



PENNSYLVANIA GAMING CONTROL BOARD

Meeting of the Board January 6, 2011 Minutes

A meeting of the Pennsylvania Gaming Control Board was held at the North Office Building, Hearing Room 1, Harrisburg. 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 members in attendance were:

Jorge Augusto, representing Secretary of Agriculture
David Barasch, representing the Secretary, Department of Revenue
Aviv Bliwas, Esquire, representing State Treasurer

Individuals who appeared officially before the Board:

Kevin O'Toole – Executive Director
David Rhen – Agency Financial Report
Claire Yantis – Personnel Matters
Susan Yocum - Regulations
R. Douglas Sherman – Petitions
Steve Cook –Withdrawals, Report and Recommendations & Emergency Suspensions
Susan Hensel – Licensing Matters
Cyrus Pitre – Enforcement Actions
Dustin Miller – Enforcement Actions
Katherine Higgins – Enforcement Actions
Melissa Powers – Enforcement Actions
Billie Matelevich-Hoang– Enforcement Actions
Faisal Ibrahim – Testimony
Malcolm McCann – Testimony
Mike Sklar, Esquire, representing Holdings Acquisition
Rhonda Gilchrist, representing Rivers Casino

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

A PUBLIC HEARING WAS HELD AS FOLLOWS:

- Washington Trotting Association (WTA) – Joint Application with Crown Limited for Approval of the Change of Control of WTA and Other Relief

PGCB MOTION NO. 2011-1 OCC – Petition / Washington Trotting Association

Resolved, the Board hereby tabled the matter.

Motion Made: Board Member Ginty
Seconded: Board Member McCabe

Board Decision: Passed by unanimous vote

PUBLIC MEETING

ANNOUNCEMENTS

Chairman Fajt announced that the Board held an Executive Session on January 5, 2011. The purpose of yesterday's Executive Session was to discuss personnel matters; pending litigation with its counsel, as well as to conduct quasi-judicial deliberations relating to matters pending before the Board, including the matters coming before the Board today.

MINUTES/TRANSCRIPT

Approved the minutes and transcript of the December 16th meeting.

Motion Made: Board Member Angeli
Seconded: Board Member Coy

Board Decision: Passed by unanimous vote

EXECUTIVE DIRECTOR'S REPORT

PGCB MOTION NO. 2011-2 EXE – Audio Visual Services

Motion Made: Board Member Coy
Seconded: Board Member Sojka

Resolved, the Board hereby approved the issuance of an emergency procurement to obtain audio visual services.

Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2011-3 EXE – Proposals for Background Screening

Motion Made: Board Member Coy
Seconded: Board Member Sojka

Resolved, the Board hereby approved the issuance of a Request for Proposals for background screening services.

Board Decision: Passed by unanimous vote

HUMAN RESOURCES

PGCB MOTION NO. 2011-4 HR –Executive Director Employment Agreement

Motion Made: Board Member Coy
Seconded: Board Member McCabe

Resolved, the Board hereby approved the Amendment to the Executive Director's Employment Agreement.

Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2011-5 HR – Classification and Compensation Structure

Motion Made: Board Member Trujillo
Seconded: Board Member Ginty

Resolved, the Board hereby approved the Amendment to the Board's Classification and Compensation Structure

Board Decision: Passed by unanimous vote

OFFICE OF CHIEF COUNSEL

PGCB MOTION NO. 2011-6 REG – Proposed Regulation #125-141

Motion Made: Board Member Coy
Seconded: Board Member McCabe

Resolved, the Board hereby adopts Proposed Regulation #125-141 and establishes a comment period of 30 days; and directs that the Regulation be posted on the Board's website.

Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2011-7 OCC – Petition / Mason-Dixon

Motion Made: Board Member McCabe
Seconded: Board Member Sojka

Resolved, the Board hereby denied Mason Dixon's Petition to Re-open the Record.

Docket Number: 1692-2010
Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2011-8 OCC – Petition / Greenwood Gaming & Entertainment, Inc.

Motion Made: Board Member Sojka

Seconded: Board Member Trujillo

Resolved, the Board hereby approved the Greenwood Gaming and Entertainment, Inc.'s Petition for Waiver of Section 523.8 (a) of the Board's Temporary Regulations, with conditions.

Docket Number: 1737-2010
Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2011-9 OCC – Withdrawals / Surrenders

Motion Made: Board Member Sojka
Seconded: Board Member Coy

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

- | | | |
|------------------------|------------------------|------------------------|
| ➤ Robert F. Griffin | Licensing No. 1666-3; | PGCB Doc No. 1735-2010 |
| ➤ David R. Hughes | Licensing No. 1383-2; | PGCB Doc No. 1736-2010 |
| ➤ Sean Evans | Licensing No. 26010-2; | PGCB Doc No. 1740-2010 |
| ➤ Robert C. Caller | Licensing No. 2445-5; | PGCB Doc No. 1730-2010 |
| ➤ Franklin E. Cantwell | Licensing No. 22288-2; | PGCB Doc No. 1728-2010 |
| ➤ Marilynn R. Malerba | Licensing No. 1276-2; | PGCB Doc No. 1729-2010 |
| ➤ Steven Allen Marsh | Licensing No. 40223; | PGCB Doc No. 1748-2010 |

Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2011-10 OCC – Report and Recommendation / James Fallon

Motion Made: Board Member Angeli
Seconded: Board Member Coy

Resolved, the Board hereby adopted the Report and Recommendation issued by the Office of Hearings and Appeals and denied the Gaming Employee Permit of James Fallon

Docket Number: 1684-2010
Board Decision: Passed by 6 votes, Board member Kenneth I. Trujillo recused himself

PGCB MOTION NO. 2011-11 OCC – Report and Recommendation / Malcolm McCann

Motion Made: Board Member Coy
Seconded: Board Member Ginty

Resolved, the Board hereby adopted the Report and Recommendation issued by the Office of Hearings and Appeals and granted the Gaming Employee Permit of Malcolm McCann.

Docket Number: 1650-2010
Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2011-12 OCC – Report and Recommendation / Stephen Westbrook

Motion Made: Board Member Ginty
Seconded: Board Member McCabe

Resolved, the Board hereby adopts the Report and Recommendation issued by the Office of Hearings and Appeals and denied Stephen Westbrook's Application for a Gaming Employee Permit.

Docket Number: 1651-2010
Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2011-13 OCC – Report and Recommendation / Jonathan Huhn

Motion Made: Board Member McCabe
Seconded: Board Member Sojka

Resolved, the Board hereby adopted the Report and Recommendation of the Office of Hearings and Appeals and denied Jonathan Huhn's Application for a Gaming Employee Permit.

Docket Number: 1685-2010
Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2011-14 OCC – Report and Recommendation / Jeffrey King

Motion Made: Board Member Sojka
Seconded: Board Member Trujillo

Resolved, the Board hereby rejected the Report and Recommendation of the Office of Hearings and Appeals and denied Jeffrey King's Application for a Non-Gaming Employee Registration.

Docket Number: 1666-2010
Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2011-15 OCC – Rule to Show Cause/Faisal Ibrahim

Motion Made: Board Member Sojka
Seconded: Board Member Trujillo

Resolved, the Board hereby approved the suspension of Faisal Ibrahim's Non-Gaming Employee Registration.

Docket Number: 1333-2010
Board Decision: Passed by unanimous vote

BUREAU OF LICENSING

PGCB MOTION NO. 2011-16 LIC – MicroFirst Associates, Inc.

Motion Made: Board Member Trujillo
Seconded: Board Member Angeli

Resolved, the Board approved MicroFirst Associates, Inc.'s Slot Machine Manufacturer License.

Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2011-17LIC – Principal and Key Employee Licenses

Motion Made: Board Member Angeli

Seconded: Board Member Coy

Resolved, the Board approved the following Principal and Key Employee Licenses:

Chester Downs and Marina, LLC

Principals Initial Licensure

- Katrina Rochelle Lane, Senior Vice President and Chief Technology Officer– Docket #1459-2
- Duane Douglas Holloway, Vice President, Litigation, Labor, and Employment – Docket #44130-2

Key Employee Initial Licensure

- Jennifer Michele Mitchell, Security Supervisor – Docket #35505-4

Downs Racing, LP

Principal Initial Licensure

- Thayne Douglas Hutchins, Tribal Council Member, Mohegan Tribal Gaming Authority – Docket #23870-1

Greenwood Gaming and Entertainment, Inc.

Key Employees Initial Licensure

- Dale E. Walton, Jr., Security Shift Manager – Docket #39631-2
- Nicolle M. Miller, Player Services Shift Manager – Docket #28750-3
- Carrie A. Nork-Minelli, Director of Public Relations and Advertising – Docket #43668-1

Key Employees Renewal

- Remaitha A. Polite, Count Room Manager – Docket #18339-3
- Ronald W. Davis, Director of Diversity and Community Development – Docket #2479-3

Presque Isle Downs, Inc.

Principal Initial Licensure

- Narciso Alejandro Rodriguez-Cayro, General Counsel, MTR Gaming Group, Inc. – Docket #44922-1

Washington Trotting Association, Inc.

Key Employees Initial Licensure

- Tracy Marie Mihalek, Slot Lead Shift Floor Person – Docket #19847-3
- Jamie Ellen Wright, Database Marketing Coordinator – Docket #17937-4

Holdings Acquisition Co., LP

Key Employee Initial Licensure

- Rhonda Gilchrist, Vice President of Compliance – Docket #3197-3

Sands Bethworks Gaming, LLC

Key Employees Initial Licensure

- Richard Edward Snyder, Shift Manager Security – Docket #36444-2
- Joshua Robert Mill, Supervisor Security – Docket #30791-2
- Karen Denise Winns, Shift Manager Market Services – Docket #20613-4
- Michael John Burke, Director of Security – Docket #35771-1
- Jessica Ashley Allen, Supervisor - Slots – Docket #38735-2
- Lisa Marie Chirichella, Supervisor - Slots – Docket #38744-2

Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2011-18 LIC – Temporary Principal and Key Employee Credentials

Motion Made: Board Member Coy
Seconded: Board Member Ginty

Resolved, the Board hereby approved 3 Temporary Principal and 16 Key Employee Credentials

Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2011-19 LIC – Issuance of Gaming and Non-Gaming Permits and Registrations

Motion Made: Board Member Ginty
Seconded Board Member McCabe

Resolved, the Board hereby approved 425 Gaming Employee Permits (260 initial; 150 temporary G2; 15 full G2) and 110 Non-Gaming Employee Registrations.

Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2011-20 LIC – Withdrawals

Motion Made: Board Member McCabe
Seconded Board Member Sojka

Resolved, the Board hereby approved the withdrawal of 22 Key Employee applications, 27 Gaming Employee Permits and 13 Non-Gaming Employee Registrations.

Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2010-21 LIC – Gaming Service Provider Certification

Motion Made: Board Member Sojka
Seconded: Board Member Trujillo

Resolved, the Board hereby approved the following Gaming Service Provider Certifications:

- Exterior Erecting Services, Inc.
- Steelfab of Virginia, Inc.

Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2010-22 LIC – Gaming Service Provider Registration

Motion Made: Board Member Trujillo
Seconded: Board Member Angeli

Resolved, the Board hereby approved the following Gaming Service Provider Registrations:

- Cleveland Browns Football Co., LLC
- EBStyle, Inc., DBA: Eric Brand Furniture
- George L. Wells Meat Company
- Giant Ideas Inc.
- Hi Tech Data Floors, Inc.
- Hutt's Glass Company, Inc.
- MBA Enterprises - Hagen Construction, LLC
- Michael's Finer Meats, LLC
- Sheralven Enterprises LTD.

Board Decision: Passed by unanimous vote

OFFICE OF ENFORCEMENT COUNSEL

PGCB MOTION NO. 2011-23 OEC – Consent Agreement / Holdings Acquisition

Motion Made: Board Member Angeli
Seconded: Board Member Coy

Resolved, the Board hereby denied the Consent Agreement between the Office of Enforcement Counsel and Holdings Acquisition Co., LP.

Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2011-24 OEC – Consent Agreement / Mount Airy

Motion Made: Board Member Coy
Seconded: Board Member Ginty

Resolved, the Board hereby approved the Consent Agreement between the Office of Enforcement Counsel and Mount Airy #1, LLC. Mount Airy #1 LLC shall pay a civil penalty in the amount of \$70,000.

Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2011-25 OEC – Suspension/Revocation – Faisal Ibrahim

Motion Made: Board Member Ginty
Seconded: Board Member McCabe

Resolved, the Board hereby revoked Brandi Huber's Non-Gaming Employee Registration

Docket Number: 1731-2010
Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2011-26 OEC – PGCB Exclusion List

Motion Made: Board Member McCabe
Seconded: Board Member Sojka

Resolved, the Board hereby approved the addition of Fajiao Sun to the PGCB Exclusion List. He shall not enter or game at a licensed facility or collect any winnings as a result of gaming. It is further ordered, that should he attempt to gain access to a licensed facility that he be ejected.

Docket Number: 1700-2010
Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2011-27 OEC – PGCB Exclusion List

Motion Made: Board Member Sojka
Seconded: Board Member Trujillo

Resolved, the Board hereby approved the addition of Claudie Kenion to the PGCB Exclusion List. He shall not enter or game at a licensed facility or collect any winnings as a result of gaming. It is further ordered, that should he attempt to gain access to a licensed facility that he be ejected

Docket Number: 1665-2010
Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2011-28 OEC – PGCB Exclusion List

Motion Made: Board Member Trujillo
Seconded: Board Member Angeli

Resolved, the Board hereby approved the addition of Xin Li to the PGCB Exclusion List. He shall not enter or game at a licensed facility or collect any winnings as a result of gaming. It is further ordered, that should he attempt to gain access to a licensed facility that he be ejected.

Docket Number: 1702-2010
Board Decision: Passed by unanimous vote

ADJOURNMENT

On a motion by Commissioner Angeli, seconded by Coy, Chairman Fajt adjourned the meeting