

LOUISIANA GAMING CONTROL BOARD

Minutes of August 17, 2004

The Louisiana Gaming Control Board held a meeting on Tuesday, August 17, 2004, 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 and Rupert Richardson. Absent were board members Marcia Morgan, Kelly Simoneaux, and ex-officio members, Sec. Cynthia Bridges and Col. Henry Whitehorn.

The Chairman called the meeting to order. It was moved by Gen. Cadoria to amend the agenda to include the revenue reports. That motion was seconded by Mr. Boyer and unanimously approved by the Board.

Gen. Cadoria also moved to waive the reading and approve the minutes of both the July meeting and Executive Session. 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. Ms. Constance Wallace, State Police Gaming Audit Division, reported on the employee numbers and salaries for the landbased casino. Mr. Jim Bossier, also with the Audit Division, reported on the statistics for video poker.

Ms. Alyson McCord, Asst. Attorney General in the Gaming Division, reported on the voluntary compliance and procurement conditions for the riverboat casinos, and Mr. Young Bonner, also an Attorney General in the Gaming Division, reported on the statutory compliance and procurement conditions for pari-mutuel facilities.

The Board acted on the renewal of the riverboat licenses of Grand Palais Riverboat, Inc. d/b/a Isle of Capri, and Louisiana Riverboat Gaming Partnership d/b/a Isle of Capri – Bossier City. Mr. Earl Pitre, Asst. Attorney General in the Gaming Division, Ms. Angela Brown, State Police Gaming Audit Division, and Trooper James Cormier addressed the Board with reference to these renewals.

Following discussion, it was moved by Mr. Boyer to approve five year renewals subject to Exhibit A and Resolution attached to these minutes, for both Grand Palais Riverboat, Inc. d/b/a Isle of Capri and Louisiana Riverboat Gaming Partnership d/b/a Isle of Capri - Bossier City. That motion was seconded by Gen. Cadoria and unanimously approved by the Board.

It was moved by Mr. Lastrapes to delay action on the renewal of the license of St. Charles Gaming Company, Inc. d/b/a Isle of Capri, to allow for the completion of the investigation by Louisiana State Police. That motion was seconded by Mr. Kinchen and unanimously approved by the Board.

The Board acted on a petition by Jazz Enterprises, Inc., for approval of an 875 million Senior Secured Credit Facility. Ms. Lonna Willingham, State Police Gaming Audit Division, addressed the Board on this matter.

Following discussion, it was moved by Mr. Lastrapes to approve the petition for the credit facility. That motion was seconded by Mr. Kinchen and unanimously approved by the Board.

Mr. Wade Duty, Executive Director of the Casino Association of Louisiana, updated the Board with reference to the Best Practices Program. He stated he had been working with the casinos on establishing the program and would be able to address the Board on this matter at the next meeting.

The Board acted on the following truckstop applications:

1. **Presto Fuel Center, LLC d/b/a Presto Fuel Center – No. 2900511631** – Motion by Mr. Boyer to approve the transfer of stock. That motion was seconded by Gen. Cadoria and unanimously approved by the Board.
2. **Pablo’s Cantina, LLC d/b/a Pablo’s Truck Stop Casino – No. 3900514089** – Motion by Ms. Richardson to approve the application. That motion was seconded by Gen. Cadoria and unanimously approved by the Board.

Mr. Tom Warner, Asst. Attorney General in the Gaming Division, addressed the Board with reference to the adoption of an emergency rule dealing with excluded persons.

Following discussion, it was moved by Mr. Lastrapes to adopt LAC 42:III.303, Persons Required to be Excluded. That motion was seconded by Mr. Kinchen and unanimously approved by the Board.

The Board acted on Settlements/Appeals from Hearing Officer’s Decisions in the following:

1. **In Re: Finish Line Management Corp. d/b/a Finish Line/Houma – No. 5500400539** - Motion by Gen. Cadoria to approve the \$250.00 settlement for failure to include the toll-free gambling hotline number in advertising. That motion was seconded by Ms. Richardson and unanimously approved by the Board.
2. **In Re: St. Rose Travel Center, LLC d/b/a St. Rose Travel Center – No. 4500512378** - Motion by Gen. Cadoria to approve the \$250.00 settlement for failure to include the toll-free gambling hotline number in advertising. That motion was seconded by Ms. Richardson and unanimously approved by the Board.
3. **In Re: Wolfman, Inc. d/b/a Chicken Box Forstall – No. 3601212657** – Motion by Ms. Richardson to approve the \$750.00 settlement for failure to include the toll-free

- gambling hotline number in advertising; 2nd violation for failure to have properly operating door between gaming establishment and another business; and failure to have readily available a copy of the administrative rulebook in establishment. That motion was seconded by Mr. Boyer and unanimously approved by the Board.
4. **In Re: Shamilan K. Smith – No. P040026801** – Motion by Gen. Cadoria to approve the \$250.00 settlement for failure to timely file and pay her income taxes. That motion was seconded by Mr. Boyer and unanimously approved by the Board.
 5. **In Re: Orchard, Inc. d/b/a Apple Inn Motel and Orchard, Inc. d/b/a Hancock Gaming – Nos. 2900300650A and 2900610423** – Motion by Mr. Lastrapes to approve the \$500.00 settlement for each licensee for failure to timely file and pay their parish taxes. That motion was seconded by Gen. Cadoria and unanimously approved by the Board.
 6. **In Re: Infinium Software Inc. – No. P086501562** – Motion by Mr. Boyer to refer the matter to the Hearing Office for introduction of evidence pertaining to the alleged violation. That motion was seconded by Mr. Lastrapes and unanimously approved by the Board.
 7. **In Re: Monique M. Buras – No. P040037516** – Motion by Judge Fleming to affirm the decision of the Hearing Officer and deny the non-key gaming permit. That motion was seconded by Gen. Cadoria and unanimously approved by the Board.
 8. **In Re: Digital Press & Graphics, LLC – No. P081701849** – Motion by Judge Fleming to continue the rehearing request to the September meeting. That motion was seconded by Mr. Lastrapes and unanimously approved by the Board.

The Chairman stated that the September meeting had been changed from September 21st to September 14th.

Lt. Colonel Bordelon announced that Captain Dane Morgan had been promoted to Major and would be leaving the Gaming Division. He complimented Capt. Morgan for the outstanding job he had done in gaming and stated that he would be missed. Lt. Scott Reggio would temporarily be in charge of the Casino Gaming Division.

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

The meeting was adjourned.

Exhibit A

The Casino Gaming Division of the Louisiana State Police submits to the Board for its consideration the following proposed public policy conditions for all riverboat licensees. As a component of the renewals, Louisiana Riverboat Gaming Partnership d/b/a Isle of Capri- Bossier and Grand Palais Riverboat, Inc., agree that the policies are to be conditions of their license renewals, subject to any changes the Board may formally effectuate in the future.

- A. Recognition of minimal business standards regarding transfers and/or granting of equity interests in licensees (or affiliates) by requiring:
 - 1) that such transfer or grant be reasonably related to contributions;
 - 2) that such transfer agreement or grant agreement be specific and in writing;
 - 3) that such transfer agreement or grant agreement have reasonable mechanisms for enforcement or resolution; and
 - 4) that the true nature of such arrangements be fully disclosed to the Board, Division and to the public, when public filings take place.

- B. Recognition of minimal business standards regarding consulting contracts by requiring:
 - 1) that such contracts be reasonably specific and in writing; and
 - 2) that such contracts a) require the person to perform the reasonable services as stated in the contract, b) allow for the modification of the contract in writing as a result of a change in circumstance, and c) allow for the termination of the contract and opportunity to seek appropriate legal relief upon a failure to provide reasonable services.

- C. Reporting of minority procurement shall be factually accurate to accomplish the true goals of the minority procurement policies of the State of Louisiana and the Board. In addition to the requirements of LAC 42:XIII.2331, any amounts reported in connection with services or goods from each vendor shall reflect the actual services or goods provided by each vendor. Actual services or goods provided shall mean those provided based upon a rational and factual basis, taking into account customary and ordinary arms-length business practices.

Person shall mean a natural person or a business entity.

**STATE OF LOUISIANA
GAMING CONTROL BOARD**

**In the Matter of Louisiana Riverboat Gaming Partnership d/b/a Isle of Capri- Bossier and
Grand Palais Riverboat, Inc. License Renewals**

RESOLUTION

On the 17th day of August, 2004, the Louisiana Gaming Control Board (“Board”) did, in a duly noticed public meeting, considered the issue of the Louisiana Riverboat Gaming Partnership d/b/a Isle of Capri- Bossier and Grand Palais Riverboat, Inc., collectively (“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 Louisiana Riverboat Gaming Partnership d/b/a Isle of Capri- Bossier, and Grand Palais Riverboat, Inc. be renewed for a term of five (5) years commencing as follows:
 - A. Louisiana Riverboat Gaming Partnership d/b/a Isle of Capri- Bossier commencing December 9, 2004, and

 - B. Grand Palais Riverboat, Inc. commencing September 21, 2004,

subject to the original conditions of the licenses as modified by the Board on August 20, 2002 and all conditions approved this date as attached hereto and made a part hereof.

**THUS DONE AND SIGNED IN BATON ROUGE, LOUISIANA THIS 17TH DAY OF
AUGUST, 2004.**

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

ATTEST:

**ROBERT M. FLEMING, VICE-CHAIRMAN
LOUISIANA**