



PENNSYLVANIA GAMING CONTROL BOARD

Meeting of the Board May 13, 2010 Minutes

A meeting of the Pennsylvania Gaming Control Board was held on May 13, 2010 at the North Office Building, Hearing Room 1, Harrisburg, PA. The meeting began at approximately 10:00 a.m.

Members in attendance were:

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

Ex-officio Member/Designee in attendance:

David Barasch, Deputy Secretary of the Department of Revenue, Representative
Rick Burd, representing Russell Redding, Secretary of Agriculture

Individuals who appeared officially before the Board:

Kevin O'Toole – Executive Director Report
Claire Yantis – Personnel Related Items
David Rhen – Agency Financial Report
Richard Sandusky – Regulations
R. Douglas Sherman – Petitions
Steve Cook – Withdrawals, Report and Recommendations
Susan Hensel – Licensing Matters

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 May 12th and just prior to the public meeting on April 29th in accordance with the Sunshine Act. The purpose of the executive session held on April 28th was to discuss personnel matters, pending litigation, and to conduct quasi-judicial deliberations relating to matters pending before the Board. He stated that the executive session held on May 13th, following the public hearings, were to conduct quasi-judicial deliberations relative to those hearings.

MINUTES AND TRANSCRIPTS

On a motion by Board Member Angeli, seconded by Board Member Coy, the minutes and transcripts of the March 23 and April 7, 2010 meetings were approved.

EXECUTIVE DIRECTOR'S REPORT

Kevin O'Toole, Executive Director reported that the gross terminal revenue was 29.6 percent higher in April 2010 compared to the previous year. As you know, there were 9 casinos this April compared to 7 last year. He commented that the revenue figure for April 2010, over \$107 million dollars in that month alone was added to the funds primarily earmarked for property tax relief.

Mr. O'Toole stated that table games implementation continues to move forward steadily and surely. To date, the Bureau of Licensing has received approximately 1,500 applications for table game related positions and he expects that figure to rise significantly in the next 2 to 3 weeks. We are also encouraged by the fact that there are 6 table game manufacturers approved and 1 additional before the board today. Mr. O'Toole stated that educational training will commence next week for our employees to learn fundamental principles of table game operations and table game protection. In closing, he advised the Board that the instructor for those sessions will be Mr. George Joseph, a nationally recognized expert in table games protection who has conducted educational training for casino regulatory agents in many jurisdictions throughout the United States.

HUMAN RESOURCES

PGCB MOTION NO. 2010-167 HR – Employment

Motion Made: Board Member Coy
Seconded: Board Member Ginty

Casino Compliance Representatives:

- ✓ Christopher Cardoni – Mt. Airy Casino
- ✓ John Scagliotti – Mt. Airy Casino
- ✓ Melanie Brocious – Mohegan Sun
- ✓ Frank Rivera – Harrah's
- ✓ Troy Burkett – Presque Isle
- ✓ Jill Fuge – Penn National
- ✓ Frank Bruckner – Rivers Casino

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

Board Decision: Passed by unanimous vote

OFFICE OF FINANCIAL MANAGEMENT

David Rhen, Budget Manager, provided an update on the agency's revenue and expenditures.

OFFICE OF CHIEF COUNSEL

PGCB MOTION NO. 2010-168 REG – Temporary Regulation #125-119

Motion Made: Board Member Ginty
Seconded: Board Member McCabe

Resolved, the Board hereby adopts Temporary Regulation #125-119 and establishes a comment period of 30 days; and directs that the Temporary Regulation be posted on the Board's website.

Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2010-169 REG – Temporary Regulation #125-120

Motion Made: Board Member McCabe
Seconded: Board Member Sojka

Resolved, the Board hereby adopts Temporary Regulation #125-120 and establishes a comment period of 30 days; and directs that the Temporary Regulation be posted on the Board's website.

Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2010-170 OCC – Petition / Chester Downs / Table Games

Motion Made: Board Member Sojka
Seconded: Board Member Trujillo

Resolved, the Board hereby grants Chester Downs and Marina, LLC's Petition for Approval of Authorization to Conduct Table Games, Issuance of a Table Games Operation Certificate and approved the Motion to Maintain Confidentiality.

Docket Number: 1363-2010
Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2010-171 OCC – Petition / HSP Gaming

Motion Made: Board Member Trujillo
Seconded: Board Member Angeli

Resolved, the Board hereby grants HSP Gaming L.P.'s Petition to Modify its Statement of Conditions to the extent that HSP must now open and operate with no fewer than 1,600 slot machines.

Docket Number: 1346-2010
Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2010-172 OCC – Petition / HSP Gaming

Motion Made: Chairman Fajt

Seconded: Board Member Angeli

Resolved, the Board hereby grants HSP Gaming L.P.'s Motion to Maintain Confidentiality regarding the Statement of Conditions.

Docket Number: 1346-2010
Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2010- 173 OCC – Petition / Force Drilling

Motion Made: Board Member Angeli
Seconded: Board Member Coy

Resolved, the Board hereby grants Force Drilling, LLC's Petition for Removal from the Prohibited Gaming Service Provider List contingent upon its civil penalty payment of \$1,500.

Docket Number: 1355-2010
Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2010-174 OCC – Petition / Tishman Construction Corporation

Motion Made: Board Member Coy
Seconded: Board Member Ginty

Resolved, the Board hereby grants the Petition of Tishman Construction Corporation (TCC) for approval to reapply for a Gaming Service Provider Certification on the condition that TCC pay the estimated costs of investigation at the time of the application. The amount to be paid shall be determined by Board staff.

Docket Number: 1354-2010
Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2010-175 OCC – Withdrawals or Surrenders

Motion Made: Board Member Ginty
Seconded: Board Member McCabe

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

- ✓ Apex Cleaning Supply, Inc. Licensing No. 36636 PGCB Doc. No. 1356-2010
- ✓ F/J Hess & Sons Plumbing & Heating, Inc. Licensing No. 42305 PGCB Doc. No. 1347-2010
- ✓ Zeb Pena Licensing No. 38409 PGCB Doc. No. 1362-2010

Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2010-176 OCC – Report and Recommendation / Arbiter Partners, L.P.

Motion Made: Board Member McCabe
Seconded: Board Member Sojka

Resolved the Board hereby adopted the Report and Recommendation issued by the Office of Hearings and Appeals to deny Arbiter Partners, L.P. 's Principal Waiver Application.

Docket Number; 1149-2010
Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2010-177 OCC – Report and Recommendation / Guy Stephens

Motion Made: Board Member Sojka
Seconded: Board Member Trujillo

Resolved the Board hereby adopted the Report and Recommendation issued by the Office of Hearings and Appeals denying Guy J. Stephens' application for a Non-Gaming Employee Registration.

Docket Number; 1300-2010
Board Decision: Passed by unanimous vote

BUREAU OF LICENSING

PGCB MOTION NO. 2010-178 LIC – Manufacturer License Renewal

Motion Made: Board Member McCabe
Seconded: Board Member Ginty

Resolved, the Board hereby approved the renewal of Aristocrat Technologies Australia Pty Limited's Manufacturer License.

Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2010-179 LIC – Manufacturer License Renewal

Motion Made: Board Member Angeli
Seconded: Board Member Coy

Resolved, the Board hereby approved the renewal of Aristocrat Technologies, Inc.'s Manufacturer License.

Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2010-180 LIC – Manufacturer License Renewal

Motion Made: Board Member Coy
Seconded: Board Member Ginty

Resolved, the Board hereby approved the renewal of WMS Gaming, Inc.'s Manufacturer License.

Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2010-181 LIC – Conditional Table Games Manufacturer License

Motion Made: Board Member McCabe
Seconded: Board Member Sojka

Resolved, the Board hereby approved the Conditional Table Games Manufacturer License for the United States Playing Card Company.

Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2010-182 LIC – Conditional Licensing Jurisdiction

Motion Made: Board Member Trujillo
Seconded: Board Member Angeli

Resolved, the Board hereby approved Ontario Canada as a conditional licensing jurisdiction.

Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2010-183 LIC – Temporary Principal and Key Employee Credentials

Motion Made: Board Member Sojka
Seconded: Board Member Trujillo

Resolved, the Board hereby approved the issuance of 1 Temporary Principal and 7 Key Employee Credentials.

Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2010-184 LIC – Issuance of Gaming and Non-Gaming Permits and Registrations

Motion Made: Board Member Trujillo
Seconded: Board Member Angeli

Resolved, the Board hereby approves the Order issuing 139 (130 initial; 1 renewal and 38 temporary) Gaming Employee Permits and 93 Non-Gaming Employee Registrations.

Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2010-185 LIC – Denials / Gaming Employee Permits

Motion Made: Board Member Angeli
Seconded: Board Member Coy

Resolved, the Board hereby approved the following Gaming Employee Permit denials:

<u>Docket #</u>	<u>Applicant</u>
44952	Ronald Glover
45268	Mark Ryan

44874 Christopher Yeagley

Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2010-186 LIC – Withdrawal / Gaming & Non-Gaming Employee Applications

Motion Made: Board Member Coy
Seconded: Board Member Ginty

Resolved, the Board hereby approved the withdrawal of 1 Gaming Employee Permit and 5 Non-Gaming Employee Applications.

Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2010-187 LIC – Prohibited Gaming Service Provider List

Motion Made: Board Member Ginty
Seconded: Board Member McCabe

Resolved, the Board hereby issued an Order approving the addition of Handi Hut, Inc. to the Prohibited Gaming Service Provider List.

Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2010-188 LIC – Abandonment /Gaming Service Providers

Motion Made: Board Member McCabe
Seconded: Board Member Sojka

Resolved, the Board hereby issued an Order approving the following additions to the Prohibited Gaming Service Provider List.

- ✓ Desserts International, Inc.
- ✓ Mezzaluna Designs, Inc.
- ✓ Underscore Marketing, LLC

Board Decision: Passed by unanimous vote

ADJOURNMENT

On a motion by Board Member Sojka, and seconded by Board Member Trujillo, the meeting was adjourned.

I HEREBY CERTIFY THAT THESE MINUTES WERE APPROVED BY THE PENNSYLVANIA GAMING CONTROL BOARD AT A PUBLIC MEETING ON THE 10th DAY OF JUNE, 2010.

Mickey Kane, Board Secretary