



**Chairman**

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PENNSYLVANIA GAMING CONTROL BOARD  
P.O. BOX 69060  
HARRISBURG, PENNSYLVANIA  
17106-9060

**Commissioners**  
GREGORY C. FAJT  
ANNMARIE KAISER  
KEITH R. MCCALL  
JOHN J. McNALLY, III  
ANTHONY C. MOSCATO  
DAVID W. WOODS

**Ex-Officio Members**  
GEORGE GREIG  
ROBERT MCCORD  
DANIEL MEUSER

**BOARD ACTION - MINUTES**  
**WEDNESDAY, DECEMBER 11, 2013 - 10:00 a.m.**  
**STRAWBERRY SQUARE COMPLEX, 2<sup>ND</sup> FLOOR, HARRISBURG**

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  
Annmarie Kaiser  
Keith R. McCall  
John J. McNally, III  
Anthony C. Moscato  
David W. Woods

***Ex-Officio members in attendance were:***

Robert Coyne, Designee, Department of Revenue  
Christopher Craig, Representative, State Treasurer's Office  
Jorge Augusto, Representative, Department of Agriculture

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

Kevin O'Toole – Executive Director  
Susan Yocum – Regulations  
R. Douglas Sherman – Petitions  
Steve Cook - Withdrawals, Report and Recommendations  
Susan Hensel – Licensing Matters  
Cyrus Pitre – Enforcement Actions

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

**ANNOUNCEMENTS**

The Board held an Executive Session on December 10, 2013. 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 December 11, 2013

**MINUTES & TRANSCRIPTS**

On a motion by Commissioner Fajt, seconded by Commissioner Kaiser the minutes and transcript of the October 30, 2013 meeting were approved.

**EXECUTIVE DIRECTOR**

Kevin O'Toole, Executive Director announced that this past November, the General Assembly enacted Act 90 of 2013, which is generally referred to as the Tavern Gaming Law. The Governor signed this Act into law on November 27, 2013 and it becomes effective on January 27, 2014. Mr. O'Toole stated that this legislation is important to the Pennsylvania Gaming Control Board because the General Assembly incorporated into the Tavern Gaming Law a provision assigning the responsibility to conduct background investigations to the PGCB's Bureau of Investigations and Enforcement. It is a well-

deserved recognition to BIE to be asked by the General Assembly to perform this important role within the Tavern Gaming Bill.

Mr. O'Toole explained that Director Paul Mauro and Chief Enforcement Counsel Cyrus Pitre and their staffs have met with representatives of the Liquor Control Board to discuss all relevant issues. The cooperation between our agencies in this endeavor has been outstanding and it will insure a smooth implementation of this law in a manner that fulfills the Legislature's intent.

In closing, Mr. O'Toole explained that an investigative fee will be paid by each applicant for a Tavern Gaming License that will cover all or part of the reasonable and necessary costs of the background investigation. Additional costs and expenses, if necessary, will be billed to the applicants for actual expenses when the background investigation is completed.

As the process moves forward, he indicated that he will provide additional updates to the Board on the Tavern Gaming Law.

#### OFFICE OF CHIEF COUNSEL

#### **PGCB MOTION NO. 2013-349 OCC**

**Motions:** 1<sup>st</sup>–Board Member McCall / 2<sup>nd</sup>–Board Member Kaiser

The Board hereby adopted the Temporary Regulation 125-180. This Regulation will add free bet Blackjack to the complement of games available to play. Temporary Regulation 125-180 shall be posted to the Board's website.

Board Decision: Passed by unanimous vote

#### **PGCB MOTION NO. 2013-350 OCC**

**Motions:** 1<sup>st</sup>–Board Member Kaiser / 2<sup>nd</sup>–Board Member McCall

The Board hereby approved the withdrawals / surrenders of:

- |  |                  |                        |
|--|------------------|------------------------|
| • Blue Cube Microworks, LLC                      | Licensing #75338 | PGCB Docket #3350-2013 |
| • Jerry Sizemore                                 | Licensing #27810 | PGCB Docket #3343-2013 |
| • Xavier Bernard Walsh                           | Licensing #35085 | PGCB Docket #3356-2013 |
| • Magna Entertainment Corp                       | Licensing #1384  | PGCB Docket #3352-2013 |
| • TSG Developments US Financing,<br>Incorporated | Licensing #67654 | PGCB Docket #3351-2013 |
| • Wynn PA, Inc.                                  | Licensing #73572 | PGCB Docket #3363-2013 |

Board Decision: Passed by unanimous vote

#### **PGCB MOTION NO. 2013-351 OCC**

**Motions:** 1<sup>st</sup>–Board Member McCall / 2<sup>nd</sup>–Board Member McNally

The Board hereby adopted the Report and Recommendation issued by the Office of Hearings and Appeals regarding Brandon L. Green's Petition for Early Reapplication for Licensure. Brandon Green may reapply for a Key Employee License, however the Board is under no obligation to approve such an application.

Docket Number: 3170-2013

Board Decision: Passed by unanimous vote

#### **PGCB MOTION NO. 2013-352 OCC**

**Motions:** 1<sup>st</sup>–Board Member McNally / 2<sup>nd</sup>–Board Member Moscato

The Board hereby adopted in part, and rejected in part, the Report and Recommendation issued by the Office of Hearings and Appeals. The Board adopts the Hearing Officer's Findings of Fact and Rejects his recommendation as moot. The Board states that John Donald Carns may now apply for a Gaming Employee Permit if offered employment with a Pennsylvania Casino.

Docket Number: 2901-2013

Board Decision: Passed by unanimous vote

#### **PGCB MOTION NO. 2013-353 OCC**

**Motions:** 1<sup>st</sup>–Board Member Moscato / 2<sup>nd</sup>–Board Member Woods

The Board hereby adopted in part, and rejected in part, the Report and Recommendation issued by the Office of Hearings and Appeals. The Board adopts the Hearing Officer's Findings of Fact and Rejects his underlying recommendation. It is

Ordered that Jodi Sue Foran's Gaming Employee Occupation Permit be suspended for a period of six months from the date of the Board's Order.

Docket Number: 3228-2013

Board Decision: Passed by unanimous vote

#### **PGCB MOTION NO. 2013-354 OCC**

**Motions:** 1<sup>st</sup>–Board Member Woods/ 2<sup>nd</sup>–Board Member Fajt

The Board hereby adopted in part, and rejected in part, the Report and Recommendation issued by the Office of Hearings and Appeals. The Board adopts the Hearing Officer's Findings of Fact and Rejects his underlying recommendation. It is ordered that Shirley Ann Green's Non-Gaming Employee Registration be suspended for a period of two weeks.

Docket Number: 3276-2013

Board Decision: Passed by unanimous vote

#### **PGCB MOTION NO. 2013-355 OCC**

**Motions:** 1<sup>st</sup>–Board Member Woods/ 2<sup>nd</sup>–Board Member McNally

The Board hereby adopted the Report and Recommendation issued by the Office of Hearings and Appeals and lifted the suspension on Nicholas Repko-Moschini's Gaming Employee Permit. The Board further ordered that Exhibits R-1 and R-5 be marked Confidential and sealed.

Docket Number: 2870-2012

Board Decision: Passed by unanimous vote

#### **PGCB MOTION NO. 2013-356 OEC**

**Motions:** 1<sup>st</sup>–Board Member Kaiser / 2<sup>nd</sup>–Board Member McCall

The Board hereby adopted in part, and rejected in part, the Report and Recommendation issued by the Office of Hearings and Appeals. John D. Rothschild, III is placed on the Exclusion List for a period of at least one year beginning December 11, 2013. At that time, Mr. Rothschild may petition the Board to be removed from the list. The Board further ordered that certain personal information contained in Exhibit 1 and Exhibit 2 be redacted from the record.

Docket Number: 3209-2013

Board Decision: Passed by unanimous vote

### **BUREAU OF LICENSING**

#### **PGCB MOTION NO. 2013-357 BOL**

**Motions:** 1<sup>st</sup>–Board Member McCall/ 2<sup>nd</sup>–Board Member McNally

The Board hereby approved the issuance of 8 Temporary Key Employee Credentials.

Board Decision: Passed by unanimous vote

#### **PGCB MOTION NO. 2013-358 BOL**

**Motions:** 1<sup>st</sup>–Board Member McNally / 2<sup>nd</sup>–Board Member Moscato

The Board hereby approved the issuance of 249 (51 full G2 employees; 95 initial; 46 renewals; 57 Temporary G2 employees) Gaming Employee Permits and 97 Non-Gaming Employee Registrations.

Board Decision: Passed by unanimous vote

#### **PGCB MOTION NO. 2013-359 BOL**

**Motions:** 1<sup>st</sup>–Board Member Moscato / 2<sup>nd</sup>–Board Member Woods

The Board hereby approved the withdrawals of 7 Gaming Employee and 8 Non-Gaming Employee Applications.

Board Decision: Passed by unanimous vote

#### **PGCB MOTION NO. 2013-360 BOL**

**Motions:** 1<sup>st</sup>–Board Member Woods/ 2<sup>nd</sup>–Board Member Fajt

The Board hereby approved the Gaming Service Provider Certification as follows:

##### **REGISTERED GAMING SERVICE PROVIDERS**

- Falasca Mechanical, Inc.
- The Printer, Inc. d/b/a/ T.P.I.

Board Decision: Passed by unanimous vote

**OFFICE OF ENFORCEMENT COUNSEL****PGCB MOTION NO. 2013-361 OEC****Motions:** 1<sup>st</sup>–Board Member Fajt / 2<sup>nd</sup>–Board Member Kaiser

The Board hereby grants the Office of Enforcement Counsel's Request to enter Judgment upon Default finding that Feldon Butler has failed to maintain suitability required to hold a Gaming Employee Permit. It is hereby ordered that the Gaming Employee Permit of Feldon Butler is revoked.

Docket Number: 3291-2013

Board Decision: Passed by unanimous vote

**PGCB MOTION NO. 2013-362 OEC****Motions:** 1<sup>st</sup>–Board Member Kaiser / 2<sup>nd</sup>–Board Member McCall

The Board hereby grants the Office of Enforcement Counsel's Request for Entry of Default Judgment finding that Christopher Crowell has failed to maintain suitability required to hold a Gaming Employee Permit. It is hereby ordered that the Gaming Employee Permit of Christopher Crowell is revoked.

Docket Number: 3324-2013

Board Decision: Passed by unanimous vote

**PGCB MOTION NO. 2013-363 OEC****Motions:** 1<sup>st</sup>–Board Member McCall / 2<sup>nd</sup>–Board Member McNally

The Board hereby approved the placement of Robert Bowman on the PGCB Involuntary Exclusion List.

Docket Number: 3136-2013

Board Decision: Passed by unanimous vote

**PGCB MOTION NO. 2013-364 OEC****Motions:** 1<sup>st</sup>–Board Member McNally / 2<sup>nd</sup>–Board Member Moscato

The Board hereby approved the placement of Asher Minh Le on the PGCB Involuntary Exclusion List. The Board further ordered that Mr. Le may petition for removal from the list after his 22<sup>nd</sup> birthday but that the Board retains the discretion to grant the relief requested in any such petition.

Docket Number: 3270-2013

Board Decision: Passed by unanimous vote

**PGCB MOTION NO. 2013-365 OEC****Motions:** 1<sup>st</sup>–Board Member Moscato / 2<sup>nd</sup>–Board Member Woods

The Board hereby approved the placement of Fatima Omarah Malik Reed on the PGCB Involuntary Exclusion List. The Board further ordered that Ms. Reed may petition for removal from the list after one year, however, the Board retains the discretion to grant the relief requested in any such petition.

Docket Number: 3303-2013

Board Decision: Passed by unanimous vote

**ADJOURNMENT**

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

I HEREBY CERTIFY THAT THESE MINUTES WERE APPROVED BY THE PENNSYLVANIA GAMING CONTROL BOARD AT A PUBLIC MEETING ON THE 8th DAY OF JANUARY, 2014.

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Mickey Kane, Board Secretary