



## PENNSYLVANIA GAMING CONTROL BOARD

Meeting of the Board

June 8, 2011

Minutes

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A meeting of the Pennsylvania Gaming Control Board was held at the State Museum Auditorium, Harrisburg. The meeting began at approximately 10:00 a.m.

*Members in attendance were:*

Gregory C. Fajt, Chairman  
Raymond S. Angeli  
James B. Ginty (via teleconference)  
Keith R. McCall  
Anthony C. Moscato  
Gary A. Sojka  
Kenneth Trujillo

*Ex-Officio members in attendance were:*

Robert Coyne, Designee, Department of Revenue  
Christopher Craig, Designee, State Treasurer's Office  
Daniel Tufano, representing George Greig, Acting Secretary of Agriculture

*Individuals who appeared officially before the Board:*

Kevin O'Toole – Executive Director  
Stacey Knavel – Local Law Enforcement Grants  
R. Douglas Sherman – Petitions  
Susan Yocum - Regulations  
Steve Cook –Withdrawals, Report and Recommendations & Emergency Suspensions  
Susan Hensel – Licensing Matters  
Cyrus Pitre – Enforcement Actions  
Beth Manifesto – Enforcement Actions  
Billie Jo Matelevich-Hoang – Enforcement Actions

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

### **PUBLIC HEARING**

A Public Hearing was held regarding Mason Dixon's Petition for Reconsideration of Category 3 Award.

### **ANNOUNCEMENTS**

Chairman Fajt announced that the Board held an Executive Session on June 7<sup>th</sup> for the purpose of discussing personnel matters, pending litigation, and to conduct quasi-judicial deliberations relating to matters being considered by the Board; and again just prior to this meeting to discuss Mason Dixon's

Petition. Chairman Fajt also mentioned the license renewal for Sugarhouse Casino being held on Thursday, June 16<sup>th</sup>.

## **HUMAN RESOURCES**

### **PGCB MOTION NO. 2011-211 HR – New Hire**

Motion Made: Board Member Sojka  
Seconded: Board Member Angeli

Resolved, the Board hereby approved the hiring of Kelly Pesta as a Casino Compliance Representative for Presque Isle Downs.

Board Decision: Passed by unanimous vote

## **OFFICE OF CHIEF COUNSEL**

*Chief Counsel Doug Sherman and Allison Cassel, Assistant Chief Counsel reported on Loan Repayment Options.*

### **PGCB MOTION NO. 2011- 212 REG – Temporary Regulation # 125-153**

Motion Made: Board Member Angeli  
Seconded: Board Member Trujillo

Resolved, the Board hereby adopted Temporary Regulation # 125-153 and established a comment period of 30 days; and directs that the regulation be posted on the Board's website.

Board Decision: Passed by unanimous vote

### **PGCB MOTION NO. 2011- 213 REG – Proposed Regulation # 125-154**

Motion Made: Board Member Trujillo  
Seconded: Board Member McCall

Resolved, the Board hereby adopted Proposed Regulation # 125-154 and established a comment period of 30 days; and directs that the regulation be posted on the Board's website.

Board Decision: Passed by unanimous vote

### **PGCB MOTION NO. 2011- 214 OCC – Petition / Mason-Dixon**

Motion Made: Board Member Sojka  
Seconded: Board Member Angeli

Resolved, the Board hereby denied the Petition of Mason-Dixon for Reconsideration of a Category 3 License.

Board Decision: Passed by unanimous vote

### **PGCB MOTION NO. 2011- 215 OCC – Petition / Holdings Acquisition Co., LP**

Motion Made: Board Member McCall  
Seconded: Board Member Moscato

Resolved, the Board hereby approved the Petition of Holdings Acquisition Co., LP (Rivers Casino) for Extension of Time to Complete Ballroom. Rivers is to complete construction of its ballroom by September 30, 2011.

Docket Number: 2055-2011  
Board Decision: Passed by unanimous vote

**PGCB MOTION NO. 2011- 216 OCC – Petition / Kirandt Group, LLC**

Motion Made: Board Member Moscato  
Seconded: Board Member Sojka

Resolved, the Board hereby approved the Petition of Kirandt Group, LLC to be removed from Prohibited Gaming Service Provider List. The Kirandt Group, LLC shall pay a civil penalty in the amount of \$1,500 and pay any outstanding costs of its background investigations. Failure to cooperate in the future will result in the immediate rescission of any interim authorization to conduct business with any slot machine licensees in the Commonwealth, and the immediate placement on the Prohibited Gaming Service Provider List.

Docket Number: 2010-2011  
Board Decision: Passed by unanimous vote

**PGCB MOTION NO. 2011-217 OCC – Withdrawals / Surrenders**

Motion Made: Board Member Sojka  
Seconded: Board Member Trujillo

Resolved, the Board hereby adopted the following withdrawals:

- ✓ Ferraro foods, Inc. PGCB Doc. # 2013-2011(Licensing #37348)
- ✓ Shaun Hayes PGCB Doc. # 2066-2011(Licensing #2429-2)
- ✓ Brent Leiter PGCB Doc. # 2035-2011(Licensing #25244)
- ✓ Eric Pabian PGCB Doc. # 2008-2011(Licensing #19930)
- ✓ Kent Young PGCB Doc. # 2041-2011(Licensing #41677)
- ✓ NJG & Associates PGCB Doc. # 2032-2011(Licensing #37256)
- ✓ Nelson Gammans PGCB Doc. # 2032-2011(Licensing #37257)

Board Decision: Passed by unanimous vote

**PGCB MOTION NO. 2011- 218 OCC – Report and Recommendation / Michael Brady**

Motion Made: Board Member Trujillo  
Seconded: Board Member Angeli

Resolved, the Board hereby adopted the Report and Recommendation issued by the Office of Hearings and Appeals and the Order of Emergency suspension of Michael Brady's Temporary Gaming Level 2

Employee Permit issued by the Executive Director on March 28, 2011, shall remain in full force and effect pending further Order of the Board.

Docket Number: 1978-2011  
Board Decision: Passed by unanimous vote

**PGCB MOTION NO. 2011- 219 OCC – Report and Recommendation / Paul Derhon**

Motion Made: Board Member Angeli  
Seconded: Board Member McCall

Resolved, the Board hereby approved the Report and Recommendation issued by the Office of Hearings and Appeals and the Order of Emergency suspension of Paul Derhon's Non-Gaming Employee Registration issued by the Executive Director on April 15, 2011 shall remain in full force and effect pending further Order of the Board.

Docket Number: 2012-2011  
Board Decision: Passed by unanimous vote

**PGCB MOTION NO. 2011- 220 OCC – Report and Recommendation / Medina Lott**

Motion Made: Board Member Sojka  
Seconded: Board Member McCall

Resolved, the Board hereby remanded the matter of Medina Lott's Non-Gaming Employee Registration to the Office of Enforcement Counsel. The Board having heard contradictory evidence as to Medina Lott's criminal history, Enforcement Counsel is to further review this matter and it shall be rescheduled for Board consideration at the July 20<sup>th</sup> Board meeting.

Docket Number: 1931-2011  
Board Decision: Passed by unanimous vote

**BUREAU OF LICENSING**

**PGCB MOTION NO. 2011-221 LIC – Key Employee**

Motion Made: Board Member McCall  
Seconded: Board Member Moscato

Resolved, the Board approved a Key Employee as follows:

✓ **Downs Racing, LP**

Key Employees Initial Licensure

- **Maria Zangardi**, Director of Human Resources – Docket #3256-5

Board Decision: Passed by unanimous vote

**PGCB MOTION NO. 2011-222 LIC – Temporary Principal and Key Employee Credentials**

Motion Made: Board Member Moscato  
Seconded: Board Member Sojka

Resolved, the Board approved the issuance of 1 Temporary Principal and 7 Temporary Key Employees Credentials.

Board Decision: Passed by unanimous vote

**PGCB MOTION NO. 2011-223 LIC – Gaming & Non-Gaming Employee Permits and Registrations**

Motion Made: Board Member Sojka  
Seconded: Board Member Trujillo

Resolved, the Board approved the issuance of 202 (96 initial; 95 temporary G2; 11 full G2) Gaming Employee Permits and 75 Non-Gaming Employee Registrations.

Board Decision: Passed by unanimous vote

**PGCB MOTION NO. 2011-224 LIC – Denials**

Motion Made: Board Member Trujillo  
Seconded: Board Member Angeli

Resolved, the Board hereby approved the denial of the following Gaming and Non-Gaming Employee and Gaming Service Provider Applications:

✓ **GAMING EMPLOYEES**

<u>Docket #</u>	<u>Applicant</u>
60692	Chad Baccus
57473	Timothy Green
54803	Christina Smith
59593	Gregory Fields
59473	Robert Bollinger
59179	Crystal McBee
57518	Angela Hutt
59819	Bert Polston
58471	Lisa Jankowski
58255	Jessica Michelle Papale

✓ **NON-GAMING EMPLOYEES**

<u>Docket #</u>	<u>Applicant</u>
60314	Randy Schumacher
60440	Elise Wagner
57241	Allen Ceasar Jr.
57570	Nishaben Patel

✓ **GAMING SERVICE PROVIDERS**

<u>Docket #</u>	<u>Applicant</u>
55177	Clifton Mirror & Glass
55178	MFR Consultants, Inc.

Board Decision: Passed by unanimous vote

**PGCB MOTION NO. 2011-225 LIC – Withdrawals**

Motion Made: Board Member Angeli  
Seconded: Board Member Moscato

Resolved, the Board hereby approved the the withdrawal of 1 Key Employee License, 3 Gaming Employee Permits 13 G2 Employee Permits and 2 Non-Gaming Employee Registrations.

Board Decision: Passed by unanimous vote

### **PGCB MOTION NO. 2011-226 LIC – Gaming Service Provider Certification**

Motion Made: Board Member McCall  
Seconded: Board Member Angeli

Resolved, the Board hereby approved the Gaming Service Provider Certifications as follows:

#### **CERTIFIED GAMING SERVICE PROVIDERS**

- ✓ AmeriPark, L.L.C.
- ✓ Gaming Support, USA, Inc.
- ✓ GBA Hospitality, DBA: Gerry Brown & Associates
- ✓ Hirst and Associates, LLC
- ✓ KBS Computer Services, Inc.
- ✓ Praco, Ltd., d/b/a Vladimir Jones
- ✓ Prime Communications, Inc.

Board Decision: Passed by unanimous vote

### **PGCB MOTION NO. 2011-227 LIC – Gaming Service Provider Registration**

Motion Made: Board Member McCall  
Seconded: Board Member Moscato

Resolved, the Board hereby approved the Gaming Service Provider Registration as follows:

#### **REGISTERED GAMING SERVICE PROVIDERS**

- ✓ FORCE Drilling, LLC
- ✓ James B. Schwab Co. Inc
- ✓ Keystone Outdoor Advertising Company, Inc.
- ✓ Maven, Incorporated
- ✓ Michael D. & Renae D. McCloud, DBA: McCloud Enterprises / Friendlyway Americas
- ✓ Richard N. Best Associates, Inc.
- ✓ Suburban Heating Oil Partners, LLC, DBA: Suburban Propane
- ✓ TC Lloyd Construction Co., Inc.
- ✓ Washington Reprographics, Inc.

Board Decision: Passed by unanimous vote

### **OFFICE OF ENFORCEMENT COUNSEL**

A motion to deny the Consent Agreement between the Office of Enforcement Counsel and Holdings Acquisition Co, LP. (Rivers Casino) was made by Commissioner Moscato and seconded by Commissioner Sojka. Vote 6-1; with Commissioner Angeli being the “No” vote. A second motion to approve the Consent Agreement between Holdings Acquisition Co., LP was made by Commissioner Angeli, seconded by Commissioner McCall. Vote 6-1; with Commissioner Sojka being the “No” vote. The Consent Agreement without a qualified majority, is neither denied or approved.

**PGCB MOTION NO. 2011-228 OEC –Consent Agreement**

Motion Made: Board Member Sojka  
Seconded: Board Member Trujillo

Resolved, the Board hereby approved the Consent Agreement, with conditions, between the Office of Enforcement Counsel and Harrah's Chester Downs. Harrah's shall pay a civil penalty in the amount of \$26,000.

Board Decision: Passed by unanimous vote

**PGCB MOTION NO. 2011-229 OEC –PGCB Exclusion List**

Motion Made: Board Member Angeli  
Seconded: Board Member Trujillo

Resolved, the Board hereby approved the request of the Office of Enforcement Counsel to add Terrance General to the Pennsylvania Gaming Control Board's Exclusion List.

Docket Number: 1839-2011  
Board Decision: Passed by unanimous vote

**ADJOURNMENT**

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