

LOUISIANA GAMING CONTROL BOARD

Minutes of March 21, 2006

The Louisiana Gaming Control Board held a meeting on Tuesday, March 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, Marcia Morgan, and M.J. "Kelly" Simoneaux. Absent were board members Dennis Kinchen, William Lastrapes, 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 February meeting. That motion was seconded by Ms. Morgan 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.

Ms. Alyson McCord, Asst. Attorney General reported on the voluntary compliance reports for the riverboat casinos. Ms. Adrian Wilson, also an Asst. Attorney General, presented the management reports.

Representatives from Belle of Orleans Casino, Harrah's Lake Charles, Harrah's Star Partnership, and Churchill Downs Louisiana Horseracing Company provided updates on the status of their properties as a result of the hurricanes.

The Board acted on the contracts for court reporters and hearing officers. It was moved by Judge Fleming to approve the 2006-2007 contracts with United Court Reporters, Inc., Kaiser Court Reporting, Inc., Judge Joseph E. Anzalone, Jr., and Judge William H. Brown. That motion was seconded by Mr. Simoneaux and unanimously approved by the Board.

There was a motion by Judge Fleming to amend the agenda to consider action on a truckstop application. That motion was seconded by Ms. Morgan and unanimously approved by the Board.

The Board acted on the truckstop application of Riverbend Truckstop & Palace Casinos. It was moved by Judge Fleming to approve the application. That motion was seconded by Mr. Simoneaux and unanimously approved by the Board.

The next item for consideration was a request for gaming space reconfiguration by Horseshoe Casino. Following discussion, it was moved by Ms. Morgan to approve the request

for reconfiguration of gaming space. That motion was seconded by Mr. Boyer and unanimously approved by the Board.

The Board also considered a request by Sam's Town Casino for gaming space reconfiguration. Following discussion, it was moved by Mr. Boyer to approve the request. That motion was seconded by Ms. Morgan and unanimously approved by the Board.

Mr. Tom Warner, Asst. Attorney General in the Gaming Division, addressed the Board with reference to Rule LAC 42:XI.2413 dealing with devices. Following discussion, it was moved by Judge Fleming to initiate the rulemaking procedures for the adoption of amendments to LAC 42:XI.2413, Devices. That motion was seconded by Mr. Simoneaux and unanimously approved by the Board.

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

1. **In Re: Burgundy d/b/a Cosimo's – No. 360112558** – Motion by Ms. Morgan to approve the \$1,000.00 penalty for submission of improperly notarized documents. That motion was seconded by Mr. Boyer and unanimously approved by the Board.
2. **In Re: 5101 West Esplanade, LTD d/b/a Austin's Restaurant – No. 2600214036** – Motion by Ms. Morgan to approve the \$500.00 penalty for failure to timely submit annual licensing fee and tax clearances. That motion was seconded by Judge Fleming and unanimously approved by the Board.
3. **In Re: Talen's Marine & Fuel, Inc. – No. P08270155** – Motion by Judge Fleming to approve the \$6,000.00 penalty for failure to timely submit tax clearances and failure to notify the Division regarding an arrest. That motion was seconded by Mr. Simoneaux and unanimously approved by the Board.
4. **In Re: Peter and Lou Inc. d/b/a Half Moon Bar & Grill – No. 3601105511**
5. **In Re: Michael J. Barattini d/b/a Mike's Place – No. 2600106259**
6. **In Re: Smilie's Restaurant, Inc. d/b/a Smilie's Restaurant – No. 2600206766**
7. **In Re: Gio's Restaurant, Inc. d/b/a Gio's Restaurant – No. 2600206766**
8. **In Re: James D. Kirkfield, Jr. d/b/a Old Hickory Restaurant – No. 2604204828**
9. **In Re: EHM, LTD d/b/a Mr. Ed's Fried Chicken Café – No. 2600212475**
10. **In Re: BRJ, Inc. d/b/a Rhythms Nightclub – No. 2605106745**
11. **In Re: Friar Tucks II, LLC d/b/a Friar Tucks – No. 360113704**
12. **In Re: BBBJ, LLC d/b/a Joe's Café 2 – No. 2600212727**
13. **In Re: HDS, LLC d/b/a The DBD Lounge – No. 2600113143**
14. **In Re: The Corner Café, Inc. d/b/a Corner Café – No. 2600209236**

Numbers 4 – 14 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.

15. **In Re: Billie Shepard – No. P04004688** – Motion by Judge Fleming to affirm the decision of the Hearing Officer’s imposition of a \$250.00 penalty for failure to timely submit a tax clearance. That motion was seconded by Ms. Morgan. There was a substitute motion by Mr. Simoneaux to reverse the decision of the Hearing Officer. That motion failed due to a lack of a second. The original motion affirming the decision of the hearing officer was affirmed by a vote of four to one. Mr. Simoneaux voted against the motion.

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

The meeting was adjourned.