



## PENNSYLVANIA GAMING CONTROL BOARD

Meeting of the Board

June 13, 2012

Minutes

A meeting of the Pennsylvania Gaming Control Board was held at the Office of Hearings and Appeals, Strawberry Square Complex, 2<sup>nd</sup> Floor, Harrisburg. The meeting began immediately following the public hearings.

***Members in attendance were:***

William H. Ryan, Jr., Chairman  
Gregory C. Fajt  
James B. Ginty  
Keith R. McCall  
Anthony C. Moscato  
Gary A. Sojka  
Kenneth Trujillo

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

Robert Coyne, Designee, Department of Revenue  
Jennifer Langan representing State Treasurer's Office

***PA Gaming Control Board Staff who appeared officially before the Board:***

Kevin O'Toole – Executive Director's Report  
Claire Yantis – Personnel Matters  
R. Douglas Sherman - Petition  
Steve Cook – Withdrawals, Report and Recommendations  
Susan Hensel – Licensing Matters  
Cyrus Pitre – Enforcement Actions  
Barry Creany – Enforcement Actions  
Dustin Miller – Enforcement Actions  
Dale Miller – Enforcement Actions  
Dustin Miller – Enforcement Actions

***Witnesses/Outside Counsel:***

N/A

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

### **ANNOUNCEMENTS**

Chairman Ryan reported that the Board held an Executive Session on June 12<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 on June 13<sup>th</sup>.

### **PUBLIC HEARING**

The following hearing was heard and the matter was closed. The matter was addressed during the regular portion of the meeting.

- The Greenwood Gaming hearing was held on their Petition Regarding Shuttle Bus Requirement and voted on during regular session.

**MINUTES/TRANSCRIPT**

On a motion by Commissioner Trujillo, seconded by Commissioner Sojka, the minutes and transcript of the May 2, 2012 meeting were approved.

**HUMAN RESOURCES**

**PGCB MOTION NO. 2012-668 HR – Policy Number 106**

Motion Made: Board Member Fajt  
Seconded: Board Member McCall

Resolved, the Board hereby approved the Performance Management Policy.

Board Decision: Passed by unanimous vote.

**PGCB MOTION NO. 2012-669 HR – Policy Number 100**

Motion Made: Board Member McCall  
Seconded: Board Member Moscato

Resolved, the Board hereby approved the Classification and Compensation Policy.

Board Decision: Passed by unanimous vote.

**OFFICE OF FINANCIAL MANAGEMENT**

David Rhen, Budget Manager, provided an update on revenue and expenditures.

**OFFICE OF CHIEF COUNSEL**

**PGCB MOTION NO. 2012-670 OCC – Petition**

Motion Made: Board Member Sojka  
Seconded: Board Member Moscato

Resolved, the Board hereby approved the consolidation of Mount Airy #1, LLC's pending petitions for consideration.

Board Decision: Passed by unanimous vote.

**PGCB MOTION NO. 2012-671 OCC – Petition**

Motion Made: Board Member Moscato  
Seconded: Board Member McCall

Resolved, the Board hereby approved, in part, Mount Airy #1, LLC's Petition for Approval of a Corporate Restructuring; Petition to Modify its Statement of Conditions and Petition to Amend Board Order.

OHA Docket #: 1980-2011, 2161-2011 & 2080-2011  
Board Decision: Passed by unanimous vote.

**PGCB MOTION NO. 2012-672 OCC – Petition**

Motion Made: Board Member Ginty  
Seconded: Board Member Fajt

Resolved, the Board hereby approved Greenwood Gaming and Entertainment, Inc.'s Petition regarding its Shuttle Bus Requirement.

OHA Docket #: 2339-2011  
Board Decision: Passed by unanimous vote.

**PGCB MOTION NO. 2012-673 OCC – Petition**

Motion Made: Board Member Fajt  
Seconded: Board Member Trujillo

Resolved, the Board hereby approved Holdings Acquisition Co., LP's Petition for Approval of Change of Ownership.

OHA Docket #: 2685-2012  
Board Decision: Passed by unanimous vote.

**PGCB MOTION NO. 2012-674 OCC – Petition**

Motion Made: Board Member Trujillo  
Seconded: Board Member Sojka

Resolved, the Board hereby approved Mujahid Fareed's Petition to reapply for a Gaming Employee Permit.

OHA Docket #: 2669-2012  
Board Decision: Passed by unanimous vote.

**PGCB MOTION NO. 2012-675 OCC – Petition**

Motion Made: Board Member Sojka  
Seconded: Board Member Moscato

Resolved, the Board hereby approved the revocation of Javier Zighelboim's Gaming Employee Permit.

OHA Docket #: 2416-2011  
Board Decision: Passed by unanimous vote.

**PGCB MOTION NO. 2012-676 OCC – Withdrawals/Surrenders**

Motion Made: Board Member Moscato  
Seconded: Board Member McCall

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

- Lift Marketing, LLC Licensing No. 19186; PGCB Doc No. 2291-2011

- Daniel Howard Scott Licensing No. 49001; PGCB Doc No. 2664-2012
- Philip S. Smith Licensing No. 1306-5; PGCB Doc No. 2670-2012

Board Decision: Passed by unanimous vote.

**PGCB MOTION NO. 2012-677 OCC – Meng Su Khou**

Motion Made: Board Member McCall  
Seconded: Board Member Ginty

Resolved, the Board hereby adopted the Report and Recommendation issued by the Office of Hearings and Appeals and Meng Su Khou will not be added to the PGCB Exclusion List

OHA Docket #: 2555-2012  
Board Decision: Passed by unanimous vote.

**PGCB MOTION NO. 2012-678 OCC – John Banh**

Motion Made: Board Member Ginty  
Seconded: Board Member Fajt

Resolved, the Board hereby rejected the Report and Recommendation issued by the Office of Hearings and Appeals regarding John Banh’s Gaming Employee Permit. John Banh can be considered for licensure, notwithstanding his June 7, 2010 arrest on drug related charges given his subsequent completion of the Philadelphia Drug Court Program.

OHA Docket #: 1507-2010  
Board Decision: Passed by unanimous vote.

**BUREAU OF LICENSING**

**PGCB MOTION NO. 2012-679 LIC – Manufacturer Licenses**

Motion Made: Board Member Trujillo  
Seconded: Board Member Sojka

Resolved, the Board hereby approved the renewal of Shuffle Master, Inc.’s Slot Machine and Table Game Manufacturer Licenses.

Board Decision: Passed by unanimous vote.

**PGCB MOTION NO. 2012-680 LIC – Principal & Key Employee Licenses**

Motion Made: Board Member Sojka  
Seconded: Board Member Moscato

Resolved, the Board hereby approved the issuance of the following Principal and Key Employee Licenses as follows:

**Downs Racing, LP**

Key Employee Initial Licensure

- **Ronald Caverly**, Director of Player Development – Docket #62141-1

**Washington Trotting Association, Inc.**

Key Employee Initial Licensure

- **Tanya K. Kash**, Corporate Director of Information Technology for Cannery Casino Resorts, LLC, the ultimate parent company of Washington Trotting Association, Inc. – Docket #57500-1

**Mount Airy #1, LLC**

Key Employee Initial Licensure

- **Frances Kneisc**, Executive Director of Human Resources – Docket #60885-1

**Sands Bethworks Gaming, LLC**

Principal Initial Licensure

- **Gayle M. Hyman**, Senior Vice President and General Counsel for Las Vegas Sands Corporation, which is the ultimate parent company of Sands Bethworks Gaming, LLC – Docket #50936-1

**Valley Forge Convention Center Partners, LP**

Key Employees Initial Licensure

- **William F. Mikus**, Vice President of Human Resources – Docket #65746-1
- **Michael J. Gartner**, Vice President of Information Technology – Docket #65747-1

**Arraya Solutions, Inc.**

Initial Qualification

- **Eric S. Condran**, Sales Executive – Docket #58319-1

**High Concrete Group, LLC**

Initial Qualification

- **High Industries, Inc.**, 100% owner of High Concrete Group, LLC – Docket #64506-1
- **Melvin D. Pullen**, President of High Concrete Group, LLC – Docket #64508-1

**PGCB MOTION NO. 2012-671 LIC – Temporary Principal & Key Employee Credentials**

Motion Made: Board Member Moscato

Seconded: Board Member McCall

Resolved, the Board hereby approved the issuance of 1 Temporary Principal and 12 Temporary Key Employee Credentials.

Board Decision: Passed by unanimous vote

**PGCB MOTION NO. 2012-672- LIC – Gaming & Non-Gaming Employee Permits and Registrations**

Motion Made: Board Member McCall

Seconded: Board Member Ginty

Resolved, the Board hereby approved the issuance of 494 (89 full G2 employees; 182 initial; 114 renewals; 109 Temporary G2 employees) Gaming Employee Permits and 143 Non-Gaming Employee Registrations.

Board Decision: Passed by unanimous vote

**PGCB MOTION NO. 2012-673- LIC – Denials**

Motion Made: Board Member Ginty

Seconded: Board Member Fajt

Resolved, the Board hereby approved the denial of 9 Gaming Employee Permits and 1 Non-Gaming Employee Registration as follows:

**GAMING EMPLOYEE PERMITS**

- Kevin John Folio – Docket #65331
- John Hedgepeth – Docket #66214
- Son Nid – Docket #67615
- James Battestelli – Docket #67624
- Sierra Hamilton – Docket #67999
- Michael Spadaccini – Docket #66292
- Derrick Gibbs – Docket #66504
- Porsche Pinder – Docket #66326
- Tamara Drummond – Docket #67289

**NON-GAMING EMPLOYEE REGISTRATIONS**

- Jordan Tyler Wade – Docket #68844

Board Decision: Passed by unanimous vote

**PGCB MOTION NO. 2012-674 LIC – Withdrawals**

Motion Made: Board Member Fajt  
Seconded: Board Member Trujillo

Resolved, the Board hereby approved the withdrawals of 4 Key Employees, 54 G2 Employees, 16 Gaming Employee Permits and 5 Non-Gaming Employee Registrations.

Board Decision: Passed by unanimous vote

**PGCB MOTION NO. 2012-675 LIC – GSP Certification**

Motion Made: Board Member Trujillo  
Seconded: Board Member Sojka

Resolved, the Board approved the Gaming Service Provider Certification for Outthink, LLC.

Board Decision: Passed by unanimous vote

**PGCB MOTION NO. 2012-676 LIC – GSP Registration**

Motion Made: Board Member Sojka  
Seconded: Board Member Moscato

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

- Capital Area Communications
- Clean Air Systems, Inc., DBA: Casino Air Incorporated
- E. GADS, LLC
- General Controls, Inc.
- Global Promotional Sourcing, DBA: Proforma GPS
- Krisstone, LLC
- Lucky 9 Enterprises Inc.

- Mark-It Smart, Inc.
- Venue Classic, LLC

Board Decision: Passed by unanimous vote

**PGCB MOTION NO. 2012-677 LIC – GSP Application Abandonment**

Motion Made: Board Member Moscato  
Seconded: Board Member McCall

Resolved, the Board hereby approved the approved the abandonment of Nordquist Sign Company's Gaming Service Provider Application.

Board Decision: Passed by unanimous vote

**OFFICE OF ENFORCEMENT COUNSEL**

**PGCB MOTION NO. 2012-678 OEC – Consent Agreement / John Scassa**

Motion Made: Board Member McCall  
Seconded: Board Member Ginty

Resolved, the Board hereby approved the Consent Agreement, as proposed by the Office of Enforcement Counsel. Mr. John Scassa's Gaming Employee Permit is suspended for a period of 60-days, however, that period of suspension is immediately suspended and Mr. Scassa is eligible for immediate employment in a casino.

Board Decision: Passed by unanimous vote

**PGCB MOTION NO. 2012-679 OEC – Consent Agreement / Robert Sharp**

Motion Made: Board Member Ginty  
Seconded: Board Member Fajt

Resolved, the Board hereby approved the Consent Agreement between the Office of Enforcement Counsel and Robert Sharp, however, the 30 day suspension of Mr. Sharp's Gaming Employee Permit is suspended.

Board Decision: Passed by unanimous vote

**PGCB MOTION NO. 2012-680 OEC – Revocation / Angela D'Aurizio**

Motion Made: Board Member Fajt  
Seconded: Board Member Trujillo

Resolved, the Board hereby approved the Revocation of Angela D'Aurizio's Gaming Employee Permit.

OHA Docket #: 2499-2011  
Board Decision: Passed by unanimous vote

**PGCB MOTION NO. 2012-681 OEC – Revocation / Jessica Nichols**

Motion Made: Board Member Trujillo  
Seconded: Board Member Sojka

Resolved, the Board hereby approved the Revocation of Jessica Nichol's Gaming Employee Permit.

OHA Docket #: 2477-2012  
Board Decision: Passed by unanimous vote

**PGCB MOTION NO. 2012-682 OEC –PGCB Exclusion List / Jessica Nichols**

Motion Made: Board Member Sojka  
Seconded: Board Member Moscato

Resolved, the Board hereby approved the addition of Jessica Nichols to the Pennsylvania Gaming Control Board's Involuntary Exclusion List.

OHA Docket #: 2478-2012  
Board Decision: Passed by unanimous vote

**ADJOURNMENT**

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