



Chairman

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PENNSYLVANIA GAMING CONTROL BOARD
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HARRISBURG, PENNSYLVANIA
17106-9060

Commissioners
GREGORY C. FAJT
JAMES B. GINTY
ANNMARIE KAISER
KEITH R. MCCALL
JOHN J. MCNALLY, III
ANTHONY C. MOSCATO

Ex-Officio Members
GEORGE GREIG
ROBERT MCCORD
DANIEL MEUSER

BOARD ACTION - MINUTES
WEDNESDAY, APRIL 3, 2013 - 10:00 a.m.
STRAWBERRY SQUARE COMPLEX, 2ND FLOOR, HARRISBURG

A meeting of the Pennsylvania Gaming Control Board was held at the Office of Hearings and Appeals, Strawberry Square Complex, 2nd Floor, Harrisburg. The meeting began immediately following the public hearings.

Members in attendance were:

William H. Ryan, Jr., Chairman
Gregory C. Fajt
James B. Ginty
Annmarie Kaiser
Keith R. McCall
John J. McNally, III
Anthony C. Moscato

Ex-Officio members in attendance were:

Robert Coyne, Designee, Department of Revenue
Jennifer Langan, Representative, State Treasurer's Office
Mathew Meals, Designee Department of Agriculture

PA Gaming Control Board Staff who appeared officially before the Board:

Kevin O'Toole – Executive Director's Report
Allison Cassel – Local Law Enforcement Grant
R. Douglas Sherman – Regulations and Petition(s)
Steve Cook – Withdrawals, Report and Recommendations
Susan Hensel – Licensing Matters
Cyrus Pitre – Enforcement Actions
Enforcement Counsel: Cassandra Fenstermaker, Dustin Miller, Melissa Powers and Jeff Hoeflich

A quorum of the Board being present, Chairman Ryan called the meeting to order.

PUBLIC HEARING

The following hearing was held prior to the regularly scheduled board meeting.

- Woodlands Fayette, LLC – Petition for Approval of Controlling Access to Gaming Floor Plan.

ANNOUNCEMENTS

The Board held an Executive Session on April 2, 2013. The purpose of the Executive Session was to discuss personnel matters, pending litigation, and to conduct quasi-judicial deliberations relating to matters being considered by the Board on April 3, 2013.

EXECUTIVE DIRECTOR'S REPORT

PGCB MOTION NO. 2013-90 EXE

Motions: 1st – Board Member Fajt, 2nd – Board Member Moscato

The Board hereby adopted the new position title of Chief Technology Officer to the PGCB's Classification and Compensation Structure. The position shall be placed on the PGCB Executive Scale, Pay Range A. With the approval of the new title, the position of Director of Information Technology was eliminated.

Board Decision: Passed by unanimous vote

Kevin Kile, Director for the Office of Racetrack Gaming announced the recent completion and release of the sixth annual Benchmark Report which provides an update on the impact that slot machine revenues are having on the horse racing

industry. This new report examines trends in horse and harness racing and other important indicators which measure the health of the industry through the end of 2012.

Kevin stated that one of the primary objectives of the Race Horse Development and Gaming Act is to assist the Commonwealth's horse racing industry. Approximately 12% of revenue generated from slot machine gaming is earmarked for the racing industry in order to accomplish the intent of the Act. In 2012, \$224 million was earmarked for the horse racing industry to enhance purses, assist breeding operations, and provide health and pension benefits for horsemen. This investment in Pennsylvania racing is attracting better quality horses to our racetrack casinos, creating more competitive races, and spurring investment in equine related products and services.

In addition to the dedicated funding stream that slot machine gaming provides for the racing industry, racetrack casino operators also invested over \$7 million in 2012 and \$46 million since the introduction of gaming in 2006 to improve the stable and backside areas of their racetracks. This has resulted in much needed improvements to barns and related structures. Horsemen and their employees are now enjoying improved living and working conditions as a result of these investments.

Finally, the report notes that interest in Pennsylvania racing was strong this past year. Total dollars wagered on races held in Pennsylvania, or live racing handle, was 12% higher in 2012 compared to the same time period in 2011 and was 34% higher when compared to the same time period before casino gaming was implemented in 2006. This can be attributed to an increase in wagering at the tracks and a general increase in dollars wagered on Pennsylvania races by patrons outside of the Commonwealth.

In other words, racing fans that go to tracks in neighboring jurisdictions are wagering more on live races held at the six tracks in Pennsylvania. Kevin commented that at the same time, the racing industry continues to face significant challenges in order to remain successful. Although live racing handle increased in 2012, handle generated through simulcast wagering within Pennsylvania continues to decline year over year. This type of wager is called simulcast import, and it declined almost 7% in the last year and close to 50% since 2007. Kevin stated that hopefully this trend will slow, and the industry is optimistic that they will have success as they prepare for the upcoming Triple Crown season.

In closing, Kevin stated that the revenue generated from slot machine gaming continues to provide an overall positive impact on races held in Pennsylvania and continues to benefit agriculture within the Commonwealth.

OFFICE OF FINANCIAL MANAGEMENT

David Rhen, Director of Financial Management updated the Board on revenue and expenditures for the period ending March 31, 2013.

OFFICE OF CHIEF COUNSEL

PGCB MOTION NO. 2013-91 OCC

Motions: 1st–Board Member Ginty / 2nd–Board Member Kaiser

The Board adopted Proposed Regulation #125-170.

Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2013-92 OCC

Motions: 1st–Board Member Kaiser / 2nd–Board Member McCall

The Board approved the Local Law Enforcement Grant Award for Bucks County District Attorney's Office in the amount of \$206,500.

Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2013-93 OCC – Greenwood Gaming and Entertainment, Inc.

Motions: 1st–Board Member McCall / 2nd–Board Member McNally

The Board hereby granted the Petitions of Greenwood Gaming and Entertainment, Inc.'s (*Intervene in VF's Petition for approval of revised annual dining club membership and Petition for approval of Corporate/ Group Discount Program*). Greenwood Gaming may participate in the hearings on the underlying matters. However, the Board will not consider the allegations contained in Greenwood Gaming's finding regarding Valley Forge Convention Center Partners, L.P.'s allegedly unlawfully reimbursing patrons with free play. Those allegations are hereby referred to the Board's Bureau of Investigations and Enforcement.

Docket Numbers: 3059-2013 and 3060-2013

Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2013-94 OCC – Withdrawals/Surrenders

Motions: 1st–Board Member McNally / 2nd–Board Member Moscato

The Board approved the withdrawal or surrender of Manufacturer, Principal and Key Employee Applications, or Licenses, as well as Gaming Service Provider Registrations, Certification or Qualifications as follows:

- Helios Creative, Inc. Licensing No. 71772; PGCB Doc No. 3023-2013
- Donald Paul Marrantino Licensing No. 43377; PGCB Doc No. 3033-2013
- Jinlong Wang Licensing No. 60697; PGCB Doc No. 3032-2013
- Winning Hands Casino Massage, Inc. Licensing No. 71514; PGCB Doc No. 3037-2013

Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2013-95 OCC – Kyshima D. Montgomery

Motions: 1st–Board Member Moscato / 2nd–Board Member Fajt

The Board approved the Report and Recommendation issued by the Office of Hearings and Appeals and the Order of Emergency Suspension for Kyshima D. Montgomery's Non-Gaming Employee Registration shall remain in effect pending any further action by the Board.

Docket Number: 2958-2012

Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2013-96 OCC – Jamal S. Walton

Motions: 1st–Board Member Fajt / 2nd–Board Member Ginty

The Board approved the Report and Recommendation issued by the Office of Hearings and Appeals and denied Jamal S. Walton's Non-Gaming Employee Application.

Docket Number: 2941-2012

Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2013-97 OCC – A.M.M. Early Removal

Motions: 1st–Board Member McNally / 2nd–Board Member Kaiser

The Board approved the Report and Recommendation issued by the Office of Hearings and Appeals and denied the early removal of A.M.M. from the Voluntary Self Exclusion List. A.M.M. requested to be excluded from all gaming within the Commonwealth for a period of five (5) years.

Docket Number: 2960-2012

Board Decision: Vote 6- Yes 1- No / Commissioner Ginty voting No

BUREAU OF LICENSING

PGCB MOTION NO. 2013-98 BOL

Motions: 1st–Board Member Kaiser / 2nd–Board Member McCall

The Board approved the issuance of Principal and Key Employee Licenses as follows:

Chester Downs and Marina, LLC

Key Employee Initial Licensure

- **Logan Peter Philip Gaskill**, Director of Human Resources – Docket #70043-1

Key Employee Renewals

- **Normand J. Mullan**, Director of Internal Audit for Caesar's Entertainment, Inc., an affiliate of Chester Downs & Marina, LLC – Docket #15347-3
- **Vicki L. Guveiyian**, Director of Gaming Technology and Innovation for Caesar's Entertainment, Inc., an affiliate of Chester Downs & Marina, LLC – Docket #5797-3

Downs Racing, LP

Principal Renewal

- **Mitchell Etess**, Chief Executive Officer at Mohegan Tribal Gaming Authority – Dkt #1292-3

Key Employee Initial Licensure

- **Robyn Ryan**, Vice President of Marketing – Docket #67582-1

Greenwood Gaming and Entertainment, Inc.

Key Employee Renewals

- **Richelle Y. Ruemeli**, Director of Internal Audit – Docket #18362-3
- **David L. Norcutt, Sr.**, Director of Surveillance – Docket #3655-3

SugarHouse HSP Gaming, LP

Key Employee Initial Licensure

- **Robert G. Christopher**, Credit Manager – Docket #52982-1

Valley Forge Convention Center Partners, LP

Key Employees Initial Licensure

- **Leslie K. Silva**, Director of Surveillance – Docket #67252-1
- **Jennifer L. Reese**, Director of Marketing – Docket #35833-2

Global Cash Access, Inc.

Principal Renewal Licensure

- **David J. Lucchese**, Executive Vice President of Sales – Docket #2052-3

Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2013-99 BOL

Motions: 1st–Board Member McCall / 2nd–Board Member McNally

The Board approved the issuance of 2 Temporary Principal and 19 Key Employee Credentials to:

Josette Danielle Carter, Robyn Ryan, David Charles Budd, Gerald Fretz, Greg William Hart, Erica Marie Pietranton, Michael Tamburelli, Mary C. McGrath, Michael E. Jeannot, Pamela M. Reuter, Jonathan Michael Angelo, Lorraine Nancy Clanton, Charles B. Miller, Edmondo Graci, Paul J. Edwards, Robert J. Phillips, Douglas Scot Niethold, Rosemarie Cope, Maryan G. Rutherford, Michael Paul Ciunti, Michelle Lewis

Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2013-100 BOL

Motions: 1st–Board Member McNally / 2nd–Board Member Moscato

The Board approved the issuance of 472 (70 full G2 employees; 111 initial; 204 renewals; 87 Temporary G2 employees)

Gaming Employee Permits and 85 Non-Gaming Employee Registrations.

Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2013-101 BOL

Motions: 1st–Board Member Moscato / 2nd–Board Member Fajt

The Board approved the withdrawal of 4 Key Employee Applications, 44 Gaming Employee Permits and 4 Non-Gaming Employee Registrations.

Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2013-102 BOL

Motions: 1st–Board Member Fajt / 2nd–Board Member Ginty

The Board approved the Gaming Service Provider Certifications as follows:

CERTIFIED GAMING SERVICE PROVIDERS

- E.E. Austin & Sons, Inc. (Renewal)
- Independence Excavating, Inc. (Renewal)
- J. Ambrogi Food Distribution, Inc.
- RAM Acoustical Corporation (Renewal)

Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2013-103 BOL

Motions: 1st–Board Member Ginty / 2nd–Board Member Kaiser

The Board approved the Gaming Service Provider Registrations as follows:

REGISTERED GAMING SERVICE PROVIDERS

- 920 Montgomery Associates LLC, DBA: Art of Bread By Georges Perrier
- Bella Pintura, Inc.
- Clearwater Concrete & Masonry, Inc.
- Colucci Tile & Marble, Inc.
- Core Power, Inc., DBA: Core Power & Environment
- John V. Heineman Company
- Michael S. Sullivan, DBA: Master Fire & Security Systems
- S & H Supply Company, Inc.

- Shred-It USA, Inc.
- Shreveport Communication Service, Inc.
- Sign Here, Inc., DBA: FASTSIGNS - Erie
- T.C. Millwork, Inc.
- Yardmaster, Incorporated.

Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2013-104 BOL

Motions: 1st–Board Member Kaiser / 2nd–Board Member McCall

The Board approved the abandonment of Performance Contracting, Inc.’s Gaming Service Provider Application.

Board Decision: Passed by unanimous vote

OFFICE OF ENFORCEMENT COUNSEL

PGCB MOTION NO. 2013-105 OEC – David Zarn

Motions: 1st–Board Member McCall / 2nd–Board Member McNally

The Board approved the Suspension of David Zarn’s Key Employee License.

Docket Number: 3005-2013

Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2013-106 OEC – Venee Berry

Motions: 1st–Board Member McNally / 2nd–Board Member Moscato

The Board approved the Revocation of Venee Berry’s Gaming Employee Permit. Ms. Berry is not permitted to apply for any form of license, permit, or registration under the Gaming Act and the Board’s Regulation for a period of five (5) years.

Docket Number: 3018-2013

Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2013-107 OEC - - Venee Berry

Motions: 1st–Board Member Moscato / 2nd–Board Member Fajt

The Board approved the placement of Venee Berry on the PGCB Involuntary Exclusion List.

Docket Number: 3019-2012

Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2013-108 OEC – Anthony McDonald

Motions: 1st–Board Member Fajt / 2nd–Board Member Ginty

The Board approved the placement of Anthony McDonald on the PGCB Involuntary Exclusion List.

Docket Number: 3020-2013

Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2013-109 OEC – Daniel Stabile

Motions: 1st–Board Member Ginty / 2nd–Board Member Kaiser

The Board approved the placement of Daniel Stabile on the PGCB Involuntary Exclusion List.

Docket Number: 3022-2013

Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2013-110 OEC – Roseann Stabile

Motions: 1st–Board Member Kaiser / 2nd–Board Member McCall

The Board approved the placement of Roseann Stabile on the PGCB Involuntary Exclusion List.

Docket Number: 3021-2013

Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2013-111 OEC – James Robert Behler

Motions: 1st–Board Member McCall / 2nd–Board Member McNally

The Board approved the placement of James Behler on the PGCB Involuntary Exclusion List.

Docket Number: 2982-2013

Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2013-112 OEC – Douglas E. Reed

Motions: 1st–Board Member McNally / 2nd–Board Member Moscato
The Board approved the placement of Douglas E. Reed on the PGCB Involuntary Exclusion List.
Docket Number: 2939-2012
Board Decision: Passed by unanimous vote

ADJOURNMENT

On a motion by Commissioner Moscato, seconded by Commissioner Fajt, the meeting was adjourned.

I HEREBY CERTIFY THAT THESE MINUTES WERE APPROVED BY THE PENNSYLVANIA GAMING CONTROL BOARD AT A PUBLIC MEETING ON THE 24th DAY OF APRIL, 2013.

Mickey Kane, Board Secretary

APPROVED BY THE BOARD - 4/24/13