



CANNON BUILDING
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STATE OF DELAWARE
BOARD OF CHARITABLE GAMING

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MEETING MINUTES:	BOARD OF CHARITABLE GAMING
MEETING DATE AND TIME:	Wednesday, July 27, 2016 at 10:00 a.m.
PLACE:	861 Silver Lake Boulevard, Dover, Delaware Conference Room B , second floor of the Cannon Building
MINUTES FOR APPROVAL:	August 24, 2016

MEMBERS PRESENT

Janet Williams-Coger, Non-Profit Member, Chair
James Ascione, Public Member
Francis Gant, Delaware Firefighters Association Member
Richard MacDonald, State Lottery Office Member

MEMBERS ABSENT

Jay Mervine, Public Member

DIVISION STAFF/DEPUTY ATTORNEY GENERAL PRESENT

Jean Betley, License Investigator III
Meredith Hurley, Administrative Specialist II
Ted Kimmey, Gaming Inspector
Kevin Maloney, Deputy Attorney General
Eric Rauch, Gaming Inspector

PUBLIC PRESENT

Bonnie Howell, Milford Elks
Bruce Howell, Milford Elks
Jim LoFland, Moose
Bill Holena, Aetna Hose Hook & Ladder
Vic Callahan, Stahl Post 30
Joe Waegele, Stahl Post 30
Tom Jones, AmVets Post 2
Dave Heffline, AmVets Post 2
Rev. Stanley Russell, St. Helena's
Richard Kirk, St. Helena's (Attorney)
Bessie Staab-Hickman, Moose
John Mitchell, VFW
Chris Hullinger, Bellevue
Pam Millman, Milford Elks
Robert Shiles, Jr., AmVets Post 22
Billy Hitchens, Legion Post 24

Grace Hitchens, Legion Post 24
Frank Colbert, Eagles Lodge 4528

CALL TO ORDER

Ms. Williams-Coger called the meeting to order at 10:03 a.m.

Conduct Deliberations from Public Hearing Regarding Proposed Amendments to Board's Rules and Regulations

To date, the Governor has not taken action on SB 254, which could affect the deliberations on the bingo changes. Mr. MacDonald made a motion, seconded by Mr. Gant, to table the deliberations until the legislation has taken effect. By unanimous vote, the motion carried.

REVIEW AND APPROVAL OF MINUTES

Meeting Minutes - June 22, 2016

Mr. Gant made a motion, seconded by Mr. MacDonald, to approve the June 22, 2016 meeting minutes as presented. The motion carried unanimously.

UNFINISHED BUSINESS

Queen of Hearts

Mr. Maloney has met with representatives and investigators from the Division regarding the authority or lack thereof to allow for carryover of prize money in this game. He anticipates being in a better position to address the Board at the next meeting regarding this issue.

NEW BUSINESS

Ratification of Bingo Event Permits Issued

Mr. Gant made a motion, seconded by Mr. MacDonald, to ratify the following bingo permit events listed below. The motion carried unanimously.

Aetna Hose Hook & Ladder Company of Newark, Delaware
Bowers Fire Company
Indian River Senior Center, Inc.
Lewes Senior Citizens Center Inc.
Nanticoke Senior Center Inc.
Pot-Nets Homeowners Association
St. Helena R.C. Church

Review of Applications for Raffle

Mr. Gant made a motion, seconded by Mr. MacDonald, to approve the raffle events listed below. The motion carried unanimously.

Delaware Humane Association
Ronald McDonald House of Delaware
Joseph B. Stahl Memorial Post #30
Mill Creek Fire Company Ladies Auxiliary

Little Sisters of the Poor

Mr. Gant made a motion, seconded by Mr. MacDonald, to approve the raffle application for Good Ole Boy Foundation, Inc. on the contingency that they provide the original application and fee. The motion carried unanimously.

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

Mr. Gant made a motion, seconded by Mr. MacDonald, to approve the application for charitable gaming events for Long Neck AmVets Post 22 on the contingency that the first date be issued but the remaining dates cannot be issued until the updated regulations are in effect on August 11th. The motion carried unanimously.

Mr. MacDonald made a motion, seconded by Mr. Gant, to approve the charitable gaming events listed below. The motion carried unanimously.

Sussex County Fraternal Order of Eagles Lodge 4528
AmVets Post 2 Ladies Auxiliary
Sons of AmVets Post 2
Lewes-Rehoboth Moose Lodge #646

Review of Application for Bingo

Mr. Gant made a motion, seconded by Mr. MacDonald, to approve the bingo event of PAWS for People. The motion carried unanimously.

Election of Officers

Mr. Gant made a motion, seconded by Mr. MacDonald, to nominate Ms. Williams-Coger to remain as Chair. The motion carried unanimously.

CORRESPONDENCE

There was no correspondence.

OTHER BUSINESS BEFORE THE BOARD (FOR DISCUSSION ONLY)

There was no other business before the Board.

PUBLIC COMMENT

Mr. Kirk, an attorney and parishioner from St. Helena's Church, introduced himself along with Father Russell, pastor of the church. His concern was another bingo event being held on the same night but at a different facility roughly a half mile away from the church. Father Russell penned a letter to the Division to ask that the situation be investigated. A former employee of the church was involved in the organization of the Edgemoor Community Center's latest bingo events. Mr. Kirk stated that 3.1 of the Bingo Regulations addresses that the Board shall consider the impact of the approval of any license application on existing licensees within the applicant's geographical location prior to granting any new license and the Board may deny an application if it is deemed to be detrimental to an existing licensee. Having two games on the same night has divided the attendance the church would normally see and has created a loss of profits normally generated from them. Mr. Kirk requested that the Board investigate the impact of the application that was submitted by Edgemoor Community Center and deny a license if it is found to have a detrimental impact on existing licenses.

Ms. Betley advised Mr. Kirk that the Investigative Unit did receive a copy of the letter and looked into the applications that were submitted by both organizations. Her findings were that Edgemoor Community Center had their application turned in in May and St. Helena's submitted theirs in June. According to the regulations, that would make Edgemoor the existing license. She advised the Board that previous discussions regarding this regulation have occurred, with the opinion that it was unconstitutional.

Mr. Maloney stated it would be quite an undertaking from a legal standpoint to try to undo any existing licenses and asked if one of the organizations could submit an application to amend their dates.

Mr. Kirk responded to Ms. Betley's statement saying that they have been consistently playing bingo for the past 3 years and because they did not submit their application first, it would imply that they "lost their place in line."

Mr. Hullinger from Edgemoor Community Center introduced himself as the former business manager for St. Helena's. He stated at the beginning of May he informed Father Russell that the head of the bingo committee was going to resign and that the bingo events were going to expire at the end of June. He spoke with Father Russell several times asking if he should submit more bingo events, getting no clear response. He decided to go ahead with the Edgemoor events with the thought that St. Helena's would no longer be having bingo nights. He stated he had reached out to St. Helena's for a compromise by offering to change the dates and was refused.

Mr. Kirk replied stating that Edgemoor Community Center did not need their permission to change their bingo dates and the compromise was to include the church loaning them roughly 40 tables for their games.

Mr. Maloney responded saying that the permits from both organizations are constitutionally protected property and the Board cannot act on this matter but should take this into consideration in the future.

Mr. Rauch, a Gaming Inspector for the Division, stated he has been in communication with both parties and the conversation at this meeting is consistent with his previous conversations with the parties. He had offered no solutions or suggestions to either party and felt it was something the organizations needed to work out amongst themselves.

Mr. Gant commented that 3.1 of the bingo regulations should be looked at and discussed further.

Mr. Colbert asked if a 15-18 week Texas Hold'em event needs a permit if there is no money, only points being accumulated. Mr. Kimmey advised him that if there is no money or fee to play the game then it is not considered gambling.

NEXT MEETING

The next scheduled Board meeting is Wednesday, August 24, 2016 at 10:00 a.m., Conference Room B, 861 Silver Lake Boulevard, Cannon Building, Dover, Delaware.

ADJOURNMENT

There being no further business before the Board, Mr. Gant made a motion, seconded by Mr. MacDonald, to adjourn the meeting at 10:39 a.m. The motion carried unanimously.

Respectfully submitted,

Meredith Hurley

Meredith Hurley
Administrative Specialist II