



PENNSYLVANIA GAMING CONTROL BOARD

Meeting of the Board June 17, 2009 Minutes

A meeting of the Pennsylvania Gaming Control Board was held on June 17, 2009 in the State Museum Auditorium, Harrisburg, PA. The meeting began at 10:00 a.m.

Members in attendance were:

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

Ex-officio Members in attendance:

David Barasch representing Honorable Stephen Stetler, Secretary of Revenue

Individuals who appeared officially before the Board:

Kevin O'Toole – Executive Director report – delegation of authority
David Rhen – agency budget update
Claire Yantis – personnel matters
Richard Sandusky – regulation
Doug Sherman – petitions
Steve Cook – withdrawals, report and recommendations
Susan Hensel – licensing matters
Cyrus Pitre – enforcement issues
Dustin Miller – revocations

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

ANNOUNCEMENTS

Chairman Fajt announced that the Board held an Executive session on June 16, 2009 to discuss personnel issues, to conduct quasi-judicial deliberations relating to matters pending before the Board and to consult with counsel regarding privileged and confidential agency business.

MINUTES AND TRANSCRIPTS

On a motion by Board Member Angeli, seconded by Board Member Coy, the minutes and transcripts of the May 6, 2009 meeting were unanimously approved.

EXECUTIVE DIRECTOR'S REPORT

Mr. Kevin O'Toole, with the anticipated opening of the Rivers Casino in August 2009, read in to the record the following Resolution:

PGCB RESOLUTION NO. 2009-4 BGO – Delegation of Authority

Motion Made: Board Member Coy
Seconded: Board Member Ginty

- WHEREAS Under 4 Pa.C.S. §1202(a)(1), the Pennsylvania Gaming Control Board (“Board”) has general and sole regulatory authority over the conduct of gaming and related activities; and
- WHEREAS Under 58 Pa.Code §467a.2(b), a Category 2 slot machine licensee may not commence slot operations until a slot machine licensee successfully demonstrates to the Board that no less than nine criteria are met including, but not limited to, confirmation that the slot machines and associated equipment are properly operating; that adequate surveillance and security measures are in place; that the slot machine licensee’s employees are all properly licensed, permitted or registered by the Board, as well as, properly trained; that all conditions of licensure have been met; and that the slot machine licensee has successfully completed a test period; and
- WHEREAS The Board has, in the past, delegated authority upon certain members of the Board, acting collectively, to review whether all pre-opening criteria have been met and to grant authorizations on behalf of the full Board when the required criteria have been met; and
- WHEREAS The Board believes it is once again in the Board’s best interest to delegate such authority to certain members of the Board
- RESOLVED That Board members Gregory Fajt, Sanford Rivers and Ken McCabe are delegated authority to determine whether Holdings Acquisition Co., LP has demonstrated that all pre-opening criteria have been met and to authorize commencement of slot operations for the Rivers Casino. The Board members delegated this authority shall also have the authority to approve minor modifications of any gaming floor plan previously approved by the full Board between the date of such Board approval and the commencement of slot operations.

Board Decision: Passed by unanimous vote

ADMINISTRATION

Mr. David Rhen provided an agency report on the budget results through May 2009.

HUMAN RESOURCES

PGCB MOTION NO. 2009-137 HR – Employment

Motion Made: Board Member Coy
Seconded: Board Member Ginty

New Hires:

- ✓ Lauren Berry, Electronics Engineer – Gaming Lab
- ✓ Rasheedah Waters, Casino Compliance Representative – Philadelphia Park

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

Board Decision: Passed by unanimous vote

OFFICE OF CHIEF COUNSEL

PGCB MOTION NO. 2009-162 REG – Proposed Regulation of 125-100

Motion Made: Board Member Rivers
Seconded: Board Member Angeli

Resolved, the Board hereby adopts the Proposed Regulation No. 125-100 and that the Board establish a public comment period of 30 days; and that the proposed regulation is posted on the Board's website.

Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2009-163 REG – Proposed Fee Changes

Motion Made: Board Member Ginty
Seconded: Board Member McCabe

Resolved, the Board hereby adopts the Proposed Fee Changes for various agency filings and that the fee changes be published in the Pennsylvania Bulletin; and posted on the Board's website.

Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2009-164 OCC – Holdings Acquisition Company, L.P. Petition

Motion Made: Board Member McCabe
Seconded: Board Member Rivers

Resolved, the Board hereby grants the Petition to approve the Gaming Floor Plan submitted by Holdings Acquisition Company, L.P.

Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2009-165 OCC – Denial of Non-Gaming Employee Registration of Gregory Cox

Motion Made: Board Member Rivers
Seconded: Board Member Sojka

Resolved, the Board hereby adopts the Report and Recommendation issued by the Office of Hearings and Appeals to deny the Non-Gaming Employee Registration of Gregory Cox, OHA Docket Number 43600.

Board Decision: Passed by unanimous vote

BUREAU OF LICENSING

PGCB MOTION NO. 2009-166 LIC – Renewal of Manufacturing License of Bally Gaming, Inc.

Motion Made: Board Member Sojka
Seconded: Board Member Angeli

Resolved, the Board hereby approves the Order renewing the Manufacturer License of Bally Gaming, Inc.

Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2009-167 LIC – Renewal of Manufacturing License of DigiDeal Corporation

Motion Made: Board Member Angeli
Seconded: Board Member Coy

Resolved, the Board hereby approves the Order renewing the Manufacturer License of DigiDeal Corporation.

Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2009-168 LIC – Issuance of Principal and Key Employee Licenses

Motion Made: Board Member Coy
Seconded: Board Member Ginty

Resolved, the Board hereby issues an Order to approve the issuance of Principal and Key Employee Licenses as follows:

Chester Downs and Marina, LLC

Key Employees Initial Licensure

Helmut Leuck, Director of Food and Beverage

Mount Airy #1, LLC

Key Employees Initial Licensure

Daniel Viera, Sr., Security Shift Supervisor
Liane Rocco, Security Shift Supervisor
Melanie Brocious, Surveillance Shift Manager

Holdings Acquisition Co., LP

Principals Initial Licensure

Pittsburgh Gaming Holdings, L.P. – 100% indirect owner of Holdings Acquisition
Pittsburgh Gaming Holdings GP, LLC – .5% common partner of Pittsburgh Gaming Holdings
Pittsburgh Gaming Investors Intermediate, LLC – 100% owner of Pittsburgh Gaming Holdings GP
Pittsburgh Gaming Investors, LP – 100% owner of Pittsburgh Gaming Investors Intermediate and the 69.5% common limited partner and 100% preferred limited partner of Pittsburgh Gaming Holdings
Pittsburgh Gaming Investors GP, LLC – .5% general partner of Pittsburgh Gaming Investors
Walton Majestic Star Holdings VI, L.P. – 73.771% limited partner of Pittsburgh Gaming Investors
Walton Majestic Star Holdings VI GP, LLC – .5% general partner of Walton Majestic Star Holdings VI
Walton Street Managers VI, LP – General partner of the six Walton Street private investment funds
WSC Managers VI, Inc. – Controls each of the six Walton Street private investment funds
High Pitt Gaming, LP – 18.733% limited partner of Pittsburgh Gaming Investors and member of Pittsburgh Gaming Investors GP
High Pitt Gaming GP, L.L.C. – General partner of High Pitt Gaming
PITG Entertainment, LLC – 20% common limited partner of Pittsburgh Gaming Holdings
PGO, L.P. – Provides oversight and consulting services to Holdings Acquisition
PGO GP, L.L.C. – General partner of PGO
GAC Oversight, L.L.C. – 25% limited partner of PGO
2002 AGB Family Dynasty Trust – 30.8% limited partner in High Pitt Gaming and a 30.95% limited partner of High Pitt Gaming GP
2002 LNB Family Dynasty Trust – 30.8% limited partner in High Pitt Gaming and a 30.95% limited partner of High Pitt Gaming GP
Meredith A. Bluhm-Wolf 2006 Family GST Trust – 30.8% limited partner in High Pitt Gaming and a 30.95% limited partner of High Pitt Gaming GP
Jeffrey S. Quicksilver – 20% Shareholder of WSC Managers VI, Inc.
Eric C. Mogentale – 20% shareholder of WSC Managers VI, Inc.
Ira J. Schulman – 20% shareholder of WSC Managers VI, Inc.
Kenneth J. Weaver – 20% shareholder of WSC Managers VI, Inc.
Andrew G. Bluhm – Trustee and Settlor of the 2002 AGB Family Dynasty Trust
Anna B. Wolf – Beneficiary of the Meredith A. Bluhm-Wolf 2006 Family GST Trust
Cooper B. Bluhm – Beneficiary of the 2002 AGB Family Dynasty Trust
Emmett G. Bluhm – Beneficiary of the 2002 AGB Family Dynasty Trust
Gregory Carlin – Chief Executive Officer of High Pitt Gaming and Holdings Acquisition
Hudson J. Bluhm – Beneficiary of the 2002 AGB Family Dynasty Trust
James M. Wolf – Beneficiary of the Meredith A. Bluhm-Wolf 2006 Family GST Trust
Leslie N. Bluhm – Trustee of the 2002 LNB Family Dynasty Trust
Meredith A. Bluhm-Wolf – Trustee of the Meredith A. Bluhm-Wolf 2006 Family GST Trust
Neil Bluhm – 20% shareholder and managing partner of WSC Managers VI, Inc.
Nicholas B. Helfand – Beneficiary of the 2002 LNB Family Dynasty Trust
William G. Helfand – Beneficiary of the 2002 LNB Family Dynasty Trust

Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2009-169 LIC – Vendor Certifications

Motion Made: Board Member Ginty
Seconded: Board Member McCabe

Resolved, the Board hereby issues an Order approving the applications for Vendor Certification as follows:

AJ Industries, Inc.
Cagley and Tanner, LLC
Frederick G. Wohlgemuth, Inc.
John Gross & Company, Inc.
Material Distributors, Inc.)
Roma Steel Erection, Inc.
SSM Industries, Inc.
Sunfresh Food Service, Inc.
Video Walltronics, Incorporated

Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2009-170 LIC – Applications for Vendor Registration

Motion Made: Board Member McCabe
Seconded: Board Member Rivers

Resolved, the Board hereby approves an Order approving the applications for Vendor Registration as follows:

1080 Delaware Avenue Associates, LP, DBA: Waterview Corporate Center
ABC Construction Company, Inc.
ALG Services, LLC
Fossman Corporation, DBA: Engineered Communications
Guardian CSC Corporation, DBA: Guardian CSC/Envoguard
H. MAK, Inc., DBA: HMAK
John J. Sarno, Jr., LLC, DBA: Jay Sarno & Associates
List Services Corporation
N.S. Enterprises, Inc., DBA: GR8 Ragz, GR8 Dogs
New Penn Hospitality Associates, LP, DBA: Holiday Inn Harrisburg-Hershey
Peachtree Data, Inc.
Philadelphia Flyers, L.P.
Projetechn, Inc.
SkyMall Ventures, Inc.
Stokes Equipment Company
Synthasys, LLC
Teraco, IL, DBA: Innovative Plastic, A Teraco Company
The Innovation Group
The Orlando Baking Co., Inc.
TR@F-Sys, Inc., DBA: Traf-Sys, Inc.

Board Decision: Passed by unanimous vote

OFFICE OF ENFORCEMENT COUNSEL

PGCB MOTION NO. 2009-171 OEC – Revocation of Non-Gaming Employee Registration for Rozlyn Baker

Motion Made: Board Member Rivers
Seconded: Board Member Sojka

Resolved, the Board hereby issues an Order approving the Revocation of Rozlyn Baker's Non-Gaming Employee Registration, OHA Docket No. 45479.

Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2009-172 OEC – Revocation of Non-Gaming Employee Registration for Anthony Bazzoli

Motion Made: Board Member Sojka
Seconded: Board Member Angeli

Resolved, the Board hereby issues an Order approving the Revocation of Anthony Bazzoli's Non-Gaming Employee Registration, OHA Docket No. 43450.

Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2009-172(a) OEC – Revocation of Gaming Employee Permit for John Johnson

Motion Made: Board Member Angeli
Seconded: Board Member Coy

Resolved, the Board hereby issues an Order approving the Revocation of John Johnson's Gaming Employee Permit, OHA Docket No. 43536.

Board Decision: Passed by unanimous vote

ADJOURNMENT

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