FIRST TIME ATTENDEES**

- Chairman McDonald recognized first time attendees Roger Bryant and Sang Nguyen from Miami Valley Gaming; Ron Stokes from Three Leaf Productions, and Nick Stadler, Chairman McDonald's Assistant at the Cuyahoga County Board of Elections.

**APPROVAL OF MINUTES OF JANUARY 7, 2019**

- Chairman McDonald requested a Motion to approve the January 7, 2019 Minutes. Commissioner Lewis made a Motion that was seconded by Commissioner McAleer. The Motion was affirmatively voted upon by all Commissioners present.

**CHAIRMAN'S COMMENTS**

- Chairman McDonald reported that January sales were \$260 million, and year-to-date transfers to the Lottery Profits Education Fund ("LPEF") are \$36.5 million over last year.
- Chairman McDonald asked that Ms. Lesko Sabbath give an update on this month's new Red Ball promotion during her report.
- Chairman McDonald asked that Mr. Perk report on the Office of Sales' plan for increased retailer recruitment during his report.
- Chairman McDonald asked Ms. Tricarichi to give an update on the new statewide Voluntary Exclusion Program ("VEP") which will launch on March 1, 2019.
- Chairman McDonald gave just a few of Interim Director Berg's accomplishments over his tenure as Director of the OLC.

**DIRECTOR'S REPORT, DENNIS BERG, INTERIM DIRECTOR**

- Interim Director Berg reported that January represented the seventh month of fiscal year 2019. Total sales of \$260.0 million were up \$1.1 million compared to last January.
- Multi-State game sales of \$19.5 million were down \$13.3 million or 41% lower than last January. This was primarily due to the \$559 million *Powerball*® jackpot last January. Sales for the daily draw games such as Pick 3, Pick 4 and Pick 5 were \$50.9 million, up \$5.0 million or 11% from last January.
- Interim Director Berg reported that traditional Keno sales of \$37.7 million were \$3.7 million or 11% higher than last January and was an all-time monthly sales record for the month of January since the game went on sale in August 2008. The Lucky One sales were \$1.4 million for January. This game was not on sale until January 12, 2018, however, sales were \$1.6 million last January.
- Instant ticket sales of \$130.9 million were \$9.8 million or 8% higher than last January. This was a record sales month for the month of January.
- Interim Director Berg reported that VLT sales were \$78.3 million, of which \$26.2 million went to the OLC. On a gross sales basis, this is \$5.1 million more than last January for over a 7.1% increase.
- Transfers to the LPEF were \$90.6 million, roughly \$5.3 million over projections and \$1.9 million over last January's transfer.

**APPROVAL OF FIVE (5) INSTANT GAME RULES IN PROPOSED FORM**

- Mr. Fornaro brought before the Commission five (5) Instant Game Rules for approval in Proposed Form. The Rules are as follows:
  - Rule 3770:1-9-515, *\$50 In A Flash* (\$1.00);
  - Rule 3770:1-9-516, *Ohio Lottery 45th Anniversary Black* (\$2.00);
  - Rule 3770:1-9-517, *Combo Play* (\$3.00);
  - Rule 3770:1-9-518, *Wheel of Fortune®* (\$5.00); and
  - Rule 3770:1-9-520, *Lucky Dog Doubler* (1.00).
  
- Chairman McDonald then requested a Motion to approve the five (5) Instant Game Rules in Proposed Form. Commissioner Sweeney made a Motion that was seconded by Commissioner Whalen. With no further discussion, the Motion was affirmatively voted upon by the Commissioners present.

**APPROVAL OF THREE (3) INSTANT GAME RULES IN PROPOSED AND FINAL FORM**

- Mr. Fornaro brought before the Commission three (3) Instant Game Rules for approval in Proposed and Final Form. The Rules are as follows:
  - Rule 3770:1-9-519, *Platinum Diamond Spectacular* (\$20.00);
  - Rule 3770:1-9-521, *Cash Explosion®* (\$1.00); and
  - Rule 3770:1-9-522, *Cash Explosion®* (\$2.00).
  
- Chairman McDonald then requested a Motion to approve the three (3) Instant Game Rules in Proposed and Final Form. Commissioner Lewis made a Motion that was seconded by Commissioner Vaci. With no further discussion, the Motion was affirmatively voted upon by the Commissioners present.

**RESOLUTION TO APPROVE TOUCH & WIN EZPLAY® TAP GAME THEME,  
CONSTANCE MILLER, DEPUTY DIRECTOR**

- Ms. Miller brought before the Commission a Resolution to approve one (1) new Touch & Win EZPLAY® Tap Game Theme. The one (1) new Touch & Win EZPLAY® Tap Game Theme is:
  - *Wall of Fortune Bingo*
- Chairman McDonald then requested a Motion to approve the Resolution to approve one (1) new Touch & Win EZPLAY® Tap Game Theme. Commissioner Brady made a Motion that was seconded by Commissioner Whalen. With no further discussion, the Motion was affirmatively voted upon by the Commissioners present.

**RESOLUTION TO APPROVE VIDEO LOTTERY GAME THEMES,  
CONSTANCE MILLER, DEPUTY DIRECTOR**

- Ms. Miller brought before the Commission a Resolution to approve eighty-three (83) new Video Lottery Game Themes. These game themes have been internally reviewed for technical compliance, content and game matrix. The eighty-three (83) new Game Themes are as follows: eighteen (18) game themes submitted by AGS; two (2) game themes submitted by Ainsworth; fifteen (15) game themes submitted by Aristocrat; three (3) game themes submitted by Bally; sixteen (16) game themes submitted by Everi; five (5) game themes submitted by IGT; five (5) game themes submitted by Incredible Technologies; eleven (11) game themes submitted by Konami; seven (7) game themes submitted by Scientific Games; and one (1) game theme submitted by WMS.
- Chairman McDonald then requested a Motion to approve the Resolution for eighty-three (83) new Video Lottery Game Themes. Commissioner McAleer made a

Motion that was seconded by Commissioner Vaci. With no further discussion, the Motion was affirmatively voted upon by the Commissioners present.

**OFFICE OF PUBLIC POLICY REPORT, CARLA TRICARICHI, DEPUTY DIRECTOR**

- Ms. Tricarichi stated that the new statewide VEP launches on March 1, 2019, and she gave a brief overview of the program.
- Ms. Tricarichi stated that March is Problem Gambling Awareness Month. To coincide with Problem Gambling Awareness Month, the 16<sup>th</sup> Annual Ohio Problem Gambling Conference will be held on February 28, 2019 and March 1, 2019, at the Nationwide Hotel and Conference Center in Lewis Center, Ohio.

**OFFICE OF MARKETING COMMUNICATIONS REPORT, SANDY LESKO SABBATH, DEPUTY DIRECTOR**

- Ms. Lesko Sabbath handed out point-of-sale material for the OLC's Red Ball Promotion, and she played three (3) television spots for this promotion.

**OFFICE OF SALES MANAGEMENT REPORT, RICHARD PERK, DEPUTY DIRECTOR**

- Mr. Perk gave a brief explanation of potential retailer recruitment efforts.

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ADJOURNMENT

- Chairman McDonald stated that the next Meeting will be held on March 18, 2019 at 12:00 p.m. Chairman McDonald adjourned the February 11, 2019 Meeting at 1:02 p.m.



Pat McDonald, Secretary

Approved:



3/18/2019, Chairman