



PENNSYLVANIA GAMING CONTROL BOARD

Meeting of the Board

July 20, 2011

Minutes

A meeting of the Pennsylvania Gaming Control Board was held at the PUC-Keystone Building, Hearing Room 1, Harrisburg. The meeting began at approximately 9:30 a.m.

Members in attendance were:

Gregory C. Fajt, Chairman
Raymond S. Angeli
James B. Ginty
Keith R. McCall
Anthony C. Moscato
Gary A. Sojka
Kenneth Trujillo

Ex-Officio members in attendance were:

Robert Coyne, Designee, Department of Revenue
Christopher Craig, Designee, State Treasurer's Office
Matthew Meals, Designee, Department of Agriculture

Individuals who appeared officially before the Board:

David Rhen – Agency Revenue and Expenditures
Susan Yocum – Regulations
R. Douglas Sherman – Petitions
Steve Cook – Report and Recommendations
Susan Hensel – Licensing Matters
Cyrus Pitre – Enforcement Actions
Nan Davenport – Enforcement Actions
Dustin Miller – Enforcement Actions
Beth Manifesto – Enforcement Actions
Kathleen Higgins – Enforcement Actions
Billie Jo Matelevich-Hoang – Enforcement Actions
Alexandra Sacavage – Enforcement Actions
Michael Sklar, Esquire, representing Mount Airy #1, LLC
Leanne Asbury – Director of Security, Mount Airy #1, LLC
Mr. Burgley – Representative of Hollywood Casino

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

PUBLIC HEARINGS

Public Hearings were held as follows:

- Gregory Rubino & Passport Realty, LLC – Petition to Allow Objections to the Renewal of the License of Presque Isle Downs (*Legal Argument Only* on Motion to Strike filed by Presque Isle and the Office of Enforcement Counsel)
- Presque Isle Downs – License Renewal
- Presque Isle Downs – Petition for Approval to Modify its Facility to Add and Operate a Poker Room
- U.S. Playing Cards – Petition for Reconsideration

ANNOUNCEMENTS

Chairman Fajt announced that the Board held an Executive Session on July 19th for the purpose of discussing personnel matters, pending litigation and just prior to the public meeting to conduct quasi-judicial deliberations relating to matters being considered by the Board on July 20th.

OFFICE OF FINANCIAL MANAGEMENT

David Rhen provided a report on revenue and expenditures.

OFFICE OF CHIEF COUNSEL

PGCB MOTION NO. 2011- 249 REG – Final-form Regulation # 125-141

Motion Made: Board Member Angeli
Seconded: Board Member Ginty

Resolved, the Board hereby adopted Final-form Rulemaking 125-141. The Regulation shall be posted on the Board's website.

Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2011- 250 REG – Proposed Regulation # 125-156

Motion Made: Board Member Ginty
Seconded: Board Member McCall

Resolved, the Board hereby adopted Proposed Regulation 125-156. The Board also established a public comment period of 30 days for this regulation; and that the Proposed Regulation be posted on the Board's website.

Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2011- 251 REG – Temporary Regulation # 125-157

Motion Made: Board Member McCall
Seconded: Board Member Moscato

Resolved, the Board hereby adopted The Board adopted Temporary Regulation 125-157. The Board also established a public comment period of 30 days for this regulation; and that the Temporary Regulation be posted on the Board's website.

Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2011- 252 OCC – Motion to Strike / Gregory Rubino and Passport Realty, LLC

Motion Made: Board Member Moscato
Seconded: Board Member Sojka

Resolved, the Board, upon consideration of the motions to strike, filed in this matter by the Office of Enforcement Counsel and Presque Isle Downs, Inc., ordered that the Second Amended Petition of Gregory Rubino and Passport Realty, LLC to Allow Objections to the Renewal of the Licensure of Presque Isle Downs is Stricken and dismissed for the reasons stated in the Adjudication.

Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2011- 253 OCC – Petition / Presque Isle Downs

Motion Made: Board Member Sojka
Seconded: Board Member Trujillo

Resolved, the Board, granted with conditions, requested by the Office of Enforcement Counsel, the Petition of Presque Isle Downs' for Approval to Modify its Facility to Add and Operate a Poker Room.

Docket Number: 2098-2011
Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2011- 254 OCC – Petition / US Playing Cards

Motion Made: Board Member Trujillo
Seconded: Board Member Angeli

Resolved, the Board granted the Petition for Reconsideration of US Playing Cards. The Board ordered to strike its June 13, 2011; and that a new Order be issued granting the relief requested. Approval is subject to US Playing Cards continuing to follow the reporting requirements to Jarden Corporation's outside auditors, as described in the Petition for Reconsideration, as well as Jarden's Audit Committee documenting its review of the US Playing Card Information submitted in its minutes no less than on an annual basis. The Board, in a separate Order, granted the request for Confidentiality of Exhibits.

Docket Number: 1640-2011
Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2011- 255 OCC – Report and Recommendation / Warren Eubanks

Motion Made: Board Member Angeli
Seconded: Board Member Ginty

Resolved, the Board adopted the Report and Recommendation of the Office of Hearings and Appeals with corrections and additions and denied the Non-Gaming Employee Registration of Warren Eubanks.

Docket Number: 2048-2011
Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2011- 256 OCC – Report and Recommendation / Medina Lott

Motion Made: Board Member Ginty
Seconded: Board Member McCall

Resolved, the Board hereby rejected the Report and Recommendation of the Office of Hearings and Appeals and granted the Non-Gaming Registration of Medina Lott.

Docket Number: 1931-2011
Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2011- 257 OCC – Report and Recommendation / Eduardo Ortiz

Motion Made: Board Member McCall
Seconded: Board Member Moscato

Resolved, the Board hereby adopted the Report and Recommendation of the Office of Hearings and Appeals and denied the Non-Gaming Employee Registration of Eduardo Ortiz.

Docket Number: 2046-2011
Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2011- 258 OCC – Report and Recommendation / Robert DeBarth

Motion Made: Board Member Moscato
Seconded: Board Member Sojka

Resolved, the Board adopted the Report and Recommendation of the Office of Hearings and Appeals and denied the request filed by Robert DeBarth to carry a firearm in the Licensed Facilities of the Commonwealth of Pennsylvania.

Docket Number: 1923-2011
Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2011- 259 OCC – Report and Recommendation / Darrell Fittimon

Motion Made: Board Member Sojka
Seconded: Board Member Trujillo

Resolved, the Board hereby adopted the Report and Recommendation of the Office of Hearings and Appeals and following the investigation of BIE should they recommend Mr. Darrell Fittimon is suitable to hold a Key Employee license, it will be subject to a condition that Mr. Fittimon provides regular updates on his compliance with his financial obligations, including his federal tax liabilities.

Docket Number: 1941-2011
Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2011- 260 OCC – Report and Recommendation / Jasmine Reed

Motion Made: Board Member Trujillo
Seconded: Board Member Angeli

Resolved, the Board hereby adopted the Report and Recommendation of the Office of Hearings and Appeals and denied the Gaming Employee Permit of Jasmine Reed.

Docket Number: 2057-2011
Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2011- 261 OCC – Temporary Emergency Suspension / Antoinette Johnson

Motion Made: Board Member Angeli
Seconded: Board Member Ginty

Resolved, the Board orders to extend the Temporary Emergency Order of Suspension of Antoinette Johnson's Non-Gaming Employee Registration and that the matter be referred to the Office of Hearings and Appeals for a hearing to determine the Validity of the Emergency Suspension Order.

Docket Number: 2154-2011
Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2011- 262 OCC – Temporary Emergency Suspension / Vanessa Francies

Motion Made: Board Member Ginty
Seconded: Board Member McCall

Resolved, the Board orders to extend the Temporary Emergency Order of Suspension of Vanessa Francies' Non-Gaming Employee Registration and that the matter be referred to the Office of Hearings and Appeals for a hearing to determine the Validity of the Emergency Suspension Order.

Docket Number: 2163-2011
Board Decision: Passed by unanimous vote

BUREAU OF LICENSING

PGCB MOTION NO. 2011-263 LIC – License Renewal / Presque Isle

Motion Made: Board Member McCall
Seconded: Board Member Moscato

Resolved, the Board approved the Slot Machine License Renewal of Presque Isle Downs.

Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2011-264 LIC –Table Games Manufacturer License

Motion Made: Board Member Moscato
Seconded: Board Member Sojka

Resolved, the Board approved the Table Games Manufacturer License of Tech Art Incorporated.

Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2011-265 LIC – Principal and Key Employee Licenses

Motion Made: Board Member Sojka
Seconded: Board Member Trujillo

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

Chester Downs and Marina, LLC

Principals Initial Licensure

✓ Donald P. Marrandino, President, Caesars Entertainment, Inc, Eastern Division – Docket #43377-1

Key Employee Initial Licensure

✓ Martin T. Williamson, Jr., Surveillance Supervisor – Docket #29873-4

Aristocrat Technologies, Inc.

Key Employee Initial Licensure

✓ Robert Perry, Senior Regional Manager Games-Eastern Region – Docket #2046-2

Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2011-266 LIC – Temporary Principal and Key Employee Credentials

Motion Made: Board Member Trujillo
Seconded: Board Member Angeli

Resolved, the Board approved the issuance of 2 Temporary Principal and 17 Key Employee Credentials. *(Interested parties may request a copy of the board order which contains the casino and employee names by emailing dappel@pa.gov.)*

Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2011-267 LIC – Gaming & Non-Gaming Employee Permits and Registrations

Motion Made: Board Member Angeli
Seconded: Board Member Ginty

Resolved, the Board approved the issuance of 764 (338 initial; 389 temporary G2 employees; 37 full G2) Gaming Employee Permits and 160 Non-Gaming Employee Registrations. *(Interested parties may request a copy of the board order which contains the casino and employee names by emailing dappel@pa.gov.)*

Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2011-268 LIC – Withdrawals

Motion Made: Board Member Ginty
Seconded: Board Member McCall

Resolved, the Board approved the Key Employee Application Withdrawals of Karen Walkers (41605-1); Mitchell Sye (7206-2); Sandeep Prasad (41610-1); Rosanne Thompson (8780-4); and Tracey Reinhart (51707-1). In addition, the Board approved the withdrawal of 14 G2 employees; 17 Gaming Employee

Permits and 8 Non-Gaming Employee Registrations. *(Interested parties may request a copy of the board order which contains the casino and employee names by emailing dappel@pa.gov).*

Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2011-269 LIC – Gaming Junket

Motion Made: Board Member McCall
Seconded: Board Member Moscato

Resolved, the Board approved the Gaming Junket Enterprise License of JB Junket and Tours, LLC.

Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2011-270 LIC – Gaming Service Provider Certification

Motion Made: Board Member Moscato
Seconded: Board Member Sojka

Resolved, the Board hereby approved the Gaming Service Provider Certifications as follows:

CERTIFIED GAMING SERVICE PROVIDERS

- ✓ AMA Systems, LLC
- ✓ American Interiors, Inc.
- ✓ Arraya Solutions, Inc.
- ✓ Bracalente Construction, Inc.
- ✓ Carnegie PA, LLC
- ✓ Eastern Exterior Wall Systems, Inc.
- ✓ Hot Dog Hall of Fame
- ✓ Innerwireless, Inc.
- ✓ JR MSPD, LLC
- ✓ Kronos, Inc.
- ✓ Singer Equipment Co.
- ✓ Southwest Aluminum & Glass Co., Inc.
- ✓ Southwest Surveillance Group
- ✓ Tierney and Partners, Inc.
- ✓ US Foodservice, Inc.

Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2011-271 LIC – Gaming Service Provider Registration

Motion Made: Board Member Sojka
Seconded: Board Member Trujillo

Resolved, the Board hereby approved the Gaming Service Provider Registration as follows:

REGISTERED GAMING SERVICE PROVIDERS

- ✓ Crystal Sound Systems, Inc.
- ✓ Euclid Fish Company, Inc.
- ✓ Eventricity LLC
- ✓ Flounders Communications Inc., DBA: Comstar Technologies
- ✓ Full Draw Landscape Design Services LLC

- ✓ Gabriele Design, Inc.
- ✓ R.T. Reynolds, Inc.
- ✓ Rabe Environmental Systems, Inc.
- ✓ Simmons Contract Sales LLC, dba: Simmons Hospitality
- ✓ The Brickman Group Ltd. LLC, DBA: The Brickman Group, Ltd.
- ✓ Total Systems Control, Incorporated
- ✓ Tri-State Balancing Company, Inc.

Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2011-272 LIC – Abandoned Gaming Service Provider Applications

Motion Made: Board Member Trujillo
Seconded: Board Member Angeli

Resolved, the Board hereby approved the Abandoned Gaming Service Provider Applications as follows:

- ✓ AKS Commercial Installations
- ✓ Architectural Railings and Grilles, Inc.
- ✓ Baco Enterprises, Inc.
- ✓ Casillas, Inc.
- ✓ Casino Training Enterprises, LLC
- ✓ CSB Technology Partner, LLC
- ✓ David Yakabouski Flooring
- ✓ McFarland-Johnson, Inc.
- ✓ TOMCAT USA, Inc.
- ✓ Alpine H2O, Inc.
- ✓ Imperial Security
- ✓ Phillips Corp. dba: Equipco
- ✓ Prepcheck Food Safety and Sanitation Services, Inc.
- ✓ Sterling Testing Systems, Incorporated
- ✓ The Home Depot Supply, Inc.
- ✓ Gebruder Hepp, Subsidiary of proHeq GmbH, DBA: Hepp Germany
- ✓ Mikohn Signs and Graphics, LLC

Board Decision: Passed by unanimous vote

OFFICE OF ENFORCEMENT COUNSEL

PGCB MOTION NO. 2011-273 OEC –Consent Agreement

Motion Made: Board Member Angeli
Seconded: Board Member Ginty

Resolved, the Board approved the Consent Agreement between the Office of Enforcement Counsel and Mount Airy #, LLC for 7 incidences of underage gaming. Mount Airy #1 LLC shall pay a civil penalty in the amount of \$160,000.

Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2011-274 OEC –Consent Agreement / Hollywood Casino

Motion Made: Board Member Ginty

Seconded: Board Member McCall

Resolved, the Board approved the Consent Agreement between the Office of Enforcement Counsel and Mountainview Thoroughbred Racing Association (Hollywood Casino) for underage gaming. Mountainview shall pay a civil penalty in the amount of \$40,000.

Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2011-275 OEC –Consent Agreement / WMS Gaming

Motion Made: Board Member McCall

Seconded: Board Member Moscato

Resolved, the Board approved the Consent Agreement between the Office of Enforcement Counsel and WMS Gaming for distribution of software to Presque Isle Downs without the approved testing or approval from the Board. WMS Gaming shall pay a civil penalty in the amount of \$5,000.

Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2011-276 OEC –Consent Agreement / Holdings Acquisition Co. LP

Motion Made: Board Member Moscato

Seconded: Board Member Sojka

Resolved, the Board approved the Consent Agreement between the Office of Enforcement Counsel and Holdings Acquisition Co. LP for several instances of underage gaming. Holdings Acquisition Co. LP shall pay a civil penalty in the amount of \$80,000.

Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2011-277 OEC –Consent Agreement / Holdings Acquisition Co. LP

Motion Made: Board Member Sojka

Seconded: Board Member Trujillo

Resolved, the Board approved the Consent Agreement between the Office of Enforcement Counsel and Holdings Acquisition Co. LP for several instances where a slot machine was placed in to play without the appropriate testing or authorization from the Board's Gaming Laboratory. Holdings Acquisition Co. LP shall pay a civil penalty in the amount of \$70,000.

Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2011-278 OEC – Revocation / Colleen Matincheck

Motion Made: Board Member Trujillo

Seconded: Board Member Angeli

Resolved, the Board hereby revoked the Gaming Employee Permit of Colleen Matincheck. Ms. Matincheck may not apply for any form of license, permit or registration under the Act and the Board's Regulations for a period of five (5) years from the date of the Order.

Docket Number: 2058-2010
Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2011-279 OEC – Revocation / Debbie Ann Pivarnik

Motion Made: Board Member Angeli
Seconded: Board Member Ginty

Resolved, the Board hereby revoked the Gaming Employee Permit of Debbie Ann Pivarnik. Ms. Pivarnik may not apply for any form of license, permit or registration under the Act and the Board's Regulations for a period of five (5) years from the date of the Order.

Docket Number: 1990-2011
Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2011-280 OEC –PGCB Exclusion List/Jonathan Baer

Motion Made: Board Member Ginty
Seconded: Board Member McCall

Resolved, the Board hereby approved the request of the Office of Enforcement Counsel to add Jonathan Baer to the Pennsylvania Gaming Control Board's Exclusion List. Mr. Baer may not request removal for a period of five (5) years.

Docket Number: 2051-2011
Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2011-281 OEC –PGCB Exclusion List/Rain Le

Motion Made: Board Member McCall
Seconded: Board Member Moscato

Resolved, the Board hereby approved the request of the Office of Enforcement Counsel to add Rain Le to the Pennsylvania Gaming Control Board's Exclusion List. Mr. Le may not request removal for a period of five (5) years.

Docket Number: 1945-2011
Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2011-282 OEC –PGCB Exclusion List/ Floyd Robinson

Motion Made: Board Member Moscato
Seconded: Board Member Sojka

Resolved, the Board hereby approved the request of the Office of Enforcement Counsel to add Floyd Robinson to the Pennsylvania Gaming Control Board's Exclusion List. Mr. Robinson may not request removal for a period of five (5) years.

Docket Number: 2043-2011
Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2011-283 OEC –PGCB Exclusion List / Michelle Shulskie

Motion Made: Board Member Sojka
Seconded: Board Member Trujillo

Resolved, the Board hereby approved the request of the Office of Enforcement Counsel to add Michelle Shulskie to the Pennsylvania Gaming Control Board's Exclusion List. Ms. Shulskie may not request removal for a period of five (5) years.

Docket Number: 2044-2011
Board Decision: Passed by unanimous vote

ADJOURNMENT

On a motion by Commissioner Trujillo, seconded by Commissioner Angeli, the meeting was adjourned.