

LOUISIANA GAMING CONTROL BOARD

Minutes of January 18, 2005

The Louisiana Gaming Control Board held a meeting on Tuesday, January 18, 2005, 10:00 a.m., in House Committee Room 6 of the Louisiana State Capitol. Present at this meeting were: H. Charles Gaudin, Chairman; Robert M. Fleming, James Boyer, Gen. Sherian Cadoria, Dennis Kinchen, William Lastrapes, Marcia Morgan, Rupert Richardson, Kelly Simoneaux and ex-officio member, Col. Henry Whitehorn. Absent was ex-officio member, Sec. Cynthia Bridges.

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

Ms. Donna Jackson, State Police Gaming Audit Division, presented the revenue reports for the riverboats, landbased casino, and slots at the tracks. She also reported on the employee numbers and salaries for the landbased casino. Ms. Janice Adolph, also with the Audit Division, reported on the statistics for video poker.

The Board acted on the riverboat renewal applications of Treasure Chest Casino, LLC in Kenner and Red River Entertainment of Shreveport Partnership in Commendam d/b/a Sam's Town Shreveport.

Following discussion, it was moved by Judge Fleming to approve the five-year renewal of the licenses of Boyd Gaming Corporation d/b/a Treasure Chest Casino, LLC and Red River Entertainment of Shreveport Partnership in Commendam d/b/a Sam's Town Shreveport and adopt the resolution as Exhibit A. That motion was seconded by Gen. Cadoria and unanimously approved by the Board. Board member Dennis Kinchen requested that future renewal reports contain compliance information on licensees.

The Board also acted on the renewal application of St. Charles Gaming Company, Inc. d/b/a Isle of Capri-Lake Charles. It was moved by Mr. Boyer to approve the five year renewal of the license of Isle of Capri and adopt the resolution as Exhibit B. That motion was seconded by Ms. Richardson and unanimously approved by the Board.

There was a request by Isle of Capri Casinos, Inc. for approval of a Third Amended and Restated Credit Facility. It was moved by Mr. Simoneaux to approve the 900 million dollar amendment of their credit facility. That motion was seconded by Ms. Richardson and unanimously approved by the Board.

The Board acted on the 2005-2006 Casino Support Services Contract with the City of New Orleans. Ms. Jeanne-Marie Barham, Asst. Attorney General in the Gaming Division, and Mr. Kenya Smith, Executive Counsel to the Mayor, addressed the Board with reference to this item.

Following discussion, it was moved by Gen. Cadoria to approve the 3.6 million dollar contract and authorize the Chairman to execute the contract following approval and appropriation of funds by the Joint Legislative Committee on the Budget. That motion was seconded by Ms. Morgan and unanimously approved by the Board.

Mr. Mike Daniels and Mr. Tom Warner, Asst. Attorney's General in the Gaming Division, discussed penalties dealing with improper posting of the toll-free gambling hotline number, and the untimely filing and payment of income taxes by licensees and permittees.

Following discussion, it was moved by Ms. Richardson to increase the fine for improper posting of the toll-free gambling hotline number to \$1,000.00. That motion was seconded by Mr. Simoneaux. There was a substitute motion by Judge Fleming to defer action on the matter until the February meeting to allow for a rule to be drafted concerning a fine for improper posting of the toll-free gambling number. That motion was seconded by Mr. Kinchen and unanimously approved by the Board.

The Board acted on Proposed Settlements/Appeals from Hearing Officer's decisions:

1. **In Re: Schwanda D. Hall – No. P040023774** – Motion by Judge Fleming to approve the \$250.00 penalty for failure to timely submit a tax clearance. That motion was seconded by Mr. Kinchen and unanimously approved by the Board.
2. **In Re: Larousse, Inc. d/b/a Queen Bee – No. 2900110148** –
3. **In Re: Larousse, Inc. d/b/a Bowie Junction – No. 2900210155** -
Numbers 2 & 3 were handled in globo because they dealt with the same issue. It was moved Mr. Lastrapes to approve the 144 day suspension for chronic delinquency in the filing and paying of parish sales and use taxes. That motion was seconded by Ms. Morgan and unanimously approved by the Board.
4. **In Re: James Ward – No. P040006142** – Motion by Mr. Kinchen to approve the \$250.00 penalty for failure to timely submit a tax clearance. That motion was seconded by Judge Fleming and unanimously approved by the Board.
5. **In Re: Jeremy P. Stinnett – No. P04003850** – Motion by Gen. Cadoria to approve the \$250.00 penalty for failure to timely submit a tax clearance. That motion was seconded by Mr. Kinchen and unanimously approved by the Board.
6. **In Re: Bryan Ashley International, Inc. – No. P086502409** – Motion by Mr. Kinchen to approve the \$500.00 penalty for failure to timely submit the annual fee and affidavit. That motion was seconded by Gen. Cadoria and unanimously approved by the Board.

7. **In Re: Jerry Simmons d/b/a St. Mary's Golf & Country Club – No. 5103206585 –** Motion by Judge Fleming to approve the \$13,301.00 penalty for failure to meet qualifications for a Type 2 video gaming license. That motion was seconded by Mr. Kinchen and unanimously approved by the Board.
8. **In Re: 200 Magazine, Inc. d/b/a Huey's 24/7 – No. 3601213901 –** Motion by Gen. Cadoria to approve the \$1,000.00 penalty for failure to timely submit required information. That motion was seconded by Mr. Boyer and unanimously approved by the Board.
9. **In Re: Chad Wayne Diven – No. P040027035 –** Motion by Ms. Morgan to remand the case back to the Hearing Officer. That motion was seconded by Judge Fleming and unanimously approved by the Board.
10. **In Re: TLC Games, Inc. – No. 0801613774 -** Motion by Mr. Boyer to allow TLC to withdraw their application and pay a \$2,500.00 penalty. That motion was seconded by Mr. Lastrapes and unanimously approved by the Board.
11. **In Re: Bayou Vista Truck Plaza & Casino, L.L.C. d/b/a Bayou Vista Truck Plaza & Casino – No. 5100511651 –** Motion by Ms. Morgan to grant the rehearing request. That motion was seconded by Mr. Simoneaux but failed by a vote of 3 to 6. Voting for the motion were: Ms. Morgan, Mr. Simoneaux and Chairman Gaudin. Voting against the motion were: Judge Fleming, Mr. Boyer, Gen. Cadoria, Mr. Kinchen, Mr. Lastrapes and Ms. Richardson. There was a substitute motion by Judge Fleming to deny the rehearing and pay the \$129,223.84 penalty. That motion was seconded by Ms. Richardson and approved by a vote of 6 to 3. Voting for the motion were: Judge Fleming, Mr. Boyer, Gen. Cadoria, Mr. Kinchen, Mr. Lastrapes and Ms. Richardson. Voting against the motion were: Ms. Morgan, Mr. Simoneaux and Chairman Gaudin.
12. **In Re: MTM Associates, LLC d/b/a Sportsman's Paradise – No. 1001213031 –** Motion by Mr. Simoneaux to amend the penalty to \$30,000.00 or 66 days suspension. That motion was seconded by Gen. Cadoria but failed by a vote 5 to 3. Voting for the motion were: Gen. Cadoria, Ms. Morgan and Mr. Simoneaux. Voting against the motion were: Judge Fleming, Mr. Boyer, Mr. Kinchen, Mr. Lastrapes and Ms. Richardson. The Chairman abstained from voting. There was a substitute motion by Mr. Boyer to affirm the decision of the Hearing Officer suspending the license for 199 days. That motion was seconded by Mr. Kinchen and approved by a vote of 5 to 3.
13. **In Re: Shasha P. Rhodes – No. P040010646 –** Motion by Gen. Cadoria to approve the \$250.00 penalty for failure to timely submit a tax clearance. That motion was seconded by Ms. Richardson and unanimously approved by the Board.
14. **In Re: Parsa, Inc. d/b/a Club Decatur – No. 3601210741 –** Motion by Mr. Kinchen to approve the \$13,858.51 penalty for failure to meet the qualifications for a Type 2 license. That motion was seconded by Gen. Cadoria and unanimously approved. Mr. Simoneaux abstained from voting.

Ms. Richardson congratulated Ms. Lonna Willingham for her civil service commendation and made a motion for the Board to prepare a resolution and present it to Ms. Willingham. Mr. Simoneaux seconded that motion and it was unanimously approved.

There being no further comments, it was moved by Gen. Cadoria to adjourn. That motion was seconded by Ms. Richardson and unanimously approved by the Board.

The meeting was adjourned.

EXHIBIT A

**STATE OF LOUISIANA
GAMING CONTROL BOARD**

**In the Matter of Red River Entertainment of Shreveport Partnership in Commendam d/b/a Sam's
Town Hotel and Casino and
Treasure Chest Casino, L.L.C. License Renewal**

RESOLUTION

On the 18th day of January, 2005, the Louisiana Gaming Control Board ("Board") did, in a duly noticed public meeting, consider the issue of Red River Entertainment of Shreveport Partnership in Commendam d/b/a Sam's Town Hotel and Casino and Treasure Chest Casino, L.L.C., ("Licensees"), License Renewals and upon motion duly made and seconded, the Board adopted the following Resolution:

1. **BE IT RESOLVED** by the Board that the public policy conditions identified as Exhibit A and presented for consideration this date be and are hereby approved and adopted by the Board as additional conditions placed upon the Licensees.

2. **BE IT FURTHER RESOLVED** by the Board that the riverboat casino licenses of Red River Entertainment of Shreveport Partnership in Commendam d/b/a Sam's Town Hotel and Casino and Treasure Chest Casino, L.L.C. be renewed for a term of five (5) years commencing as follows:
 - A. Red River Entertainment of Shreveport Partnership in Commendam d/b/a Sam's Town Hotel and Casino commencing March 8, 2005 and

 - B. Treasure Chest Casino, L.L.C. commencing May 18, 2005,

subject to the original conditions of the licenses and all conditions approved this date as attached hereto and made a part hereof.

**THUS DONE AND SIGNED IN BATON ROUGE, LOUISIANA THIS 18TH DAY OF
JANUARY, 2005.**

**H. CHARLES GAUDIN, CHAIRMAN
LOUISIANA GAMING CONTROL BOARD**

ATTEST:

**ROBERT M. FLEMING, VICE-CHAIRMAN
LOUISIANA GAMING CONTROL BOARD**

EXHIBIT B

**STATE OF LOUISIANA
GAMING CONTROL BOARD**

**In the Matter of St. Charles Gaming Company, Inc. d/b/a Isle of Capri – Lake Charles
License Renewal**

RESOLUTION

On the 18th day of January, 2005, the Louisiana Gaming Control Board (“Board”) did, in a duly noticed public meeting, consider the issue of the St. Charles Gaming Company, Inc. d/b/a Isle of Capri – Lake Charles, (“Licensee”), License Renewal and upon motion duly made and seconded, the Board adopted the following Resolution:

- 1. BE IT RESOLVED** by the Board that the public policy conditions identified as Exhibit A and presented for consideration this date be and are hereby approved and adopted by the Board as additional conditions placed upon the Licensees.
- 2. BE IT FURTHER RESOLVED** by the Board that the riverboat casino license of St. Charles Gaming Company, Inc. d/b/a Isle of Capri – Lake Charles be renewed for a term of five (5) years commencing as follows:

St. Charles Gaming Company, Inc. d/b/a Isle of Capri – Lake Charles commencing
March 29, 2005,

subject to the original conditions of the licenses and all conditions approved
this date as attached hereto and made a part hereof.

**THUS DONE AND SIGNED IN BATON ROUGE, LOUISIANA THIS _____ DAY OF
_____, 2005.**

**H. CHARLES GAUDIN, CHAIRMAN
LOUISIANA GAMING CONTROL BOARD**

ATTEST:

ROBERT M. FLEMING, VICE-CHAIRMAN