



## **PENNSYLVANIA GAMING CONTROL BOARD**

### **Meeting of the Board**

**January 24, 2008**

### **Minutes**

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A meeting of the Pennsylvania Gaming Control Board was held on January 24, 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 W. McCabe  
Sanford Rivers  
Gary A. Sojka

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

Dennis Wolff, Secretary of Agriculture

***Ex-officio designees in attendance were:***

Keith Welks, Deputy State Treasurer for Fiscal Operations

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

Anne Neeb – agency update  
Kevin Hayes – gaming operations  
Eileen McNulty – financial report  
Stacey Knavel – local law enforcement grants  
Frank Donaghue – withdrawals of gaming and non-gaming applications  
Richard Sandusky – regulations  
Doug Sherman – report and recommendations, suspensions  
Susan Hensel – licensing update  
Dennis Wolff & Cheryl Cook – Department of Agriculture update  
Michael Walsh – administration

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

## **ANNOUNCEMENTS**

Chairman Colins announced that the Board held executive session on January 23 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.

## **TRANSCRIPTS/MINUTES**

On a motion by Board Member Angeli, seconded by Board Member Rivers, the revised minutes of the February 28, 2006 and September 27, 2006 meeting were unanimously approved.

## **EXECUTIVE DIRECTOR**

### **PGCB RESOLUTION NO. 2008-1-OGO – Internal Control Systems and Audit Protocols of Mountainview Thoroughbred Racing Association**

Motion Made: Board Member Coy  
Seconded: Board Member Rivers

- WHEREAS Under 4 Pa. C.S., Section 1202(a), the Pennsylvania Gaming Control Board (“Board”) has general and sole regulatory authority over all gaming activities or related activities; and
- WHEREAS Under 58 Pa. Code, Section 465a.2(a), a slot machine licensee must submit to the Board a written description of its internal control systems and audit protocols (collectively, “internal controls”) at least 90 days prior to the commencement of gaming operations at the licensed facility; and
- WHEREAS Under 4 Pa. C.S., Section 1322(a), a slot machine licensee may not commence slot operations until it has obtained Board-approval of its internal controls;
- WHEREAS Mountainview Thoroughbred Racing Association (“MTRA”), an entity for which a Category 1 Slot Machine License was approved on December 20, 2006, submitted to the Board its initial submission of internal controls on October 31, 2007; and
- WHEREAS The internal controls submitted by MTRA meet the minimum requirements set forth in 4 Pa. C.S., Section 1322 , including procedures for safeguarding assets and revenues; retaining accurate and reliable financial records; and ensuring complete connectivity to the central control computer system; and
- WHEREAS MTRA has submitted a narrative description of its surveillance system for the licensed facility, a table of organization; a jobs compendium; and standard operating procedures for its Finance, Information Technology, Internal Audit, Security, Slot Operations, and Surveillance Departments; and

- WHEREAS The Board is in receipt of an attestation by Mr. J. Gary Luderitz, Vice President and General Manager of MTRA, attesting that he believes, in good faith, that the submitted internal controls conform to the requirements of the Pennsylvania Race Horse Development and Gaming Act (“Act”) and the regulations promulgated thereunder; and
- WHEREAS The Board is in receipt of an attestation by Ms. Laura Pallazzo, Vice President and Chief Financial Officer of MTRA, attesting that she believes, in good faith, that the submitted internal controls are designed to provide reasonable assurance that the financial reporting conforms to generally accepted accounting principles in the United States and comply with applicable laws and regulations, including the Act and the regulations promulgated thereunder; and
- WHEREAS The Board is in receipt of a report prepared by Ernst & Young, an independent registered public accounting firm, which opines that, in all material respects, MTRA has complied with the design requirements set forth in the Board’s regulations; and
- WHEREAS MTRA, as a condition to its license, will acknowledge that the internal controls are reviewed and approved by the Board in concept form and will agree to immediately implement any procedural revisions in its internal controls as requested by the Board should Board review of the internal controls as implemented support the conclusion; be it
- RESOLVED That the Board approves the internal controls of MTRA, subject to the condition that any implementation of an amendment to the internal controls will be preceded by the Board staff’s approval of said amendment.

Board Decision: Passed by unanimous vote

**PGCB RESOLUTION NO. 2008-2-OGO – Gaming Floor Plan of Mountainview Thoroughbred Racing Association**

Motion Made: Board Member Ginty  
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 Mountainview Thoroughbred Racing Association (“MTRA”), an entity which 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 the licensed facility to be known as Hollywood Casino at Penn National Race Course; and

**WHEREAS** The gaming floor plan have 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, a cashiers' cage, a count room and placement of automated gaming voucher redemption, jackpot payout and teller machines; and

**WHEREAS** MTRA 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 MTRA, as prepared by Urban Design Group, Inc. of Atlanta, Georgia, revised through January 23, 2007 and denoted as "OP-1," which depicts 94,301 square feet of gaming floor configured to accommodate a maximum of 2,020 slot machines.

Board Decision: Passed by unanimous vote

### **CHIEF FINANCIAL OFFICER**

#### **PGCB MOTION NO. 2008-13 CFO – Local Law Enforcement Grants**

Motion Made: Board Member Angeli  
Seconded: Board Member Sojka

Resolved, the Board hereby approves the 2006-07 Local Law Enforcement Grants as follows:

- Bensalem Township Police Department - \$221,213.40
- Pike County District Attorney - \$71,668.00
- Dauphin County District Attorney - \$208,641.00

Board Decision: Passed by unanimous vote

#### **PGCB MOTION NO. 2008-14 HR – Employment**

Motion Made: Board Member Rivers  
Seconded: Board Member Coy

New Hires:

- Denise Miller-Tshudy - Assistant Chief Counsel III for Litigation, Chief Counsel Office
- Laura Burd - Law Clerk, Bureau of Hearings and Appeals

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

Board Decision: Passed by unanimous vote

**OFFICE OF CHIEF COUNSEL**

**PGCB MOTION NO. 2008-15 REG – Final-form Regulation No. 125-72**

Motion Made: Board Member Rivers  
Seconded: Board Member Coy

Resolved, the Board hereby adopts the Final-form Regulation No. 125-72 amending Chapters 421a and 423a and directs that the amendments be posted to the Board's website and published in the Pennsylvania Bulletin.

Board Decision: Passed by unanimous vote

**PGCB MOTION NO. 2008-16 REG – Proposed Regulation No. 125-81**

Motion Made: Board Member Sojka  
Seconded: Board Member Angeli

Resolved, the Board hereby adopts the Proposed Regulation No. 125-81 amending Section 441a.16; 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. 2008-17 REG – Proposed Regulation No. 125-82**

Motion Made: Board Member Coy  
Seconded: Board Member Rivers

Resolved, the Board hereby adopts the Proposed Regulation No. 125-82 adding Section 441a.24; 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. 2008-18 REG – Proposed Regulation No. 125-79**

Motion Made: Board Member Sojka  
Seconded: Board Member Angeli

Resolved, the Board hereby adopts the Proposed Regulation No. 125-79 amending Chapters 401a, 435a, 439a, 441a, 461a, 461b, 463a and 465a; 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. 2008-19 REG – Statement of Policy No. 125-83**

Motion Made: Board Member Rivers  
Seconded: Board Member Coy

Resolved, the Board hereby adopts the Statement of Policy No. 125-83 adding Section 421b.1; and directs that it be posted on the Board's website.

Board Decision: Passed by unanimous vote

**PGCB MOTION NO. 2008-20 OCC - Withdrawal of Employee Applications**

Motion Made: Board Member Sojka  
Seconded Board Member Angeli

Resolved, the Board hereby approves the withdrawal of employee applications as follows:

**Principals / Key Employees**

Paul Henderson, Docket No. Q-2676  
Victor Weclaw, Docket No. Q-2673  
James Rockar, Docket No. 2864  
Karen Wosnack, Docket No. 5795  
Peter Lusk, Docket No. 2222  
William Barcene, Docket No. 20506  
Alison Trazzera, Docket No. 19334  
Amy Birch, Docket No. 17835  
Joseph Fazio, Docket No. 17843  
Steve Pinchuk, Docket No. 1482

**Non-Gaming Employees**

Luis Rodriquez, Docket No. 7780  
Megan Emery-Ace, Docket No. 24286  
Justin Brunson, Docket No. 24451  
Andrea Bizzarro, Docket No. 24288  
Norman Collins, Docket No. 24284  
Stephanie Fyke, Docket No. 24289  
Brodie Telnock, Docket No. 23492  
Joshua Miller, Docket No. 24532  
Amber Works, Docket No. 18022

**Permittees / Gaming Employees**

Amy Ryan, Docket No. 6370  
Helen Slaven, Docket No. 6241  
Howard Pennington, Docket No. 18659  
Lauren Zimmerman, Docket No. 18658  
Matthew Turkovich, Docket No. 24868  
Lacey Daubert, Docket No. 24625

Board Decision: Passed by unanimous vote

**PGCB MOTION NO. 2008-21 OCC – Petition for Approval of the Corporate Overhead Assessment Agreement**

Motion made: Board Member Angeli  
Seconded: Board Member Sojka

Resolved, the Board hereby approves the petition for Approval of the Corporate Overhead Assessment Agreement submitted by Mountainview Thoroughbred Racing Association.

Board Decision: Passed by unanimous vote

**PGCB MOTION NO. 2008-22 OCC – Suspension of Gaming Permit for Terry Martin**

Motion Made: Board Member Coy  
Seconded: Board Member Rivers

Resolved, the Board hereby approves an Order to suspend the gaming employee permit for Terry Martin, Docket No. 39351, for a period of one year.

Board Decision: Passed by unanimous vote

**PGCB MOTION NO. 2008-23 OCC – Non-Gaming Employee Registration for Josephine Bruno**

Motion Made: Board Member Ginty  
Seconded: Board Member McCabe

Resolved, the Board hereby approves the Order to deny the non-gaming employee registration for Josephine Bruno, Docket No. 1008225.

Board Decision: Passed by unanimous vote

**PGCB MOTION NO. 2008-24 OCC – Non-Gaming Employee Registration for Michael Perez**

Motion Made: Board Member McCabe  
Seconded: Board Member Ginty

Resolved, the Board hereby approves the Order to deny the non-gaming employee registration for Michael Perez, Docket No. 1007177.

Board Decision: Passed by unanimous vote

**PGCB MOTION NO. 2008-25 OCC – Emergency Suspension for Rashidah S. Burton**

Motion Made: Board Member Coy  
Seconded: Board Member Rivers

Resolved, the Board hereby approves an Order that the Office of Hearings and Appeals conduct an evidentiary hearing for Rashidah S. Burton, Docket No. 40062, and issue a report and recommendation to the Board.

Board Decision: Passed by unanimous vote

## **LICENSING**

### **PGCB MOTION NO. 2008-26 LIC – Manufacturer License**

Motion Made: Board Member Rivers  
Seconded: Board Member Angeli

Resolved, the Board hereby approves the Order for the Manufacturer license of Atlantic City Coin and Slot Service Company.

### **PGCB MOTION NO. 2008-27 LIC – Principal and Key Employee Licenses**

Motion Made: Board Member Sojka  
Seconded: Board Member Coy

Resolved, the Board hereby approves the Order issuing the Principal and Key Employee licenses as follows:

#### **Mountainview Thoroughbred Racing Association**

##### **Key Employees**

John C. Newman, Sr., Vice President of Slot Operations  
Rosella Lynn Burkholder, Vice President of Marketing  
Joanne Marie Rogers, Casino Controller  
Nadine M. Hall, Vice President of Operations and Community Affairs  
Connie Lenker Williams, Vice President of Human Resources  
Marion Howard, Jr., Director of Security

#### **Washington Trotting Association, Inc.**

##### **Principals**

Thomas Arthur Lettero, Chief Financial Officer (CFO)  
Michael A. Day, Chief Information Officer and VP of Information Technology

##### **Key Employees**

Cynthia M. Boyd, Cage Manager  
Pamela Reuter, Lead Floor Supervisor  
Mary Catherine McGrath, Assistant Controller  
Deborah Lynn Hauser, Cage Shift Supervisor  
Carol S. Heldreth, Lead Slot Supervisor

Board Decision: Passed by unanimous vote

**PGCB MOTION NO. 2008-28 LIC – Temporary Key Employee Licenses**

Motion Made: Board Member Angeli  
Seconded: Board Member Ginty

Resolved, the Board hereby approves the Order issuing Temporary Key Employees licenses as follows:

Thomas Hemphill, Docket No. 21120  
William Fair, Docket No. 21117  
Nancy Castellano, Docket No. 21118  
Heath Blair Daughtrey, Docket No. 1463  
James Joseph Heist, Docket No. 25009  
David Ziegler, Docket No. 25181  
John Charles Troia, Docket No. 24244  
Chy Stewart, Docket No. 24348  
Danielle Espenshade, Docket No. 24980  
Joseph Gainer, Docket No. 24320  
Marie Shadle, Docket No. 24313  
Laura Palazzo, Docket No. 24245  
Daniel Terry Cuic, Docket No. 20586  
Mauryon Paul Gambill, Docket No. 20975  
John Patrick Dombrowski, Docket No. 21805  
Ryan Robert Graham, Docket No. 21804  
Colleen Sypolt, Docket No. 21148  
Maureen Anne Reilly, Docket No. 21818  
Walter Pritchyk, Jr., Docket No. 20505  
Anthony Eugene Ferruzzi, Sr., Docket No. 24098  
Charles Brian Miller, Docket No. 25120  
Janet Sue Ahenger, Docket No. 25179  
Lucy Ann Jacobsen, Docket No. 21114

Board Decision: Passed by unanimous vote

**PGCB MOTION NO. 2008-29 LIC – Gaming Permits and Non-Gaming Registrations**

Motion Made: Board Member Coy  
Seconded: Board Member Sojka

Resolved, the Board hereby approves the Orders issuing 187 gaming employee permits and 79 non-gaming employee 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 Coy, the meeting was adjourned.

I HEREBY CERTIFY THAT THESE MINUTES WERE APPROVED BY THE  
PENNSYLVANIA GAMING CONTROL BOARD AT A PUBLIC MEETING ON THE \_\_\_\_ DAY  
OF \_\_\_\_\_ 2008.

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Anne LaCour Neeb  
Executive Director