



PENNSYLVANIA GAMING CONTROL BOARD

Meeting of the Board

December 13, 2006

Minutes

A meeting of the Pennsylvania Gaming Control Board was held on December 13, 2006 in the State Museum Auditorium. The meeting began at 1:41 p.m.

Members in attendance were:

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

Ex-officio members in attendance were:

None

Individuals who appeared officially before the Board:

Anne LaCour Neeb – agency update
Mike Walsh – administration
Frank Donaghue – code of ethics, regulations, withdrawals
Richard Sandusky – regulations
Doug Sherman – motion to reopen the PNK (PA), LLC hearing record
Mike Schwoyer – consent agreements
Susan Hensel – licensing
Don Shiffer – possession of slot machines

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

Transcript/Minutes

On a motion by Board Member McCabe, seconded by Board Member Coy, the transcripts and minutes of the November 21, 2006 meeting were unanimously approved.

Chief Counsel

PGCB MOTION NO. 2006-154 OCC – Motion to approve amendments to the PGCB Ethics Policy

Motion Made: Board Member Colins
Seconded: Board Member Marshall

Resolved, the Board hereby adopts the revised Code of Ethics for the Pennsylvania Gaming Control Board in accordance with the amended provisions of the Pennsylvania Race Horse Development and Gaming Act.

Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2006-155 REG – Motion to adopt temporary regulations - Chapters 401 and 425

Motion Made: Board Member McCabe
Seconded: Board Member Coy

Resolved, the Board hereby adopts temporary regulations amending Chapter 401 and adding Chapter 425 and directs that the regulations be published in the Pennsylvania Bulletin and be posted on the Board's website.

Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2006-156 OCC – Petitions to withdraw

Motion Made: Board Member Rivers
Seconded: Board Member Marshall

Resolved, the Board hereby approves the orders granting withdrawal of the applications of Joseph Evoli; David Gerard Wiegmann, John Marshall and Michael Edward Jeannot; Beverly Jackson; Jeanne McLaughlin; MGIM, LLC; and MI Developments, Inc., and all applications and waiver requests associated therewith.

Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2006-157 OCC – Motion to approve a Board Order re: Pinnacle Entertainment, Inc. and PNK (PA), LLC

Motion Made: Board Member Marshall
Seconded: Board Member McCabe

Resolved, the Board hereby grants an order to reopen the record for Pinnacle Entertainment, Inc. and PNK (PA), LLC for the limited purpose of receiving two additional updated exhibits into the evidentiary record.

Board Decision: Passed by unanimous vote

Investigation and Enforcement

PGCB MOTION NO. 2006-158 BIE – Consent agreement with Crossroads Gaming Resort and Spa, LP and Peter J. Ressler, Sr.

Motion Made: Board Member Angeli
Seconded: Board Member Coy

Resolved, the Board hereby approves the consent agreement entered into between the Bureau of Investigation and Enforcement and Category 2 slot machine applicant Crossroads Gaming Resort and Spa, LP and Key Employee Qualifier applicant Peter J. Ressler, Sr.

Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2006-159 BIE – Consent agreement with Crossroads Gaming Resort and Spa, LP and Michael A. Serluco

Motion Made: Board Member Marshall
Seconded: Board Member McCabe

Resolved, the Board hereby approves the consent agreement entered into between the Bureau of Investigation and Enforcement and Category 2 slot machine applicant Crossroads Gaming Resort and Spa, LP and Key Employee Qualifier applicant Michael A. Serluco.

Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2006-160 BIE – Consent agreement with Riverwalk Casino, LP, Samuel Staten, Sr. and Joseph Thomas Ashdale

Motion Made: Board Member Colins
Seconded: Board Member Marshall

Resolved, the Board hereby approves the consent agreement entered into between the Bureau of Investigation and Enforcement and Category 2 slot machine applicant Riverwalk Casino, LP, Samuel Staten, Sr., and Joseph Thomas Ashdale.

Board Decision: Passed by unanimous vote

Licensing

PGCB MOTION NO. 2006-161 LIC – Motion to approve a Board Order accepting the report of the Bureau of Licensing regarding the issuance of temporary key employee credentials

Motion Made: Board Member Coy
Seconded: Board Member Colins

Resolved, the Board hereby approves an Order accepting the report of the Bureau of Licensing regarding the issuance of temporary key employee credentials.

Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2006-162 LIC – Motion to approve a Board Order accepting the report of the Bureau of Licensing regarding the issuance of employee licenses, permits and registrations

Motion Made: Board Member Angeli
Seconded: Board Member Coy

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

Board Decision: Passed by unanimous vote

Gaming Laboratory Operations

PGCB RESOLUTION NO. 2006-41 GL – Possession of Slot Machines by Washington Trotting Association, Inc.

Motion Made: Board Member Rivers
Seconded: Board Member Marshall

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 Washington Trotting Association, Inc., an entity for which a Conditional Category 1 slot machine license was approved on September 27, 2006, has submitted a written request to the Board in compliance with the regulations, to possess slot machines and related equipment in a slot warehouse facility to be located in the basement level of its proposed temporary facility; 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 proposed slot warehouse 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 Washington Trotting Association, 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 Washington Trotting Association, 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 Washington Trotting Association, 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 Washington Trotting Association, 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 Washington Trotting Association, Inc. with all applicable requirements with regard to possession, transportation and securing of slot machines.

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.