



# PENNSYLVANIA GAMING CONTROL BOARD

## Meeting of the Board

November 21, 2006

## Minutes

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A meeting of the Pennsylvania Gaming Control Board was held on November 21, 2006 in the State Museum Auditorium. The meeting began at 1:20 p.m.

### *Members in attendance were:*

Thomas Decker, Chairman  
Raymond S. Angeli  
Mary DiGiacomo Colins  
Jeffrey W. Coy (via teleconference)  
Joseph W. Marshall, III (via teleconference)  
Kenneth W. McCabe  
Sanford Rivers

### *Ex-officio members in attendance were:*

Gregory C. Fajt, Secretary of Revenue

### *Individuals who appeared officially before the Board:*

Anne LaCour Neeb – agency update  
David Rhen – budgets  
Mike Walsh – employment  
Frank Donaghue – regulations, withdrawals  
Richard Sandusky – regulations  
Michelle Afragola – regulations  
Don Shiffer – possession of slot machines  
Susan Hensel – licensing

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

### **Transcript/Minutes**

On a motion by Board Member McCabe, seconded by Board Member Marhsall, the transcripts and minutes of the October 25, 2006 meetings were unanimously approved.

**Executive Director's Report**

**PGCB MOTION NO. 2006-128 ADM – Approval of the Pennsylvania State Police budget for 2006-07**

Motion Made: Board Member Coy  
Seconded: Board Member Marshall

Resolved, the Board hereby approves the Pennsylvania State Police budget for 2006-07.

Board Decision: Passed by unanimous vote

**PGCB MOTION NO. 2006-129 ADM – Approval of the Department of Revenue budget for 2006-07**

Motion Made: Board Member Angeli  
Seconded: Board Member Marshall

Resolved, the Board hereby approves the Department of Revenue budget for 2006-07.

Board Decision: Passed by unanimous vote

**PGCB MOTION NO. 2006-130 ADM – Approval of the Pennsylvania Gaming Control Board budget for 2006-07**

Motion Made: Board Member Colins  
Seconded: Board Member Marshall

Resolved, the Board hereby approves the Pennsylvania Gaming Control Board budget for 2006-07.

Board Decision: Passed by unanimous vote

**Administration**

**PGCB MOTION NO. 2006-131 HR – Employment**

Motion Made: Board Member Rivers  
Seconded: Board Member McCabe

New Hires:

Eileen McNulty, Chief Financial Officer, Office of the Executive Director  
Steve Cook, Assistant Chief Counsel III, Office of the Chief Counsel  
John Sentell, Investigator, BIE

Claude Welcome, Investigator, BIE  
Anthony Pace, Investigator, BIE  
Edward Crawford, Jr., Investigator, BIE  
Christopher Farris, Investigator, BIE  
Cyrus Pitre, Deputy Chief Enforcement Counsel, BIE  
Patricia Gustavson, Financial Analyst, BCCIC

Resolved, the Board hereby approves the hiring of all the above candidates for employment.

Board Decision: Passed by unanimous vote

**PGCB MOTION NO. 2006-132 REG – Adoption of the amendments to Chapters 401 and 492 of the temporary regulations**

Motion Made: Board Member Coy  
Seconded: Board Member McCabe

Resolved, the Board hereby adopts the editorial amendments to Chapters 401 and 492 of the temporary regulations and directs that the amendments be published in the Pennsylvania Bulletin and posted on the Board's website.

Board Decision: Passed by unanimous vote

**PGCB MOTION NO. 2006-133 REG – Adoption of the proposed regulation No. 125-53 pertaining to Subpart H – Chapter 491**

Motion Made: Board Member Angeli  
Seconded: Board Member Marshall

Resolved, the Board hereby adopts the proposed regulation No. 125-53 pertaining to Subpart H – Chapter 491, establishes a public comment period of 30 days; and directs that the proposed regulation be posted on the Board's website.

Board Decision: Passed by unanimous vote

**PGCB MOTION NO. 2006-134 BHA – Petitions to Withdraw**

Motion Made: Board Member Colins  
Seconded: Board Member Marshall

Resolved, the Board hereby approves the Orders granting withdrawal of the applications of Don Amos, Chance Enterprises, Inc., David Creary, Gordon Dickie, Peter DePaul, Lawrence R. Fishman, Thomas A. Michaels, Timothy J. Parrot, Joginder Singh; and the Affiliate applications of Crossroads GP, Inc., MS PA Gaming Holdings, Inc., and

Ventura Holdings, Inc., formerly known as MS Gaming Companies Holdings, Inc., and the Qualifier applications of Michael Garrity, Andrew Brenner, and Edgar Sabounghi.

Board Decision: Passed by unanimous vote

**PGCB RESOLUTION NO. 2006-37 GL – Possession of Slot Machines by Presque Isle Downs, Inc.**

Motion Made: Board Member Rivers  
Seconded: Board Member Colins

WHEREAS Under Section 1202(a) of the Pennsylvania Race Horse Development and Gaming Act, the Pennsylvania Gaming Control Board has general jurisdiction over all gaming activities or related activities pursuant to the act; and

WHEREAS The Board has adopted temporary regulations governing the possession and movement of slot machines in the Commonwealth, specifically 58 Pa. Code, Chapter 463, Possession of slot machines; and

WHEREAS Under 58 Pa. Code Section 463.1(b)(1), the Board may authorize the possession of slot machines in this Commonwealth for the purpose of maintaining for use or training upon its finding that the possession of slot machines by such persons in this Commonwealth is not contrary to the goals and objectives of the act; and

WHEREAS Presque Isle Downs, Inc., an entity for which a Conditional Category 1 slot machine license was approved on October 25, 2006, has submitted a written request to the Board in compliance with the regulations, to possess slot machines and related equipment in its facility located at 8199 Perry Highway, Erie, Pennsylvania 16509; and

WHEREAS The Bureau of Investigations and Enforcement has inspected the facility and has not found any outstanding security issues that would indicate that the facility is unsuitable to possess and store slot machines; and

WHEREAS The Bureau of Investigations and Enforcement has reviewed the surveillance and security department protocols proposed by Presque Isle Downs, Inc. to secure the slot machines and determined them to be adequate. A summary of said surveillance and security protocols is attached hereto and incorporated herein by reference thereto; and

WHEREAS Slot machines may only be installed and configured at the facility by persons who have been permitted or licensed as appropriate by the Board; and

WHEREAS Presque Isle Downs, Inc. agrees to comply with the requirements of Chapter 463 pertaining to possession and transportation of slot machines in this Commonwealth and to store and secure the slot machines in accordance with the protocols incorporated herein; and

WHEREAS The Board finds that the possession of slot machines by Presque Isle Downs, Inc. for the purpose of maintaining for use or training is not contrary to the goals and objectives of the act; be it

RESOLVED That the Board authorizes the possession of slot machines by Presque Isle Downs, Inc. for the purpose of maintaining them for use or training in compliance with the requirements of 58 Pa. Code, Chapter 463, subject to compliance by Presque Isle Downs, Inc. with all applicable requirements with regard to possession, transportation and securing of slot machines.

Board Decision: Passed by unanimous vote

**PGCB MOTION NO. 2006-135 LIC – Adoption of a Board Order accepting the report of the Bureau of Licensing regarding the issuance of employee credentials, permits and registrations**

Motion Made: Board Member Coy  
Seconded: Board Member Marshall

Resolved, the Board hereby approves an Order accepting the report of the Bureau of Licensing regarding the issuance of employee credentials, permits and registrations.

Board Decision: Passed by unanimous vote

**Adjournment**

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