



PENNSYLVANIA GAMING CONTROL BOARD

Meeting of the Board November 4, 2009 Minutes

A meeting of the Pennsylvania Gaming Control Board was held on November 4, 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
Richard Sandusky – regulations
Steve Cook – petitions, report and recommendations
Susan Hensel – licensing matters
Cyrus Pitre – enforcement actions
Melissa Powers – enforcement actions
Dustin Miller – enforcement actions

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 November 3, 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.

Chairman Fajt also announced that the PGCB would be holding a hearing on Thursday, November 12th to gather evidence, including public comment on the renewal of the Category 1 Slot Machine Operator's License of Mountainview Thoroughbred Racing Association.

MINUTES AND TRANSCRIPTS

On a motion by Board Member Sojka, seconded by Board Member Rivers, the minutes and transcript of the September 23, 2009 meeting were unanimously approved.

EXECUTIVE DIRECTOR'S REPORT

Mr. Kevin O'Toole, Executive Director reported that slot machine revenue continues to show growth at the nine operating casinos in Pennsylvania. He stated that for the month of October 2009, gross revenue through the play of slot machines rose almost 32 percent over the previous year. In October 2009, the nine operating casinos generated \$177 million in gross revenue compared to \$134 million in October 2008 when seven casinos were in operation. This growth in revenue resulted in tax collections of \$97.4 million this past month. Mr. O'Toole also commented on the most recent press release posted to the Board's web site by the Communications Department. This press release highlights the numerous municipal and county projects that have been made possible through funds received from the local share assessments of the slot machines gross terminal revenue. He congratulated the Communications department, led by Doug Harbach, for doing an outstanding job of communicating to all interested parties the numerous benefits that have resulted from the casino industry in the Commonwealth of Pennsylvania.

PGCB RESOLUTION NO. 2009-7-EXE – Board Member Sanford Rivers

WHEREAS, Sanford Rivers was appointed by Governor Edward G. Rendell on August 15, 2004 as an initial member of the Pennsylvania Gaming Control Board; and

WHEREAS, Commissioner Rivers was sworn in and presided over the Board's first meeting on December 14, 2004; and

WHEREAS, the Board established from the ground up the first state agency in more than 30 years, created a comprehensive body of regulations to ensure the integrity of gaming and investigated thousands of individuals for licensure; and

WHEREAS, after a licensing process that included 18 days of public input hearings across the state as well as suitability hearings in Harrisburg, the Board voted on September 27, 2006 to award its first conditional Category 1 operator licenses; and

WHEREAS, on November 14, 2006, less than two years after the Board held its first meeting, Pennsylvania's first licensed gaming facility, Mohegan Sun at Pocono Downs, opened to the general public; and

WHEREAS, the Board voted on December 20, 2006 to award 11 permanent Category 1 and Category 2 operator licenses; and

WHEREAS, nine of the facilities are now operating and providing employment for thousands of Pennsylvanians; and

WHEREAS, as a result of the Board's actions, property and wage tax relief is no longer a wish but a reality; and

WHEREAS, Pennsylvania's horse racing industry is showing new life thanks to an injection of new dollars; and

WHEREAS, as an initial member of the Pennsylvania Gaming Control Board, Commissioner Rivers led the effort to turn mere words on paper into a new multi-billion dollar industry for the Commonwealth; be it

RESOLVED that the Pennsylvania Gaming Control Board proudly recognizes Commissioner Rivers exemplary record of service and leadership and wishes him the very best in all of his future endeavors.

Upon Motion duly made and seconded, the foregoing Resolution was adopted on November 4, 2009.

Board Decision: Passed by unanimous vote

HUMAN RESOURCES

PGCB MOTION NO. 2009-286 HR – Employment

Motion Made: Board Member Coy
Seconded: Board Member McCabe

- ✓ Timothy Ferguson, BIE, Investigators, Central Region
- ✓ Sean Tagle, BIE, Investigators, Central Region

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. 2009-287 REG – Final-form Regulation 125-105

Motion Made: Board Member Rivers
Seconded: Board Member McCabe

Resolved, the Board hereby adopts Final-form Regulation No. 125-105 and directs that the Final-form Regulations be posted on the Board's website.

Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2009-288 OCC – Withdrawal or Surrender of Applications

Motion Made: Board Member McCabe
Seconded: Board Member Ginty

Resolved, the Board hereby approves the withdrawal or surrender of Principal and Key Employee Applications, or Licenses, Vendor Certification or Registration as follows:

- ✓ Jeffrey Burge OHA Docket Number 1080-2009
- ✓ Calvin Frank OHA Docket Number 1044-2009
- ✓ Simon Kelly OHA Docket Number 1059-2009

- ✓ Geoffrey Kleeman OHA Docket Number 1094-2009
- ✓ Heidi Modaro OHA Docket Number 1063-2009

Board Decision: Passed by unanimous decision

PGCB MOTION NO. 2009-289 OCC – Report and Recommendation / Lynn Nichols

Motion Made: Board Member Coy
Seconded Board Member Angeli

Resolved, the Board hereby issues an Order adopting the Report and Recommendation of the Office of Hearing and Appeals and denied the Application of Lynn Nichols for a Gaming Employee Permit.

Docket Number: 1109-2009
Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2009-290 OCC – Emergency Suspension / Amber Citriniti

Motion Made: Board Member Sojka
Seconded Board Member Angeli

Resolved, the Board hereby issues an Order to extend the Emergency Suspension of Amber Citriniti's Non-Gaming Employee Registration and that the matter is referred to the Office of Hearings and Appeals for a hearing to determine the validity of the Office of Enforcement Counsel's request for suspension.

Docket Number: 1163-2009
Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2009-291 OCC – Emergency Suspension / Mary Beth Ehrhart

Motion Made: Board Member Sojka
Seconded Board Member Angeli

Resolved, the Board hereby issues an Order to extend the Emergency Suspension of Mary Beth Ehrhart's Non-Gaming Employee Registration and that the matter is referred to the Office of Hearings and Appeals for a hearing to determine the validity of the Office of Enforcement Counsel's request for suspension.

Docket Number: 1165-2009
Board Decision: Passed by unanimous vote

BUREAU OF LICENSING

PGCB MOTION NO. 2009-292 LIC – Principal and Key Employee Licenses

Motion Made: Board Member Angeli
Seconded Board Member Sojka

Resolved, the Board hereby issues an Order approving the Issuance of Principal and Key Employee Licenses as follows:

Washington Trotting Association, Inc.

Key Employees Initial Licensure

- ✓ Kelly Harvison, Lead Slot Floor Person, Docket # 29784-3
- ✓ Catherine Morganti, Lead Slot Floor Person, Docket #30024-3
- ✓ Virginia Schussler, Lead Slot Floor Person, Docket #27273-3
- ✓ Ryan Uhrig, Surveillance Shift Supervisor, Docket #30609-2

Key Employees Renewal

- ✓ Deborah Hauser, Cage Shift Supervisor, Docket #18157-2
- ✓ Cynthia Boyd, Cage Manager, Docket #16776-3
- ✓ Meghan Lee Zulick, Manager of Human Resources, Docket #15070-2

Philadelphia Entertainment and Development Partners, LP

Principal Initial Licensure

- ✓ Jeffrey M. Wosencroft, Managing Director of Foxwoods Development Co., Dkt #29785-1

WMS Gaming, Inc.

Principal Initial Licensure

- ✓ Lisa Ann DeJesus-Condon, Executive Director of Compliance & Licensing, Dkt #27787-1

Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2009-293 LIC – Issuance of Gaming and Non-Gaming Permits and Registrations

Motion Made: Board Member Sojka
Seconded: Board Member Rivers

Resolved, the Board hereby approves the Order issuing 110 Gaming Employee Permits, including 54 renewals, and 41 Non-Gaming Employee Registrations.

Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2009-294 LIC – Withdrawal of Gaming Permits

Motion Made: Board Member Ginty
Seconded: Board Member McCabe

Resolved, the Board hereby issues an Order approving the withdrawal of 9 Gaming Employee Permits.

Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2009-295 LIC – Vendor Certifications

Motion Made: Board Member McCabe
Seconded: Board Member Ginty

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

- ✓ INTECH Construction, Inc.
- ✓ Masterminds, Inc.
- ✓ Thomas Company, Inc.
- ✓ Trahan, Burden & Charles, Inc.
- ✓ Waste Management of Pennsylvania, Inc.
- ✓ West Side Electrical Services, Inc.

Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2009-296 LIC – Vendor Registrations

Motion Made: Board Member Ginty
Seconded: Board Member Coy

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

- ✓ AIS Commercial Parts and Service
- ✓ Babcor Packaging Corporation
- ✓ D. Steve Roberts, Ltd., DBA: CCM Consulting Group
- ✓ Davis Landscape, Ltd.
- ✓ Houston Enterprises, DBA: Taylor Rental Center
- ✓ Kevin's Wholesale, LLC
- ✓ Reed-Saul, Inc., DBA: Green Grocer
- ✓ Ryan Moving & Storage, Inc. of Pittsburgh
- ✓ ShadowOne, Inc., DBA: Interior Concepts
- ✓ Sousa Seafood, Inc.
- ✓ Trans-Bridge Lines, Inc.

Board Decision: Passed by unanimous vote

OFFICE OF ENFORCEMENT COUNSEL

PGCB MOTION NO. 2009-297 OEC – Revocation / Glen Conner

Motion Made: Board Member Coy
Seconded: Board Member Angeli

Resolved, the Board hereby approves the Order to revoke the Non-Gaming Employee Registration for Glen Conner.

Docket Number: 1148-2009
Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2009-298 OEC – Revocation / Gary L. Devine, Jr.

Motion Made: Board Member Angeli
Seconded: Board Member Sojka

Resolved, the Board hereby approves the Order to revoke the Non-Gaming Employee Registration for Gary L. Devine, Jr.

Docket Number: 1133-2009
Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2009-299 OEC – Revocation / Hoa T. To

Motion Made: Board Member Sojka
Seconded: Board Member Rivers

Resolved, the Board hereby approves the Order to revoke the Non-Gaming Employee Registration for Hoa T. To.

Docket Number: 1132-2009
Board Decision: Passed by unanimous vote

ADJOURNMENT

On a motion and second by Board members the meeting was adjourned.