



## PENNSYLVANIA GAMING CONTROL BOARD

Meeting of the Board  
November 18, 2010  
Minutes

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A meeting of the Pennsylvania Gaming Control Board was held on November 18, 2010 at Temple University-Harrisburg Campus. The meeting began at approximately 12:30 p.m.

***Members in attendance were:***

Gregory C. Fajt, Chairman  
Raymond S. Angeli  
Jeffrey W. Coy  
James B. Ginty  
Kenneth T. McCabe  
Gary A. Sojka  
Kenneth Trujillo

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

David Barasch, representing Secretary of the Department of Revenue  
Daniel Tufano, representing Secretary of Agriculture  
Aviv Bliwas, Esquire, representing State Treasurer

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

David Rhen – Agency Financial Report  
Stacey Knavel – Local Law Enforcement Grants  
Susan Yocum - Regulations  
R. Douglas Sherman – Petitions  
Steve Cook –Withdrawals, Report and Recommendations  
Susan Hensel – Licensing Matters  
Cyrus Pitre – Enforcement Actions/PEDP  
Dale Miller – Enforcement Actions/PEDP  
F. Warren Jacoby, Esquire, representing Philadelphia Entertainment (Foxwoods)  
Robert A. Graci, Esquire, representing Philadelphia Entertainment (Foxwoods)  
William J. Downey, III, Esquire, representing Harrah's Chester Downs

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

**AN UPDATE WAS PROVIDED ON:**

- Philadelphia Entertainment and Development Partners, LP (Foxwoods)

### PUBLIC MEETING

### ANNOUNCEMENTS

Chairman Fajt announced that the Board held an Executive Session today, just prior to this meeting. The purpose of the Executive Session was to discuss personnel matters and to discuss pending litigation with its counsel, as well as to conduct quasi-judicial deliberations relating to matters coming before the Board today.

**OFFICE OF FINANCIAL MANAGEMENT**

David Rhen, Budget Manager provided an Agency Financial Report.

**PGCB MOTION NO. 2010-373 OFM – Local Law Enforcement Grants**

Motion Made: Board Member Angeli  
Seconded: Board Member Coy

Resolved, the Board hereby approves the Local Law Enforcement Grants for the Armstrong County District Attorney's Office in the amount of \$33,488 and the Washington County District Attorney's Office in the amount of \$144,000.

Board Decision: Passed by unanimous vote

**OFFICE OF CHIEF COUNSEL**

**PGCB MOTION NO. 2010-374 REG – Temporary Regulation #125-136**

Motion Made: Board Member Coy  
Seconded: Board Member Ginty

Resolved, the Board hereby adopts Temporary Regulation #125-136 and establishes a comment period of 30 days; and directs that the Temporary Regulation be posted on the Board's website.

Board Decision: Passed by unanimous vote

**PGCB MOTION NO. 2010-375 REG – Proposed Regulation #125-137**

Motion Made: Board Member Ginty  
Seconded: Board Member McCabe

Resolved, the Board hereby adopts Proposed Regulation #125-137 and establishes a 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. 2010-376 OCC – Petition / Mount Airy – Dr. Anthony Ceddia**

Motion Made: Board Member McCabe  
Seconded: Board Member Sojka

Resolved, the Board hereby approves Mount Airy #1, LLC's Petition for Approval of Dr. Anthony Ceddia to Serve on Mount Airy's Independent Audit Committee.

Docket Number: 1639-2010

Board Decision: Passed by unanimous vote

**PGCB MOTION NO. 2010-377 OCC – Petition / Philadelphia Entertainment and Development Partners – Motion for Summary Judgment**

Motion Made: Board Member Trujillo  
Seconded: Board Member Angeli

Resolved, the Board hereby denies Philadelphia Entertainment and Development Partners, LP; PEDP Motion for Summary Judgment; RE: Revocation.

Docket Number: 1408-2010  
Board Decision: Passed by unanimous vote

**PGCB MOTION NO. 2010-378 OCC – Petition / Office of Enforcement Counsel Motion for Summary Judgment regarding Revocation of Philadelphia Entertainment and Development Partners, LP License**

Motion Made: Board Member McCabe  
Seconded: Board Member Trujillo

Resolved, the Board hereby tables Commissioner Sojka's motion to grant the OEC Motion for Summary Judgment regarding revocation of Philadelphia Entertainment and Development Partners, LP's License and that the Board requires PEDP to submit all documents to the OEC by December 10, 2010 and that this matter be re-addressed at the December 16<sup>th</sup> meeting.

Docket Number: 1408-2010  
Board Decision: Passed by unanimous vote

**PGCB MOTION NO. 2010-379 OCC – Withdrawals / Surrenders**

Motion Made: Board Member Angeli  
Seconded: Board Member Coy

Resolved, the Board hereby grants the withdrawal or surrender of Principal and Key Employee Applications, or Licenses, as well as Gaming Service Provider Registrations or Certifications as follows:

- |                         |                        |                        |
|-------------------------|------------------------|------------------------|
| ➤ NRT Technology Corp.  | Licensing No. 1163-5;  | PGCB Doc No. 1484-2010 |
| ➤ Universal Ent. Corp.  | Licensing No. 2137;    | PGCB Doc No. 1663-2010 |
| ➤ Kazuo Okada           | Licensing No. 2141-4;  | PGCB Doc No. 1663-2010 |
| ➤ Tomohiro Okada        | Licensing No. 2145-3;  | PGCB Doc No. 1663-2010 |
| ➤ Hajime Tokuda         | Licensing No. 20495-2; | PGCB Doc No. 1663-2010 |
| ➤ Mitsuhiro Kitabatake  | Licensing No. 30375-1; | PGCB Doc No. 1663-2010 |
| ➤ Hiroyuki Sawada       | Licensing No. 2165-1;  | PGCB Doc No. 1663-2010 |
| ➤ Yoshiyuki Shoji       | Licensing No. 8851-2;  | PGCB Doc No. 1663-2010 |
| ➤ Whitebriar Fin. Corp. | Licensing No. 19429-1; | PGCB Doc No. 1636-2010 |

Board Decision: Passed by unanimous vote

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**PGCB MOTION NO. 2010-380 OCC – Report and Recommendation / Jimmie Brown**

Motion Made: Board Member Coy  
Seconded: Board Member Ginty

Resolved, the Board hereby adopted the Report and Recommendation issued by the Office of Hearings and Appeals and denied the Non-Gaming Employee Registration of Jimmie Brown.

Docket Number: 1556-2010  
Board Decision: Passed by unanimous vote

**PGCB MOTION NO. 2010-381 OCC – Report and Recommendation / Lisa Kastle**

Motion Made: Board Member Ginty  
Seconded: Board Member McCabe

Resolved, the Board hereby adopted the Report and Recommendation issued by the Office of Hearings and Appeals and denied the Non-Gaming Employee Registration of Lisa Kastle.

Docket Number: 1539-2010  
Board Decision: Passed by unanimous vote

**PGCB MOTION NO. 2010-382 OCC – Report and Recommendation / Tyler Lepley**

Motion Made: Board Member McCabe  
Seconded: Board Member Sojka

Resolved, the Board hereby adopted the Report and Recommendation issued by the Office of Hearings and Appeals and denied the Gaming Employee Permit of Tyler Lepley.

Docket Number: 1560-2010  
Board Decision: Passed by unanimous vote

**PGCB MOTION NO. 2010-383 OCC – Report and Recommendation / JRR**

Motion Made: Board Member Sojka  
Seconded: Board Member Trujillo

Resolved, the Board hereby adopts the Report and Recommendation issued by the Office of Hearings and Appeals and denied the Petition of J.R.R. for removal from List of Self-Excluded Persons.

Docket Number: 1602-2010  
Board Decision: Passed by unanimous vote

**PGCB MOTION NO. 2010-384 OCC – Emergency Suspension / Scott Ferguson**

Motion Made: Board Member Trujillo  
Seconded: Board Member Angeli

Resolved, the Board ordered that the emergency suspension of Scott Ferguson be referred to the Office of Hearings and Appeals to promptly conduct a hearing to determine the validity of the Temporary

Emergency Order of Suspension and to issue a Report and Recommendation regarding same. The Temporary Emergency Suspension of Scott Ferguson's Non-Gaming Employee Registration will remain in effect until otherwise ordered by this Board.

Docket Number: 1724-2010  
Board Decision: Passed by unanimous vote

**PGCB MOTION NO. 2010-385 OCC – Emergency Suspension – Mark Wherley**

Motion Made: Board Member Trujillo  
Seconded: Board Member Angeli

Resolved, the Board ordered that the emergency suspension of Mark Wherley's Gaming Employee Permit be referred to the Office of Hearings and Appeals to promptly conduct a hearing to determine the validity of the Temporary Emergency Order of Suspension and to issue a Report and Recommendation regarding same. The Temporary Emergency Suspension of Mark Wherley's Gaming Employee Permit will remain in effect until otherwise ordered by this Board.

Docket Number: 1732 -2010  
Board Decision: Passed by unanimous vote

**BUREAU OF LICENSING**

**PGCB MOTION NO. 2010-386 LIC – IGT**

Resolved, the Board deferred the motion and tables the renewal of IGT's Slot Machine Manufacturer License.

Board Decision: Passed by unanimous vote

**PGCB MOTION NO. 2010-387 LIC –Principal Employee License**

Motion Made: Board Member Coy  
Seconded: Board Member Ginty

Resolved, the Board hereby approves the issuance of a Principal Employee License as follows:

➤ **Presque Isle Downs, Inc.**  
**Principal Renewal**

**Edson Robert Arneault**, 4.35% Ownership Interest in MTR Gaming Group, Inc, which is 100% owner of Presque Isle Downs, Inc. – Docket #1371-2

Board Decision: Passed by unanimous vote

**PGCB MOTION NO. 2010-388 LIC – Temporary Key Employee Credentials**

Motion Made: Board Member Ginty  
Seconded: Board Member McCabe

Resolved, the Board hereby approves the issuance of Temporary Key Employee Credentials as follows:

➤ **Chester Downs and Marina, LLC**

Adriana Cynthia Zirpoli  
Helmut Mizzay Littlejohn  
Sean Adam Baumgartner

➤ **Holdings Acquisition Co., L.P.**

Christy Lynn College  
James Daniel Cahill  
Michael Bowman

➤ **Mount Airy #1, LLC**

Dennis Asselta

Board Decision: Passed by unanimous vote

**PGCB MOTION NO. 2010-389 LIC – Issuance of Gaming and Non-Gaming Permits and Registrations**

Motion Made: Board Member McCabe  
Seconded Board Member Sojka

Resolved, the Board hereby approves the issuance of 393 (281 initial; 112 temporary G2) Gaming Employee Permits and 117 Non-Gaming Employee Registrations.

Board Decision: Passed by unanimous vote

**PGCB MOTION NO. 2010-390 LIC – Key Employee Applications**

Motion Made: Board Member Sojka  
Seconded Board Member Trujillo

Resolved, the Board hereby approves the withdrawal of 69 Key Employee Applications

Board Decision: Passed by unanimous vote

**PGCB MOTION NO. 2010-391 LIC – Gaming Service Provider Registration**

Motion Made: Board Member Trujillo  
Seconded: Board Member Sojka

Resolved, the Board hereby approves the applications for Gaming Service Provider Registrations as follows:

- AMG Holdings, LLC
- Carrier Corporation
- Connell Equipment, Inc. DBA: RLE ENTERPRISES
- Delta / B.J.D.S., Inc.
- Don J. Urie Associates, Inc.
- DS Waters of America, Inc., DBA: Kentwood Springs, Roast2Coast, Alhambra
- G & S Containers, Inc. DBA: G & S Container Services, Inc.
- Impakt Media Group, LLP
- International Salt Company, LLC

➤ Pestco Professional Services, LLC

Board Decision: Passed by unanimous vote

**ADJOURNMENT**

On a motion by Board Member Angeli, and seconded by Board Member McCabe, the meeting was adjourned.

I HEREBY CERTIFY THAT THESE MINUTES WERE APPROVED BY THE PENNSYLVANIA GAMING CONTROL BOARD AT A PUBLIC MEETING ON THE 16th DAY OF **DECEMBER,** 2010.

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Mickey Kane, Board Secretary