



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

Commissioners
GREGORY C. FAJT
RICHARD G. JEWELL
KEITH R. MCCALL
ANTHONY C. MOSCATO
WILLIAM H. RYAN, JR.
DAVID W. WOODS

Ex-Officio Members
TIMOTHY REESE
EILEEN MCNULTY
RUSSELL REDDING

MEETING MINUTES

WEDNESDAY, AUGUST 10, 2016 - 10:00 a.m.
STRAWBERRY SQUARE COMPLEX, 2ND FLOOR, HARRISBURG

A meeting of the Pennsylvania Gaming Control Board was held at the Pennsylvania Gaming Control Board Office of Hearings and Appeals, Strawberry Square Complex, 2nd Floor, Harrisburg, PA.

Members in attendance were:

David M. Barasch, Chairman
Gregory C. Fajt
Richard G. Jewell
Keith R. McCall
Anthony C. Moscato
William H. Ryan, Jr.
David W. Woods

Ex-Officio members in attendance were:

Robert Coyne, Ex-Officio Designee, Department of Revenue
Jennifer Langan, Ex-Officio Designee, State Treasury
Fred Strathmeyer, Ex-Officio Designee, Department of Agriculture

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

Claire Yantis – Personnel Related Matters
David Rhen – Financial Report
Susan Yocum - Regulations
R. Douglas Sherman – Petitions
Stephen Cook –Withdrawals & Reports and Recommendations
Susan Hensel – Licensing Matters
Cyrus Pitre – Enforcement Actions

Assistant Enforcement Counsel: Kimberly Adams, John William Crohe, III, Benjamin Ferrell, Dustin Miller, Michael Roland, Glen Stuart and David Tepper

Also present were:

Michael Sklar, Esquire, representing Mount Airy #1 LLC
Lisa DeNaples, John Culetsu and Patrick Burke, Representatives from Mount Airy, #1, LLC (*present but did not testify*)
J. Scott Kramer, Esquire, representing Sands Casino
Mark Juliano, President & Chief Executive Officer, Sands Casino
Dung Nguyen, Consent Agreement with the Office of Enforcement Counsel (*present but did not testify*)

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

PUBLIC HEARING

A public hearing was held regarding the Mount Airy #1, LLC's Category 2 License Renewal.

ANNOUNCEMENTS

Chairman Barasch announced that the Board held an Executive Session on August 9th for the purpose of discussing personnel matters and to conduct quasi-judicial deliberations relating to matters being considered by the Board on August 10th. Chairman Barasch also announced that the PGCB will hold a public hearing regarding the casino license renewal for Woodlands Fayette, LLC, operator of the Lady Luck Casino Nemacolin, on September 14, 2016 at 10 a.m. at the Wharton Township Municipal Building, located at 114 Elliottsville Road, Farmington, PA.

Chairman Barasch stated that deadlines for registration to speak at this hearing, and for receipt of public comment on the renewal, are noon on Monday, September 12, 2016. He also stated that citizens, community groups and elected officials wishing to present oral or written testimony, which will become part of the evidentiary record in this matter, could do so by clicking on the Quick Links section on the homepage of the PGCB website, www.gamingcontrolboard.pa.gov.

In closing, he stated that written comments could also be mailed to the PA Gaming Control Board, P.O. Box 69060, Harrisburg, PA 17106, Attention: Board Clerk and comments can also be faxed prior to the deadlines to 717-265-7416.

MINUTES / TRANSCRIPT

On a motion by Commissioner Woods, seconded by Commissioner Fajt, the minutes and transcript of the June 22, 2016 Board meeting were unanimously approved.

HUMAN RESOURCES

PGCB MOTION NO. 2016-314 HR

Motions: 1st–Board Member Fajt / 2nd–Board Member Jewell

The Board hereby approved the hiring of Mr. John Pokiniewski as a Law Clerk in the Office of Enforcement Counsel.

Board Decision: Passed by unanimous vote

OFFICE OF FINANCIAL MANAGEMENT

Mr. David Rhen, Director, Office of Financial Management, updated the Board on the final accounting of expenditures for fiscal year 2015-16. He also updated the Board on the current fiscal year appropriations.

OFFICE OF CHIEF COUNSEL

PGCB MOTION NO. 2016-315 OCC

Motions: 1st–Board Member Jewell / 2nd–Board Member McCall

The Board hereby adopted the Final-form Regulation #125-192 presented by Susan Yocum, Senior Counsel.

Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2016-316 OCC

Motions: 1st–Board Member McCall / 2nd–Board Member Moscato

The Board hereby adopted the Final-form Regulation #125-195 presented by Susan Yocum, Senior Counsel.

Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2016-317 OCC

Motions: 1st–Board Member Moscato / 2nd–Board Member Ryan

The Board hereby adopted the Final-form Regulation #125-196 presented by Susan Yocum, Senior Counsel.

Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2016-318 OCC

Motions: 1st–Board Member Ryan / 2nd–Board Member Woods

The Board hereby adopted the Final-form Regulation #125-198 presented by Susan Yocum, Senior Counsel.

Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2016-319 OCC

Motions: 1st–Board Member Moscato / 2nd–Board Member Fajt

The Board hereby tolled the application of Section 494a.8 of the Board's Regulations until such time as the Board's adjudication in this matter is issued, at which time the deadlines established in that Regulation will run anew.

OHA Docket Nos. 3443-2014 and 3444-2014

Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2016-320 OCC

Motions: 1st–Board Member McCall / 2nd–Board Member Woods

The Board hereby approved Xavier Wells' Petition requesting to Lift the Suspension of his Non-Gaming Employee Registration. Mr. Wells' criminal charges files against him were dismissed therefore the suspension shall be lifted immediately.

OHA Docket No. 4544-2016

Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2016-321 OCC

Motions: 1st–Board Member Woods / 2nd–Board Member Fajt

The Board hereby approved the following Withdrawals/Surrenders:

- Robert Bone (Withdraw Principal License); Docket No. 4704-2016
- Daurean G. Sloan (Withdraw Principal License); Docket No. 4705-2016
- Thomas LaPlaca (Withdraw Principal License); Docket No. 4719-2016
- Bruce Leslie (Withdraw Principal License); Docket No. 4720-2016
- John Stipancich (Withdraw Principal License); Docket No. 4730-2016
- Martin Franklin (Surrender Principal License); Docket No. 4731-2016
- Paul Seeman (Surrender Principal License); Docket No. 4741-2016
- Edward Hannon (Surrender Principal License); Docket No. 4742-2016

Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2016-322 OCC

Motions: 1st–Board Member Fajt / 2nd–Board Member Jewell

The Board hereby adopted the Report and Recommendation of the Office of Hearings and Appeals and the Non-Gaming Employee Registration Application for Kendra Battle-Garcia is denied.

OHA Docket Number: 4584-2016

Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2016-323 OCC

Motions: 1st–Board Member Jewell / 2nd–Board Member McCall

The Board hereby adopted the Report and Recommendation of the Office of Hearings and Appeals and the Order of Emergency suspension of Derrick Ezekiel's Non-Gaming Employee Registration shall remain in effect until further action by the Board.

OHA Docket Number: 4694-2016

Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2016-324 OCC

Motions: 1st–Board Member McCall / 2nd–Board Member Moscato

The Board hereby adopted the Report and Recommendation, **in result only** and, given that the felony-graded criminal charges against Brittney Glass remain pending, the suspension of her Gaming Employee Occupation Permit shall continue in full force and effect until, at least, the conclusion of her criminal case. Ms. Glass may request that the suspension be lifted at that time. While a legally accurate conclusion, the conclusions of law reached by the Hearing Officer in order to arrive at the conclusion were deficient and required the Board's clarification. *To further review the Board's Clarification, please see the full Order.*

OHA Docket Number: 4664-2016

Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2016-325 OCC

Motions: 1st–Board Member Moscato / 2nd–Board Member Ryan

The Board, based on the Bureau of Investigations and Enforcement's Petition for Placement of Jose D. Murillo Gutierrez on the PGCB Exclusion List, as well as the Hearing Officer's Report and Recommendation regarding same, it is adopted that he be placed on the Board's Involuntary Exclusion List.

OHA Docket Number: 4543-2016

Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2016-326 OCC

Motions: 1st–Board Member Ryan / 2nd–Board Member Woods

The Board hereby rejected the Report and Recommendation of the Office of Hearings and Appeals recommending that the Application for renewal of Matthew Hansell's Gaming Employee Occupation Permit be denied. Instead, the renewal application of Matthew Hansell is approved due to his compliance with state and federal taxing authorities.

OHA Docket Number: 4413-2015

Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2016-327 OCC

Motions: 1st–Board Member Woods / 2nd–Board Member Fajt

The Board hereby adopted the Report and Recommendation of the Office of Hearings and Appeals and denied Kevin Harris' Non-Gaming Employee Registration Application.

OHA Docket Number: 4606-2016

Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2016-328 OCC

Motions: 1st–Board Member Fajt / 2nd–Board Member Jewell

The Board hereby adopted the Report and Recommendation of the Office of Hearings and Appeals and denied the Gaming Employee Occupation Permit Renewal Application of William Jefferson. Mr. Jefferson has failed to demonstrate that he is current and not in arrears in his financial obligations to the Commonwealth.

OHA Docket Number: 4519-2016

Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2016-329 OCC

Motions: 1st–Board Member Jewell / 2nd–Board Member McCall

The Board hereby rejected the Recommendation of the Office of Hearings and Appeals and Robbie Santivansky should not be placed on the Board's Involuntary Exclusion List given the age of the child at issue and his intent to only enter the casino momentarily for non-gaming purpose.

OHA Docket Number: 4490-2016

Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2016-330 OCC

Motions: 1st–Board Member McCall / 2nd–Board Member Moscato

The Board hereby adopted the Report and Recommendation of the Office of Hearings and Appeals and revoked Marc Thalheimer's Non-Gaming Employee Registration.

OHA Docket Number: 4342-2015

Board Decision: Passed by unanimous vote

BUREAU OF LICENSING

PGCB MOTION NO. 2016-331 BOL

Motions: 1st–Board Member Moscato / 2nd–Board Member Ryan

The Board hereby approved the Category 2 License Renewal for Mount Airy #1, LLC.

Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2016-332 BOL

Motions: 1st–Board Member Ryan / 2nd–Board Member Woods

The Board hereby approved the Gaming Related Gaming Service Provider Certification for Talisman Group, LLC.

Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2016-333 BOL

Motions: 1st–Board Member Woods / 2nd–Board Member Fajt

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

Greenwood Gaming and Entertainment, Inc.

Key Employees

Renewal

- Francis E. McDonnell, Deputy General Counsel – Docket #1391-4
- Steven Arthur Fayne, Director of Table Games – Docket #47523-4

Presque Isle Downs, Inc.

Principal Employee

Initial Licensure

- Michael E. Pegram, Audit Committee Member – Docket #89445-1

KGM Gaming, LLC

Principal Employee
Renewal

- Jason E. Cohen, Executive Vice President and 5% Ownership of KGM Gaming, LLC – Docket #2277-6

Key Employee

Renewal

- Eric P. Schulman, Director of East Coast Sales – Docket #18303-4

Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2016-334 BOL

Motions: 1st–Board Member Fajt / 2nd–Board Member Jewell

The Board hereby approved the issuance of 1 Temporary Principal and 13 Key Employee Credentials. *Information pertaining to the names of these individuals can be found in the Order.*

Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2016-335 BOL

Motions: 1st–Board Member Jewell / 2nd–Board Member McCall

The Board hereby approved the issuance of 504 Gaming Employee Occupation Permits (169 initial; 252 renewal; 83 temporary G2 employee) and 191 Non-Gaming Employee Registrations. *Information pertaining to the names of these individuals can be found in the Order.*

Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2016-336 BOL

Motions: 1st–Board Member McCall / 2nd–Board Member Moscato

The Board hereby denied the following Employee Applications as follows:

GAMING EMPLOYEES

93770-1 Sharod McCloud
92730-1 Adam Vendzules
94057-1 Keiara Bowen
93657-1 Miguel Alvarez
89761-1 Brianna Stolar I
93755-1 Tyler Plish
90139-1 Sean Lee
93785-1 Priscilla Woodson
92687-1 Marion Ferguson

NON-GAMING EMPLOYEES

94444-1 Shantelle Patterson
95563-1 Robert Johnson
95417-1 Michael Diehl
93596-1 David Fisher

Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2016-337 BOL

Motions: 1st–Board Member Moscato / 2nd–Board Member Ryan

The Board hereby approved the withdrawal of 1 Key and 15 Gaming Employee Applications. *Information pertaining to the names of these individuals can be found in the Order.*

Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2016-338 BOL

Motions: 1st–Board Member Ryan / 2nd–Board Member Woods

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

CERTIFIED GAMING SERVICE PROVIDERS

- Artisan Display, Inc.
- High Concrete Group, LLC
- KLWR, Inc., d/b/a Cox Building Services
- Singer Equipment Company, Inc.

- Carnegie Deli Products, Inc.
 - Sun Rustic, LLC, d/b/a Rustic Kitchen
- Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2016-339 BOL

Motions: 1st–Board Member Woods / 2nd–Board Member Fajt

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

REGISTERED GAMING SERVICE PROVIDERS

- Abbey Foods, Inc.
- BK Specialty Foods, Inc.
- Cleveland Brothers Equipment Company, Inc.
- EConnect, Inc.
- Hutt's Glass Company, Inc.
- M. Schnoll & Sons, Inc.
- Model Apparel, LLC DBA: Model Apparel
- O'Keefe, Reinhard & Paul DBA: OKRP
- She Paints Etc, LLC
- Sonic Services, Inc.
- The Savvy Group, LLC

Board Decision: Passed by unanimous vote

OFFICE OF ENFORCEMENT COUNSEL

PGCB MOTION NO. 2016-340 OEC

Motions: 1st–Board Member Fajt/ 2nd–Board Member Jewell

The Board hereby approved the Consent Agreement between the Office of Enforcement Counsel and Sands Bethworks Gaming, LLC regarding underage gaming. Sands Casino shall pay a civil penalty in the amount of \$39,000 for underage gaming violations, as well as \$2,500 for the costs incurred by the Office of Enforcement Counsel, Bureau of Investigations and Enforcement and other related staff in conjunction with this matter.

Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2016-341 OEC

Motions: 1st–Board Member Jewell/ 2nd–Board Member McCall

The Board hereby approved the Consent Agreement between the Office of Enforcement Counsel and Dung Nguyen placing him on the PGCB Exclusion List for a period of no less than five years. *Please see Consent Agreement for additional stipulations to approved Consent Agreement.*

Docket Number: 4432-2016

Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2016-342 OEC

Motions: 1st–Board Member McCall/ 2nd–Board Member Moscato

The Board hereby approved the revocation of Tanner Farver's Gaming Employee Occupation Permit.

Docket Number: 4651-2016

Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2016-343 OEC

Motions: 1st–Board Member Moscato / 2nd–Board Member Ryan

The Board hereby approved the revocation of Alyssa Seilus' Non-Gaming Employee Registration.

Docket Number: 4691-2016

Board Decision: Passed by unanimous vote

(Continue to Page 7 for Placements on Exclusion List)

The Board approved the following placements on the PGCB Involuntary Exclusion List:

PGCB MOTION #	RESPONDENT	DOCKET #	FIRST	SECOND	BOARD DECISION	CAN PETITION TO BE REMOVED
2016-344 OEC	Toney Allen	4572-2016	Ryan	Woods	Unanimous	
2016-345 OEC	Jason McCabe	4583-2016	Woods	Fajt	Unanimous	*
*Enforcement Counsel's Request to Enter Judgment was denied. Jason McCabe will not be placed on the Board's Involuntary Exclusion List.						
2016-346 OEC	Mark Gallus	4679-2016	Fajt	Jewell	Unanimous	After 1 Year
2016-347 OEC	Daisy Merlino	4678-2016	Jewell	McCall	Unanimous	After 22 nd Birthday
2016-348 OEC	Christopher Gillispie	4645-2016	McCall	Moscato	Unanimous	
2016-349 OEC	Chat Nguyen	4657-2016	Moscato	Ryan	Unanimous	
2016-350 OEC	Henry Rush	4656-2016	Ryan	Woods	Unanimous	
2016-351 OEC	Andrew Weisbach	4666-2016	Woods	Fajt	Unanimous	After 1 Year
2016-352 OEC	William Weisbach	4667-2016	Fajt	Jewell	Unanimous	After 22 nd Birthday
2016-353 OEC	Debbie Kontir	4670-2016	Jewell	McCall	Unanimous	
2016-354 OEC	Yavuz Sozer	4665-2016	McCall	Moscato	Unanimous	
2016-355 OEC	Terrance Harrell	4602-2016	Moscato	Ryan	Unanimous	
2016-356 OEC	Tayara Moore	4635-2016	Ryan	Woods	Unanimous	
2016-357 OEC	Ammar Awawdeh	4614-2016	Woods	Fajt	Unanimous	*
*Enforcement Counsel's Request to Enter Judgment was denied. Ammar Awawdeh will not be placed on the Board's Involuntary Exclusion List.						
2016-358 OEC	Ghalia Mhaid	4616-2016	Fat	Jewell	Unanimous	After 22 nd Birthday
2016-359 OEC	Mukesh Patel	4561-2016	Jewell	McCall	Unanimous	
2016-360 OEC	Jahyquiriz Ramos	4649-2016	McCall	Moscato	Unanimous	
2016-361 OEC	Waner Segura	4650-2016	Moscato	Ryan	Unanimous	

ADJOURNMENT

On a motion by Commissioner Ryan, seconded by Commissioner Woods, the meeting was adjourned.