



## PENNSYLVANIA GAMING CONTROL BOARD

Meeting of the Board

September 12, 2012

Minutes

A meeting of the Pennsylvania Gaming Control Board was held at the Office of Hearings and Appeals, Strawberry Square Complex, 2<sup>nd</sup> Floor, Harrisburg. The meeting began immediately following the public hearings.

***Members in attendance were:***

William H. Ryan, Jr., Chairman  
Gregory C. Fajt  
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

***PA Gaming Control Board Staff who appeared officially before the Board:***

Kevin O'Toole – Executive Director Report  
Mozelle Daniels – Diversity Report  
Claire Yantis – Personnel Matters  
Susan Yocum - Regulations  
R. Douglas Sherman – Petition(s)  
Steve Cook – Withdrawals, Report and Recommendations  
Susan Hensel – Licensing Matters  
Cyrus Pitre – Enforcement Actions  
Enforcement Counsel: Michael Roland, Dustin Miller and Glen Stuart

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

**PGCB RESOLUTION NO. 2012-3-EXE / Kenneth I. Trujillo**

Motion Made: Board Member McCall  
Seconded: Board Member Moscato

Resolved, the Board hereby approved the following Resolution:

***WHEREAS***, Kenneth I. Trujillo was appointed by Governor Edward G. Rendell in November 2009 as a member of the Pennsylvania Gaming Control Board; and

***WHEREAS***, Commissioner Trujillo was sworn in at the Board's meeting on December 9, 2009; and

***WHEREAS***, following the unprecedented expansion of legalized gaming in Pennsylvania with the passage of Act 1 of 2010, Commissioner Trujillo participated in and assisted in overseeing the implementation of table games at slot machine facilities across the state as they began offering table games including blackjack, poker, roulette and craps to patrons; and

**WHEREAS**, Commissioner Trujillo has provided valuable input in the Category 3 licensing process through the grant of a Category 3 “resort” casino license to Nemaquin Woodlands Resort in Fayette County; and through the opening of the Valley Forge Casino Resort; and

**WHEREAS**, as a member of the Pennsylvania Gaming Control Board who participated in the implementation of table games as legalized gaming in Pennsylvania and the review and granting of a Category 3 slot machine license, Commissioner Trujillo has been instrumental in overseeing the expansion of an industry that has created thousands of jobs and has brought tax relief to millions of Pennsylvanians; and

**WHEREAS**, Commissioner Trujillo has brought to the Board a keen intellect, a diverse and rich cultural heritage, broad-based knowledge of law and business and an overriding commitment to fulfill the intent of all provisions of the Gaming Act and promote equal opportunity for all Pennsylvanians to participate in the gaming industry; be it

**RESOLVED** that the Pennsylvania Gaming Control Board proudly recognizes Commissioner Trujillo’s 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 September 12, 2012.

Board Decision: Passed by unanimous vote.

**ANNOUNCEMENTS**

By way of announcements, the Board held an Executive Session on September 11<sup>th</sup>. The purpose of the Executive Session was to discuss personnel matters, pending litigation, and to conduct quasi-judicial deliberations relating to matters being considered by the Board on September 12<sup>th</sup>.

**MINUTES/TRANSCRIPT**

On a motion by Commission Fajt, seconded by Commissioner Ginty, the Board approved the minutes and transcript of the August 1, 2012 Board meeting.

**OFFICE OF THE EXECUTIVE DIRECTOR**

Kevin O’Toole, Executive Director reported at this time of the year that several reports are issued by the Board, including a Gaming Diversity Report which is prepared by our Office of Diversity in accordance with Section 1212 of the Pennsylvania Race Horse Development and Gaming Act.

Mr. O’Toole introduced Chief Diversity Officer Mozelle Daniels who provided a brief overview of this year’s Gaming Diversity Report.

Following Mrs. Daniels report, Kevin stated in closing, in addition to the outstanding work of our Office of Diversity, we as an Agency seek to insure that our workforce is diverse from a gender and a race perspective. With 316 full-time employees, we currently have 42.4% female employees and 14.2% minority employees. Both of these percentages exceed those for overall Commonwealth salaried employees of 40.6% female and 13.3% minority.

Kevin stated that we will continue in our efforts during this fiscal year to insure a diverse workforce within the Gaming Control Board.

**HUMAN RESOURCES**

**PGCB MOTION NO. 2012-757 HR / Kevin O’Toole**

Motion Made: Board Member Fajt  
Seconded: Board Member Sojka

Resolved, the Board hereby approved the Executive Director’s Amended Contract for a 3-year period.

Board Decision: Passed by unanimous vote.

**OFFICE OF CHIEF COUNSEL**

**PGCB MOTION NO. 2012-758 OCC – Regulation**

Motion Made: Board Member Ginty  
Seconded: Board Member McCall

Resolved, the Board hereby adopted Final-form Regulation 125-156.

Board Decision: Passed by unanimous vote.

**PGCB MOTION NO. 2012-759 OCC – Petition / Brigade Capital Management, LLC**

Motion Made: Board Member McCall  
Seconded: Board Member Moscato

Resolved, the Board hereby approved Brigade Capital Management, LLC and Brigade Leveraged Capital Structures Fund's Petition. The Board further approved that Board staff begin a review of the board's regulations regarding these types of matters, also taking into consideration the memorandum the Office of Enforcement Counsel submitted into the record regarding these proceedings on September 5, 2012.

OHA Docket #: 2766-2012  
Board Decision: Passed by unanimous vote.

**PGCB MOTION NO. 2012-760 OCC – Petition / Hillyard Inc.**

Motion Made: Board Member Moscato  
Seconded: Board Member Sojka

Resolved, the Board hereby approved Hillyard, Inc.'s Petition to be removed from the Prohibited Gaming Service Provider List. Hillyard, Inc. shall pay a civil penalty in the amount of \$1,500.

OHA Docket #: 2821-2012  
Board Decision: Passed by unanimous vote.

**PGCB MOTION NO. 2012-761 OCC – Withdrawals/Surrenders**

Motion Made: Board Member Sojka  
Seconded: Board Member Trujillo

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

- Crystal Ball Contracting, Inc. Licensing No. 41262; PGCB Doc No. 2083-2011
- Jonathan Halkyard Licensing No. 1972-2; PGCB Doc No. 2815-2012
- Michael G. Stanis Licensing No. 64907; PGCB Doc No. 2806-2012

Board Decision: Passed by unanimous vote.

**PGCB MOTION NO. 2012-762 OCC – Michael DePaul**

Motion Made: Board Member Trujillo  
Seconded: Board Member Fajt

Resolved, the Board hereby adopted the Report and Recommendation issued by the Office of Hearings and Appeals and denied Michael DePaul's Non-Gaming Employee Registration.

OHA Docket #: 2734-2012  
Board Decision: Passed by unanimous vote.

**PGCB MOTION NO. 2012-763 OCC – William Preston Gilyard**

Motion Made: Board Member Fajt  
Seconded: Board Member Ginty

Resolved, the Board hereby adopted the Recommendation issued by the Office of Hearings and Appeals and denied William Preston Gilyard's Non-Gaming Employee Registration.

OHA Docket #: 2714-2012  
Board Decision: Passed by unanimous vote.

**PGCB MOTION NO. 2012-764 OCC – Brent Leiby**

Motion Made: Board Member Ginty  
Seconded: Board Member McCall

Resolved, the Board hereby adopted the Recommendation issued by the Office of Hearings and Appeals and denied Brent Leiby's Gaming Employee Permit. Mr. Leiby's Exceptions filed on August 8, 2012 are also denied.

OHA Docket #: 2732-2011  
Board Decision: Passed by unanimous vote.

**PGCB MOTION NO. 2012-765 OCC – Emergency Suspension / John Donald Herr**

Motion Made: Board Member Fajt  
Seconded: Board Member Trujillo

Resolved, the Board hereby adopted the Emergency Suspension of John Donald Herr's Gaming Employee Permit. The Board ordered that this matter be referred to the Office of Hearings and Appeals to promptly conduct a hearing to determine the validity of the Temporary Emergency Order of Suspension and to issue a Report and Recommendation. The Temporary Emergency Suspension shall remain in effect until otherwise ordered by this Board.

OHA Docket #: 2846-2012  
Board Decision: Passed by unanimous vote.

**PGCB MOTION NO. 2012-766 OCC – Emergency Suspension / Emanuel Pleasant**

Motion Made: Board Member McCall  
Seconded: Board Member Moscato

Resolved, the Board hereby adopted the Emergency Suspension of Emanuel Pleasant's Non-Gaming Employee Registration. The Board ordered that this matter be referred to the Office of Hearings and Appeals to promptly conduct a hearing to determine the validity of the Temporary Emergency Order of Suspension and to issue a Report and Recommendation. The Temporary Emergency Suspension shall remain in effect until otherwise ordered by this Board.

OHA Docket #: 2840-2012  
Board Decision: Passed by unanimous vote.

**BUREAU OF LICENSING**

**PGCB MOTION NO. 2012-767 LIC – Principal & Key Employee Licenses**

Motion Made: Board Member Moscato  
Seconded: Board Member Sojka

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

**Chester Downs and Marina, LLC**

- Key Employee Initial Licensure
- **Janet L. Maugans**, Cage Manager – Docket #64071-1

**Mount Airy #1, LLC**

- Key Employee Initial Licensure
- **Zeng Huang**, Director of Player Development – Docket #58374-1

**Valley Forge Convention Center Partners, LP**

- Principal Initial Licensure
- **ILVF Consulting GP, LLC**, General Partner and 1% owner of ILVF Consulting, LP – Docket #71632-1

**US Foods, Inc.**

- Initial Qualifications
- **John Lederer**, Chief Executive Officer and President of US Foods, Inc. – Dkt #42334-1
- **Juliette Pryor**, Executive Vice President & General Counsel of US Foods, Inc. – Dkt #58611-1

Board Decision: Passed by unanimous vote

**PGCB MOTION NO. 2012-768 LIC – Temporary Key Employee Credentials**

Motion Made: Board Member Sojka  
Seconded: Board Member Trujillo

Resolved, the Board hereby approved the issuance of 1 Temporary Principal and 14 Key Employee Credentials.

Board Decision: Passed by unanimous vote

**PGCB MOTION NO. 2012-769- LIC – Gaming Permits & Non-Gaming Employee Registrations**

Motion Made: Board Member Trujillo  
Seconded: Board Member Fajt

Resolved, the Board hereby approved the issuance of 342 (64 full G2 employees; 107 initial; 75 renewals; 96 Temporary G2 employees) Gaming Employee Permits and 119 Non-Gaming Employee Registrations.

Board Decision: Passed by unanimous vote

**PGCB MOTION NO. 2012-770 LIC – Denial**

Motion Made: Board Member Fajt  
Seconded: Board Member Ginty

Resolved, the Board hereby approved the denial of Jean Grants Non-Gaming Employee Application.

Board Decision: Passed by unanimous vote

**PGCB MOTION NO. 2012-771 LIC – Withdrawals**

Motion Made: Board Member Ginty  
Seconded: Board Member McCall

Resolved, the Board hereby approved the approved the withdrawal of the 6 Gaming Employee Permits and 2 Non-Gaming Employee Registrations, as follows:

- Andrew Carter (NG)
- Bryan Coombs (G)
- Darryl Cunard (G)
- Jordan Little (NG)
- Andrew Kipp (G)
- Jamaela Waiters (G)
- Crandall Arthur (G)
- Brandon Pettit (G)

Board Decision: Passed by unanimous vote

**PGCB MOTION NO. 2012-772 LIC – GSP Certification**

Motion Made: Board Member McCall  
Seconded: Board Member Moscato

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

- 76 Carriage Company, Inc. DBA: Philadelphia Trolley Works
- Central Metals, Inc.
- Kevin Travel, Inc

Board Decision: Passed by unanimous vote

**PGCB MOTION NO. 2012-773 LIC – GSP Registration**

Motion Made: Board Member Moscato  
Seconded: Board Member Sojka

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

- 88 Baccarat Tour Inc.

- Christmas City Printing Co, Inc.
- GH Property Management, LLC.
- Grapevine Laundry, Inc., DBA: Grapevine Laundry and Linens
- Helios Creative, Inc.
- Vision Solutions, Inc.
- Winning Hands, Inc.

Board Decision: Passed by unanimous vote

**OFFICE OF ENFORCEMENT COUNSEL**

**PGCB MOTION NO. 2012-774 OEC – Consent Agreement / Emily Grebb**

Motion Made: Board Member Sojka  
Seconded: Board Member Trujillo

Resolved, the Board hereby Board adopted the Consent Agreement between the Office of Enforcement Counsel and Emily Grebb. Emily Grebb was suspended for a period of two weeks effective Friday, September 14 for wagering at Mount Airy Casino while being an employee of Mount Airy Casino.

Board Decision: Passed by unanimous vote

**PGCB MOTION NO. 2012-775 OEC – Revocation / Neil Fobb**

Motion Made: Board Member Trujillo  
Seconded: Board Member Fajt

Resolved, the Board hereby revoked Neil E. Fobb’s Non-Gaming Employee Registration.

OHA Docket #: 2761-2012  
Board Decision: Passed by unanimous vote

**PGCB MOTION NO. 2012-776 OEC –PGCB Exclusion List / Sherice D. Woolfolk-Yarborough**

Motion Made: Board Member Ginty  
Seconded: Board Member McCall

Resolved, the Board hereby approved the placement of Sherice Woolfolk-Yarborough on the PGCB Involuntary Exclusion List.

OHA Docket #: 2736-2012  
Board Decision: Passed by unanimous vote

**PGCB MOTION NO. 2012-777 OEC –PGCB Exclusion List / Sandro Alonso**

Motion Made: Board Member McCall  
Seconded: Board Member Moscato

Resolved, the Board hereby approved the placement of Sandro Alonso on the PGCB Involuntary Exclusion List.

OHA Docket #: 2638-2012  
Board Decision: Passed by unanimous vote

**PGCB MOTION NO. 2012-778 OEC –PGCB Exclusion List / Jose Rodriguez**

Motion Made: Board Member Moscato  
Seconded: Board Member Sojka

Resolved, the Board hereby approved the placement of Jose Rodriguez on the PGCB Involuntary Exclusion List.

OHA Docket #: 2637-2012  
Board Decision: Passed by unanimous vote

**PGCB MOTION NO. 2012-779 OEC –PGCB Exclusion List / Darren Williams**

Motion Made: Board Member Sojka  
Seconded: Board Member Trujillo

Resolved, the Board hereby approved the placement of Darren Williams on the PGCB Involuntary Exclusion List.

OHA Docket #: 2633-2012  
Board Decision: Passed by unanimous vote

**PUBLIC COMMENT**

No public comment was taken.

**ADJOURNMENT**

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