



PENNSYLVANIA GAMING CONTROL BOARD

Meeting of the Board
December 16, 2010
Minutes

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
Jeffrey W. Coy
James B. Ginty
Kenneth T. McCabe
Gary A. Sojka
Kenneth Trujillo

Ex-Officio members in attendance were:

Honorable Russell Redding, Secretary of Agriculture
David Barasch, representing Secretary of the Department of Revenue
Aviv Bliwas, Esquire, representing State Treasurer

Individuals who appeared officially before the Board:

Kevin O'Toole – Executive Director
David Rhen – Agency Financial Report
Susan Yocum - Regulations
R. Douglas Sherman – Petitions
Steve Cook –Withdrawals, Report and Recommendations
Susan Hensel – Licensing Matters
Cyrus Pitre – Enforcement Actions
Dustin Miller – Enforcement Actions
Katherine Higgins – Enforcement Actions
Melissa Powers – Enforcement Actions
Nan Davenport – Enforcement Actions
Nancy L. Wasch, Esquire, PA Horsemen's Benevolent and Protective Association
Todd Mostoller, Exec. Director, PA Horsemen's Benevolent and Protective Association
Bobby Soper, President, Mohegan Sun Casino

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 on November 24th, December 15th and 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. Today's Executive Session was for the purpose of conducting quasi-judicial deliberations regarding the matters held earlier.

MINUTES/TRANSCRIPT

Approved the minutes and transcripts of the October 6th, October 27th and November 18th meetings.

Motion Made: Board Member Angeli
Seconded: Board Member Coy

Board Decision: Passed by unanimous vote

EXECUTIVE DIRECTOR'S REPORT

Kevin O'Toole highlighted the significant success of table games from a tax perspective since implementation in mid-July 2010. He reported that in four and a half months, the Commonwealth of Pennsylvania has received just shy of \$30 million dollars from this new source of tax revenue. \$3.4 million dollars of that tax revenue will go to the local share assessment and \$26.6 million dollars will go to the state's general fund. Positive trends are in motion as table game revenue has increased its percentage share of total revenue, i.e. slots and table games combined; and since table games were implemented, slot revenues have continued to increase when comparing 2010 figures with 2009 figures. From July through November of this year, slot revenue has increased at a 10.1 percent clip. The PGCB, with these trends, have every reason to believe that the revenue figures from Pennsylvania's casinos will continue to surprise observers of the casino industry throughout the nation.

OFFICE OF FINANCIAL MANAGEMENT

David Rhen, Budget Manager provided an Agency Financial Report.

PGCB MOTION NO. 2010-392 RG – PA Horsemen's Benevolent and Protective Association's Trainer Retirement Plan

Motion Made: Board Member Coy
Seconded: Board Member Ginty

Resolved, the Board hereby approves the PA Horsemen's Benevolent and Protective Association Trainer's Retirement Plan based upon the representations made and evidence presented. The Trainer's Retirement Plan was also approved by the Board with the understanding that any changes or modifications must come before the Board for further approval.

Board Decision: Passed by unanimous vote

OFFICE OF CHIEF COUNSEL

PGCB MOTION NO. 2010-393 REG – Temporary Regulation #125-139

Motion Made: Board Member Ginty

Seconded: Board Member McCabe

Resolved, the Board hereby adopts Temporary Regulation #125-139 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. 2010-394 REG – Proposed Regulation #125-138

Motion Made: Board Member Sojka
Seconded: Board Member Trujillo

Resolved, the Board hereby adopts Proposed Regulation #125-138 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. 2010-395 OCC – Petition / Philadelphia Entertainment & Development Partners (Foxwoods)

Motion Made: Board Member McCabe
Seconded: Board Member Sojka

Resolved, the Board hereby revokes the Category 2 License issued to Philadelphia Entertainment and Development Partners, L.P.

Docket Number: 1408-2010
Board Decision: Roll: 6 - Aye, 1-Nay (Ginty)

PGCB MOTION NO. 2010-396 OCC – Petition / Mount Airy #1 LLC – Approval of Gaming Floor Plan

Motion Made: Board Member Trujillo
Seconded: Board Member Angeli

Resolved, the Board hereby approves Mount Airy #1, LLC's Petition for Approval of Gaming Floor Plan with conditions.

Docket Number: 1623-2010
Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2010-397 OCC – Petition / Mount Airy #1 LLC – Revised Gaming Floor Plan – Reduction of Slots

Motion Made: Board Member Trujillo
Seconded: Board Member Angeli

Resolved, the Board hereby approves Mount Airy #1, LLC's Petition for Approval of a *Revised* Gaming Floor Plan, with conditions.

Docket Number: 1678-2010

Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2010-398 OCC – Petition / Dubin Paper Company

Motion Made: Board Member Ginty
Seconded: Board Member McCabe

Resolved, the Board hereby approves Dubin Paper Company's Petition to be Removed from the Prohibited Gaming Service Provider List. Dubin Paper Company shall pay a civil penalty in the amount of \$1,500 within 15 days. When payment is received, Dubin Paper Company will be removed from the Prohibited Gaming Service Provider List.

Docket Number: 1667-2010
Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2010-399 OCC – Petition / Greenwood Gaming & Entertainment, Inc.

Motion Made: Board Member Coy
Seconded: Board Member Sojka

Resolved, the Board hereby approves the Greenwood Gaming and Entertainment, Inc.'s Petition for Waiver of the Requirements that Security Department Create Access Cards, with conditions. Those conditions are that Greenwood will continue to have those employees responsible for issuing and creating its access cards shall be licensed as Gaming Employees; to continue to maintain a secure storage location of the unused and un-issued access cards in the Finance Department; and the ability to access and change access levels privileges for the cards be limited to the position of Operations Manager or above in Greenwood's IT department

Docket Number: 1503-2010
Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2010-400 OCC – Petition / Greenwood Gaming & Entertainment, Inc.

Motion Made: Board Member Coy
Seconded: Board Member Angeli

Resolved, the Board hereby approves Greenwood Gaming and Entertainment, Inc.'s Petition for Gaming Floor Expansion (OP-16A and OP-16B) with 23 conditions. The Board also approves Greenwood's request to maintain confidential certain of the documents filed in this matter. The balance of the relief requested be denied without prejudice.

Docket Number: 1696-2010
Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2010-401 OCC – Withdrawals / Surrenders

Motion Made: Board Member Sojka
Seconded: Board Member Trujillo

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:

➤ CBS Outdoor, Inc.	Licensing No. 2779;	PGCB Doc No. 1674-2010
➤ Craig Scott Billings	Licensing No. 44856;	PGCB Doc No. 1697-2010
➤ Anthony Ciorciari	Licensing No. 8775-5;	PGCB Doc No. 1698-2010
➤ Paulus Karskens	Licensing No. 1258-3;	PGCB Doc No. 1699-2010
➤ Ann Penfield	Licensing No. 27700-2;	PGCB Doc No. 1673-2010
➤ Genetout No. 6 Trust	Licensing No. 28386;	PGCB Doc No. 42943
➤ Custodians Settlement No. 6	Licensing No. 28384;	PGCB Doc No. 1726-2010
➤ Ian Fair	Licensing No. 29294;	PGCB Doc No. 1749-2010

Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2010-402 OCC – Report and Recommendation / Beatris Valentino

Motion Made: Board Member Trujillo
Seconded: Board Member Coy

Resolved, the Board hereby adopts the Report and Recommendation issued by the Office of Hearings and Appeals and denied the Gaming Employee Permit of Beatris Valentino.

Docket Number: 1627-2010
Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2010-403 OCC – Report and Recommendation / Christina Coney

Motion Made: Board Member Angeli
Seconded: Board Member Coy

Resolved, the Board hereby adopts the Report and Recommendation issued by the Office of Hearings and Appeals and denied the Non-Gaming Employee Registration of Christina Coney.

Docket Number: 1555-2010
Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2010-404 OCC – Report and Recommendation / Jeffrey Downtin

Motion Made: Board Member Coy
Seconded: Board Member Ginty

Resolved, the Board hereby adopts the Report and Recommendation, with some factual corrections (included in the Board Order) issued by the Office of Hearings and Hearings and Appeals and denied the Non-Gaming Employee Registration of Jeffrey Downtin.

Docket Number: 1651-2010
Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2010-405 OCC – Report and Recommendation / S.A.B.

Motion Made: Board Member Ginty
Seconded: Board Member McCabe

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

Docket Number: 1557-2010
Board Decision: Passed by unanimous vote

BUREAU OF LICENSING

PGCB MOTION NO. 2010-406 LIC – Principal Employee Licenses

Motion Made: Board Member McCabe
Seconded: Board Member Sojka

Resolved, the Board approves the issuance of Principal Employee Licenses as follows:

Mount Airy #1, LLC

- Anthony F. Ceddia, Member of the Independent Audit Committee – Docket ##26011
- Lawrence Lance Cole, Member of the Independent Audit Committee – Docket #25868
- Lucian Patrick Ross Member of the Independent Audit Committee – Docket #55411

Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2010-407 LIC – Temporary Principal and Key Employee Credentials

Motion Made: Board Member Sojka
Seconded: Board Member Trujillo

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

- Krisa Lyn Cardinal – Key Employee – Downs Racing
- Charles Berdinis – Key Employee – Hollywood
- Martin Louis Kolovich – Key Employee – The Meadows
- David G. Patent – Principal – Rivers
- Rhonda Gilchrist – Key Employee – Rivers
- Timothy Andrew Hill – Key Employee – Rivers
- Jesse Eugene Schell – Key Employee – Sugarhouse
- Patricia Sue Tuck – Key Employee - Sugarhouse

Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2010-408 LIC – Issuance of Gaming and Non-Gaming Permits and Registrations

Motion Made: Board Member Trujillo
Seconded: Board Member Angeli

Resolved, the Board hereby approves the issuance of 676 (461 initial; 215 G2 temporary) Gaming Employee Permits and 208 Non-Gaming Employee Registrations.

Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2010-409 LIC – Denial of Gaming, Non-Gaming and Gaming Service Provider Applications

Motion Made: Board Member Angeli
Seconded Board Member Coy

Resolved, the Board hereby approves the denial of Gaming Employee Permits, Non-Gaming Employee Registrations and Gaming Service Providers as follows:

GAMING

<u>Docket #</u>	<u>Applicant</u>
49207	Brandon Moody
55909	Daniel Prescott
53522	Glenn Stevens
17645	John Santana
47763	Kay Lebo
47525	Scott Toliver
50407	Demetrious Richardson
47849	Todd Davis

NON-GAMING

<u>Docket #</u>	<u>Applicant</u>
53686	Abdur-Raheem Salahuddin
54050	Geniece Carroll
51765	Ronnie Montgomery

GAMING SERVICE PROVIDER DENIALS

Victory Woodworks, Inc.
U.S. Shrink Wrap, Inc.

Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2010-410 LIC – Withdrawal of Key Employee, Gaming, Non-Gaming Permits and Registrations

Motion Made: Board Member Coy
Seconded Board Member Ginty

Resolved, the Board hereby approves the withdrawal of 82 Key Employee Applications, 71 Gaming Employee Permits and 10 Non-Gaming Employee Registrations

Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2010-411 LIC – Gaming Service Provider Certification

Motion Made: Board Member Ginty
Seconded: Board Member McCabe

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

- Brucelli Advertising Co., Inc.
- LSFC, Inc.
- Madison Construction Company
- Sun Rustic, LLC

Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2010-412 LIC – Additions to Prohibited Gaming Service Provider List

Motion Made: Board Member McCabe
Seconded: Board Member Sojka

Resolved, the Board hereby approves the addition of Gaming Service Providers to the Prohibited Gaming Service Provider List as follows:

- Densification, Inc.
- Sandler Seating
- Vision Solutions, Inc.

Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2010-413 LIC – Abandonment of Gaming Service Provider Applications

Motion Made: Board Member Sojka
Seconded: Board Member Trujillo

Resolved, the Board hereby approves the following Gaming Service Provider Applications as abandoned:

- Compudigm International Limited
- JVS Specialties
- The Van Group, Inc

Board Decision: Passed by unanimous vote

OFFICE OF ENFORCEMENT COUNSEL

PGCB MOTION NO. 2010-414 OEC – Consent Agreement / Downs Racing, LP

Motion Made: Board Member Trujillo
Seconded: Board Member Angeli

Resolved, the Board hereby approves the Consent Agreement between the Office of Enforcement Counsel and Downs Racing, L.P. (Mohegan Sun at Pocono Downs). Consistent with the terms of the Consent Agreement, Downs Racing, L.P. shall pay, within 15 days of the Board Order, a civil penalty in the amount of \$47,000.

Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2010-415 OEC – Suspension/Revocation – Faisal Ibrahim

Motion Made: Board Member Angeli
Seconded: Board Member Coy

Resolved, a Rule was issued upon Faisal Ibrahim to appear before the Board during its regularly scheduled January 6, 2011 meeting and show cause why the Board should not issue a more severe sanction than that proposed by BIE (request for Default Judgment), up to and including Revocation of his Non-Gaming Employee Registration.

Docket Number: 1333-2010
Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2010-416 OEC – PGCB Exclusion List

Motion Made: Board Member Sojka
Seconded: Board Member Ginty

Resolved, the Board adds Frank Dellisanti to the Pennsylvania Gaming Control Board's Exclusion List. Frank Dellisanti shall not enter or game at a licensed facility or collect any winnings as a result of gaming. It is further ordered, that should he attempt to gain access to a licensed facility that he be ejected.

Docket Number: 1635-2010
Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2010-417 OEC – PGCB Exclusion List

Motion Made: Board Member Ginty
Seconded: Board Member McCabe

Resolved, the Board adds Paul Vargas to the Pennsylvania Gaming Control Board's Exclusion List. Paul Vargas shall not enter or game at a licensed facility or collect any winnings as a result of gaming. It is further ordered, that should he attempt to gain access to a licensed facility that he be ejected

Docket Number: 1688-2010
Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2010-418 OEC – PGCB Exclusion List

Motion Made: Board Member McCabe
Seconded: Board Member Sojka

Resolved, the Board adds Donald Waige to the Pennsylvania Gaming Control Board's Exclusion List. Donald Waige shall not enter or game at a licensed facility or collect any winnings as a result of gaming. It is further ordered, that should he attempt to gain access to a licensed facility that he be ejected

Docket Number: 1660-2010
Board Decision: Passed by unanimous vote

ADJOURNMENT

On a motion by Commissioner Sojka, seconded by Trujillo, Chairman Fajt adjourned the meeting