

## **LOUISIANA GAMING CONTROL BOARD**

### **Minutes of August 15, 2006**

The Louisiana Gaming Control Board held a meeting on Tuesday, August 15, 2006, 10:00 a.m., in Senate Room A of the Louisiana State Capitol. Present at this meeting were: H. Charles Gaudin, Chairman, Judge Robert Fleming, James Boyer, Dennis Kinchen, William Lastrapes, Marcia Morgan, Rupert Richardson and M.J. "Kelly" Simoneaux. Absent were ex-officio members, Sec. Cynthia Bridges and Col. Henry Whitehorn.

The meeting was called to order. It was moved by Ms. Richardson to waive the reading and approve the minutes of the July meeting. That motion was seconded by Mr. Boyer and unanimously approved by the Board.

Ms. Michelle Donner, State Police Gaming Audit Division, presented the revenue reports for the riverboats, landbased casino, and slots at the tracks. Ms. Donna Stevens, also with the Audit Division, reported on the video poker statistics.

Mr. Young Bonner, Asst. Attorney General, presented the quarterly compliance reports for slots at qualified racing facilities.

There was a request by Casino Rouge and the Baton Rouge Community College for approval of a compulsive gaming program. Following discussion, it was moved by Ms. Richardson to approve the program. That motion was seconded by Mr. Kinchen and unanimously approved by the Board.

The Board acted on a petition by Louisiana-1 Gaming (Boomtown) for modification of gaming space. It was moved by Mr. Boyer to approve the petition. That motion was seconded by Mr. Lastrapes and unanimously approved by the Board.

The Board considered a Joint Petition by Harrah's Entertainment, Inc. and Pinnacle Entertainment, Inc. for Transfer of Ownership Interest in Licensees, Harrah's Lake Charles LLC and Harrah's Star Partnership, and Modification of Berth Site. Representing the state were: Leonce Gautreaux, Asst. Attorney General, and Evie Ficklin, State Police Gaming Audit Division. Speaking on behalf of Pinnacle Entertainment were: Larry Orlansky, counsel, Wade Hundley, President of Pinnacle Entertainment, and Cliff Kortman, President of Design & Construction.

Ms. Tiffany Crawford, representing Senator Ann Duplessis, requested the Board to defer action on this item. It was moved by Ms. Richardson not to delay and to proceed with action concerning the joint petition filed by Harrah's and Pinnacle. That motion was seconded by Mr. Lastrapes and approved by a vote of six to one. The Chairman abstained from voting.

Representatives from the Alliance for Local Recovery, the African American Chamber of Commerce, the Orleans Levee Board, and Jebaco Corporation, also addressed the Board with reference to this item.

Following discussion, it was moved by Mr. Boyer to approve the Joint Petition for Transfer of Ownership Interest and Modification of Berth Site. That motion was seconded by Mr. Kinchen and unanimously approved by the Board.

The Board acted on a request by Belle of Orleans Casino for approval of design plans. Following discussion it was moved by Ms. Morgan to approve the design plans for the Belle of Orleans Casino. That motion was seconded by Mr. Lastrapes and unanimously approved by the Board.

The Board acted on the following truckstop application:

1. **I-10 Henderson Travel Center, LLC d/b/a Miss Mamie's Henderson Casino – No. 3601101407** – Motion by Mr. Lastrapes to approve the application. That motion was seconded by Ms. Richardson and unanimously approved by the Board.

Mr. Tom Warner, Asst. Attorney General, addressed the Board concerning LAC 42:VII.4203, Pari-Mutuel Live Racing Facility Slot Machine Gaming, Minimum Standards for Electronic Gaming Device, and LAC 42:XI.2413, Video Poker, Devices.

Following discussion, it was moved by Ms. Morgan to institute the rulemaking procedures for the adoption of amendments to LAC 42:VII.4203, and to adopt the amendments to LAC 42:XI.2413 as stated. That motion was seconded by Mr. Kinchen and unanimously approved by the Board.

The Board acted on Proposed Settlements/Appeals in the following:

1. **In Re: Patricia R. Wise d/b/a Gladys's Bar – No. 3601101407** – Motion by Judge Fleming to approve the \$1,000.00 settlement for submission of improperly notarized documents. That motion was seconded by Ms. Morgan and unanimously approved by the Board.
2. **In Re: Kitty G, Inc. d/b/a Liuzza's By The Track – No. 3601209578**
3. **In Re: Y & H, Inc. d/b/a Moonlight Café – No. 3601210098**
4. **In Re: The Trolley Stop, Inc. d/b/a The Trolley Stop Café – No. 3601207727**
5. **In Re: Swamp Island Night club, LLC d/b/a The Maxx – No. 2600112225**
6. **In Re: Tastee Donuts # 59, Inc d/b/a Tastee # 47 – No. 2600207876**

The above five cases were handled in globo because they dealt with the same issue. All five licensees submitted improperly notarized documents and each was assessed a \$1,000.00 penalty. It was moved by Mr. Simoneaux to approve the \$1,000.00 penalty for each licensee. That motion was seconded by Mr. Boyer and unanimously approved by the Board.

7. **In Re: Tastee Restaurant Corp. d/b/a Tastee Restaurant – No. 2600210414** – Motion by Ms. Richardson to approve the \$1,000.00 penalty for submission of improperly notarized documents. That motion was seconded by Mr. Kinchen and unanimously approved by the Board.
8. **In Re: Peter O’Carroll Advertising, Inc. – No. P081000235** – Motion by Mr. Simoneaux to approve the \$562.50 penalty for failure to timely submit the annual fee and annual affidavit. That motion was seconded by Mr. Boyer and unanimously approved by the Board.
9. **In Re: Catfish Queen Partnership in Commendam d/b/a/ Belle of Baton Rouge – No. CGD050225** – Motion by Mr. Lastrapes to approve the \$3,500.00 penalty for billboards with an improperly posted Gambling Hotline Number, and one billboard without the number. That motion was seconded by Ms. Morgan and unanimously approved by the Board.
10. **In Re: Boyd Racing, LLC d/b/a Delta Downs Racetrack and Casino – No. T01100286** – Motion by Mr. Lastrapes to approve the \$1,500.00 penalty for billboards with improperly posted Gambling Hotline Number. That motion was seconded by Ms. Morgan and unanimously approved by the Board.
11. **In Re: Joey’s Sport’s Bar, LLC d/b/a Joey’s Sports Bar & Casino – No. 500113442, Joey’s Sports Bar, LLC d/b/a Joey’s Sports Bar & Casino A – No. 5000113441, Joey’s Sports Bar, LLC d/b/a Joey’s Sports Bar & Casino B – No. 5000113439, Joey’s Sports Bar, LLC d/b/a Joey’s Sports Bar & Casino – No. 5000614427, Paula Theriot – No. 06007 and Hardy Joey Theriot, Jr. – No. 06006** – Motion by Mr. Simoneaux to approve the \$30,000.00 penalty for making false and misleading statements, and violating La. R.S. 18:1461(A) (10) regarding voting. That motion was seconded by Ms. Richardson and unanimously approved by the Board.
12. **In Re: Infogenesis – No. P086502465** – Motion by Ms. Richardson to approve the \$20,000.00 penalty for violations of regulations regarding reporting a material fact and notification to the Division of changes. That motion was seconded by Mr. Boyer and unanimously approved by the Board.
13. **In Re: McGuire Enterprises, LLC d/b/a McGuire Enterprises – No. 2600614447** - Motion by Mr. Kinchen to approve the \$1,000.00 penalty for submission of improperly notarized documents, and a \$10,000.00 penalty for violating regulations regarding movement of video poker devices. That motion was seconded by Ms. Richardson and unanimously approved by the Board.
14. **In Re: McGuire Enterprises, LLC d/b/a McGuire Enterprises – No. 2600609078**
15. **In Re: McGuire Pit Stop d/b/a McGuire’s Pub of New Orleans – No. 2600110909**

The above two cases were handled in globo because they dealt with the same issue. It was moved by Mr. Boyer to approve the \$1,000.00 penalty for each licensee for submission of

improperly notarized documents. That motion was seconded by Ms. Morgan and unanimously approved by the Board.

16. **In Re: Edwards S. Gates d/b/a Comet Inn – No. 2600100799** – Appeal withdrawn.

There being no further comments, it was moved by Mr. Kinchen to adjourn. That motion was seconded by Mr. Simoneaux and unanimously approved by the Board.

The meeting was adjourned.