



CANNON BUILDING
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STATE OF DELAWARE
DEPARTMENT OF STATE
DIVISION OF PROFESSIONAL REGULATION

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MEETING MINUTES:	BOARD OF CHARITABLE GAMING
MEETING DATE AND TIME:	Thursday, November 3, 2011 at 1:00 p.m.
PLACE:	861 Silver Lake Boulevard, Dover, Delaware Conference Room B , second floor of the Cannon Building
APPROVED:	December 1, 2011

MEMBERS PRESENT

James Greene, Chairman, DE Volunteer Fireman's Association Member
Deborah Messina, Vice Chair, Public Member
Sharon McDowell, Public Member
Janet Williams-Coger, Non-Profit Member

MEMBERS ABSENT

Scott Angelucci, Public Member

DIVISION STAFF/DEPUTY ATTORNEY GENERAL PRESENT

Robert Willard, Deputy Attorney General
Michele Howard, Administrative Specialist II
Jennifer Childears, Administrative Specialist II

ALSO PRESENT

Vera Sitze, Wilcox and Fetzer
S. Curtis Cole, Nur Shriners Temple
Brittany Scott, University of Delaware
Carol Torre, Full House Poker
Frank Long

CALL TO ORDER

Mr. Greene called the meeting to order at 1:04 p.m.

REVIEW AND APPROVAL OF MINUTES

The Board reviewed the meeting minutes of October 6, 2011. Ms. Messina made a motion, seconded by Ms. McDowell, to approve the minutes as presented. The motion passed unanimously.

RULES & REGULATIONS PUBLIC HEARING – 1:10 P.M.

BOARD PRESENT: James Greene, Deborah Messina, Sharon McDowell, Janet Williams-Coger

PUBLIC PRESENT: S. Curtis Cole, Nur Shriners Temple; Brittany Scott, University of Delaware; Carol Torre, Full House Poker; Frank Long

PURPOSE: The Board proposed amendments to 10 *Del. Admin. Code* Parts 103 and 104. The proposed amendments define *Charitable Gaming Vendor* and *Officers of Charitable Gaming Vendors*. The proposed amendments will require all Officers of Charitable Gaming Vendors and applicants for Individual Texas Hold'Em Tournament licenses to submit to a criminal background investigation as a requirement for licensure. Another amendment requires that vendors maintain a Delaware Business License. Finally, the amendments clarify the Board's position on the number of gaming events an organization and its subsidiaries may conduct.

PRESIDING: James Greene, Chairman

BOARD STAFF: Michele Howard, Administrative Specialist II; Jennifer Childears, Administrative Specialist II

BOARD COUNSEL: Robert Willard, Deputy Attorney General

COURT REPORTER: Vera Sitze, Wilcox and Fetzer

The hearing began at 1:10 p.m. Mr. Willard and the Board members introduced themselves for the record. Mr. Willard stated that the purpose of the hearing was to hear public comment regarding the Board's proposed amendments to the Rules and Regulations governing Charitable Gaming Vendors, Officers of Charitable Gaming Vendors, applicants for Individual Texas Hold'Em Tournament licenses, and numbers of allowable gaming events. Mr. Willard advised that the proposed changes and notification of the public hearing were published in the October 2011 Register of Regulations. Public notices were also published in The Delaware State News and The News Journal on October 8, 2011. Mr. Willard summarized the Board's proposed amendments. There was no public comment. Ms. Howard confirmed that no written public comment had been received by the Board office. Ms. Messina made a motion, seconded by Ms. McDowell, to adopt the amendments as proposed. The motion was unanimously carried. Mr. Willard advised that the amendments will be re-published in the December 1, 2011 Register of Regulations and will take effect 10 days after publication. The hearing adjourned at 1:24 p.m.

Mr. Willard circulated the final Board Order for signatures.

UNFINISHED BUSINESS

Final Denials

The Beez Foundation (not in DE)

Ms. McDowell made a motion, seconded by Ms. Messina, to make a final denial of the application of The Beez Foundation for proposed charitable gaming events to be held on 11/17/11, due to the organization's lack of a physical location in Delaware. The motion passed unanimously.

Greater Millsboro Chamber of Commerce (501c6)

Ms. McDowell made a motion, seconded by Ms. Messina, to make a final denial of the application of Greater Millsboro Chamber of Commerce for proposed bingo events to be held on 10/13/11, based on the organization's 501(c)6 IRS designation. The motion passed unanimously.

Re-Review of Contingent Approvals and PTD Applications - None

Joint Sunset Review

Charitable Gaming Vendor License (aka Third Party Vendor License)

Criminal Background Reports for Vendor Licensing – FBI Denial

Mr. Willard summarized a letter from the U.S. Department of Justice Federal Bureau of Investigation, stating the criteria necessary to satisfy the FBI's requirements for federal criminal history record information for third-party vendors. Revised language will be drafted and submitted to the legislature in January 2012.

Review Drafts of Revised Applications and Webpages

Mr. Greene stated that Board members were previously given drafts of proposed applications and webpages by Ms. Howard for their review. Mr. Greene asked if the Board had any questions or concerns regarding the applications and webpage drafts. There being no comment, Ms. Messina made a motion, seconded by Ms. McDowell, to accept all proposed applications as presented. The motion passed unanimously. Ms. Messina made a motion, seconded by Ms. McDowell, to accept all proposed website changes as presented. The motion passed unanimously.

NEW BUSINESS

Executive Session None

Board Member Reports

Mr. Greene reported that he was present during interviews of prospective Gaming Inspectors. Two Gaming Inspectors were hired by the Division and have already started inspections. The investigative reports of Gaming Inspectors will be submitted to DPR's Investigative Unit for review.

Mr. Greene requested that copies of all meeting documents be provided for all Board members during meetings. Ms. Howard stated that the Division provides a hardcopy of the meeting agenda and previous meeting minutes for each Board member. However, due to printing restrictions, all other meeting documents could be emailed to all Board members prior to meetings for each member to print and bring to the meetings as they deemed necessary. Mr. Greene stated that he will speak with Mr. Collins regarding this request.

Mr. Greene reported that Middletown Sports Lounge had closed. Mr. Greene asked Ms. Howard to notify the Board of vendor closings as they occur. Ms. Howard stated that she emailed the notification as soon as it was received by the board office. Mr. Greene stated that he had not received the notice until the day of the meeting.

Ms. Messina distributed a proposal to the Board members regarding "Bingo Mania Events", and summarized the Maryland Code regarding such events. Ms. Messina recommended that the Board consider licensing "Bingo Mania Events", and that there be a mile restriction for such events. Ms. Messina asked the Board to review the information for possible discussion in the future.

Delegation of Authority None

Review of Applications for Texas Hold'Em Tournaments None

Review of Applications for Charitable Gaming Events

VFW Post 7447 Rehoboth Beach (1st time app)

Ms. Messina reviewed the application. Ms. McDowell made a motion, seconded by Ms. Williams-Coger, to approve the Charitable Gaming application of VFW Post 7447 Rehoboth Beach for an event proposed to be held on 11/20/11. The motion passed unanimously.

Leukemia & Lymphoma Society (alcohol?)

Ms. Messina reviewed the Charitable Gaming application of Leukemia & Lymphoma Society. Ms. McDowell made a motion, seconded by Ms. Messina, to approve the application for an event proposed to be held on 11/17/11. The motion passed unanimously.

Review of Applications for Instant Bingo Events None

Review of Applications for Bingo Events None

Review of Applications for Raffles

Immaculate Heart of Mary Church (1st time app)

Ms. Messina reviewed the application. Ms. Messina made a motion, seconded by Ms. McDowell, to propose to deny the 5/24/12 raffle drawing for Immaculate Heart of Mary Church, because the Board will only approve 6 months of raffle drawings at one time. The motion passed unanimously. Ms. Messina asked that a letter be sent to the organization explaining the reason for the proposal to deny and offering the option to reapply for a 5/24/12 raffle drawing date at some point in future or to have the group reorganize and resubmit the prize list for its November 2011 through April 2012 raffle drawings. Ms. Messina made a motion, seconded by Ms. McDowell, to approve the November 2011 through April 2012 monthly raffle drawing dates. The motion passed unanimously.

Townsend Fire Company (alcohol?)

The Christmas Shop Foundation (1st time app, alcohol?)

Ms. Messina reviewed the applications. Ms. McDowell made a motion, seconded by Ms. Williams-Coger, to approve the application of Townsend Fire Company for a proposed raffle drawing to be held on 6/16/12, and The Christmas Shop Foundation for proposed raffle drawings to be held on 11/7/11 and 11/9/11. The motion passed unanimously.

Review of Request to Change Date/Venue of Approved Event None

Incident Weather/State of Emergency Request None

Approval of Licensure List

Ms. McDowell read aloud the raffle licensure list. Ms. Messina made a motion, seconded by Ms. McDowell, to approve the raffle application of Opera Delaware. The motion passed unanimously.

Ratification of Charitable Gaming Event Permits Issued

Ms. McDowell read aloud the charitable gaming ratification list. Ms. Messina made a motion, seconded by Ms. McDowell, to ratify the licensure of The Tatnall School, Seaford Volunteer Fire Company Ladies Auxiliary, Korean War Vets Chapter 1, American Legion Post 8 Sussex, Knights of Columbus Christopher Council 3182, and Knights of Columbus Seton Council. The motion passed unanimously.

Ratification of Bingo Event Permits Issued

Ms. Williams-Coger read aloud the bingo ratification list. Ms. McDowell made a motion, seconded by Ms. Williams-Coger, to ratify the bingo licensure of Milton Country Club, St. Elizabeth Ann Seton, Sunshine Foundation, Mill Creek Fire Company Ladies Auxiliary, Blackbird Community Association, Goodwill Fire Company Ladies Auxiliary, Clayton Fire Company #1, Harrington Little League, Frederica Volunteer Fire Company, Lewes Senior Center, Seaford Elks 2458, and Cape Henlopen Elks. The motion passed unanimously.

Hearings/Consent Agreements

Mr. Greene stated that Complaint 22-02-11, of which he is the assigned Board Contact, has a pending hearing before DPR's Hearing Officer. A date for the hearing has not been scheduled.

Complaint Assignment and Status No Updates

OTHER BUSINESS BEFORE THE BOARD

Request to Change Member-In-Charge of 11/11/11 Charitable Gaming Event – Delaware Autism

Ms. Messina summarized the request of Delaware Autism. Ms. Messina made a motion, seconded by Ms. Williams-Coger, to approve the request to change the Member-In-Charge of the organization's 11/11/11 charitable gaming event. The motion passed unanimously.

Middletown Sports Lounge – No Longer Charitable Gaming Third Party Vendor

Mr. Greene read aloud a letter from the owner of Middletown Sports Lounge. Mr. Greene stated that Mr. Hamill's donation to each charitable organization affected by his closing, was a "very nice" gesture.

PUBLIC COMMENT

Nur Shriners Temple (pending raffle app)

Curt Cole addressed the Board on behalf of Nur Shriners Temple. Mr. Cole summarized two notices received by the Division, and questioned why the Board is limiting raffle applications to 6 months. Mr. Cole asked for an exception for Nur Shriners Temple. Ms. Messina stated that the Board had a "problem" with Nur Shriners Temple two years ago when the Board started the undertaking of a 6-month limit of applications. Ms. Messina added that Nur Shriners Temple had been granted an exception in the past, but had not submitted its AORs within the required timeframe. Ms. Messina explained the reasoning behind the Board's decision to limit raffles to 6 months.

Carol Torre of Full House Poker asked if the 3-year vendor license could be changed to an annual license. Ms. Torre expressed concern that she is only one of two vendors still in business and is hesitant to pay \$400 for a 3-year license. Ms. Howard explained that fees are set by the Division, not the Board, and that all vendor licenses must be renewed in the same timeframe; exceptions cannot be made.

Carol Torre asked if organizations can still mail After Occasion Reports. Ms. Messina confirmed that AORs may be mailed, emailed, faxed or hand-delivered.

Curt Cole stated that his current raffle permit was for one year, and will expire 12/31/11. Mr. Cole asked if he needed to submit an AOR for each month in 2011, or one AOR for the entire year of 2011. Ms. Howard confirmed that the current raffle permit for Nur Shriners Temple is a one-year permit, and that only one AOR is due at the end of the year. However, in 2012, Nur Shriners Temple must submit an After Occasion Report every 30 days.

NEXT MEETING

The next scheduled Board meeting is December 1, 2011 at 1:00 p.m., at 861 Silver Lake Boulevard, Cannon Building, Conference Room B, Dover, Delaware.

ADJOURNMENT

There being no further business before the Board, Mr. Greene made a motion, seconded by Ms. McDowell, to adjourn the meeting at 2:12 p.m. The motion passed unanimously.

Respectfully Submitted,



Michele Howard
Administrative Specialist II

The notes of this meeting are not intended to be a verbatim record of the topics that were presented or discussed. They are for the use of the Board members and the public in supplementing their personal notes and recall for presentations.