



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

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| MEETING MINUTES: | BOARD OF GAMING |
| MEETING DATE AND TIME: | Thursday, July 1, 2010 at 1:00 p.m. |
| PLACE: | 861 Silver Lake Boulevard, Dover, Delaware Conference Room B , second floor of the Cannon Building |
| APPROVED: | August 5, 2010 |

MEMBERS PRESENT

James Greene, Chairman, DE Volunteer Fireman's Association Member
Deborah Messina, Vice Chairperson, Public Member
Scott Angelucci, Public Member
Brad Barrie, Public Member

DIVISION STAFF/DEPUTY ATTORNEY GENERAL PRESENT

Robert Willard, Deputy Attorney General
Renee' Holt, Administrative Specialist II
Sandra Wagner, Administrative Specialist III

MEMBERS ABSENT

Sharon McDowell, Public Member

ALSO PRESENT

C. W. Clayton, Full House Poker Parlor
Wayne English, ABS (Atlantic Bingo Supply) Distributors
Beth Thibault, Performance Poker
Lou Thibault, Performance Poker
Tim Hamill, Middletown Sports Lounge
Mervan Kizgn, Charitable Poker
Ethan Car, Charitable Poker

CALL TO ORDER

Mr. Greene called the meeting to order at 1:11 p.m.

Mr. Greene reordered the agenda to move other Business before Board ahead of new business.

Mr. Greene asked if the party was present requesting to assist the organizations for conducting Bingo. Ms. Thibault explained the vendor (Performance Poker) would provide the building, tables, chairs, and bingo machine. Mr. Willard stated the vendor could not state they would charge a percentage to hold the event. Mr. Willard clarified the vendor could charge a flat fee and at the end of the event, determine the charity did not make adequate money and reduce their fee at that time. Mr. Willard clarified the third party vendor did not assist in running the event. Ms. Thibault stated she would not run the game but would train the member in charge to run the bingo machine and provide the location to hold the event. Mr. Willard read the law. Ms. Messina asked for counsel. Mr. Willard stated the Board had right to grant the permits. Ms. Messina questioned

if the Board could approve the applications for the organizations requesting to use the third party vendor, contingent upon providing a letter as required in the rules stating why the event could not be held on their own site. Ms. Messina also inquired if the Board approved the applications, would other groups that did have their own premises be allowed to request a different location (i.e., a Moose Lodge or Elks lodge requesting to hold their event at a third party vendor location). Mr. Willard advised the Board could approve the applications requesting use of Performance Poker contingent upon receiving the letter required by the rules and would not have to approve applications for organizations that owned their own premises and were requesting to use a third party vendor.

Middletown Sports Lounge – Mr. Hamill introduced himself to the Board. Mr. Hamill stated his intent was to open a poker room that was both a private poker club and on nights when the club was not open, provide a venue for charities to raise some money and hold charity events. Mr. Willard stated his legal opinion was that a private club where a fee was charged and people came in and were allowed to gamble was illegal. Mr. Willard stated there was an organization in New Castle County that does “this” and stated he understood that the police and Attorney General had told him (the New Castle County organization) to shut down. Mr. Willard stated the owner’s attorney wanted the opportunity to talk the Attorney General’s office out of it. The Attorney General’s office agreed to meet with the attorney; however the meeting had not occurred yet. Mr. Willard stated, if Mr. Hamill wanted to help a charitable organization, the Board would consider the application and could not deny the application based on something Mr. Hamill “might” do. Mr. Hamill stated after hearing Mr. Willard’s statement that his room would only do charitable events. Mr. Greene confirmed Mr. Hamill fully understood all the rules and regulations regarding Charitable Gambling. Mr. Hamill stated the building he was occupying had not been issued a certificate of occupancy yet. Mr. Hamill stated the inspector had looked at the building and had approved it and he was waiting to get the certificate of occupancy by the close of business the next day. The Board stated they had never approved applications contingent upon the location not being fully and legally ready to open for business. After counsel from Mr. Willard, the Board agreed to review the applications for the organizations requesting to hold events at Middletown Sports Lounge and consider their approval contingent upon receipt of the certificate of occupancy in addition to any other documentation necessary.

REVIEW AND APPROVAL OF MINUTES

The Board reviewed the meeting minutes of June 3, 2010. Mr. Angelucci made a motion, seconded by Ms. Messina to approve the minutes. The motion was unanimously approved.

UNFINISHED BUSINESS

Final Denials

There were no final denials.

NEW BUSINESS

Executive Session

Review of Application(s) for Individual Texas Hold’Em Dealer

Ms. Messina made a motion to go into Executive Session at 1:45 pm. Mr. Barrie seconded the motion. The motion was unanimously approved.

Ms. Messina made a motion, seconded by Mr. Angelucci to adjourn Executive Session. The motion was unanimously approved.

The Board reviewed the application for Individual Texas Hold’Em Dealer Licenses of Jonathan C. Breen. Ms. Messina made a motion, seconded by Mr. Barrie to propose to deny the application. The motion was unanimously approved.

Board Member Reports

Mr. Greene stated there were no reports.

Review of Application(s) for Texas Hold'Em Tournament

The Board reviewed the application for Georgetown-Ellendale VFW Post 2931. Mr. Barrie made a motion, seconded by Mr. Angelucci to approve the application. The motion was unanimously approved.

The Board reviewed the application for Clarence Fraim Senior Center. Mr. Angelucci made a motion, seconded by Mr. Barrie to approve the application contingent upon receipt of the outstanding after occasion report. The motion was unanimously approved.

The Board reviewed the application for FOP # 15 – City of Dover. Mr. Greene made a motion, seconded by Mr. Angelucci to approve the application. The motion was unanimously approved.

The Board reviewed the application for Leukemia and Lymphoma Society. Ms. Messina made a motion, seconded by Mr. Angelucci to approve the application contingent upon receipt of the outstanding after occasion report. The motion was unanimously approved.

Review of Application(s) for Charitable Gambling Event(s)

Ms. Messina reviewed applications for American Legion Nanticoke Post 6, Frankford Public Library, Georgetown Historical Society, and Jefferson Street Child Center Inc. Mr. Barrie made a motion, seconded by Ms. Messina to approve the applications. The motion was unanimously approved.

Ms. Messina reviewed the application for Knights of Columbus – Lady of Fatima. Ms. Messina stated the first event date was July 8, 2010 and that the venue did not have a certificate of occupancy for the building as of the date of the meeting. Mr. Angelucci made a motion, seconded by Mr. Barrie to approve the application contingent upon receipt of all missing items and the certificate of occupancy from the Middletown Sports Lounge. The motion was carried by a vote of 3 in favor with Mr. Greene voting no.

Ms. Messina reviewed the applications for Milton Development Corp dba The Milton Theatre, Sussex Community Crisis Housing Svcs, Sussex County Return Day Inc, and Father's House. Mr. Barrie made a motion, seconded by Mr. Angelucci to approve the applications. The motion was unanimously approved.

Ms. Messina reviewed the application for The Center for Therapeutic and Educational Riding. Mr. Angelucci made a motion, seconded by Mr. Barrie to approve the application contingent upon receipt of the certificate of occupancy from Middletown Sports Lounge. The motion was carried by a vote of 3 in favor and Mr. Greene voting no.

Ms. Messina reviewed the application of Feral Friends of Millsboro. Mr. Angelucci made a motion, seconded by Mr. Barrie to approve the application. The motion was unanimously approved.

Ms. Messina reviewed the application for Knights of Columbus – Archbishop Fitzmaurice Assembly. Mr. Angelucci made a motion, seconded by Mr. Barrie to approve the application contingent upon receiving the certificate of occupancy from the Middletown Sports Lounge. The motion carried by a vote of 3 in favor and Mr. Greene voting no.

Ms. Messina reviewed the application for the Knights of Columbus – Santa Maria #195. Ms. Messina stated the event was for July 3, 2010. Mr. Angelucci made a motion, seconded by Mr. Barrie to approve the application contingent upon receiving the certificate of occupancy from Middletown Sports Lounge. The motion carried by a vote of 3 in favor with Mr. Greene voting no.

Ms. Messina reviewed the application for the New Castle County Ducks Unlimited. Mr. Angelucci made a motion, seconded by Mr. Barrie to approve the application contingent upon receiving the statement of why

the event was not held on site, and the certificate of occupancy from Middletown Sports Lounge. The motion carried by a vote of 3 in favor and Mr. Greene voting no.

Review of Application(s) for Bingo Event(s)

Ms. Messina reviewed application for Feral Friends of Millsboro. Ms. Messina stated this was the first time the Board had approved a bingo permit for off site of the organizations premises. Mr. Angelucci made a motion to approve the application contingent upon receipt of a letter stating why the event was being held off site since the Board had not approved the scenario before. Mr. Barrie seconded the motion. The motion carried by a vote of 3 in favor and Mr. Greene voting no.

Ms. Messina reviewed application for Lower Sussex Little League. Mr. Angelucci made a motion to approve the application contingent upon receiving times of event and a letter stating why the event was being held off site. The motion was seconded by Mr. Barrie. The motion carried by a vote of 3 in favor and Mr. Greene voting no.

Ms. Messina reviewed application for DE Blue Hen Select 12U. Mr. Angelucci made a motion to approve the application contingent upon receipt of a letter stating why the event was being held off site. Mr. Barrie seconded the motion. The motion carried by a vote of 3 in favor and Mr. Greene voting no.

Ms. Messina reviewed application for Bear Hugs for Babies. Mr. Angelucci made a motion to approve the application contingent upon receipt of a letter stating why the event was being held off site. Mr. Barrie seconded the motion. The motion carried by a vote of 3 in favor and Mr. Greene voting no.

Review of Application(s) for Raffle(s)

Mr. Barrie reviewed the application for DE Humane Association. Ms. Messina made a motion, seconded by Mr. Angelucci to approve the application. The motion was unanimously approved.

Mr. Barrie reviewed the application for the Ancient Order of the Hibernians – Cardinal T. McCorrick Division 1. Mr. Barrie stated the organization had not been in existence for 2 years. Ms. Messina made a motion to propose to deny the application due to the organization not being in existence for 2 years. Mr. Barrie seconded the motion. The motion was unanimously approved.

Mr. Barrie reviewed the application for Friends of Seaford Library. Mr. Angelucci made a motion, seconded by Mr. Barrie to approve the application. The motion was unanimously approved.

Review of Application(s) for Instant Bingo

The Board reviewed the applications for Colonial Post 838 and the Loyal Order of Moose East Sussex Moose Lodge #2542. Mr. Barrie made a motion, seconded by Mr. Angelucci to approve the applications. The motion was unanimously approved.

Review of Request to Change Date/Venue of Approved Event

There were no requests.

Approval of Licensure List

Mr. Angelucci read the licensure list for Texas Hold'Em Tournaments. Mr. Barrie made a motion, seconded by Mr. Angelucci to approve the licensure list. The motion was unanimously approved.

Mr. Angelucci read the licensure list for Charitable Gambling Events. Mr. Barrie made a motion, seconded by Ms. Messina to approve the licensure list. The motion was unanimously approved.

Mr. Angelucci read the approval list for Raffles. Mr. Barrie made a motion, seconded by Mr. Angelucci to approve the licensure list. The motion was unanimously approved.

Hearings/Consent Agreements

A proposal to deny hearing was scheduled for David Cericola Jr. per his request for August 5, 2010.

The Board signed the order from the hearing of William Shane Anderson on June 3, 2010. Ms. McDowell must sign the order before the order would go into effect.

Ms. Messina reported that Senate Bill 232 passed and was awaiting the Governor's signature. Ms. Messina explained that Senate Bill 232 would allow for Board orders to be signed by the Board President and become effective upon that signature.

Complaint Assignment and Status

Delegation of Authority (permits issued)

Ratification of Bingo Event(s) Permits Issued

Ms. Messina made a motion to ratify the issuance of the Bingo permits for Milford Elks Lodge #2401 (7/7/10), Milford Elks Lodge #2401 (10/22/10), St. Elizabeth Ann Seton Parish, and Rainbow Chorale, seconded by Mr. Angelucci. The motion was unanimously approved.

Other Business Before the Board (for discussion only)

There was no other business before the board for discussion.

PUBLIC COMMENT

Mr. Hamill requested information that he could pass along to the charities regarding exactly what needed be submitted for applications and how the information could be submitted. Mr. Greene stated Mr. Hamill should direct those questions to Mrs. Holt and she would handle all those questions. Mr. Hamill verified the fax number and Mrs. Holt confirmed the additional documentation needed for the five organizations requesting to hold events at Middletown Sports Lounge.

Mr. English addressed the Board regarding questions asked at the June meeting regarding Bingo events being held at a third party location. Mr. Greene confirmed the applications were contingently approved pending receipt of letter the Board requested.

NEXT MEETING

The next scheduled Board meeting is September 2, 2010 at 1:00 p.m., located at 861 Silver Lake Boulevard, Cannon Building, Conference Room B, Dover, Delaware.

ADJOURNMENT

There being no further business before the Board, Mr. Angelucci made a motion, seconded by Ms. Messina to adjourn the meeting at 4:37 p.m. The motion was unanimously approved.

Respectfully Submitted,



Renee' M. Holt
Administrative Specialist II