

COMMONWEALTH OF PENNSYLVANIA

GAMING CONTROL BOARD

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PUBLIC MEETING

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BEFORE: WILLIAM H. RYAN, JR., CHAIRMAN
Gregory C. Fajt; Anmarie Kaiser; Keith R.
McCall; John J. McNally, III; Anthony C.
Moscato; David W. Woods, Members;
Jennifer Langan, Representing State
Treasurer Robert McCord; Robert Coyne,
Representing Secretary of the Department of
Revenue Daniel Meuser; Matthew Meals,
Representing Secretary of Department of
Agriculture George Greig

HEARING: Wednesday, July 9, 2014, 10:00 a.m.

LOCATION: Strawberry Square Complex
Second Floor
Harrisburg, PA

WITNESSES: Sue Dunkley, Michele Cheney, Doug Niethold,
Troy Dunkley

Reporter: Cynthia Piro Simpson

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A P P E A R A N C E S

1
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I N D E X

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20
21
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24
25

OPENING REMARKS

By Chairman Ryan

4 - 5

INTRODUCTION

By Attorney Kramer

5 - 7

PRESENTATION

By Ms. Dunkley

7 - 25

QUESTIONS FROM BOARD

25 - 55

P R O C E E D I N G S

1
2
3
4
5
6
7
8
9
10
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CHAIRMAN:

Thank you. Today before we get into our regular meeting agenda we will have an informational presentation on Kids Quest and Cyber Quest which are setting up operations at The Outlets at Sands Bethlehem. Which is of course part of the larger complex which also houses Board Slot Machine Licensee Sands Bethworks Gaming Category 2 casino. As anyone who follows this Board knows well we and our Licensees are often confronted with the problem of people leaving their children unattended off of casino floors while parents participate in gaming. The response to that is typically involvement of law enforcement, the pressing of criminal charges and, from the Board's perspective, exclusion of persons from all Pennsylvania casinos. This is certainly a situation that no one likes to see.

Now Kids Quest will be establishing what I understand to be a child care services in the outlet mall near the Sands Bethworks Casino. This I believe also is the first such operation near a Pennsylvania casino, although apparently not unique in the casino industry here in the United States. With that as a

1 background, I would ask all persons participating in
2 this presentation to come forward, and you all have
3 done so.

4 Additionally, because Kids Quest may be
5 coming before the Board seeking certification as a
6 Gaming Service Provider in the future, and because
7 members of the Board may consider what we hear today
8 when taking up that application, it would probably be
9 best to have all non-attorneys presenting information
10 today be sworn in. I would also ask that anyone
11 speaking please state and spell your name for the
12 stenographer. So, with that, I would turn it over to,
13 I guess, Sands first.

14 ATTORNEY KRAMER:

15 Yes. Good morning Mr. Chairman. Good
16 morning Madam Commissioner and Mr. Commissioners. I'm
17 Scott Kramer, K-R-A-M-E-R. I'm an attorney with Duane
18 Morris and I'm here today representing Sands Bethworks
19 Gaming, LLC. I'm here with Doug Niethold. Doug is
20 the Vice President of Finance of Sands Casino Resort
21 Bethlehem, and many of you know him well. And we're
22 here today as invited guests of Executive Director
23 O'Toole and pleased to be participating in this
24 presentation before you relating to Kids Quest. And
25 Doug principally may be responding to some questions

1 that you might have.

2 If I may, Mr. Chairman, let me take a
3 moment to put this into context as we see it. Late
4 last year the owners of the retail mall, the Sands
5 Bethworks Retail, LLC, entered into a lease with a new
6 tenant coming to the mall and to Pennsylvania, New
7 Horizon's Kids Quest. Sand Bethworks Retail, as you
8 all know, owns the retail mall connected to the Sands
9 Casino, and it constitutes one of the many terrific
10 amenities that is offered at the resort. But Sands
11 Bethworks Retail is a separate entity from the gaming
12 license entity and not regulated, per se, by this
13 body.

14 A nexus with gaming with some of the
15 tenants is created by the offering of the opportunity
16 for tenants like Kids Quest and like the event center,
17 the spa, the artisan bakery to participate in the My
18 Sands loyalty program and to exchange points for goods
19 and services offered by our tenants at their stores.
20 The tenants are reimbursed at discounted prices for
21 the goods and services purchased with the points.

22 The payments through this My Sands
23 program to the tenants then creates the potential for
24 a Gaming Service Provider qualification relationship
25 under the regulations, be it a notice or a

1 registration or a certification as the case may be,
2 that's a given. The Gaming Service Provider's
3 activities in this instance are outside of the gaming
4 floor of course, they're not on the casino at all,
5 outside of restricted areas. Accordingly, employees
6 of Gaming Service Providers are not required to obtain
7 permits or any employee registrations under Regulation
8 437a.7. However, there's an omnibus provision within
9 that same regulation that permits the Board to take an
10 extraordinary step, upon review of the work being
11 performed, of determining that permitting or
12 regulation registration is necessary of the employees.

13 We have not seen that through our
14 experience at the retail mall and any circumstances
15 that I'm not aware of that that's been done anywhere
16 else in Pennsylvania. But that's, as I understand it
17 Mr. Chairman, the regulatory context that we as the
18 gaming licensed entity are here to present. And
19 without further ado, let me introduce Sue Dunkley who
20 is the president of New Horizon companies and she'll
21 take over the presentation from here.

22 MS. DUNKLEY:

23 Thank you.

24 CHAIRMAN:

25 Good morning.

1 MS. DUNKLEY:

2 Good morning and thank you all for your
3 time. I also have with me Michele Cheney who is the
4 Office Manager for the Sands Bethlehem Outlet Mall and
5 my husband Bill Dunkley of 45 years. He's almost off
6 probation now and he's also an attorney, we have a
7 bunch of those and we love them. And my son Troy
8 Dunkley who is also our COO of the company. And
9 obviously you can see nepotism has worked really well
10 for us, our companies.

11 CHAIRMAN:

12 Ma'am if I can ask you, will you be the
13 only person ---?

14 MS. DUNKLEY:

15 Michele may answer questions you bring
16 up and either of those two could also answer
17 questions ---

18 CHAIRMAN:

19 Okay.

20 MS. DUNKLEY:

21 --- if you have some, that's why I
22 introduced them.

23 CHAIRMAN:

24 In order to speed this along, why don't
25 we ask all those who could to stand up and just be

1 sworn, okay?

2 MS. DUNKLEY:

3 Sure.

4 ATTORNEY KRAMER:

5 And Mr. Chairman, Mr. Niethold may talk
6 too.

7 CHAIRMAN:

8 Okay. Fine.

9 -----

10 WITNESSES SWORN EN MASSE

11 -----

12 CHAIRMAN:

13 Okay. Thank you all. And if you can
14 before you speak the first time just state your name,
15 spell your last name for the record and what your
16 position is just so the reporter has a complete
17 record. Thank you.

18 MS. DUNKLEY:

19 I'm Sue Dunkley, D-U-N-K-L-E-Y, and I am
20 the president of founder of New Horizon Kids Quest.
21 And we were excited when we got the call from Sands
22 Bethlehem because we love to see the casinos be
23 responsible. As these casinos are no longer just a
24 gaming establishment and have concerts and have all of
25 the entertainment and things that bring families and

1 children in.

2 The idea of Kids Quest was developed
3 over 20 years ago to help those people be able to
4 entertain an entire family and keep everybody safe.
5 And the responsible casinos are reaching out to make
6 sure that that does happen in their facilities, when
7 they are inviting families that they have something
8 safe and secure and sound for everybody in the family
9 to do.

10 So, we're always honored to work with
11 the responsible gaming facilities that are here to
12 take care of everybody in the community. So, we're
13 excited about it and we were chosen because we have a
14 solid history performance. We've been in the
15 childcare arena for 43 years, started in a small
16 church with eight children, so it was a mom and pop 43
17 years ago. And we care for almost 10,000 children a
18 day now which is pretty amazing to me.

19 But we love what we do and we've
20 obviously grown, we have almost 2,800 devoted and
21 loyal employees. There's almost 100 locations now, 20
22 of those are in major casinos and 14 different
23 jurisdictions. The New Horizon Kinderberry Hills
24 started out by providing outstanding childhood
25 education, and that's where we started. And we're

1 always --- among many recognitions we're 100 percent
2 accredited, which is an impossible feat to accomplish.

3 There's only about eight percent, I
4 think our slide says ten percent but, there's only
5 about eight percent of the childcare centers in the
6 entire country that can ever achieve that feat, and
7 none of them that are privately owned. We're one of
8 the few privately owned companies still here today.
9 We're often asked to work with Harvard and Yale and a
10 bunch of other universities in many of their studies.

11 The Kids Quest and Cyber Quest were
12 built on that exact same foundation. Our mission is
13 to provide safe, secure and unparalleled entertainment
14 for children at resorts and spas and retail complexes.
15 Kids love us so much that we had a bunch of children
16 come from Make-a-Wish and that's where they wanted to
17 go is to Kids Quest. So, that makes us very proud
18 that that happens. It's tough to compete with Disney.

19 I mean that's pretty cool.

20 We recently had a parent of a child in
21 Sacramento when the surgeon was getting her ready for
22 anesthesia said to her when you go to sleep, Honey,
23 just think of a happy place. And when she woke up she
24 told him that where she went was to Kids Quest. So,
25 that's what makes us all work so hard today and make

1 sure that those children get a wonderful experience.
2 Not just safe and sound but a memorable, wonderful
3 experience.

4 So, we're happy to be in your community.
5 We hope we can be in every casino that ever wants to
6 do business in your state because we think that
7 obviously kids do not belong in casinos, that's not
8 where they belong. And we would never argue with you,
9 that is a true fact. But where they belong is Kids
10 Quest and Cyber Quest because it's a very, very happy
11 place for children. So, we're excited to here and of
12 course when we start to tell you who we are you'll
13 have to stop us because we're very proud of it and we
14 went through some of it.

15 We have 98 operating units. We do care
16 for 10,000 kids a day. Our leadership team has about
17 2,000 years management experience. Our average
18 district manager stays around about 24 years, our
19 district manager is 15 years, our staff retention is
20 80 percent in a field that's less than 50. We have
21 the highest recognition where we run our childcare
22 centers by Parent Aware. We have studies that confirm
23 that we in fact are the best preparing people of any
24 of the kids that are going to kindergarten. So,
25 someday we'd like to see traditional care in your

1 state that we hope to offer you someday too. And of
2 course I said we are accredited.

3 We first go into a community always and
4 work with the licensing department. We're very, very
5 active in all the licensing regulations throughout the
6 country and we are in favor of very strict licensing
7 regulations, and we help to enforce those. In this
8 particular state we worked with the licensing agency
9 that came out, they visited. They said no we won't be
10 licensing you, you're like a church nursery, you're
11 like a health club, you're like the bowling alleys,
12 retail establishments like IKEA because the parents
13 are still in the complex and so we won't be licensing
14 you. That doesn't stop us from enforcing our own
15 strict regulations. We still follow all of the
16 licensing regulations either from the state that we're
17 in, if they're tougher, or we go by where we grew up
18 in Minnesota. In this case our Minnesota law's a
19 little tougher than yours with staff ratios. For
20 instance, in Pennsylvania, we could have a 1 to 12, we
21 run a 1 to 10. So, we always do that anyway but the
22 state has given us a letter, I think, that was in your
23 packets that said they won't be licensing us because
24 we're on --- parents are staying onsite.

25 And so we always make sure that we go

1 through all of the regulations. As you see in your
2 packets, we are involved in all of these kinds of
3 studies and licensing. The members of our leadership
4 team have been involved and when we went into
5 Mississippi there was no such thing as an Hourly Care
6 law so we helped write many Hourly Care laws, which
7 your state really doesn't have one at this point. But
8 anyway, we have helped to write them in all of these
9 different jurisdictions.

10 And then of course we were established
11 in 1992, so a while ago Kids Quest came about. And
12 again, it was to meet that need for parents who really
13 wanted to travel as a unit, be with their family and
14 have a few hours of free time for themselves. Our
15 average stay at Kids Quest is only 2.6 hours. And I
16 think there was maybe a concern from somebody about
17 would this become a dumping ground, you know, are
18 people just going to leave their children. And we've
19 had about over 35 million hours of care and we don't
20 have a dumping ground.

21 We're not free, we don't offer free
22 care. It's \$10 or \$11 an hour so if you're checking
23 in two or three kids you're going to make sure that
24 you're using your time wisely once you dump them with
25 us, in the best possible place they could be. And of

1 course in this establishment there's conferences,
2 there's shows, there's dining, spa, shopping and of
3 course the gaming. So, if you've ever been to Kids
4 Quest, which I think just a couple of you were able to
5 do, what makes it so entertaining for children is it
6 does not look like the typical classroom, we know what
7 those look like, and 65 percent of the kids are in
8 that five days a week.

9 So, with Kids Quest what they get to do
10 is get checked in and go wherever they feel like
11 going. If they want to be on a climbing wall, if they
12 want to sing karaoke, if they want to do
13 transportation, if they want to do Legos, if they want
14 to do dramatic play they get to go from area to area.
15 So, we consider ourselves one of the best
16 entertainment facilities you could ever have for
17 children. And it's been proven that is true. We also
18 do birthday parties, and we researched a little, it
19 looks like it would be a good thing for you guys to
20 have another place for children to have birthday
21 parties. So, if you haven't been there we just have a
22 little clip to show you what a Kids Quest looks like.

23 VIDEO PLAYED

24 MS. DUNKLEY:

25 We knew our time was short so we just

1 included a couple of the pictures of the areas, you
2 know, and you'll see the full --- it's not a full gym
3 but it's gym that the children can actually play
4 basketball and run off some of that steam. The iPad
5 tables, the art area, all kinds of --- we could have
6 gone on and on but we knew our time was short.
7 Beautiful cafe so if the children are hungry. If
8 they're there over two-and-a-half hours whether the
9 parent has given them money for food or not they are
10 fed. If they're there over four hours they get fed
11 regardless if the parent checked off that they wanted
12 a child fed. Those are important things to us.

13 The location sheet, we gave you an idea
14 of where we reside right now and we hope for more.
15 And the Cyber Quest came about Mohegan Sun asked us if
16 we would please run the Cyber Quest arcade. And I
17 said the problem we're having with running an arcade
18 is that at that point in time the most profitable game
19 was Mortal Kombat, you know, you're pulling somebody's
20 heart out and watching it pound. And we said you know
21 this is not going to be easy and we went to the game
22 suppliers and we said we need 78 non-violent games.
23 And the guy looked at me and he said lady, you're
24 never going to make any money, that isn't what's
25 popular. And I said we are in the children's

1 business, entertainment, we need 78 games that are not
2 violent.

3 And the Governor came out and
4 congratulated us on doing that, and we're one of the
5 most profitable arcades in the country. So, it proves
6 that if you give parents that choice they will use
7 that choice, and it's just not available to them. Our
8 arcades are brightly lit, they're supervised. If you
9 have a 14-year-old daughter, somebody will jump on and
10 ride one of the motorcycles with her so that it's a
11 supervised, interactive space. So, different than the
12 arcades that you guys have seen with the dark.

13 As a matter of fact we have a couple
14 pictures. We said that's them and that's what we look
15 like in comparison. We're a bright, cheerful, happy
16 place to be with safety and security. We have
17 monitors. I can pull up any of childcare centers when
18 I'm on a trip like this from a monitor and watch and
19 say Wendy, you got a new blouse I see.

20 And so we can watch and see exactly
21 what's going on and so can all of our operations
22 managers. So, being in a casino or near a casino
23 gives us the ability to work with security, which is
24 wonderful. We don't have that in our traditional
25 centers, I wish we did. We have full cameras in all

1 of our centers so that anybody can be watching at any
2 time from our corporate office or anywhere. And so we
3 feel like we have really addressed the issue of safety
4 and security when we're near and around gaming and all
5 of the others things.

6 So, anyway we love what we do, we're
7 happy to be here. We weren't able to open the way we
8 were supposed to three weeks ago, which is really hard
9 for us because we've missed a lot of the summer now
10 and so parents --- you guys allowed us to open by
11 having a parent stay. That's not how we like to
12 operate because we don't know who those parents are,
13 we really don't want them in our space. They hadn't
14 --- we have background checks, multi-jurisdictional.
15 We know who they are and we like it to be no parents
16 there. This is a time to drop kids off. They can
17 stay with their child at Cyber Quest on the other
18 side, but we like to control our environments. So,
19 we'd love to get to that as soon as we can.

20 We do have background checks on all of
21 our people now. I know that the badging process got
22 held up because of them so we'd like to get open the
23 way we're supposed to be as soon as we can is our
24 hope. And you see where we're located, and we did put
25 a map in here so you can see, and I think that's made

1 pretty clear that we're not in the casino. You have
2 to walk through the, you know, the food court down the
3 escalator. Actually, to find us behind the elevator
4 so we're very segregated.

5 We do want to be open hours that we
6 normally are because of concerts. We were there a
7 couple weeks ago and a concert didn't get out until
8 midnight. And so what we want to do with our hours is
9 just do what the property needs us to do, and that's
10 what we do. We work with the host property to see
11 what time they need us for their different events.
12 Okay. I think unless you guys have ---.

13 OFF RECORD DISCUSSION

14 MS. DUNKLEY:

15 Oh, okay. And maybe you want to just,
16 Michele, cover the background checks that we do
17 because we do that for childcare anyway.

18 CHAIRMAN:

19 Okay.

20 MS. DUNKLEY:

21 She has a couple extra things for ---
22 that wouldn't be in your badging process.

23 MS. CHENEY:

24 My name is Michele Cheney. Last name's
25 spelled C-H-E-N-E-Y. With our background checks for

1 our managerial staff, we do a multi-jurisdictional,
2 multi-county. So, we check anywhere they resided
3 within the last ten years. Every employee before
4 doing that must do a drug test to make sure that the
5 drug tests are correct. We also have a medical
6 practitioner that is contracted with that drug test in
7 case there's a prescription involved that they clear
8 the prescription to make sure it's not going to hamper
9 any of the care of any of the children that we do take
10 care of.

11 So, that's step one and then of course
12 the backgrounds, all of our employees also go, what
13 you guys would consider as the non-gaming side of the
14 background, and we check for sexual offenders and
15 registries, we check for fraud and we check for any
16 child endangerment issues. If any of those appear,
17 including retail theft, they are not hired with us.
18 Because of the care that we provide we're pretty
19 serious about who we hire.

20 We also look for a background of people
21 that are involved with children and families and that
22 have that great passion and experience as well as
23 patience. And we do, like Sue said, that we allow the
24 children to select their own play; however, we do
25 what's called edutainment. When we design our centers

1 we take into consideration the children thinks it's a
2 play-based curriculum; however, they are learning
3 either social interactions or learning how to mix
4 things, learning how to play nice and share, so we
5 take all that into consideration. So, our employees
6 as well would need to know how to redirect a child in
7 a positive methodology so that everybody remains safe
8 and has a good time.

9 MS. DUNKLEY:

10 The safety and security as you can see
11 the cameras throughout our centers, and again I said
12 we can view those from offsite. There's a check-in
13 process that we can go through with you if you'd like
14 us to tell you how children are checked in and how we
15 know they're going to the right person. In 35 million
16 hours we've never given a child to the wrong person,
17 which is a good thing. And so if you want us to go
18 through that --- do you guys want to read that, do you
19 want Michele to go through that?

20 CHAIRMAN:

21 How about very quickly if you don't
22 mind, Michele.

23 MS. CHENEY:

24 Absolutely. At the time of check-in the
25 patron need to be 18-years-old or above, so it could

1 not be a 13-year-old sibling checking in a six-year-
2 old sibling.

3 MS. DUNKLEY:

4 Which they've tried.

5 MS. CHENEY:

6 Which they've tried. It has to be
7 somebody who is 18 years and above that can grant us
8 authority, they must have a photo identification.
9 They present to us the photo identification which has
10 gone into our POS. At that time they must also give
11 us a secondary contact. There is never an invoice
12 without a second person in the event of an emergency
13 that can be reached, whether that person's alone or
14 not we do have to take a second name. All that
15 information is put into our computer including the
16 address and phone numbers.

17 We also retain their e-mail, we could
18 --- if in the event of an emergency we could reach
19 them via e-mail, we could reach them via text, we
20 could reach them via phone call and we also have
21 access to the paging system via security at Sands.
22 All of that is accumulated, entered into the system.
23 A barcode is created with the child's information,
24 such as allergies, date of births, nicknames. Some
25 children don't like their given name they got to go by

1 a nickname.

2 The children are then barcoded with a
3 subsequent barcode that matches the ID. The ID is
4 given back to the parent reminding them of our closing
5 times and hours and all of our policies such as the
6 two-and-a-half hour meal restriction for a healthy
7 snack and the four-hour meal that we provide an entire
8 meal to the child. We then give that barcode with the
9 ID back to the parent and release the child behind the
10 gates at which time they're toured by an employee to
11 let them know where all the play events are, including
12 the bathrooms, children need to know about.

13 And at checkout that same adult must be
14 presented with the barcode. So, unfortunately, I
15 believe, Mr. McNally, you asked me could a grandparent
16 come and pick up the child, the answer is no. It has
17 to be the individual who checked them in that has that
18 identification. We verify the face to the picture and
19 make sure the barcode matches, call the child up, we
20 verify the barcode on the child.

21 MS. DUNKLEY:

22 Then they hide because they don't
23 want ---.

24 MS. CHENEY:

25 They don't want to leave.

1 MS. DUNKLEY:

2 They hide.

3 MS. CHENEY:

4 We go get them.

5 MS. DUNKLEY:

6 We secretly go look for them before we
7 announce that they're going to leave because they
8 don't want to go.

9 MS. CHENEY:

10 Yes. Yes. All of our staff do wear
11 radios, so we know we're going to be looking for
12 little --- you know, little Susan who's about to go
13 run to the Quest because she just doesn't listen, she
14 doesn't want to leave. And at that time when they're
15 called up to the front, we do match the barcodes once
16 more. So, only the front counter controls this,
17 that's what we call it, operator's able to either
18 issue a barcode or return off the barcodes.

19 CHAIRMAN:

20 Okay.

21 MS. DUNKLEY:

22 And the codes and the --- I mean we've
23 been through all of the fire, health, police, the
24 Sands security's come down. Even the sheriff came and
25 did a presentation for our staff, what we would ever

1 do if a child was left. That doesn't happen. Again,
2 these are not parents that are spending their child's
3 college tuition. These are parents who are
4 entertaining themselves for two or three hours. Again
5 it's not a free service, we're getting a different
6 clientele.

7 CHAIRMAN:

8 Right.

9 MS. DUNKLEY:

10 And one more video for you.

11 CHAIRMAN:

12 Okay.

13 VIDEO PLAYED

14 MS. DUNKLEY:

15 And we hope to get open and not miss
16 another weekend. Summer's almost over.

17 CHAIRMAN:

18 Okay. Any questions from the Board?
19 Annmarie?

20 MS. KAISER:

21 You indicated that you were going to
22 work with the property on the hours of operation.
23 What you would propose, where do you think that ---
24 what timeline do you think?

25 MS. DUNKLEY:

1 I think they decided to not open until
2 10:00 in the morning.

3 MS. CHENEY:

4 10:00 in the morning would be opening
5 seven days a week. However on Friday and Saturday
6 because of the event center we'd like to extend that.
7 Currently our closing is 11:00, we'd like to extend it
8 to 1:00 a.m. on those two days a week.

9 MS. DUNKLEY:

10 Especially for the people staying in the
11 hotel.

12 MS. KAISER:

13 And what if a child is tired during that
14 time frame, is there anywhere for them to lay down?

15 MS. CHENEY:

16 Absolutely. We do have cots and if
17 they're tired we have a director's office that is
18 quiet, it's soundproofed so they can go ahead and set
19 up a cot for them to have them rest. It's not a
20 problem.

21 MS. KAISER:

22 Is there a maximum time period where a
23 parent can leave the child there?

24 MS. CHENEY:

25 There's not a maximum time period;

1 however, as Sue stated is it's 2.6 is our average
2 length of stay, which is about the time of a concert.
3 Approximately three hours.

4 MS. KAISER:

5 And if you cannot locate the parents do
6 you call that secondary contact?

7 MS. CHENEY:

8 Yes, we would.

9 MS. KAISER:

10 And then could that person then pick up
11 the child or what would you do in that circumstance?

12 MS. CHENEY:

13 In the event of emergency we've never
14 not been able to locate a parent.

15 MS. KAISER:

16 Okay.

17 MS. CHENEY:

18 We've always been able because we have
19 access to so many different systems via e-mail, text,
20 phone, paging. We've never not been able to locate a
21 parent. That's also something that we do, is we do
22 accrue their gaming card information so we'd be able
23 to reach out and find out if they happen to have their
24 gaming card in any of the slot machines. We can
25 locate them based on that as well. So, we've never

1 had the situation we haven't found a parent.

2 MS. KAISER:

3 And hopefully this is an unusual
4 situation, but have you ever had a situation where a
5 parent comes in to get their child and is intoxicated?

6 MS. CHENEY:

7 We've had the appearance of
8 intoxication; however, when we've located the security
9 to confirm that, the parent actually had vertigo.

10 MS. KAISER:

11 Oh.

12 MS. CHENEY:

13 So, yes, we have different situations
14 where perhaps the appearance was there but we never
15 make that judgment call. We leave it up to the
16 security personnel.

17 MS. KAISER:

18 Okay.

19 MS. DUNKLEY:

20 We would call them if we thought ---.

21 MS. CHENEY:

22 But we would call them if there's any
23 indication whatsoever, which is what we did. It's
24 just unfortunate they had a medical situation.

25 MS. KAISER:

1 Okay. Thank you.

2 MR. MOSCATO:

3 Just one question and it may be somewhat
4 indelicate but I'm kind of germophobic. Through no
5 fault of the child and many times through the fault of
6 the parent is that children aren't always as clean or
7 as hygienic. How do you deal with situations like
8 that in protecting the other children from, you know,
9 lice or something like that?

10 MS. CHENEY:

11 Correct. At the time of check in, part
12 of the daily authorization the parent does have to
13 attest the child as in good health. However, if the
14 child comes in and vomits after coming into our care
15 we do ask that that child is picked up. That's just
16 for the safety of all children. We know that toddlers
17 put things in their mouth, that's what they do.
18 That's part of ages and stages of development. All of
19 those toys get sanitized as well, we have a regular
20 sanitizing schedule that we follow and we're pretty
21 rigid on it.

22 MR. MOSCATO:

23 And you sanitize with?

24 MS. CHENEY:

25 A high temperature sanitizer that's

1 determined to meet all the needs of ---.

2 MR. MOSCATO:

3 Not a chemical sanitizer.

4 MS. CHENEY:

5 Correct, a high temperature sanitizer.

6 It has all the proper rising agents and things that
7 are safe for children.

8 MR. MOSCATO:

9 Thank you.

10 MS. DUNKLEY:

11 The children can't be checked in if they
12 have a temperature, if there's any reason for us to
13 think that this child should not be there. We try
14 very nicely to explain to the parent why and, you
15 know, try to come back another time.

16 MS. CHENEY:

17 If the child appears to perhaps have
18 pink eye or ---

19 MS. DUNKLEY:

20 Anything that we ---.

21 MS. CHENEY:

22 --- symptoms of paleness, we won't check
23 them in.

24 MR. MOSCATO:

25 Okay. Thank you.

1 MS. CHENEY:

2 You're welcome.

3 CHAIRMAN:

4 Dave?

5 MR. WOODS:

6 Sure. You have a wonderful product from
7 what I can see on your website and from what I've
8 heard from Commissioner McNally's visit and the
9 presentation you made today. Let me just focus on the
10 specific area of payment. On numerous occasions
11 during this presentation you mentioned you're not a
12 free service.

13 MS. CHENEY:

14 Right.

15 MR. WOODS:

16 So, how do you receive payment?

17 MS. CHENEY:

18 We receive different payments. We could
19 do it through the My Sands, we could do it via gift
20 card and we could do it through your credit card as
21 well as cash. We have a POS tender system that we
22 would tender out every invoice at the end of the stay.

23 MR. WOODS:

24 And is the payment --- and I guess I'm
25 asking Sands this question. Is the payment made by

1 Sands or is it through the My Sands program really
2 payment from promotional or from play accrediting so
3 many points that then are used for ---.

4 MR. NIETHOLD:

5 Sure Commissioner, I can answer that.
6 Douglas Niethold, N-I-E-T-H-O-L-D, Vice President of
7 Finance Sand Works Gaming. Most payments would be
8 made through our loyalty point program. So, it's
9 points that the patron or customer may have earned
10 prior and that they can redeem through the POS system
11 similar to any restaurant or hotels or the event
12 center buying tickets that way.

13 MR. WOODS:

14 All right. I again commend you for the
15 product you have put together. I do have concerns
16 with hour of operations and also the idea of play
17 equaling childcare. And it's a concern that I'm going
18 to have to consider a great deal in this process.
19 It's just seems that the idea of taking care of these
20 children is first rate and why you're trying to go
21 through this. But to equate the more you play the
22 longer your kids can stay in Kid Quest seem to have a
23 negative connotation to me.

24 MS. DUNKLEY:

25 The majority of our payments are private

1 pay, where a parent is paying for their own care.
2 It's a very small percentage.

3 MR. WOODS:

4 And so that was going to be my question.
5 Do you believe that you could operate on private pay
6 only?

7 MS. DUNKLEY:

8 Yes, I'm sure we could. That isn't the
9 case in any of our locations at this time because that
10 just hasn't been the case. We have been able to
11 service the casino and service their people. But
12 again even with that, you know, our average stay being
13 2.6 hours, we really don't see somebody there every,
14 you know, ten hours a day, every day. That's not what
15 we are. We'd be way to expensive at \$11 an hour if
16 you add that up. There's just no way that people are
17 going to overuse that service. They can't use it like
18 a traditional care, that's not an option at that kind
19 of rate.

20 MR. WOODS:

21 Thank you.

22 CHAIRMAN:

23 John?

24 MR. MCNALLY:

25 Mr. Niethold, under your My Sands

1 loyalty program, other than gaming, how many other
2 methods are there available to your members to
3 accumulate these points?

4 MR. NIETHOLD:

5 No other methods. It's just entirely
6 through gaming.

7 MR. MCNALLY:

8 Okay. So, ---.

9 MR. NIETHOLD:

10 So, there's no --- but we don't allow
11 points to accumulate through retail or food and
12 beverage purchases.

13 MR. MCNALLY:

14 With regard to folks that are on our
15 exclusion list because they've left children in cars,
16 how many members of your loyalty program would be in
17 that group?

18 MR. NIETHOLD:

19 I can't answer that, I don't know quite
20 honestly. But again if they're in the group they are
21 excluded. Even if they would --- I believe if they
22 tried to tender their loyalty card it would not
23 provide any --- we basically lock their card up. So,
24 if they tried to use any points they may have had,
25 they would not be allowed to do so.

1 MR. MCNALLY:

2 Correct. I'm just looking for the nexus
3 between this amenity and the problems that we do
4 experience with people leaving children in cars.
5 Michele, with regard to your background investigations
6 of your staff, are they ongoing, are they random?

7 MS. CHENEY:

8 They're ongoing.

9 MR. MCNALLY:

10 And with regard to your check-in
11 procedure, I know my wife and I pay \$15 an hour for a
12 babysitter, could my babysitter check my kids in to
13 your casino and pocket the \$4 extra per hour?

14 MS. DUNKLEY:

15 Either that we raise our price.

16 MS. CHENEY:

17 Either we got to raise our price or you
18 have to fire your childcare provider. I'm not quite
19 sure how to answer that one. Let's hope not.

20 MS. DUNKLEY:

21 But if she checks the child in, she can
22 check the child out. She had possession, before we
23 met her, of your child.

24 MR. MCNALLY:

25 Over 18 so ---.

1 MS. DUNKLEY:

2 She could check that child in.

3 MR. MCNALLY:

4 And unfortunately in childcare
5 possession is not nine-tenths of the law.

6 MS. DUNKLEY:

7 That's correct.

8 MR. MCNALLY:

9 Anybody that's been through a custody
10 battle or is paying child support but that is an
11 issue, do you verify that that person is in fact a
12 legal custodian?

13 MS. CHENEY:

14 Yes. Our daily authorization does have
15 them say that they are the parent, guardian or legal
16 authorized individual.

17 MR. MCNALLY:

18 Okay. Do you check those any way?

19 MS. CHENEY:

20 We check them against their
21 identification and then the children ---.

22 MS. DUNKLEY:

23 Completely verbal.

24 MS. CHENEY:

25 Children are pretty verbal. They will

1 let you know that this individual shouldn't be
2 checking me in or checking me out.

3 MR. MCNALLY:

4 Okay.

5 MS. CHENEY:

6 It's not uncommon that we don't have
7 somebody who's a nanny that's paid for by the family
8 to check in the children, and we've had nannys that
9 sit outside and let the kids come in and play, like
10 the playground, because either the weather outside is
11 too dangerously hot or it's very cold and the children
12 need to exert some of that energy. That's not
13 uncommon. We're there as a resource for them.

14 MS. DUNKLEY:

15 And we've have many of the --- we have
16 J-Lo and --- and many people check their children in
17 and they want to come in with their security guard and
18 their gun and their nanny and, you know, convince us
19 that those people have background checks but they
20 don't have it with them. So, they know that, now J-Lo
21 knows when she comes she's got to bring the background
22 checks if she expects that child --- and we had to go
23 through and figure out what do we do with the security
24 guy, we can't let him in with a gun but he can be in
25 the lobby. They're not going to allow their child not

1 to be --- but we have a lot of them who go the circuit
2 and drop their kids off.

3 One of the times the tweeting went crazy
4 because One Direction was at Mohegan Sun and the guys
5 all came to the arcade and the tweeting went on all
6 night long because people wanted to go touch where
7 those guys were playing in our arcade. And so we do
8 have a lot of those people that have gone around to
9 Kids Quest. It's getting to be like the little ---
10 you know, their little following. We do have families
11 that have gone to every Kids Quest location, you know,
12 from Louisiana to Connecticut because they know when
13 they go there their kids are familiar, they know
14 they're going to have a fun family vacation, they know
15 they can relieve themselves and have a romantic
16 dinner. And so we have people that have gone to every
17 single location we have.

18 There was a lady from Mohegan Sun who
19 came over, one of the people there was so mad, she was
20 very angry that she could not leave her child two days
21 ago. We said well we're not ready yet. We didn't say
22 anything, we just said this is a preview period so the
23 community can see what's behind our gates. We didn't
24 want to say they won't let us open. We didn't want to
25 say the meanies, they wouldn't let us open. So, she

1 was a little upset because she had driven over to see
2 the new Kids Quest. But we will have people from all
3 of our locations, which is kind of fun for us.

4 MR. DUNKLEY:

5 Good morning. This is Troy Dunkley, the
6 same spelling as Sue Dunkley. You know, one of those
7 things that was addressed was the question of hours
8 and when Kids Quest should close. And one of the
9 points I'd like to make on that is that as long as
10 kids are in Kids Quest, they are safe, they're secure
11 and they're very well cared for. And you know, the
12 situation if you close before a concert's over or the
13 night's over, you know, and bringing a child to a
14 hotel room or having a nanny in a hotel room with no
15 background check, you know, is probably not the right
16 scenario to consider for children, you know. So,
17 that's the idea of having a Kids Quest, you know, they
18 are safe and they are secure.

19 MS. DUNKLEY:

20 No matter what their parents are doing,
21 there isn't a happier, better place or more secure
22 place for the child.

23 MR. MCNALLY:

24 With regard to hiring of your staff and
25 your management, do you have a diversity plan in

1 place?

2 MS. DUNKLEY:

3 Do we have a what?

4 MR. DUNKLEY:

5 A diversity plan in place?

6 MS. CHENEY:

7 Yes, we do.

8 MR. MCNALLY:

9 With regard to your surveillance, is it
10 in all areas of the facility including the director's
11 office?

12 MS. DUNKLEY:

13 Yes.

14 MS. CHENEY:

15 Yes.

16 MS. DUNKLEY:

17 Except for the bathrooms.

18 MS. CHENEY:

19 With the exception of the bathrooms.

20 MR. MCNALLY:

21 And you had made reference to situations
22 where if you suspect that someone's intoxicated that
23 you call in security. Is that casino security, is
24 that mall security or is that your own private
25 security?

1 MS. CHENEY:

2 It is casino security and we've also met
3 with Mark DiLuzio from the City of Bethlehem, he's the
4 chief of police that would also respond.

5 MR. MCNALLY:

6 That's all the questions I have. Thank
7 you.

8 CHAIRMAN:

9 Keith?

10 MR. MCCALL:

11 Just one or two questions. First of all
12 it's an impressive organization and brand, and kids
13 today don't know how lucky they are, I think. You
14 know, all the opportunities they have. And I do note
15 that there are a number of casinos that you do in fact
16 service, and I just want to go back to the payment
17 issue. In all of these other jurisdictions there's
18 like 19 of them listed on your presentation, do they
19 allow for payment using the loyalty card?

20 MS. CHENEY:

21 Yes.

22 MR. MCCALL:

23 So, all of those other jurisdictions in
24 fact do partner with the casino ---

25 MR. DUNKLEY:

1 Yes.

2 MR. MCCALL:

3 --- and loyalty points can be used in
4 payment. Have you guys ever been cited for any
5 violations of law in any jurisdictions?

6 MS. DUNKLEY:

7 No.

8 MR. MCCALL:

9 Child Protective Service, any of that
10 stuff?

11 MS. DUNKLEY:

12 No. No.

13 MR. MCCALL:

14 The ---.

15 MS. DUNKLEY:

16 We had a child on child, where another
17 child hit another child and there was some allegations
18 that haven't been proven. And we are in the midst of
19 that.

20 MR. MCCALL:

21 Okay.

22 MS. DUNKLEY:

23 But we hold the --- you know, the casino
24 harmless. We carry insurance and in 35 million
25 hours ---

1 MR. MCCALL:

2 Right.

3 MS. DUNKLEY:

4 --- you know that's child on child.
5 That can happen.

6 MR. MCCALL:

7 Sure I understand. And all of the
8 venues, from the climbing wall, the tumbling gym, all
9 that, that's all part of the \$10, \$11 admission fee?

10 MS. DUNKLEY:

11 It is.

12 MR. MCCALL:

13 And then anything additional as far as
14 the food would be concerned ---

15 MS. DUNKLEY:

16 Right.

17 MR. MCCALL:

18 --- they would have to pay an additional
19 fee.

20 MS. DUNKLEY:

21 Correct.

22 MR. MCCALL:

23 But if the parent doesn't show you
24 automatically would feed them after that four hour
25 period or two-and-a-half hour period. And then would

1 you charge the parent?

2 MS. DUNKLEY:

3 We would charge them, you know, if they
4 absolutely insisted that they did not we're not going
5 to argue with a parent, we're going to take care of
6 the child. That's going to be our first concern that
7 that child gets fed regardless. And we put it on
8 their bill and hope that they're ---.

9 MR. MCCALL:

10 Sure.

11 MS. DUNKLEY:

12 We've not had a parent say I'm not
13 paying for the food my child ate.

14 MR. MCCALL:

15 Right.

16 MS. DUNKLEY:

17 They will sometimes wrap it up and take
18 it to the hotel room with them if the child didn't
19 finish it. And we do that whole thing with the bag
20 and the name and all that so they can eat it later. A
21 lot of times they'll order something and then they're
22 too interested in other things. And so we want them
23 to eat.

24 MR. MCCALL:

25 Thank you. That's all of my questions.

1 CHAIRMAN:

2 Greg?

3 MR. FAJT:

4 Thank you, Mr. Chairman. Susan Hensel,
5 could I ask you to take a seat up here I have a
6 question or two on licensing. And just so you know,
7 Susan is the Director of Licensing for the Gaming
8 Control Board. I don't know what your involvement has
9 been with Kids Quest prior to today but what you've
10 heard today and in any involvement you've had with
11 them in the past, what's your opinion on what their
12 licensing status would be, and specifically does the
13 entity get licensed, do any of the employees we heard
14 earlier that they don't think the employees need to be
15 licensed. I think I heard that. And owner licensing,
16 things like that. So, could you just give us an
17 overview on what your opinion is?

18 MS. HENSEL:

19 Sure. We currently have a registered
20 Gaming Service Provider application from Kids Quest,
21 and that has gone through the process that we put the
22 application through. We also, at the request of OEC
23 did require non-gaming applications from each of the
24 individuals that would be staffing Kids Quest, and we
25 have received about 19 applications at this point. We

1 do require non-gaming or gaming applications from our
2 Gaming Service Provider employees, normally when that
3 employee is working on the gaming floor or in a
4 restricted area.

5 Under some very limited circumstances we
6 have reached outside of that and required employees of
7 Gaming Service Providers to also give us their
8 employees. I can think of two circumstances where
9 that has happened to this point. One involved some
10 onsite security that was being provided by a
11 third-party vendor outside of a casino. And in a
12 second circumstance we have some employees providing
13 cash-advanced services that are off the gaming floor.

14 So, based on the function of the
15 employees or the nature of the work that's being done
16 there have been some limited circumstances where we
17 have reached employees, but that is more of an unusual
18 case. Normally we see the employees on the gaming
19 floor in a restricted area.

20 MR. FAJT:

21 All right. Just so I understand this,
22 you did receive non-gaming applications from 19 of
23 their employees. Is that what I heard you say?

24 MS. HENSEL:

25 That's correct.

1 MR. FAJT:

2 And would those be folks that are here
3 today or are those the employees that would provide
4 the childcare services?

5 MS. HENSEL:

6 We have received --- those individuals
7 refer to the people that would be providing the
8 childcare services. But as with any Gaming Service
9 Provider we do receive the owners and the officers of
10 the company. In this case it's a registered Gaming
11 Service Provider application, so we have their
12 qualifiers.

13 MR. FAJT:

14 Okay. And just for the public record,
15 the 19 employees who will be providing childcare
16 services, what is the background check that is done
17 for those folks?

18 MS. HENSEL:

19 It's a non-gaming application requires,
20 it's our lowest level of licensing for employees.
21 It's a \$60 fee and I believe that we conduct a
22 criminal background check on those individuals.

23 MR. FAJT:

24 Thank you. My second question, and this
25 is for the folks from Kids Quest. Did I hear you say,

1 Ms. Dunkley, that you would not be licensed by the
2 Department of Public Welfare here in Pennsylvania?

3 MS. DUNKLEY:

4 Correct, because the parents are onsite
5 as they are in a church nursery or a bowling alley or
6 the lifetime fitness type of facility, the IKEA here,
7 the parents are onsite. There is a special issue also
8 with the ability to have an outdoor playground here.
9 We have an indoor playground and your license for
10 childcare requires an outdoor, and there's an issue
11 with the soil from the steel mill. So, there couldn't
12 ever be an outdoor playground.

13 So, even though we always ask to be
14 licensed when we go into a community, right away that
15 issue came up that we don't have a license, you don't
16 need a license, you are like the other facilities as
17 long as the parents stay in the complex. And so we
18 would have an issue if we had to try to put an outdoor
19 playground somewhere.

20 MR. FAJT:

21 Okay. My next question is, and I don't
22 expect you to have an answer for this today but, you
23 had mentioned the average stay for a child is 2.6
24 hours. I would like to drill down into that number a
25 little bit and ask you to provide the average stay for

1 kids whose parents are in the casino. Okay. So, I
2 understand that you have facilities in places other
3 than a casino. I would specifically be interested in
4 where you were located, strictly in a casino what is
5 the average stay.

6 MS. DUNKLEY:

7 That is the average stay of casino.
8 That is the average, the 2.6.

9 MR. FAJT:

10 Okay.

11 MS. DUNKLEY:

12 It's an average stay for the casino. In
13 some jurisdictions the parents can actually leave,
14 like in Las Vegas. They have what's called an
15 accommodation, a law which is for somebody in the
16 casino doing exactly what we're doing. And those
17 parents, because of the licensing law, they are
18 allowed to leave. Most of them don't, I mean they're
19 there for that reason, but they are allowed to leave.
20 Many of our locations the parents are allowed to leave
21 the facility, in this location they're not.

22 MR. DUNKLEY:

23 And as Sue referenced, you know, the
24 childcare rates for traditional care are somewhat 50
25 --- 40 to 50 percent lower per hour than Kids Quest

1 rates. So, that tends to prohibit people using it for
2 eight to ten hours a day. And, you know, it's \$10 to
3 \$11 per child so you're talking \$22, \$23 an hour, you
4 know, \$22 an hour if you have two children or \$33 or
5 whatever if you have three children. So, then it does
6 become very cost-prohibitive to use.

7 MR. FAJT:

8 And my last question is do you have any
9 jurisdictions where the casino pays you a lump sum per
10 month, per year in addition to or in lieu of the comp
11 that the parents would give. In other words, if the
12 parents, you know, don't have comp cards or if you
13 have a casino or a facility, a non-casino where comp
14 cards aren't used, how is your payment received there
15 in addition to just out-of-pocket payment. Do you
16 have any facilities where the entity provides you a
17 lump-sum payment to take care of all children?

18 MS. DUNKLEY:

19 No, we do not.

20 MR. DUNKLEY:

21 We do not. The only thing similar to
22 that would be a small subsidy of the hourly rate in
23 Louisiana where they subsidize 50 cents an hour the
24 total rate because the community, they wanted to drop
25 the rate the customer has to pay. But that's not a

1 lump sum, they just subsidize the rate monthly. And
2 then the other thing that I think I'd like to add is
3 across the country the amount of comp payment you'd
4 pay to Kids Quest is somewhere between 12 and 15
5 percent of revenue. So, it's not a significant nor is
6 it the majority or anywhere near that of our, you
7 know, credit cards. It's by far the largest form of
8 payment for Kids Quest services.

9 MR. FAJT:

10 Including in the casinos in which you
11 operate.

12 MR. DUNKLEY:

13 Correct.

14 MR. FAJT:

15 The majority of ---.

16 MR. DUNKLEY:

17 All 19 casinos that we operate, yes,
18 sir.

19 MR. FAJT:

20 Thank you. Thank you, Mr. Chairman.

21 CHAIRMAN:

22 Ms. Dunkley, I would assume you're now
23 familiar with your location at the Outlets at Sands.

24 MS. DUNKLEY:

25 Yes.

1 CHAIRMAN:

2 What percentage of the people who leave
3 their children with your concern do you estimate and
4 expect are going to do so because they want to go into
5 the casino as opposed to doing other things in that
6 area?

7 MS. DUNKLEY:

8 It's interesting, we're not sure. This
9 is the first actual outlet mall that we are in next to
10 a casino. So, it will be interesting, you know, and
11 when we talked about it we thought it would be a 50/50
12 about. The shopping is very difficult to do with
13 children under feet also, and I think the shops will
14 do much better without children whining and running
15 around inside of their facility. So, it'll be
16 interesting. We won't know, this will be one our
17 first with an outlet mall.

18 MR. DUNKLEY:

19 You know there's a spa there as well and
20 of course very nice restaurants that are not enjoyable
21 to be at with your children at that facility. And
22 then they have concerts almost every day of the week.
23 I believe they might be every day of the week.

24 MS. DUNKLEY:

25 I do have to say in all the locations

1 we're in, the security at the Sands is top notch. It
2 is beyond what we have ever been able to have. You
3 know, they take it very seriously with everybody
4 standing there. We're very happy to be in that
5 location, we feel very safe and we're amazed at the
6 amount of security and stopping at the gates and
7 standing outside when a child's in a restaurant and
8 walking them back. So, they've been a really great
9 citizen for security.

10 CHAIRMAN:

11 Okay. Thank you. Any questions from
12 Ex-officio members?

13 MR. MCCALL:

14 I just want one follow up.

15 CHAIRMAN:

16 Keith?

17 MR. MCCALL:

18 I'd just like one follow-up question.
19 How do you police the fact that when that parent drops
20 that child off that they --- you know, the father
21 doesn't go golfing somewhere and he's not on the
22 premises. How is that policed?

23 MS. DUNKLEY:

24 We do have them sign that they will stay
25 on the premises. The fact that we have text and

1 e-mails and cell phones, it's kind of --- you know, if
2 they're gone a really long time maybe that's an issue
3 but we really don't have that very often. I mean we
4 have to trust that the parent, when we ask them to
5 stay onsite, will stay onsite. But we're not going to
6 try to catch them leaving.

7 MR. MCCALL:

8 They're attesting to that, they
9 sign ---.

10 MS. CHENEY:

11 Right.

12 MS. DUNKLEY:

13 They're signing that they're there. And
14 if we find out that that is happening or we hear from
15 the child that that's happening then we would ask that
16 parent not to do that or not to use our services.

17 MR. MCCALL:

18 Thank you.

19 CHAIRMAN:

20 Any other questions? Okay. Thank you
21 all for the presentation. Very informative and I'm
22 sure very helpful.

23 MS. DUNKLEY:

24 Can we open this weekend?

25 CHAIRMAN:

1 Well we'll see.

2 MS. DUNKLEY:

3 We missed the whole 4th of July and
4 we've been staffed the whole time.

5 CHAIRMAN:

6 Thank you very much.

7 MR. MCNALLY:

8 Thank you. Take care.

9 * * * * *

10 MEETING CONCLUDED

11 * * * * *

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CERTIFICATE

I hereby certify that the foregoing proceedings,
hearing held before Chairman Ryan was reported by me
on 7/9/2014 and that I Cynthia Piro Simpson read this
transcript and that I attest that this transcript is a
true and accurate record of the proceeding.



Cynthia Piro Simpson
Court Reporter