

TRANSCRIPT OF PROCEEDINGS
BEFORE THE
TEXAS LOTTERY COMMISSION
AUSTIN, TEXAS
BINGO ADVISORY COMMITTEE MEETING

July 19, 2024

10:00 a.m.

Microsoft Teams online meeting.

APPEARANCES

COMMITTEE MEMBERS:

William T. Smith III (Trace), Chairman

Melodye Green

Floyd Olive

Tommy Duncan Jr.

Jason Pohl

Veronica Uriegas

Michael Anastasio

COMMISSION STAFF:

LaDonna Castañuela, Director of Charitable Bingo Operations

Tyler Vance, Assistant General Counsel

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PROCEEDINGS

WEDNESDAY, JULY 19, 2024 (10:00 a.m.)

AGENDA ITEM I

CHAIRMAN SMITH: Okay. Good morning everyone. It is now 10:00 a.m. on July 19th. We will call the Bingo Advisory Committee meeting for the Texas Lottery Commission to order. We will start off with the Pledge of Allegiance to the U.S. and Texas flags.

(Pledges recited)

AGENDA II

CHAIRMAN SMITH: Alright, roll call. Melodye.

MS. GREEN: Here.

CHAIRMAN SMITH: Veronica is on the phone. She's muted, driving.

MS. URIEGAS: No, I am here.

CHAIRMAN SMITH: Michael Anastasio.

MR. ANASTASIO: I am here.

CHAIRMAN SMITH: Jason Pohl.

MR. POHL: Here.

CHAIRMAN SMITH: Stacie, did you get on, dear? I think she was going to try to call in. She may not be on yet. Floyd, you are here sir--

MR. OLIVE: Here.

CHAIRMAN SMITH: --good to see you.

MR. OLIVE: Thank you.

CHAIRMAN SMITH: And Corey, did Corey make it on.

UNIDENTIFIED SPEAKER: Corey's not on.

1 CHAIRMAN SMITH: I guess not. Okay. Excellent. All right,
2 well we do have a quorum this time, so wonderful. Glad to see that. I
3 know last time a lot of people were experiencing the hurricane, so we
4 do appreciate everybody being all right. And certainly Tommy, we know
5 you had to go rather quickly last time. We're glad you're okay, buddy.

6 MR. DUNCAN: Appreciate that.

7 AGENDA ITEM III

8 CHAIRMAN SMITH: Yes, sir. Alright, we're going to go on to
9 item number three, meeting minutes from June 5th, 2024. Is there any
10 public comment on that? If not, we'll move to the action item on this.
11 I move to accept the meeting minutes as printed on the website.

12 MR. DUNCAN: I second it.

13 MS. GREEN: Second.

14 CHAIRMAN SMITH: All right, we have a motion and a second.
15 All in favor say aye. Aye.

16 (Chorus of "ayes")

17 Any opposed? None opposed. Meeting minutes are approved.

18 AGENDA ITEM IV

19 CHAIRMAN SMITH: We will go on to item number four, fiscal
20 year 2024, the Annual Report. And I would like to personally thank Tom
21 Stewart for helping out on this so much. Tom did 99.9% of the heavy
22 lifting on this. And Tom, you are worth your weight in gold, sir. So,
23 do not lose any weight because you are valuable. Has everybody had a
24 chance to read this yet?

25 MS. GREEN: Yes.

26 MS. URIEGAS: Yes.

1 CHAIRMAN SMITH: Okay. There were some corrections. LaDonna
2 and I worked on this. LaDonna, thank you for spotting those
3 corrections. My proofreading skills are not as good as an attorney's,
4 so thank you very much on that. Do I need to read this into the
5 record, LaDonna or Tyler? Someone from staff?

6 MS. CASTAÑUELA: Tyler, what do you think?

7 MR. VANCE: No, I don't think so. It's going to be published
8 at the commission meeting, so--

9 MS. CASTAÑUELA: I'll include it in the--yeah, I'll put it
10 in--it'll be in the notebook.

11 CHAIRMAN SMITH: Okay.

12 MS. CASTAÑUELA: Commission items are due next week, so I'll
13 have it in plenty of time, assuming it's approved today.

14 CHAIRMAN SMITH: Okay. So, if I don't need to read this word
15 for word, all these pages, if somebody wants to make the motion that
16 we accept it as submitted, we would probably gladly entertain that.

17 MR. DUNCAN: I make the--

18 MS. URIEGAS: [Inaudible]

19 MR. DUNCAN: --motion to submit. Sorry, Veronica.

20 CHAIRMAN SMITH: Thank you. So, we have two motions, and can
21 we get a second on that please?

22 MS. GREEN: I second it.

23 CHAIRMAN SMITH: We have a motion and a second to accept the
24 Bingo Advisory Committee 2023-2024 Annual Report as submitted today to
25 be published to the commissioners for the next meeting. All in favor
26 say aye.

1 (Chorus of "ayes)

2 Any opposed? Any opposed? If not, motion carries for the
3 report to be submitted as it is today. Wonderful. Once again, Tom,
4 thank you so much on that.

5 AGENDA ITEM V

6 CHAIRMAN SMITH: And Tom also did a lot of heavy lifting on
7 the annual work plan, which we're going to next--the fiscal year 2025
8 annual work plan. Every year we have to come up with a work plan that
9 kind of describes what we think is going to be upcoming in the next
10 year. This is pretty short order. I'll just go ahead and read through
11 this in case we need any amendments or adjustments to it.

12 The 2025 annual work plan is, number one, identify
13 potential rule or procedural changes that may help organizations
14 address challenges related to conducting charitable bingo. Any
15 potential recommendations on changes to how bingo games are played
16 shall be clearly authorized by Texas law, but may also include
17 research, consideration, and discussion of issues not authorized by
18 Texas law.

19 Number two, continue to make recommendations and assist in
20 the 2024 charitable bingo rules review and make a final recommendation
21 to the Texas Lottery Commission regarding adoption.

22 Number three, review ways that other states and
23 jurisdictions assist charities, including by promoting awareness among
24 customers.

1 Number four, monitor legislative activity that may impact
2 charitable bingo, especially issues related to recommendations and
3 proposals by the Sunset Advisory Commission and staff.

4 Number five, provide support as needed to secure
5 legislative approval of any proposed CBOD requested changes to the
6 Bingo Enabling Act.

7 Number six, provide feedback and comments to CBOD staff and
8 commissioners on changes to administrative rules in chapter 402 and
9 any other new additional amendments.

10 Number seven, work with CBOD staff to identify ways to
11 increase filing of quarterly reports using the online filing system.

12 Number eight, review components of the agency's charitable
13 bingo website, including the listing of BAC members, and recommended
14 elements and information to be included in future website updates.

15 Number nine, provide reports at each commission meeting
16 that include status updates of the BAC's activities, industry
17 accomplishments, challenges or concerns.

18 Number ten, develop the required BAC annual report to the
19 commission on the state of charitable bingo industry and submit to the
20 commission and to the Charitable Bingo director by July 15, 2025. And
21 then there is a list of all of our current BAC members and what they
22 do.

23 So, the only thing I want to add to this is when this is
24 submitted to the commissioners, last year--was it--I think it was last
25 year or the year before--the commissioners decided to make some edits
26 to our work plan, which they are perfectly within their right to do.

1 We do serve at the commission--at the pleasure of the commission. So,
2 this may, even though we vote to endorse this as our next work plan
3 for the next year, the commissioners can change that. So, I just
4 wanted everybody to be aware of that. But if there's no public comment
5 or anything on this, then we'll need a motion and a second.

6 MS. URIEGAS: I move that we accept these as is.

7 MR. DUNCAN: I second.

8 CHAIRMAN SMITH: All right, we have a motion and a second to
9 accept the Bingo Advisory Committee 2025 annual work plan on the
10 floor. So, all in favor?

11 (Chorus of "ayes")

12 Any opposed? If no opposed, motion passes. Our work plan is
13 solidified and will be submitted to the commissioners.

14 AGENDA ITEM VI

15 CHAIRMAN SMITH: Item number six is the 2025 BAC nominations
16 recommendations. We formed a subcommittee at our last meeting that we
17 had, of me, Melodye and Veronica. And I want to personally thank
18 Melodye and Veronica for doing most of this. They did a wonderful job.
19 We developed a questionnaire to ask all the applicants the same
20 questions, they went through and made their calls, did their
21 interviews, spent a lot of time on this. So, personally, I want to
22 thank y'all both and I'm sure everybody else appreciates it as well.
23 I'm going to turn it over to Melodye and Veronica. We've met, I guess
24 it was the day before yesterday, and discussed, and we decided on
25 three nominations to fill the seats that are going to be vacant. And
26 we have decided to go ahead and nominate the current people in their

1 seats that have wanted to continue on. So, thank you all for
2 submitting your applications and for wanting to continue to serve the
3 bingo industry and the BAC at the commissioners' pleasure. So, thank
4 y'all very much for doing that. Melodye, Veronica, y'all want to
5 announce who our three picks are?

6 MS. GREEN: [Inaudible]

7 MS. URIEGAS: I don't have my notes. So, Trace, I think
8 that--

9 CHAIRMAN SMITH: Okay. I have them.

10 MS. URIEGAS: --you or Melodye want to do it? Okay, great.
11 Yeah.

12 CHAIRMAN SMITH: I have them. Melodye, are you on the phone
13 or are you noteless?

14 MS. GREEN: Yes.

15 CHAIRMAN SMITH: I know you had to call in.

16 MS. GREEN: No, I've got notes. I just don't have any
17 internet.

18 CHAIRMAN SMITH: Okay. Okay. All right.

19 MS. GREEN: We really enjoyed speaking to everybody that
20 applied--they were all fairly serious applications. But for the
21 public, which has been a problem for us for a long time, we had three
22 applicants, and we chose Demetrick Pennie, and he goes by Pennie. He
23 is from Plano, and he has quite an extensive resume. He holds a Doctor
24 of Education, he's a U.S. veteran, college professor, public safety
25 advisor for the U.S. House and U.S. Senate. He has a lot of extensive
26 background working with the legislature for public safety, he's with

1 the Texas Fallen Officer Foundation, he's an artillery specialist.
2 Well, it goes on and on. He has a master's in counseling, he has a
3 Master of Science in Criminal Justice, and he has a PhD in higher
4 education. So, he is the one public member that really has nothing,
5 had nothing to do with the Texas Lottery Commission or Bingo. One of
6 the other officers had worked Bingo as security. And the other one,
7 Kirkendall, he does have another [inaudible] and he does know somebody
8 on the committee and they advised him to apply and he would be a fine,
9 but he does have a full-time job. And the other few did indicate it
10 might be a problem to attend the meetings in person. And we all know
11 that attending the meetings in person is very important to us. So--

12 MS. URIEGAS: If I can also say one thing real quick--sorry
13 to cut you off, Melodye--the one thing I want to say is that he did
14 really feel like, I felt like he had a grasp of nonprofits and what
15 the needs were for nonprofits in the bingo industry.

16 MS. GREEN: Absolutely, absolutely. He's worked with many of
17 them. I said his resume, he's with several, he's with the Texas Fallen
18 Officer Foundation, the National Fallen Officer Foundation. He was
19 with the Dallas Police Department, and he has extensive experience
20 with legislative, try to do legislative laws with the U.S. Senate and
21 the House to help public education and to help the safety. And he
22 also, he did care deeply about the charities, and he mentioned how
23 hard it is for a charity to get them to bingo and to play bingo in a
24 very successful hall. He's in Plano and there's just not a lot of room
25 right now for charity--

26 CHAIRMAN SMITH: Right.

1 MS. GREEN: --to get into successful halls to raise money.
2 So--

3 CHAIRMAN SMITH: Excellent.

4 MS. GREEN: --anyway, we were very, both of Veronica and I
5 were impressed with Pennie. So, do you agree, Veronica?

6 MS. URIEGAS: Absolutely. He really took the time--he
7 actually went over the administrative rules and the other codes and
8 knew about Texas Occupational Code. So, he was very impressive.

9 MS. GREEN: Yes.

10 CHAIRMAN SMITH: Awesome. Well, that's wonderful that y'all
11 have done that. So, he would be one of our nominees. Why don't we go
12 ahead and skip on to the next two that we decided on.

13 MS. GREEN: Yes, it would be Audrey Walter and--

14 CHAIRMAN SMITH: Yes.

15 MS. GREEN: --I think she'd be a good replacement for--well--
16 -Will Martin. She seemed to really be--she's an operator, bookkeeper,
17 a chairperson, floor caller. She's the one with the American Legion
18 Auxiliary. She also played bingo in Alaska and she said they had to
19 weigh their pull-tabs because they came in 7,000 to 10,000 pieces at a
20 time. So how many you sold, you took the pull-tabs and you weigh them
21 and that's what you put down. So, she has an extensive experience. She
22 opened this American Legion in Dale, Texas and is doing very well. We
23 all know it's very hard to open a hall, and the only problem I had
24 with her, she called herself old and she's five years younger than me.
25 So that's the only problem I had with her. But she said she'd be able

1 to attend the meetings, but she is a veteran, her husband's retired
2 veteran. So, I think--

3 CHAIRMAN SMITH: Excellent.

4 MS. GREEN: --she'd be an--yes--I think she'd be a standout.
5 And she does all--she's boots on the ground, she runs this hall and I
6 think she'd be an excellent candidate.

7 CHAIRMAN SMITH: I concur with that.

8 MS. URIEGAS: I concur with everything that Melodye said.
9 Yeah, she was very impressive. She said she was an old lady, but she
10 seemed to have a lot of energy.

11 CHAIRMAN SMITH: Excellent. Love it. Alright. And--

12 MS. CASTAÑUELA: I have question, Trace?

13 CHAIRMAN SMITH: --what's the third one?

14 CHAIRMAN SMITH: Yes, yes, ma'am.

15 MS. CASTAÑUELA: Can I ask a question?

16 CHAIRMAN SMITH: Yes, ma'am.

17 MS. CASTAÑUELA: I'm taking notes to make sure we have a
18 complete--that--if your purpose is to have a complete committee roster
19 by the time you're done. So, I want to make sure that I've got each
20 person in the right category. So, Melodye, Audrey Walter for the
21 conductors that are not commercial lessors, that's the one she applied
22 for. So, is that the one?

23 CHAIRMAN SMITH: Yes.

24 MS. CASTAÑUELA: Okay.

25 CHAIRMAN SMITH: Yes.

26 MS. CASTAÑUELA: Pennie, of course--she did--

1 CHAIRMAN SMITH: Public.

2 MS. CASTAÑUELA: Melodye did say for the public, so I've got
3 that. Okay.

4 CHAIRMAN SMITH: Yes.

5 MS. CASTAÑUELA: Alright, continue. Thank you.

6 CHAIRMAN SMITH: Alright, and what was the last one?
7 Melodye? I think it was--

8 MS. GREEN: Shera Wilson. And she is from Waco and she plays
9 in a--she doesn't play, she works in a Redmond hall. She's a bingo
10 worker. And she said she's played for years. Then she started working
11 and she's worked there seven years. But she was a real spitfire that
12 really she wanted to learn more and more. She's not a commercial
13 lessor, it doesn't seem like she has any agenda, preconceived agenda
14 of any type. But she knows bingo and she works and she's not super
15 young, but she works those three sessions a night and that's being on
16 your feet from six o'clock at night until about 11:30 or 12. And she
17 really knew bingo. She was very enthusiastic. And she's from McGregor
18 and she said she could attend the meeting. A lot of problems we did
19 have that Veronica can tell you is that when we asked would you be
20 able to attend in person, we had one of them say it would be a real
21 financial burden--and it is expensive to attend--but several of them
22 said, including the ones for the public, said that it would be hard
23 for them to get down to Austin. And these three seemed to be very
24 anxious to attend in person and to learn more and to help bingo, that
25 their mission was to help charitable bingo. So, Shera Wilson--

1 CHAIRMAN SMITH: LaDonna, let me ask you something, if I
2 might. I was a little confused by her application. I think she is
3 definitely a great nominee. I think she would probably offer a little
4 bit of insight that maybe some of us haven't seen in a while because
5 she's actively an actual bingo worker, if you will. On her
6 application, she put on there for the public. But if she's a
7 registered worker, isn't she listed on a license somewhere?

8 MS. CASTAÑUELA: She's not listed on anybody's license. We
9 check that. That is one of the criteria under the rule to make sure
10 that she's not required to be listed. So, she's not a bingo chair or
11 whatever, officer, director, whatever. I am not going to remember all
12 the different--

13 CHAIRMAN SMITH: Right--

14 MS. CASTAÑUELA: --people that have to be listed.

15 CHAIRMAN SMITH: --but she would be a public member then?

16 MS. CASTAÑUELA: Yes, she does qualify for the public
17 member.

18 CHAIRMAN SMITH: Okay.

19 MS. CASTAÑUELA: I think--she told us her name was Shera,
20 that that's how she pronounced it.

21 MS. GREEN: Could be. I'm sorry [inaudible].

22 CHAIRMAN SMITH: Shera--Audra Shera Wilson. Okay.

23 MS. CASTAÑUELA: Right. Goes by Shera.

24 CHAIRMAN SMITH: Okay.

25 MS. CASTAÑUELA: But she doesn't--she's eligible for a
26 public spot, of course. And that is the one she applied for.

1 CHAIRMAN SMITH: So, if we have two public members on there
2 that are truly public, that wouldn't, would that still satisfy our
3 requirements on all the other requirements for each different
4 category?

5 MS. CASTAÑUELA: Well of course I'm going to make you tell
6 me exactly who falls into the other categories, but as long as we've
7 got somebody for each category and nine total members, obviously--

8 CHAIRMAN SMITH: I have that list right here.

9 MS. CASTAÑUELA: --here we go.

10 CHAIRMAN SMITH: I have that list right here. I'm listed as
11 a conductor. Melodye is listed as a commercial lessor. Floyd is listed
12 as a manufacturer. Tommy is listed as a distributor. Jason is listed
13 as a conductor. Veronica is listed as a charity lessor. And Corey,
14 Michael and Stacie would be vacating their spots on the BAC. So, we
15 would be adding Mr. Pennie as a public person, Ms. Wilson as a public
16 person, and Ms. Walter as a conductor lessor, I believe. Is that
17 correct, Melodye? Conductor lessor?

18 MS. GREEN: Right.

19 CHAIRMAN SMITH: Okay.

20 MS. CASTAÑUELA: I've got it. I've got nine people. I've
21 got--all of my categories have at least one, so that--

22 CHAIRMAN SMITH: Okay.

23 MS. CASTAÑUELA: --looks good to me.

24 CHAIRMAN SMITH: Excellent. Okay. So, since me and Melodye
25 and Veronica are on that committee, we submit that to the BAC for any

1 public comment, questions. And if there are none of those, then we'll
2 ask someone to make a motion and we'll need a second.

3 MR. DUNCAN: I make a motion to accept.

4 MS. URIEGAS: I second.

5 CHAIRMAN SMITH: All right. We have a motion and we have a
6 second to accept the three new nomination forms and to submit the
7 other six current sitting members on the BAC for approval by the
8 commissioners at their next meeting. All in favor?

9 (Chorus of "ayes")

10 Any opposed? If not, motion carries. The one caveat to this
11 is--I do want to make very clear--the commissioners have the final say
12 in this. They may choose to select someone we did not choose, and they
13 are perfectly within their rights for that. Just because we make this
14 recommendation for nominations, they can choose to go a completely
15 different direction. I just want everybody to be aware of that and
16 understand that. But hopefully they will take our recommendations into
17 consideration. That's why we're doing this early so we can get this
18 done. The next item on the agenda is adjournment, but before we do
19 that, I'm sure you all got the email about Mary Volpe having to
20 explore other options. She's going to be doing some new things. We do
21 want to tell her that we will miss you and we thank you and you've
22 always been a wonderful job and a bright smile and face at all the
23 meetings and all the emails that you've shared with us over the years.
24 So, we certainly appreciate her and wish her the best of luck on her
25 next endeavors.

1 MS. CASTAÑUELA: I will pass all that along. Thank you very
2 much.

3 MS. GREEN: Yes.

4 CHAIRMAN SMITH: Yes, ma'am. Yes, ma'am. So, before we
5 adjourn, LaDonna, Tyler, is there anything else that we need to do?

6 MS. CASTAÑUELA: Trace, could you do me a favor? Send me an
7 email today with the list of the recommended slate and with each of
8 their interest groups--associated interest groups--and I will make
9 sure that the commission gets that in their--it'll be online along
10 with the accepted versions of the work plan and the Annual Report.

11 CHAIRMAN SMITH: Okay. Do you want me to do that separately
12 from the agenda? I was just going to include that in the agenda.

13 MS. CASTAÑUELA: Please. Yeah, if you don't mind, a separate
14 email because I'll just print the email and make sure it's included in
15 the materials, so the commission--

16 CHAIRMAN SMITH: Okay, excellent.

17 MS. CASTAÑUELA: --have that list.

18 CHAIRMAN SMITH: Okie-doke. I can do it.

19 MS. CASTAÑUELA: Are we going to talk about the next
20 meeting?

21 AGENDA ITEM VII

22 CHAIRMAN SMITH: Well, yeah, we probably should. So, the
23 next BAC meeting is on the 6th of August. That is an in-person
24 meeting. And then I'm assuming the commissioners meeting is still the
25 day after on the 7th.

1 MS. CASTAÑUELA: So, I just want to clarify. My information
2 shows that there's actually two meetings on the sixth, a rules review
3 meeting at 10 and then a Bingo Advisory Committee meeting at 2
4 o'clock.

5 CHAIRMAN SMITH: Yes, that is correct.

6 MS. CASTAÑUELA: Is that right? Okay.

7 CHAIRMAN SMITH: Yes, ma'am.

8 MS. CASTAÑUELA: And it'll be in the conference room on the
9 fourth floor, the George W. Bush building.

10 CHAIRMAN SMITH: Where we normally meet, right? Yeah.

11 MS. CASTAÑUELA: Hopefully our new normal.

12 CHAIRMAN SMITH: Right. Hopefully. Okay. Alright. So, we've
13 got that down. So, we'll have two meetings that day. We'll finish up
14 on the rules review and then we will go into our regular meeting and
15 do that. Alright, excellent. And the commissioners meeting's still on
16 the 7th?

17 MS. CASTAÑUELA: Yes.

18 CHAIRMAN SMITH: Excellent. Okay. Alright, if nothing else,
19 we'll adjourn the meeting. LaDonna Tyler, everyone, thank y'all for
20 attending. Melodye and Veronica, thank y'all for all you did on this.
21 I know y'all worked your tail off on this. I appreciate y'all helping
22 out so much.

23 MS. URIEGAS: You're very welcome.

24 MS. GREEN: Trace--yeah, I just wanted to add just--all the
25 people that applied, they would all, if the commissioners do change
26 it, they would all work fairly well. So, I do appreciate all the

1 people that took time to apply for this and they took the time to
2 speak to me and Veronica, we spoke to them for about 20-30 minutes.

3 MS. CASTAÑUELA: That's nice.

4 MS. GREEN: So, thank you.

5 CHAIRMAN SMITH: Excellent. Alright, well thank y'all so
6 much and LaDonna, we'll be in touch. I've got some stuff to send you.

7 MS. CASTAÑUELA: Great. Thank you very much.

8 CHAIRMAN SMITH: Thanks everyone. Appreciate it. Y'all have
9 a wonderful evening.

10 MR. DUNCAN: Thanks everyone.

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