



# PENNSYLVANIA GAMING CONTROL BOARD

## Meeting of the Board

December 15, 2005 Minutes

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A meeting of the Pennsylvania Gaming Control Board was held on December 15, 2005 in Hearing Room 1 of the North Office Building. The meeting began at 10 a.m.

*Members in attendance were:*

Thomas Decker, Chairman  
Mary DiGiacomo Colins  
William P. Conaboy  
Jeffrey W. Coy (via teleconference)  
Joseph W. Marshall, III  
Kenneth W. McCabe  
Sanford Rivers

*Ex-officio members in attendance were:*

Robert P. Casey, Jr., State Treasurer  
Gregory C. Fajt, Secretary of Revenue

*Individuals who appeared officially before the Board:*

Anne LaCour Neeb – agency update  
Mike Walsh – administration update  
Nick Hays – right to know policy  
LaMonte Williams – right to know policy  
Michael Schwoyer – credentialing and photography services  
Michael Edmiston – regulations  
Dale Miller – regulations  
Nan Horner – regulations  
Michele Afragola – regulations

A quorum being present Chairman Decker called the meeting to order.

**Transcript**

On a motion by Board Member Coy, seconded by Board Member Marshall, the transcript of the December 1, 2005 meeting was unanimously approved.

**Administration**

**PGCB MOTION NO. 2005-57 HR – Employment**

Motion Made: Board Member Conaboy  
Seconded: Board Member McCabe

New hires:

Dan Stambaugh, Legislative Liaison  
Allison Hicks  
Steven Crevak, Intern  
Ben Williams, Information Technology Specialist  
George Semarge, Telecommunications Administrator  
Andrew Bender, Corporate Compliance Supervisor  
Matthew Loughney, Compliance Analyst  
Ralph Young, Investigator, BIE, Western Regional Office  
David Smith, Investigator, BIE, Western Regional Office  
Thomas Smith, Investigator, BIE, Western Regional Office  
Jarrod Coury, Investigator, BIE, Central Office  
Jeffrey Couzens, Senior Forensic Accountant  
Howard Gelfand, Investigator, BIE, Eastern Regional Office  
John Walczak, Investigator, BIE, Eastern Regional Office  
Tracy Smeigh, Administrative Assistant, Bureau of Licensing  
John Zukowski, Licensing Analyst, Bureau of Licensing  
Sherry Morgan, Licensing Analyst, Bureau of Licensing  
Karen Duncan, Licensing Analyst, Bureau of Licensing  
Sean Hannon, Manager, Bureau of Licensing

Resolved, the Board hereby approves the hiring of all the above candidates for employment. Permanent status will be contingent upon a satisfactory background check.

Board Decision: Passed by unanimous vote

**PGCB MOTION NO. 2005-58 ADM – Conshohocken Lease Termination**

Motion Made: Board Member Conaboy  
Seconded: Board Member McCabe  
Abstained: Board Member Marshall

Resolved, the Board hereby approves the termination of the lease of office space in Conshohocken.

Board Decision: Passed by unanimous vote

**PGCB MOTION NO. 2005-59 ADM – Adoption of the Right-to-Know Policy**

Motion Made: Board Member Marshall  
Seconded: Board Member Conaboy

Resolved, the Board hereby adopts the Pennsylvania Gaming Control Board's Right-to-Know Policy.

Board Decision: Passed by unanimous vote

**PGCB MOTION NO. 2005-60 ADM – Authorize Chairman Decker to enter into contracts pursuant to the Procurement Code**

Motion Made: Board Member McCabe  
Seconded: Board Member Colins

Resolved, the Board hereby authorizes the Chairman Decker to pursue and enter into contracts pursuant to the Procurement Code for the acquisition of supplies, equipment, software, and maintenance agreements necessary to enable the Board to capture photographs, meeting Commonwealth photo imaging network standards, and transfer, maintain, and store these captured photographs and related demographic data to facilitate background investigations and to issue credentials to such persons.

Board Decision: Passed by unanimous vote

**Regulations**

**PGCB MOTION NO. 2005-61 REG – Posting of the Draft Hearings and Appeals Regulations for Public Comment**

Motion Made: Board Member Colins  
Seconded: Board Member Rivers

Resolved, the Board hereby approves the posting of the draft hearings and appeals regulations on the Board's website. The Board hereby designates a public comment period of 30 days beginning December 15, 2005 and ending on January 18, 2006.

Board Decision: Passed by unanimous vote

**PGCB MOTION NO. 2005-62 REG – Posting of the Draft Management Company Regulations for a 10-day Public Comment**

Motion Made: Board Member Colins  
Seconded: Board Member Marshall

Resolved, the Board hereby approves the posting of the draft management company regulations on the Board's website. The Board hereby designates a public comment period of 10 days beginning December 15, 2005 and ending on December 30, 2005.

Board Decision: Passed by unanimous vote

**PGCB MOTION NO. 2005-63 REG – Adoption of Amendments to Temporary Regulations**

Motion Made: Board Member Colins

Seconded: Board Member Marshall

Resolved, the Board hereby adopts the amendments to 58 Pa. Code §§ 401.4, 405.3, 421.2, 421.4, 423.5, 435.1, 435.2, 435.4, 437.1, 437.3, 441.7, 449.9 and 441.10, 441.4, and 443.5. The amendments will be posted to the Board's website and published by the Pennsylvania Bulletin. The amendments are effective as of December 15, 2005.

Board Decision: Passed by unanimous vote

**PGCB RESOLUTION NO. 2005-8 LIC – Board Opens Application Period for Supplier Licenses**

Motion Made: Board Member Colins

Seconded: Board Member Marshall

WHEREAS On July 5, 2004, the Pennsylvania General Assembly enacted the Pennsylvania Race Horse Development and Gaming Act, establishing the Pennsylvania Gaming Control Board as the primary regulatory agency charged with the responsibility of implementing and overseeing slot machine gaming in the Commonwealth; and

WHEREAS The Act authorizes the Board to adopt "temporary" regulations in order to facilitate the prompt implementation of the Act during the two years following the Act's effective date; and

WHEREAS The Board has developed draft temporary regulations governing the licensing requirements for supplier licenses; and

WHEREAS The public has had an opportunity to comment on the draft temporary regulations, and the Board has taken notice of these public comments; and

WHEREAS The Board's final temporary regulations are designated as Title 58 Recreation, Part VII Gaming Control Board:

- Subpart B., Licensing, Registering and Permitting, specifically Chapter 431, Supplier licenses.

WHEREAS The Board at this time is not voting on whether or not to create regions for suppliers nor adopting temporary supplier regulations; and

WHEREAS In order to facilitate the acceptance of applications for supplier licenses, the Board shall adopt a Statement of Policy setting forth the required application forms, fees and information required to be submitted with applications. All applications shall contain a notice that the Board has not yet determined whether supplier licenses will be issued on a statewide or regional basis and reserves the right to approve and issue supplier licenses on either of those bases.

WHEREAS The Board will not approve supplier licenses until such time as it decides whether or not the state will be divided into regions for the purposes of awarding supplier licenses; and

WHEREAS The Board reserves the right to adopt regulations in accordance with its decision on whether or not to create regions for suppliers; and

WHEREAS The Board reserves the right to amend any such temporary regulations as it deems necessary in accordance with the purpose of the Act and in order to further the intent of the Act; be it

RESOLVED That the Board opens the application period for supplier applications commencing on December 20, 2005 and closing on February 28, 2006 and further directs that such applications contain a notice that the Board has not yet determined whether supplier licenses will be issued on a statewide or regional basis and reserves the right to approve and issue supplier licenses on either of those bases.

Board Decision: Passed by unanimous vote

**Adjournment**

There being no further business before the Board, on a motion by Board Member Marshall, seconded by Board Member Coy, the meeting was adjourned.