



PENNSYLVANIA GAMING CONTROL BOARD

Meeting of the Board May 29, 2008 Minutes

A meeting of the Pennsylvania Gaming Control Board was held on May 29, 2008 in the North Office Building, Hearing Room 1. The meeting began at 1:00 p.m.

Members in attendance were:

Mary DiGiacomo Colins, Chairman
Raymond S. Angeli
Jeffrey W. Coy
James B. Ginty
Kenneth T. McCabe
Sanford Rivers
Gary A. Sojka

Ex-Officio Members in attendance were:

Keith Welks, Ex-Officio Designee

Individuals who appeared officially before the Board:

Anne LaCour Neeb – personnel issues
Frank Donaghue – petition, withdrawals of gaming and non-gaming applications
Melinda Tucker – racetrack gaming
Eileen McNulty – agency financial report
Cyrus Pitre – enforcement
Susan Hensel – licensing update
Richard D. Abbott – Chairman, Pennsylvania Horse Racing Commission

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

ANNOUNCEMENTS

Chairman Colins announced that the Board held an executive session on May 28 in accordance with the Sunshine Act, to discuss personnel issues, privileged agency business, and to consult with counsel and other professional advisors to the Board concerning current litigation or matters in which complaints are expected to be filed.

At the conclusion of the Public Hearing for Penn National Gaming, Inc., the Chairman announced that

the Board's agenda previously had Valley View Downs Suitability Hearing scheduled for today. She stated that the PGCB was notified last week by our Chief Enforcement Counsel, Cyrus Pitre, that the Bureau of Investigations and Enforcement's background investigation of the applicant was not yet complete and the Bureau was not in a position to make a recommendation to the Board with respect to the applicant. Chairman Colins and Board Members, based on the facts, deferred the Suitability Hearing to a future date to be determined.

TRANSCRIPTS/MINUTES

On a motion by Board Member Sojka, seconded by Board Member Rivers, the minutes and transcript of the April 24, 2008 meeting were unanimously approved.

EXECUTIVE DIRECTOR

Ms. Anne Neeb, Executive Director announced her resignation effective June 6, 2008, due to personal and family obligations.

RACETRACK GAMING

Melinda Tucker, Director of Racetrack Gaming made a few remarks regarding the background and personal accomplishments of speaker, Richard D. Abbott, Chairman of the Pennsylvania Horseracing Commission.

Mr. Abbott addressed the Board to discuss the accomplishments with regard to the health and safety needs of the thoroughbred athletes in the Commonwealth. Mr. Abbott further stated that an agreement was reached with the Thoroughbred Horsemen's Groups in Pennsylvania to ban anabolic steroid use in thoroughbred racing.

CHIEF FINANCIAL OFFICER

An agency report of revenue and expenditures for fiscal year 2007 through April 2008 were provided.

PGCB MOTION NO. 2008-115 CFO – Local Law Enforcement Grants

Motion Made: Board Member McCabe
Seconded: Board Member Coy

Resolved, the Board hereby approves the 2006-07 Local Law Enforcement Grants as follows:
Allegheny County Sheriff's Office (\$68,050.08)
Scott Township Police Department (\$69,392.30)
Delaware Co. District Attorney (\$250,000)

Board Decision: Passed by unanimous vote

OFFICE OF GAMING OPERATIONS

PGCB RESOLUTION NO. 2008-5 OGO – Gaming Floor Plan for Downs Racing, L.P.

Motion Made: Board Member Rivers
Seconded: Board Member McCabe

- WHEREAS Under 4 Pa. C.S., Section 1202(a)(1), the Pennsylvania Gaming Control Board (“Board”) has general and sole regulatory authority over the conduct of gaming or related activities as described in the Pennsylvania Race Horse Development and Gaming Act; and
- WHEREAS Under 58 Pa. Code, Section 467a.1(b), a slot machine licensee may not commence slot operations until a floor plan depicting its gaming floor and all restricted areas servicing its slot operation has been approved by the Board; and
- WHEREAS Downs Racing, L.P. (“Downs Racing”), an entity which commenced slot operations in a temporary facility on November 14, 2006 and was approved for a Category 1 Slot Machine License on December 20, 2006, has submitted a gaming floor plan, which depicts the gaming floor and all restricted areas servicing its permanent licensed facility to be known as Mohegan Sun at Pocono Downs; and
- WHEREAS The gaming floor plan has been reviewed and determined to comply with 58 Pa. Code, Section 467a.1, including those requirements relating to a clearly delineated path for juvenile ingress/egress, slot machine locations and seating, surveillance camera configuration, cashiers' cages, a count room and placement of automated gaming voucher redemption and teller machines; and
- WHEREAS Downs Racing agrees to comply with the requirements of 58 Pa. Code, Section 467a.1(c) with regard to proposed modifications to the Board-approved gaming floor plan; be it
- RESOLVED That the Board approves the gaming floor plan of Downs Racing, as prepared by JCJ Architecture, Inc. of Hartford, Connecticut dated April 14, 2008 and denoted as PGCB-116, 117, and E133 which depicts 68,694 square feet of gaming floor configured to accommodate a maximum of 2,481 slot machines.

Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2008-116 EXE – Delegation of Authority

Motion Made: Board Member McCabe
Seconded: Board Member Angeli

Resolved, the Board hereby delegates the authority to Board Member’s Raymond Angeli, Jeffrey Coy, James Ginty, and Gary Sojka to approve, either collectively or in their individual capacities, all pre-opening conditions to the Category 1 Slot Machine License of Downs Racing, LP. and to determine the effective date and time which slot operations may commence at the permanent licensed facility to be known as Mohegan Sun at Pocono Downs located in Plains Township, Luzerne County, pursuant to the Board’s order dated December 20, 2006.

Board Decision: Passed by unanimous vote

OFFICE OF CHIEF COUNSEL

PGCB MOTION NO. 2008-117 OCC – Withdrawals of Employee Applications

Motion Made: Board Member Ginty
Seconded: Board Member Coy

Resolved, the Board hereby approves the withdrawal of employee applications as follows:
Robert P. Rozek, Docket No. 41367
Luis Rabo, Docket No. 41345

Board Decision: Passed by unanimous decision

**PGCB MOTION NO. 2008-118 OCC – Mountainview Thoroughbred Racing Association
Petition**

Motion Made: Board Member Coy
Seconded: Board Member Angeli

Resolved, the Board hereby approves the Petition by Mountainview Thoroughbred Racing Association for additional slot machines on the gaming floor.

Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2008-119 OCC – Greenwood Gaming & Entertainment, Inc Petition

Motion Made: Board Member Angeli
Seconded: Board Member Sojka

Resolved, the Board hereby approves the Petition from Greenwood Gaming & Entertainment, Inc. to reconsider the October 2, 2007 Board Order.

Board Decision: Passed by unanimous vote

**PGCB MOTION NO. 2008-120 OCC – Continuance of Emergency Suspension for Barton D.
Bickle-Goodman**

Motion Made: Board Member Sojka
Seconded: Board Member Rivers

Resolved, the Board hereby approves the recommendation of the Office of Hearings and Appeals to continue the Emergency Suspension of Barton D. Bickle-Goodman, Docket No. 24333.

Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2008-121 OCC – Continuance of Emergency Suspension for Victor R. Harris

Motion Made: Board Member Rivers
Seconded: Board Member McCabe

Resolved, the Board hereby approves the recommendation of the Office of Hearings and Appeals to continue the Emergency Suspension of Victor R. Harris, Docket No. 24759.

Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2008-122 OCC – Denial of Non-Gaming Employee Registration for Sidney Taylor

Motion Made: Board Member McCabe
Seconded: Board Member Ginty

Resolved, the Board hereby denies the non-gaming employee registration application for Sidney Taylor, Docket No.20246.

Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2008-123 OCC – Non-Gaming Employee Registration for Patricia Brown

Motion Made: Board Member Ginty
Seconded: Board Member Coy

Resolved, the Board hereby grants the non-gaming employee registration application for Patricia Brown, Docket No.25802.

Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2008-124 OCC – Non-Gaming Employee Registration for Mackenly Philippe

Motion Made: Board Member Coy
Seconded: Board Member Angeli

Resolved, the Board hereby grants the non-gaming employee registration application for Mackenly Philippe, Docket No. 24918.

Board Decision: Passed by unanimous vote

BUREAU OF LICENSING

PGCB MOTION NO. 2007-125 LIC – Penn National Gaming Acquisition

Motion Made: Board Member Angeli
Seconded: Board Member Sojka

Resolved, the Board hereby approves an Order regarding the acquisition of Penn National and the change of the control fee.

Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2008-126 LIC – Temporary Key Employee Licenses

Motion Made: Board Member Sojka
Seconded: Board Member Rivers

Resolved, the Board hereby approves the issuance of 110 Temporary Key Employee licenses.

Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2008-127 LIC – Gaming and Non-Gaming Permits and Registrations

Motion Made: Board Member Rivers
Seconded: Board Member McCabe

Resolved, the Board hereby approves the Orders issuing 288 gaming employee permits and 250 non-gaming employee registrations

Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2008-128 LIC – Denial of Gaming and Non-Gaming Employee Permits and Registrations

Motion Made: Board Member McCabe
Seconded: Board Member Ginty

Resolved, the Board hereby approves the Order denying gaming and non-gaming employee licenses as follows:

<u>BOL Dbase</u>	<u>SLOTSLink</u>	<u>Applicant</u>
25185	G1009671	Karen Elston
21200	G1007403	Andrea Trammell
24937	G1009411	Darren Smith
24769	G1009271	Jorge Marroquin
25193	G1009519	Russell Stewart
25477	G1009807	Kenneth Williams
26375	N1010390	Larry Sanders
25796	N1010052	Michael Tolbert

Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2008-129 LIC – Applications for Vendor Registration

Motion Made: Board Member Ginty
Seconded: Board Member Coy

Resolved, the Board hereby approves an Order approving the applications for vendor registration as follows:

Adriana Studios
AMCOM Office Systems
Angelo's Landscape Supply, Inc.
Bernie Robbins Jewelers Inc.
Cadre Computer Resources Company
Calico Cottage Inc.
Camp Hill Cleaners, Inc., DBA: Mark Cleaners
Carroll Sign Company Inc.
Diebold, Inc.
Digital Designs Inc.
Festerville Auto Center Inc.
Fiske and Sons, Inc.
GBA Hospitality
Global Connect LLC
Gravograph-New Hermes Inc.
Guest Supply LLC
H. Betti Industries Inc./Betson
H & H Commercial Services Inc.
JC Ehrlich Company
Just Food Service Temps Inc.
Ken Snyder Communications
Mega Concrete, Inc.
Premiums & Specialties Incorporated
T. Frank McCall's, Inc.
Ward Building & Highway Specialties Inc.
Washington Motel Enterprises Inc.
William Scotsman, Inc.
Yale Development & Contracting, Inc.

Board Decision: Passed by unanimous vote

ADJOURNMENT

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