



PENNSYLVANIA GAMING CONTROL BOARD

Meeting of the Board

December 20, 2006

Minutes

A meeting of the Pennsylvania Gaming Control Board was held on December 20, 2006 in the Forum Building Auditorium. The meeting began at 10:52 a.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:

Gregory C. Fajt, Secretary of Revenue
Dennis C. Wolff, Secretary of Agriculture

Individuals who appeared officially before the Board:

Anne LaCour Neeb – agency update
Mike Walsh – administration
Frank Donaghue – regulations, withdrawals
Doug Sherman – petition to intervene
Susan Hensel – licensing

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

Transcript/Minutes

On a motion by Board Member McCabe, seconded by Board Member Marshall, the transcripts and minutes of the December 4, 2006 meeting were unanimously approved.

Administration

PGCB MOTION NO. 2006-163 HR – Employment

Motion Made: Board Member Rivers
Seconded: Board Member Coy

New Hires:

David Hittinger, law clerk, Office of Hearings and Appeals
Andrew Blessing, gaming lab trainee, Bureau of Gaming Laboratory Operations
Lyndsley Houser, licensing analyst, Bureau of Licensing
Angela Zimmerman, licensing technician, Bureau of Licensing
James Perry, application developer, Bureau of Administration
Tania Miller, human resource analyst, Bureau of Administration

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

Board Decision: Passed by unanimous vote

Chief Counsel

PGCB MOTION NO. 2006-164 OCC – Motion to approve the fees for filing and copies developed by the Office of Hearings and Appeals

Motion Made: Board Member Angeli
Seconded: Board Member Marshall

Resolved, the Board hereby adopts the fees for filings and copies developed by the Office of Hearings and Appeals effective immediately and directs that the fees be published in the Pennsylvania Bulletin and be posted on the Board's website.

Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2006-165 OCC – Petition to withdraw Woodlands Fayette, LLC

Motion Made: Board Member Colins
Seconded: Board Member Rivers

Resolved, the Board hereby approves the Order granting withdrawal of the Category 3 application of Woodlands Fayette, LLC and all applications and waiver requests associated therewith.

Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2006-166 OCC – Petitions to withdraw

Motion Made: Board Member Marshall
Seconded: Board Member Colins

Resolved, the Board hereby approves the orders granting withdrawal of the applications of Kevin DeSanctis and James Quillen.

Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2006-167 OCC – Petitions to intervene in the application of Sands Bethworks Gaming, LLC

Motion Made: Board Member Coy
Seconded: Board Member Colins

Resolved, the Board hereby denies the petition to intervene filed by the Bethlehem Defense Fund and 11 individuals in the application of Sands Bethworks on the basis that the petition is untimely, the interests sought to be presented are already addressed in the record before the Board, and no extraordinary circumstances exist to permit an untimely intervention.

Board Decision: Passed by unanimous vote

Licensing

PGCB MOTION NO. 2006-168 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 McCabe
Seconded: Board Member Marshall

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. 2006-169 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 Rivers
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

PGCB MOTION NO. 2006-170 LIC – Motion to approve a Category 2 license for HSP Gaming, LP

Motion Made: Board Member Rivers
Seconded: Board Member Coy

Resolved, the Board hereby grants a Category 2 license in Philadelphia to HSP Gaming, LP pursuant to the terms and conditions to be imposed by the Board.

Board Decision: Roll call vote: Angeli, Colins, Coy, Marshall, McCabe and Rivers voted yes. Decker recused. Passed 6-0 with one recusal.

PGCB MOTION NO. 2006-171 LIC – Motion to approve a Category 2 license for Keystone Redevelopment Partners, LLC

Motion Made: Board Member McCabe
Seconded: Board Member Coy

Resolved, the Board hereby denies the application of Keystone Redevelopment Partners, LLC for a Category 2 license in Philadelphia.

Board Decision: Roll call vote: Colins, Coy, McCabe, Rivers, Angeli and Decker voted no. Marshall recused. Motion fails 0-6 with one recusal.

PGCB MOTION NO. 2006-172 LIC – Motion to approve a Category 2 license for Philadelphia Entertainment and Development Partners, LP

Motion Made: Board Member Angeli
Seconded: Board Member Marshall

Resolved, the Board hereby grants a Category 2 license in Philadelphia to Philadelphia Entertainment and Development Partners, LP pursuant to the terms and conditions to be imposed by the Board.

Board Decision: Roll call vote: Coy, Marshall, McCabe, Rivers, Angeli, Colins and Decker voted yes. Passed by unanimous vote.

PGCB MOTION NO. 2006-173 LIC – Motion to deny a Category 2 license for the remaining applicants in Philadelphia

Motion Made: Board Member Decker
Seconded: Board Member Rivers

Resolved, the Board hereby denies the applications of PNK (PA), LLC and Riverwalk Casino, LP for a Category 2 license in Philadelphia because of the statutory prohibition on further licenses in the City of Philadelphia and because through deliberations, PNK and Riverwalk have not obtained the required support for licensure.

Board Decision: Roll call vote: Marshall, McCabe, Rivers, Angeli, Colins, Coy and Decker voted yes. Passed by unanimous vote.

PGCB MOTION NO. 2006-174 LIC – Motion to approve a Category 2 license for PITG Gaming, LLC

Motion Made: Board Member Coy
Seconded: Board Member Colins

Resolved, the Board hereby grants a Category 2 license in Pittsburgh for PITG Gaming, LLC pursuant to the terms and conditions to be imposed by the Board and directs that, as required by Sections 1301 and 1304 of the Act, the remaining applications for a Category 2 license in Pittsburgh, those being IOC Pittsburgh, Inc. and Station Square Gaming, LP be denied as not having achieved a qualified majority of support for licensure as defined in the Act and because the City of Pittsburgh is limited to only one Category 2 license.

Board Decision: Roll call vote: McCabe, Rivers, Angeli, Colins, Coy, Marshall and Decker voted yes. Passed by unanimous vote.

PGCB MOTION NO. 2006-175 LIC – Motion to approve Category 2 licenses for Sands Bethworks Gaming, LLC and Mount Airy #1, LLC

Motion Made: Board Member Colins
Seconded: Board Member Rivers

Resolved, the Board hereby grants the two available Category 2 at-large licenses to Sands Bethworks Gaming, LLC; and Mount Airy, # 1, LLC pursuant to the terms and conditions to be imposed by the Board and further directs that, as required by Sections 1301 and 1304 of the Act, the remaining Category 2 at-large applications, those being Crossroads Gaming Resort & Spa, LP; Tropicana Pennsylvania, LLC and Pocono Manor Investors, LP be denied as not having achieved a qualified majority of support for licensure as defined in the Act and because the at-large locations are limited to only two Category 2 licenses.

Board Decision: Roll call vote: Rivers, Angeli, Colins, Coy, Marshall, McCabe and Decker voted yes. Passed by unanimous vote.

PGCB MOTION NO. 2006-176 LIC – Motion to approve Category 1 licenses

Motion Made: Board Member Marshall
Seconded: Board Member Colins

Resolved, the Board, hereby grants Category 1 licenses for Chester Downs and Marina, LLC; Downs Racing, LP; Greenwood Gaming and Entertainment, Inc.; Mountainview Thoroughbred Racing Association, Presque Isle Downs, Inc. and Washington Trotting Association, Inc. pursuant to the terms and conditions to be imposed by the Board.

Board Decision: Roll call vote: Angeli, Colins, Coy, Marshall, McCabe, Rivers and Decker voted yes. Passed by unanimous vote.

Adjournment

There being no further business before the Board, on a motion by Board Member Rivers seconded by Board Member Marshall, the meeting was adjourned.