

LOUISIANA GAMING CONTROL BOARD

Minutes of February 21, 2006

The Louisiana Gaming Control Board held a meeting on Tuesday, February 21, 2006, 10:00 a.m., in Senate Room A of the Louisiana State Capitol, Baton Rouge, LA. Present at this meeting were: H. Charles Gaudin, Chairman, Judge Robert Fleming, James Boyer, Dennis Kinchen, William Lastrapes, Marcia Morgan, and M.J. "Kelly" Simoneaux. Absent was board member Rupert Richardson, and ex-officio members, Sec. Cynthia Bridges and Col. Henry Whitehorn.

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

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

Mr. Young Bonner, Assistant Attorney General in the Gaming Division, reported on compliance reports for slots at qualified racing facilities.

The Board acted on the extension of the unconditional Minimum Payment Guaranty Agreement of Harrah's landbased casino. Mr. John Campbell, Special Asst. Attorney General, addressed the Board on this matter. He stated the period covered by the guaranty would include the fiscal year ending March 31, 2009. The same guarantors are included in this extension as with the original guaranty.

Following discussion, it was moved by Mr. Boyer to approve the guaranty. That motion was seconded by Mr. Lastrapes and unanimously approved by the Board.

Mr. Anthony Sanfilippo, President of Harrah's Central Division, updated board members on the status of their Lake Charles facilities since Hurricane Rita. He stated that Harrah's was still exploring options with respect to their facilities in Lake Charles. Mr. Randy Roche, Mayor of Lake Charles, requested the Board to give Harrah's additional time to evaluate their options in Lake Charles.

Mr. Kelly Duncan, counsel representing Belle of Orleans, and Mr. Joe Yung, Director of Development for Columbia Sussex, updated members on the status of the casino. He stated the vessel was currently at Bender Shipyard in Mobile, Alabama undergoing repairs. He also stated that discussions were ongoing with officials in St. Mary Parish for a possible change of berth.

Members of the Orleans Levee Board also addressed the Board in opposition to any change of berth requested by the Belle of Orleans Casino.

The Board acted on the 2006-2007 Casino Support Services Contract with the City of New Orleans. Ms. Olga Bogran, Asst. Attorney General in the Gaming Division, addressed board members with reference to this item.

Following discussion, it was moved by Ms. Morgan to authorize the Chairman to enter into the contract following legislative approval and appropriation of funds. That motion was seconded by Mr. Lastrapes and unanimously approved by the Board.

The next item dealt with revisions to Level II Business Applications – DPSSP 0073, Personal History and Financial Record – DPSSP 0077A, and Personal History and Financial Record - DPSSP 0077B. Mr. Mike Daniels, Asst. Attorney General, and Sgt. Leland Falcon, State Police Casino Gaming Division, addressed the Board with reference to these forms.

Following discussion, it was moved by Mr. Lastrapes to approve the revisions to the forms. That motion was seconded by Mr. Kinchen and unanimously approved by the Board.

There was a petition by Louisiana Downs for reconfiguration of gaming space. It was moved by Mr. Boyer to approve the petition for reconfiguration. That motion was seconded by Ms. Morgan and unanimously approved by the Board.

The Board acted on the following video gaming issues:

1. **Flappery, L.L.C. d/b/a Mulligan's Tavern – No. 2600214024** – Motion by Mr. Kinchen to approve the Type 2 application. That motion was seconded by Mr. Boyer and unanimously approved by the Board.

The Board acted on the following truckstop applications:

1. **Forest Gold Truck Plaza & Casino, L.L.C. d/b/a Forest Gold Video Room – 4600511922**
2. **Feliciano Ventures, Inc. d/b/a Amite Plaza Truck Stop – No. 4600510960**

The above stated applications were handled in globo because they involved the same individuals. It was moved by Ms. Morgan to approve the transfers of ownership for both licensees. That motion was seconded by Mr. Lastrapes and unanimously approved by the Board.

3. **St. Rose Travel Center, LLC d/b/a St. Rose Travel Center – No. 4500512378**
4. **The Rose Casino, LLC d/b/a The Rose Casino – 4500612088 – No. 4500612088**

These two cases applications were also handled in globo because they involved the same individuals. It was moved by Ms. Morgan to approve the transfers of ownership for both licensees. That motion was seconded by Judge Fleming and unanimously approved by the Board.

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

1. **In Re: Westbank Electric Inc. – No. P082600893**
9. **In Re: Coca Cola Enterprises, Inc. – No. P083600415**

The above two cases were handled in globo because they dealt with the same issue. Each permittee was assessed a \$562.50 penalty for failure to timely submit their annual fee and annual affidavit. It was moved by Mr. Boyer to approve the penalty for each permittee. That motion was seconded by Mr. Lastrapes and unanimously approved by the Board.

2. **In Re: Virginia Collier d/b/a Bud's Broiler & Virginia Collier d/b/a Coffee Toffee – Nos. 2600212420 & 2600214097** – Motion by Judge Fleming to approve the settlement whereby Virginia Collier would divest herself of ownership of Bud's Broiler, and would withdraw the license applications of Coffee Toffee and The Rocker with prejudice. Additional conditions of the settlement call for Ms. Collier to be ineligible to apply for or hold any license or permit or hold an interest in any license or permit for five years. That motion was seconded by Mr. Kinchen and unanimously approved by the Board.
3. **In Re: C & B Investments, Inc. d/b/a Four Seasons – No. 2600100547**
4. **In Re: K & J, Inc. d/b/a J & K Bar – No. 3601100228**
5. **In Re: Jeanette Davis d/b/a Jeanette's Bar & Restaurant – No. 2600107157**
6. **In Re: Wanda Wilson d/b/a Tinnie's Lounge – No. 2600111653**
7. **In Re: Red Eye Grill, Inc. d/b/a Red Eye Grill II – No. 2600111736**
8. **In Re: Red Eye Grill, Inc. d/b/a Red Eye Grill – No. 3601108513**

The above cases were handled in globo because they dealt with the same issue. Each licensee was assessed a \$1,000.00 penalty for submission of improperly notarized documents. It was moved by Mr. Kinchen to approve the \$1,000.00 penalty for each licensee. That motion was seconded by Ms. Morgan and unanimously approved by the Board.

10. **In Re: PNK (Bossier City), Inc. – No. CGD050023** - Motion by Ms. Morgan to approve the \$12,000.00 civil penalty and the \$3,365.00 payment to the Compulsive and Problem Gaming Fund for failure to comply with the compulsive and problem gaming program. That motion was seconded by Mr. Kinchen and unanimously approved by the Board.
11. **In Re: Phill-In Investments, LLC d/b/a Sports Pub – No. 0904212579** – Motion by Mr. Boyer to approve the \$2,500.00 penalty for failure to meet requirements of a restaurant. That motion was seconded by Mr. Lastrapes and unanimously approved by the Board.
12. **In Re: Custom Benefit Program, Inc. – No. P086500419**
13. **In Re: Zapp's Potato Chips – P084700401**

These two cases were also handled in globo because they dealt with same issue. Each permittee was assessed a \$562.50 penalty for failure to timely submit their annual fee and annual

affidavit. It was moved by Ms. Morgan to approve the settlement for each permittee. That motion was seconded by Mr. Kinchen and unanimously approved by the Board.

14. **In Re: VendingData Corporation – No. P086501817, VendingData Corporation – No. P066502143, Ronald O. Keil, No. 05002 and Bobby L. Smith – No. 05001** – Motion by Mr. Lastrapes to approve the \$50,000.00 penalty; surrender of VendingData’s manufacturers and non-gaming supplier permits; VendingData, Ronald Keil and Bobby Smith are ineligible for approval for 30 months; there is a prohibition of the distribution or servicing, directly or indirectly, of any VendingData supplies in Louisiana. That motion was seconded by Mr. Simoneaux and unanimously approved by the Board.
15. **In Re: The Old Evangeline Downs, LLC d/b/a Evangeline/Downs Racetrack & Casino – No. CGD040530** – Motion by Mr. Lastrapes to approve the \$150,000.00 penalty for violation of electronic gaming device regulations. That motion was seconded by Judge Fleming and unanimously approved by the Board.
16. **In Re: Pamela Thomas – No. P040019536** – Motion by Mr. Simoneaux to affirm the decision of the hearing officer for the reason that Ms. Thomas is unsuitable. That motion was seconded by Mr. Lastrapes and unanimously approved by the Board.

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

The meeting was adjourned.