

Louisiana Gaming Control Board Meeting
August 22, 2022

LOUISIANA GAMING CONTROL BOARD MEETING

MONDAY, AUGUST 22, 2022

LOUISIANA STATE CAPITOL
HOUSE COMMITTEE ROOM 5
900 NORTH 3RD STREET
BATON ROUGE, LOUISIANA

TIME: 10:00 A.M.

APPEARANCES

1
2 RONNIE S. JOHNS, CHAIRMAN
(At-Large)
3 June 30, 2025

4 JULIE BERRY, VICE-CHAIRMAN
(CPA)
5 Third Congressional District
6 June 30, 2024

7 CLAUDE D. JACKSON
(At-Large)
8 Fourth Congressional District
June 30, 2027

9 O. LAMAR POOLE, JR.
(Economic/Community Planner)
10 Sixth Congressional District
11 June 30, 2025

12 JULIE A. LEWIS
(Investigative and Law Enforcement)
13 Fifth Congressional District
June 30, 2024

14 FRANCESCA HAMILTON-ACKER
(Attorney)
15 Third Congressional District
16 June 30, 2026

17 RONALD J. SHOLES
(Public/Business Administration)
18 Second Congressional District
June 30, 2026

19 ASHLEY A. TRAYLOR
(At-Large)
20 First Congressional District
21 June 30, 2022

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APPEARANCES (CONTINUED)

HEATHER HOOD
On Behalf of Natalie Thurman
Principal Assistant

HEATHER TEMPLET
On Behalf of Kevin Richard
Department of Revenue

MAJOR CHUCK McNEAL
On Behalf of Colonel Lamar A. Davis
Superintendent
Louisiana State Police

REPORTED BY:

KARLA H. MAYERS, CCR
U.S. Legal Support

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1 I. CALL TO ORDER

2 CHAIRMAN JOHNS:

3 Well, good morning, everyone. Thank
4 you for being here, and thank you everyone for
5 accommodating us by meeting on Monday instead of
6 last Thursday. I personally appreciate that very,
7 very much.

8 So at this time I would like to call
9 to order the Louisiana Gaming Control Board
10 meeting of Monday, August 22, 2022. And,
11 Ms. Hood, would you call the roll, please?

12 MS. HOOD:

13 Chairman -- Chairman Johns?

14 CHAIRMAN JOHNS:

15 Here.

16 MS. HOOD:

17 Mr. Avant?

18 (NO RESPONSE)

19 MS. HOOD:

20 Ms. Berry?

21 MS. BERRY:

22 Here.

23 MS. HOOD:

24 Mr. Jackson?

25 MR. JACKSON:

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1 Here.

2 MS. HOOD:

3 Ms. Lewis?

4 MS. LEWIS:

5 Here.

6 MS. HOOD:

7 Mr. Poole?

8 MR. POOLE:

9 Here.

10 MS. HOOD:

11 Ms. Hamilton-Acker?

12 MS. HAMILTON-ACKER:

13 Here.

14 MS. HOOD:

15 Mr. Sholes?

16 MR. SHOLES:

17 Here.

18 MS. HOOD:

19 Ms. Traylor?

20 MS. TRAYLOR:

21 Here.

22 MS. HOOD:

23 Colonel Davis?

24 MAJOR McNEAL:

25 Major McNeal for Colonel Davis.

1 MS. HOOD:

2 And Secretary Richard?

3 MS. TEMPLET:

4 Heather Templet for

5 Secretary Richard.

6 MS. HOOD:

7 We have a quorum.

8 CHAIRMAN JOHNS:

9 Okay. Thank you, Ms. Hood. We do
10 have a quorum.

11 II. PUBLIC COMMENTS

12 CHAIRMAN JOHNS:

13 Ladies and gentlemen, this is the
14 part of our meeting that we entertain any public
15 comments. As we proceed into the agenda, we do
16 not allow public comments on -- on individual
17 agenda items; so if there is any matter of public
18 comment, now is the time to come to the table.
19 Any public comments today?

20 (NO RESPONSE)

21 CHAIRMAN JOHNS:

22 Okay. Thank you. Hearing no --
23 there are no public comments.

24 III. APPROVAL OF MINUTES

25 CHAIRMAN JOHNS:

1 Members, before you we have the
2 minutes of the July 21, 2022, minutes of that
3 meeting. I would entertain a --

4 MR. POOLE:

5 So moved.

6 CHAIRMAN JOHNS:

7 Mr. Poole has made a motion that we
8 waive the reading and approve the minutes.

9 MS. BERRY:

10 Second.

11 CHAIRMAN JOHNS:

12 And we have a second by Ms. --

13 (INTERRUPTION)

14 CHAIRMAN JOHNS:

15 All right. We -- we're down for a
16 minute.

17 (OFF THE RECORD)

18 CHAIRMAN JOHNS:

19 Okay. Thank you, Mr. Joubert. This
20 gentleman was here in 1996 when I came to the
21 House of Representatives. So, Mr. Joubert, thank
22 you. I've known him -- known him a long time.
23 Thank you very much.

24 So we have a motion by Mr. Poole, and
25 seconded by Ms. Berry, that we waive the reading

1 of the minutes of July 21, 20 -- 2022. Is there
2 any opposition to that motion?

3 (NO RESPONSE)

4 CHAIRMAN JOHNS:

5 Hearing none, that motion carries.

6 IV. REVENUE REPORTS

7 CHAIRMAN JOHNS:

8 Okay. Item No. IV, we will move on
9 into revenue reports. So, Ms. Jackson, good
10 morning.

11 MS. JACKSON:

12 Good morning, Chairman Johns and
13 Board Members. My name is Donna Jackson with
14 Louisiana State Police, Gaming Audit Section.
15 During July, the 13 operating riverboats generated
16 adjusted gross receipts of \$152,213,687. The
17 State collected fees totaling \$32,725,943. A
18 comparison of this month's revenues to
19 July 2021, 2020, and 2019, is included at the
20 bottom of each page since this is the first month
21 of fiscal year 2022-2023.

22 Page 2 shows the riverboat revenue
23 broken down by regional market. There was a
24 minimal increase from June of .2 percent but a
25 decrease from last July of almost \$11.7 million,

1 or 7 percent.

2 Next is a summary of the July 2022
3 gaming activity for Harrah's New Orleans, found on
4 page 3. Harrah's generated \$22,629,880 in gross
5 gaming revenue. These revenues represent an
6 increase from last month of \$1.6 million, or
7 7.7 percent, but a decrease of \$3 million, or
8 12 percent, from the same month last year. During
9 July, the State received \$5,520,548 in minimum
10 daily payments.

11 Next, I'll present the revenue for
12 slots at the racetracks. During July, the four
13 racetrack facilities combined generated adjusted
14 gross receipts of \$29,323,733, an increase of
15 \$2.2 million, or 8 percent, from June but a
16 decrease of \$3 million, or 9.4 percent, when
17 compared to July 2021. During July, the State
18 collected approximately \$4.5 million in fees.

19 I will now move to the video gaming
20 information. There are currently 12,142 video
21 gaming devices activated at 1,419 locations. Net
22 device revenue for July 2022 was \$66,740,807, an
23 increase of \$1.8 million, or 2.8 percent, when
24 compared to June 2022, and a decrease of
25 \$7.2 million, or 9.7 percent, when compared to

1 last July. Total franchise fees collected during
2 July were \$20.2 million, an increase of \$574,000
3 when compared to last month but a decrease of
4 \$2 million when compared to July 2021.

5 Next, I'll present the sportsbook
6 revenue. Bally's Shreveport opened their retail
7 sportsbook on July 20, bringing the total number
8 of retail operators to 17. During July, the
9 retail sportsbooks accepted \$14,986,906 in sports
10 wagers -- excuse me -- resulting in net proceeds
11 of approximately \$1.4 million and \$134,256 in
12 state taxes. The seven mobile sportsbook
13 operators accepted \$103,342,337 in sports wagers,
14 resulting in net proceeds of \$19.2 million and
15 \$2.3 million in taxes paid to the State.

16 Finally, for daily fantasy sports,
17 gross revenues for June were \$558,708 with net
18 revenue of approximately \$58,000 and taxes of
19 \$4,669.

20 CHAIRMAN JOHNS:

21 Okay. Thank you Ms. Jackson. Any
22 questions from the board? Any questions from the
23 board for Ms. Jackson?

24 (NO RESPONSE)

25 CHAIRMAN JOHNS:

1 There were a couple of observations
2 that I -- I made just looking at these num -- just
3 glancing at these numbers. On our riverboats,
4 five licenses in the Shreveport-Bossier market are
5 operational and only two in Lake Charles are
6 operational. The Lake Charles market actually did
7 about -- close to \$15 million more in -- in
8 revenue, and I found that interesting. And so it
9 just tells us the struggles that the
10 Shreveport-Bossier market is having, I think,
11 because of the Oklahoma Tribal Casino issues.

12 So the other interesting thing I
13 found, on the mobile sportsbook, we actually did
14 about \$10 million less than last month in -- in
15 actual -- in wagers written, but the win ratio was
16 up significantly. It's 18.6 percent, and that
17 generated about a million dollars more in State
18 revenue than -- than last month.

19 So we're -- we're down \$10 million
20 from -- from last month, and -- and, historically,
21 as I've done some reading across the -- the
22 country, July is a -- is a very slow -- a slower
23 month for -- for sportsbooks. But -- so the win
24 ratio being up, we generated more money for the
25 State and for local government for early childhood

1 education; so just a couple of observations. Any
2 questions members?

3 MS. JACKSON:

4 Chairman --

5 CHAIRMAN JOHNS:

6 Any questions?

7 MS. JACKSON:

8 Chairman, if I could just add one
9 point to --

10 CHAIRMAN JOHNS:

11 Sure.

12 MS. JACKSON:

13 -- the riverboat market for
14 Shreveport -- Shreveport-Bossier, that the
15 Shreveport market is dealing with the smoking ban,
16 also; so the numbers are a little bit --

17 CHAIRMAN JOHNS:

18 That's right.

19 MS. JACKSON:

20 -- affected by that.

21 CHAIRMAN JOHNS:

22 Right. That is correct. And I've
23 been up there and looked at it. Shreveport is
24 non-smoking. Bossier does permit smoking and --
25 but it is an issue; so . . .

1 Okay. Ms. Jackson, thank you very
2 much.

3 MS. JACKSON:

4 Thank you.

5 CHAIRMAN JOHNS:

6 And appreciate your -- your work
7 on -- on our numbers.

8 V. COMPLIANCE REPORTS

9 CHAIRMAN JOHNS:

10 Okay. Moving along to Item No. V, we
11 have our compliance reports, and we have from the
12 Attorney General's Office Ms. Alonna Murray, I
13 think. Good morning.

14 MS. MURRAY-BROWN:

15 Good morning.

16 CHAIRMAN JOHNS:

17 How are you this morning?

18 MS. MURRAY-BROWN:

19 I'm great. How are you doing?

20 CHAIRMAN JOHNS:

21 Good.

22 MS. MURRAY-BROWN:

23 Good. All right. Good morning,
24 Chairman Johns and Board Members. I'm Assistant
25 Attorney General Alonna Murray-Brown, and today

1 I'll be presenting the staff reports on riverboat
2 and racetrack casino licensees' compliance with
3 employment and procurement conditions for the
4 second quarter of 2022.

5 I'll begin with the riverboats.
6 These reports were taken from figures reported by
7 the 15 operating riverboats to the Louisiana
8 Gaming Control Board, and in the second quarter of
9 2022, approximately 8,733 people were employed by
10 the riverboat industry. Of that number, 8,547
11 were Louisiana residents, 5,167 were minorities,
12 and 4,798 were women.

13 Next, I'll address employment.
14 Twelve licensees did not meet their total
15 employment goals, and they are: DiamondJacks
16 Casino & Resort, which achieved 39 out of a goal
17 of 650; Sam's Town Hotel & Casino, which achieved
18 373 out of a goal of 700; L'Auberge Baton Rouge,
19 which achieved 793 out of a goal of 800; Horseshoe
20 Casino & hotel, which achieved 557 out of a goal
21 of 1,000; Boomtown New Orleans, which achieved 442
22 out of a goal of 555; Belle of Baton Rouge Casino,
23 which achieved 146 out of a goal of 450; Treasure
24 Chest Casino, which achieved 314 out of a goal of
25 500; Hollywood Casino, which achieved 291 out of a

1 goal of 450; Amelia Belle, which achieved 155 out
2 of a goal of 325; Horseshoe Lake Charles, which
3 achieved 403 out of a goal of 650; Boomtown Casino
4 Bossier, which achieved 297 out of a goal of 650;
5 Bally's Shreveport, which achieved 591 out of a
6 goal of 950. And all licensees, except for
7 Treasure Chest Casino, either met or exceeded
8 their goals in all of the subcategories under the
9 main category of employment. 44.3 percent of
10 Treasure Chest Casino's employees were women, and
11 they have a goal of 51.86 percent.

12 Next, I'll address procurement. The
13 licensees are grouped according to three
14 subcategories, which appear in your report. Those
15 subcategories are Louisiana, minority, and female
16 procurement.

17 Under Louisiana procurement, four
18 licensees did not achieve compliance with its
19 voluntary conditions, and those licensees are:
20 Amelia Belle Casino, which achieved 45.6 percent
21 out of a goal of 80 percent; Horseshoe
22 Lake Charles, which achieved 39.6 percent out of a
23 goal of 60 percent; Margaritaville Resort Casino,
24 which achieved 89.9 percent out of a goal of
25 90 percent; and L'Auberge Lake Charles, which

1 achieved 72.8 percent out of a goal of 80 percent.

2 Under the subcategory of minority
3 procurement, six licensees did not achieve
4 compliance with its voluntary conditions, and
5 those licensees are: DiamondJacks Casino, which
6 achieved 0 percent out of a goal of 10 percent;
7 Sam's Town Hotel & Casino, which achieved
8 13 percent out of a goal of 25 percent; Treasure
9 Chest Casino, which achieved 9.1 percent out of a
10 goal of 15 percent; Amelia Belle Casino, which
11 achieved 13.7 percent out of a goal of 30 percent;
12 Horseshoe Lake Charles, which achieved 0 percent
13 out of a goal of 10 percent; and Bally's
14 Shreveport, which achieved 10.6 percent out of a
15 goal of 25 percent.

16 Under the subcategory of female
17 procurement, one licensee did not achieve
18 compliance with its voluntary conditions, and that
19 was Horseshoe Lake Charles, which achieved
20 0 percent out of a goal of 10 percent.

21 Are there any questions regarding the
22 riverboats?

23 CHAIRMAN JOHNS:

24 And then just for the record,
25 Horseshoe and DiamondJacks are both closed at this

1 point in time.

2 MS. MURRAY-BROWN:

3 Yes.

4 CHAIRMAN JOHNS:

5 Any questions on those -- on that
6 section of the report? Any . . .

7 (NO RESPONSE)

8 CHAIRMAN JOHNS:

9 Okay.

10 MS. MURRAY-BROWN:

11 All right. I'll now move on to
12 racetracks. In the second quarter of 2022,
13 approximately 1,247 people were employed by the
14 racetrack casino industry. Of that number, 1,044
15 were Louisiana residents, 626 were minorities, and
16 8 -- I'm sorry, 684 were women.

17 Two racetrack casinos achieved total
18 compliance this quarter, Evangeline Downs and Fair
19 Grounds. Delta Downs did not achieve its
20 Louisiana employment condition. It achieved 60.4
21 out of a goal of 80 percent. Louisiana Downs did
22 not achieve its female employ -- employment
23 condition. It achieved 47.1 out of a goal of
24 60 percent.

25 And under procurement, Delta Downs

1 did not achieve its minority procurement
2 condition. It achieved 3.6 out of the
3 5 percent -- I'm so sorry -- out of the 5 percent
4 condition. And Louisiana Downs did not achieve
5 its minority procurement condition. It achieved
6 2.7 percent out of the 6 percent condition.

7 And are there any questions regarding
8 the racetracks?

9 CHAIRMAN JOHNS:

10 Any questions, Members?

11 (NO RESPONSE)

12 CHAIRMAN JOHNS:

13 I'll just make note, and I've looked
14 at the Delta Downs issue with Louisiana employment
15 with a fine-toothed comb, that track is literally
16 about five miles from the Texas border.

17 MS. MURRAY-BROWN:

18 Yes, sir.

19 CHAIRMAN JOHNS:

20 And they -- I've had discussions with
21 them. They have struggled, just like every other
22 business out there, with employment availability,
23 and so they do draw heavily from the -- from the
24 Texas market being that they're -- they're
25 literally in their backyard. Delta Downs is

1 closer to Texas than it is Lake Charles; so . . .

2 MS. MURRAY-BROWN:

3 Yes.

4 CHAIRMAN JOHNS:

5 Okay. Do you want to move on?

6 MS. MURRAY-BROWN:

7 That's the end of my presentation.

8 CHAIRMAN JOHNS:

9 That's it, I think. Okay. Members,
10 just a comment, and we -- we do take -- and I know
11 the industry is listening very closely today, but
12 we -- we take these numbers very seriously;
13 however, they are voluntary goals. These goals
14 were set many, many years ago. They're not
15 realistic. We understand that very clearly. And
16 we are working on -- I've had a lot of discussions
17 with the industry, and -- and I think in months to
18 come, we're going to work on a -- on a new formula
19 on -- on these goals; so . . .

20 Okay. Any other questions for
21 Ms. Murray?

22 (NO RESPONSE)

23 CHAIRMAN JOHNS:

24 Okay. Ms. Murray, thank you very
25 much.

1 VI. CASINO GAMING ISSUES

2 CHAIRMAN JOHNS:

3 Okay, Members. Moving on.

4 Item No. VI, we're going to move into casino
5 gaming issues. First on the agenda this morning
6 will be the consideration of the Certificate of
7 Compliance for PNK Baton Rouge Partnership, doing
8 business as L'Auberge Casino & Hotel Baton Rouge.
9 Mr. Pitman, Good morning.

10 MR. PITMAN:

11 Good morning.

12 MS. JAMES:

13 Good morning, Chairman and Board
14 Members. I'm Assistant Attorney General
15 Lekiesha James here with Matt Pitman of AVS.
16 We're here in the matter of the issuance of the
17 Certificate of Compliance for L'Auberge
18 Baton Rouge. On July 27, 2022, AVS began the
19 inspection process for the approval of L'Auberge
20 Baton Rouge's Certificate of Compliance.
21 Mr. Pitman will now provide the results of their
22 inspection.

23 MR. PITMAN:

24 Good morning, Chairman Johns.

25 CHAIRMAN JOHNS:

1 Good morning, Mr. Pitman. I see your
2 flight made it this month, and so . . .

3 MR. PITMAN:

4 I'm here today.

5 CHAIRMAN JOHNS:

6 Unlike last month; so . . .

7 MR. PITMAN:

8 Yes, sir.

9 CHAIRMAN JOHNS:

10 Thank you for being with us.

11 MR. PITMAN:

12 Yes, sir. And Board Members, too. I
13 am Matthew Pitman with American Vessel Services.
14 I am here to report the annual certification for
15 L'Auberge Casino Baton Rouge.

16 The AVS inspectors Pete Bullard and
17 Jeff Boyle did, on July 27, 2022, attend the
18 riverboat L'Auberge Baton Rouge to conduct the
19 annual inspection in accordance with the Louisiana
20 Alternative Inspection Program. The inspectors
21 reviewed fire protection measures, egress routes,
22 observed emergency lighting, tested the emergency
23 generator, inspected the mooring systems, and
24 conducted a fire drill, as well -- as well as
25 other required life safety items. In this

1 inspection report, there were no deficiencies
2 noted, as indicated on page 10 of the annual
3 inspection report.

4 In addition to the annual inspection
5 requirements of the Alternative Inspection
6 Program, the casino vessel is also required to
7 maintain its five-year Hull Inspection Program.

8 As of this date, the vessel has not completed
9 their five-year hull inspection, which was due in
10 July of 2022. The property has requested an
11 extension for this hull inspection as a result of
12 adverse high water river conditions which were
13 experienced earlier this year. A copy of this
14 request is included in the package. These
15 conditions would have put divers and survey crews
16 at risk.

17 The property is currently working
18 diligently with their marine contractors to get
19 the hull inspection completed and intend to be
20 completed later this year. AVS has been involved
21 with the development and the progress of this
22 survey and confirm the property's efforts to
23 complete it. AVS does not feel that this
24 extension request poses any risk to the life
25 safety of passengers or crew of the casino vessel.

1 It is the recommendation of American
2 Vessel Services to grant L'Auberge Casino
3 Baton Rouge a Temporary Certificate of Compliance
4 to allow the property adequate time to complete
5 the hull inspection. Thank you.

6 MS. JAMES:

7 We -- we now present these findings
8 to the board, and request that upon the board's
9 acceptance of the report submitted by AVS, you
10 will move for the issuance of the Temporary
11 Certificate of Compliance for -- to L'Auberge
12 Baton Rouge, which would expire on September 30,
13 2022.

14 CHAIRMAN JOHNS:

15 Okay. Is there a possibility that
16 that -- that work would be completed by
17 September 30?

18 MR. PITMAN:

19 I don't believe it would be, sir.

20 CHAIRMAN JOHNS:

21 Okay. So we're just -- we're going
22 to issue a temporary, okay, and we'll come back
23 the following month --

24 MS. JAMES:

25 Yes.

1 CHAIRMAN JOHNS:

2 -- and see where we are at that
3 point. So the issue is -- has to do with
4 sediment. Is that correct?

5 MR. PITMAN:

6 There -- they've got sediment
7 underneath the barges. When the high water comes
8 through there, it builds up a little bit of silt.
9 They have to get a contractor to come in there,
10 remove the sediment, and then inspect the hull.
11 We've already completed the internal hull
12 inspection, which was -- was very good. We've got
13 that noted, but we'll include that with -- when
14 the exterior hull inspection gets completed.

15 CHAIRMAN JOHNS:

16 Okay. I have a question from
17 Ms. Berry.

18 MS. BERRY:

19 Would the high water problem deter
20 improvement, or repairs, to the outside of the
21 check?

22 MR. PITMAN:

23 Well, it certainly puts the
24 inspection teams at risk when that --

25 MS. BERRY:

1 Okay. At risk. Right.

2 MR. PITMAN:

3 -- when that water is running through
4 that -- that floodplain there. So, you know, they
5 have postponed that until the contractors feel
6 comfortable with doing a survey, which --

7 MS. BERRY:

8 Right.

9 MR. PITMAN:

10 -- conditions -- conditions are
11 getting more favorable. They're -- they're doing
12 the work right now. They've already contracted
13 with the contractors.

14 MS. BERRY:

15 All right.

16 MR. PITMAN:

17 AVS has been following that and have
18 been involved.

19 MS. BERRY:

20 I just keep hear -- keep hearing on
21 the news about high water problems and the
22 flooding and the drainage, and so I was just
23 wondering if 30 days would be enough. You think?

24 MR. PITMAN:

25 I don't believe it's going to be

1 enough for them to complete it, you know.

2 MS. BERRY:

3 Okay.

4 MR. PITMAN:

5 And I believe the -- the extensions
6 are granted for 30 days --

7 MS. BERRY:

8 You can always come back next
9 month --

10 MR. PITMAN:

11 -- from what I understand.

12 MS. BERRY:

13 -- and do another inspection?

14 CHAIRMAN JOHNS:

15 That's correct. We'll come back next
16 month and -- and revisit --

17 MS. BERRY:

18 Okay.

19 CHAIRMAN JOHNS:

20 -- the issue at that time.

21 MS. BERRY:

22 Okay.

23 MR. PITMAN:

24 And if -- and if -- you know, if you
25 guys wanted a full report on that, I can provide a

1 report on where they are and --

2 CHAIRMAN JOHNS:

3 No, I think we're fine.

4 MS. BERRY:

5 That's good.

6 CHAIRMAN JOHNS:

7 And we'll -- we'll see where -- where
8 we go; so . . .

9 MR. PITMAN:

10 Okay.

11 CHAIRMAN JOHNS:

12 Historically, high waters are in the
13 spring time, early -- early summer.

14 MR. PITMAN:

15 Right.

16 CHAIRMAN JOHNS:

17 But we'll see what --

18 MR. PITMAN:

19 That's a big facility. It's a big
20 property to inspect.

21 CHAIRMAN JOHNS:

22 I can imagine.

23 MS. BERRY:

24 Thank you, sir.

25 CHAIRMAN JOHNS:

1 All right.

2 MR. PITMAN:

3 Thank you.

4 CHAIRMAN JOHNS:

5 Thank you very much.

6 MR. PITMAN:

7 Okay.

8 CHAIRMAN JOHNS:

9 Okay. Any further questions?

10 (NO RESPONSE)

11 CHAIRMAN JOHNS:

12 Okay. No other questions. I would
13 entertain a motion that we issue a Temporary
14 Certificate of Compliance, which will expire
15 September 30, 2022, for L'Auberge Casino
16 Baton Rouge.

17 MS. BERRY:

18 (Indicating)

19 CHAIRMAN JOHNS:

20 Moved by Ms. Berry.

21 MS. HAMILTON-ACKER:

22 (Indicating)

23 CHAIRMAN JOHNS:

24 And seconded by Ms. Hamilton-Acker.

25 Is there any discussion on that motion? Any

1 opposition to that motion?

2 (NO RESPONSE)

3 CHAIRMAN JOHNS:

4 Hearing none, that motion carries.

5 Thank you, Ms. James, and thank you, Mr. Pitman.

6 MR. PITMAN:

7 Yes, sir. Thank you.

8 MS. JAMES:

9 Thank you.

10 CHAIRMAN JOHNS:

11 Okay. Item No. B will be the
12 Certificate of Compliance for Louisiana Casino
13 Cruises, doing business as Hollywood Casino
14 Baton Rouge.

15 MS. JOHNSON:

16 Good morning, Chairman Johns, Board
17 Members. I am Assistant Attorney General
18 Venise Johnson. With me is Mr. Matthew Pitman of
19 AVS. We are here in the matter of the issuance of
20 a Certificate of Compliance for the Hollywood
21 Casino Baton Rouge.

22 On June 28, 2022, AVS began an
23 inspection process for the approval of Hollywood
24 Casino Baton Rouge. Mr. Pitman will now provide
25 the details of the AVS inspection.

1 MR. PITMAN:

2 Thank you. Good morning,
3 Chairman Johns and Board Members. I am
4 Matthew Pitman with American Vessel Services. I
5 am here to report the annual certification for the
6 casino vessel Casino Rouge at the Hollywood Casino
7 in Baton Rouge, Louisiana.

8 The inspectors Pete Bullard and
9 Moriah Reed did, on June 28, 2022, attend the
10 riverboat Casino Rouge to conduct the annual
11 inspection in accordance with the Louisiana
12 Alternative Inspection Program. The inspectors
13 reviewed fire protection measures, egress routes,
14 observed emergency lighting, tested the emergency
15 generator, inspected mooring, conducted fire
16 drills, as well as other life safety systems.
17 These deficient -- the deficiencies are noted --
18 excuse me. The deficiencies are noted on page 6,
19 7, and 8 of your report. A follow-up inspection
20 was done on July 12 by Mr. Pete Bullard, and all
21 outstanding items are now considered satisfactory,
22 as outlined in the supplemental survey report
23 dated July 12, 2022.

24 The 2022 annual survey, as required
25 by the Louisiana Gaming Control Board, is now

1 complete, and the Casino Rouge is considered fit
2 to continue its intended service as a dockside
3 river -- gaming riverboat in the state of
4 Louisiana. It is the recommendation of AVS that
5 the Casino Rouge be issued a Certificate of
6 Compliance for 2023.

7 MS. JOHNSON:

8 We now present these findings to the
9 Board and request that upon the Board accepting
10 the report submitted by AVS, you will move for the
11 issuance of a Certificate of Compliance for
12 Hollywood Casino Baton Rouge, which will expire on
13 September 30, 2023.

14 CHAIRMAN JOHNS:

15 Okay. Any questions for Ms. Johnson
16 or Mr. Pitman?

17 (NO RESPONSE)

18 CHAIRMAN JOHNS:

19 Mr. Pitman, this will probably be the
20 last time you inspect that boat.

21 MR. PITMAN:

22 That's what I hear.

23 CHAIRMAN JOHNS:

24 Hopefully, it will be going away
25 by -- by that date. Members, I would entertain a

1 motion that we issue a Certificate of Compliance,
2 which will expire on September 30, 2023, for
3 Louisiana Cruises -- Casino Cruises, Incorporated,
4 doing business as Hollywood Casino Baton Rouge.
5 Mr. Poole, being from Baton Rouge, would you make
6 that motion, sir?

7 MR. POOLE:

8 Absolutely.

9 CHAIRMAN JOHNS:

10 Thank you, sir. And do I have a
11 second?

12 MS. LEWIS:

13 (Indicating)

14 CHAIRMAN JOHNS:

15 Ms. Lewis has seconded that motion.
16 Is there any oppose -- is there any discussion on
17 the motion?

18 (NO RESPONSE)

19 CHAIRMAN JOHNS:

20 Is there any opposition to that
21 motion?

22 (NO RESPONSE)

23 CHAIRMAN JOHNS:

24 Hearing none, that motion carries.
25 Thank y'all very much. Mr. Pitman, thank you for

1 being with us and safe travels home, sir.

2 MR. PITMAN:

3 Thank you, Mr. Chairman, Board.

4 CHAIRMAN JOHNS:

5 Okay. Item No. C under casino gaming
6 issues will be the amended plans and
7 specifications and the construction contracts for
8 Louisiana Casino Cruises, doing business as
9 Hollywood Casino Baton Rouge.

10 MR. GATHE:

11 Good morning, Chairman Johns, Members
12 of the Board. I'm Assistant Attorney General
13 Jeremy Gathe, present today in the matter of
14 Louisiana Casino Cruises, LLC's submission of
15 their architectural plans and specifications and
16 construction contracts.

17 On August 20, 2020, this board
18 considered and approved the licensee's request to
19 relocate its gaming operations to a landside
20 facility within 1,200 feet of its licensed berth.
21 In connection with its request, the licensee
22 submitted a relocation plan, a detailed capital
23 improvement and reinvestment plan, in addition to
24 other documentation required by the board and the
25 Gaming Enforcement Division.

1 Since that approval and since the
2 commencement of construction of its landside
3 facility, there have been material changes made to
4 the architectural plans and specifications and
5 construction contracts which require board
6 approval. Some of these changes include revising
7 a restroom and casino bar section adjacent to the
8 cruise ship entrance into a noodle bar, revising
9 the sports viewing area and HR offices into a
10 DraftKings sportsbook concept, and the addition of
11 several restrooms and a "Grab and Go" food service
12 venue. The construction contract was also
13 amended; so that contract and amendment are before
14 you as well. GLP Capital, LP, has entered into an
15 agreement with W. E. O'Neal Construction Company
16 to perform services necessary to complete
17 construction to the landside facility.

18 Additionally, the licensee is seeking
19 approval for the disposition of its vessel.
20 Counsel for the licensee has advised that it is
21 currently analyzing whether to move the vessel to
22 replace a vessel in another state following the
23 completion of the facility in Baton Rouge or
24 whether to sell the vessel; however, there's no
25 definitive plans at this time. As the licensee

1 intends to continue operating on its vessel until
2 shortly before commencing gaming operations at its
3 facility, the board may approve the disposal of
4 the vessel. Our office recommended that this be
5 conditioned upon the substantial construction --
6 completion of construction of the facility.

7 If it is the board's pleasure to
8 approve the updated architectural plans and
9 specifications, the current construction contract,
10 and disposal of the vessel, a Resolution and
11 amended Statement of Conditions have been prepared
12 for your consideration.

13 And we do have a representative of
14 the licensee present today to answer any questions
15 that the board may have.

16 CHAIRMAN JOHNS:

17 Okay. I would like someone from
18 Hollywood to -- to come to the table. Mr. Downey,
19 why don't you come on up this morning? Good
20 morning.

21 MR. DOWNEY:

22 Good morning.

23 MR. BARBIN:

24 Good morning, Mr. Chairman, Board.

25 CHAIRMAN JOHNS:

1 Good morning.

2 MR. BARBIN:

3 I'm Jeff Barbin, representing
4 Casino Queen and Louisiana Casino Cruises, and I'm
5 here with Terry Downey, who is the CEO of
6 Casino Queen.

7 MR. DOWNEY:

8 Good morning.

9 CHAIRMAN JOHNS:

10 Good morning, Mr. Downey.
11 Mr. Downey, before we start, I want to publicly
12 apologize to you and your company for giving an
13 interview about a month ago saying that you were
14 going to spend \$100 million on that project. I
15 think it was a dream of mine that I had, but I
16 know it's going to be a little bit less than that
17 but hopefully not too much. Okay? So I do
18 apologize. I hope that didn't cause your company
19 any problems.

20 MR. DOWNEY:

21 No. No.

22 CHAIRMAN JOHNS:

23 Okay. Good.

24 MR. DOWNEY:

25 Not at all.

1 CHAIRMAN JOHNS:

2 All right. Members, I will tell you
3 that Ms. Hood and I made a site visit out to the
4 property a few weeks ago, and we were just
5 incredibly impressed with -- with the project,
6 with the progress that they've made, and it's just
7 going to be just a huge addition to the -- to the
8 Baton Rouge market. So thank y'all for your
9 commitment to -- to that.

10 If you would, just give the -- the
11 board a brief overview of where we are and where
12 you think we may possibly be at a completion time,
13 too.

14 MR. DOWNEY:

15 We're probably -- and I'll start with
16 the numbers. We're probably approaching about
17 \$80 million right now when you consider we started
18 out at 25, 26 million on first approval. It's
19 been quite an escalation, and there's a lot of
20 reasons for that escalation, the amount of pilings
21 that had to be put in the ground, the amount of
22 time it took to do that with the river levels
23 and -- and all that sort of thing. Then we've had
24 the additions of several restaurants and moving
25 some restrooms around and -- and adding the

1 sportsbook to the plan, too.

2 So it has slowly escalated, and --
3 but we're in real good shape right now. We're --
4 you know, all the pilings are in. You see the
5 building when you go by. It's going up. It's
6 going to be beautiful. We're -- we're real
7 excited about where we are in construction right
8 now. The -- the gaming floor, the electrified
9 floor is starting to go in.

10 So just to project forward a little
11 bit, we're -- I keep saying early second quarter
12 of '23. Construction keeps saying late second
13 quarter of '23. So we're -- we're somewhere in
14 that three months, and a lot will depend on our --
15 our weather season. But for most of the
16 construction being off the river now, we're --
17 we're in pretty good shape, and everything is
18 moving.

19 CHAIRMAN JOHNS:

20 Okay. Well, thank you.

21 MR. DOWNEY:

22 I -- Chairman, if you would, I would
23 like to introduce the new GM.

24 CHAIRMAN JOHNS:

25 I was going to do that.

1 MR. DOWNEY:

2 Oh, you're --

3 CHAIRMAN JOHNS:

4 So I have Mr. Matt Shehadi that's
5 here with us today. He's the new General Manager
6 at Hollywood. I had the pleasure of meeting him
7 last week in our office. And so welcome to the
8 board meeting, Matt, and we look forward to a long
9 relationship and look forward to working with you;
10 so . . .

11 MR. SHEHADI:

12 Thank you, Chairman. I appreciate it
13 and look forward to meeting each and -- each and
14 every one of you. Thank you very much.

15 CHAIRMAN JOHNS:

16 Thank you.

17 MR. SHEHADI:

18 Thank you.

19 CHAIRMAN JOHNS:

20 Mr. Downey, are you at liberty to
21 discuss the riverboat cruise issue, or is that --

22 MR. DOWNEY:

23 The -- for the cruise ships or the --

24 CHAIRMAN JOHNS:

25 I mean, the cruise ships. Yeah, the

1 cruise ships that y'all are enter -- entertaining
2 the possibility of.

3 MR. DOWNEY:

4 I believe we're still in -- are you
5 comfortable talking about this?

6 MR. SHEHADI:

7 Sure.

8 MR. DOWNEY:

9 Let me switch seats. Thank you.

10 CHAIRMAN JOHNS:

11 I bring that up because I find it's
12 just a very interesting concept that's going to
13 really drive your -- your market here.

14 MR. SHEHADI:

15 So, currently, Viking Cruise --

16 CHAIRMAN JOHNS:

17 Matt, if you -- if you would,
18 introduce yourself for the record.

19 MR. SHEHADI:

20 Okay. Sorry about that. My name is
21 Matthew Shehadi. I'm the General Manager with
22 Hollywood Casino Cruises.

23 CHAIRMAN JOHNS:

24 Thank you.

25 MR. SHEHADI:

1 Regarding Viking Cruises, they will
2 be docking next to our vessel starting in
3 September. They will have roughly between 5 and
4 600 guests per cruise. They will be docked for
5 roughly, going northbound, about ten hours. So
6 they will unload the 5 or 600 guests that will be
7 set up with tours all throughout Baton Rouge.
8 Then the southbound cruise will be docked next to
9 our vessel for roughly eight hours, and they will
10 provide food and entertainment on their vessel as
11 well. So we're definitely looking forward to
12 that. And then as soon as the vessel leaves, they
13 will be docked right up into our gangway. So then
14 they will just come right off their ship down --
15 down the gangway into our facility; so . . .

16 CHAIRMAN JOHNS:

17 Well, I think that's going to be a
18 huge win for not only your operation but for the
19 whole Downtown -- particularly Downtown
20 Baton Rouge market. So we -- we greatly
21 appreciate y'all working on that. Any --
22 Mr. Poole?

23 MR. POOLE:

24 Yeah. I have a quick question. How
25 many days out of the week will there be a boat?

1 MR. SHEHADI:

2 So, currently, they have a schedule
3 with us through the end of the year. It's --
4 right now it's only two days a month. And then
5 in -- towards November and December, it gets into
6 the three to four days a month. So they just have
7 one ship that's going up and down the -- the
8 river.

9 MR. POOLE:

10 I've got you. Thank you.

11 CHAIRMAN JOHNS:

12 Okay. Thank you, Mr. Poole. Any
13 other questions? Any comments from the board?

14 (NO RESPONSE)

15 CHAIRMAN JOHNS:

16 Okay. Thank y'all for being here
17 today. And so, Members, before you we have a
18 resolution to adopt, and I would need a motion and
19 a second for us to proceed with that resolution.
20 So Mr. Poole has moved that we adopt the
21 resolution. Ms. Berry has seconded that motion.
22 And so, Ms. Hood, would you read the resolution?

23 MS. HOOD:

24 On the 22nd day of August 2022,
25 Louisiana Gaming Control Board did, in a duly

1 noticed public meeting, consider the Joint
2 Petition for Approval of Architectural Plans and
3 Specifications, the Construction Contract, the
4 Disposition of the Riverboat filed by Louisiana
5 Casino Cruises, LLC and CQ Holding and by
6 Gaming & Leisure Properties, Incorporated, and
7 GLP Capital, L.P., and upon motion duly made and
8 seconded, the Board adopted this Resolution:

9 Be it resolved that the revised
10 Architectural Plans and Specifications submitted
11 for the Approved Project be deemed submitted and
12 accepted.

13 Be it further resolved that
14 Condition 6 of the Statement of Conditions to
15 Riverboat Gaming License be modified and replaced
16 with the following:

17 A sports bar restaurant and
18 entertainment center, with a minimum of 250 seats;

19 A restaurant with bar, with a minimum
20 of 90 seats;

21 A sports wagering lounge and viewing
22 area, with a minimum of 115 person total capacity
23 and a minimum of 46 seats;

24 A conference area with a pre-function
25 and banquet area, with a seating capacity of at

1 least 200; and

2 Two meeting rooms.

3 Be it further resolved that the
4 contracts for construction and First Amendment to
5 Contract for Construction submitted for the
6 Approved Project be deemed submitted and accepted.

7 Be it further resolved that:

8 Louisiana Casino Cruises, LLC shall
9 continue its gaming operations upon its vessel
10 during the construction of the facility;

11 No gaming operations shall commence
12 in the facility until the facility portion of the
13 approved project has been substantially completed
14 and ready for occupancy and use in the opinion of
15 the Board and until the Division has determined
16 that all necessary staffing, training, security
17 and surveillance, technical, accounting, and
18 internal control procedures are acceptable.

19 "Substantially complete" or "substantial
20 completion" shall mean the state in progress of
21 the work when the facility portion of the Approved
22 Project is sufficiently complete in accordance
23 with the contract documents such that it can be
24 occupied and utilized for its intended use;

25 Louisiana Casino Cruises, LLC and

1 Gaming & Leisure Properties, Incorporated shall
2 abide by the following standards for construction
3 of the facility portion of the Approved Project:

4 To complete construction and commence
5 gaming operations in the facility within 24 months
6 of the Resolution's date. Failure to meet this
7 deadline or to receive an extension may result in
8 forfeiture of all privileges to the license; and

9 To submit a work-in-progress report
10 on the construction of the Approved Project to the
11 Board by the 20th of every month. Said report
12 shall include a detailed narrative on the status
13 of all work up to the date of the report and a
14 progress payment report listing all payment made
15 up to the date of the report.

16 Be it further resolved that Louisiana
17 Casino Cruises, LLC's request to sell or otherwise
18 dispose of the vessel upon substantial completion
19 of the construction of the facility portion of the
20 Approved Project is hereby approved.

21 Thus done and signed in Baton Rouge
22 on this 22nd day of August, 2022.

23 CHAIRMAN JOHNS:

24 Thank you, Ms. Hood. Thank you,
25 Ms. Hood. Appreciate that. Members, we have a

1 motion by Mr. Poole to adopt this resolution, a
2 second by Ms. Berry. And so, Ms. Hood, would you
3 call the roll, please, for a vote?

4 MS. HOOD:

5 Ms. Berry?

6 MS. BERRY:

7 Yes.

8 MS. HOOD:

9 Mr. Jackson?

10 MR. JACKSON:

11 Yes.

12 MS. HOOD:

13 Mr. -- Ms. Lewis?

14 MS. LEWIS:

15 Yes.

16 MS. HOOD:

17 Mr. Poole?

18 MR. POOLE:

19 Yes.

20 MS. HOOD:

21 Ms. Hamilton-Acker?

22 MS. HAMILTON-ACKER:

23 Yes.

24 MS. HOOD:

25 Mr. Sholes?

1 MR. SHOLES:

2 Yes.

3 MS. HOOD:

4 Ms. Traylor?

5 MS. TRAYLOR:

6 Yes.

7 MS. HOOD:

8 Chairman Johns?

9 CHAIRMAN JOHNS:

10 Yes. Okay. By unanimous vote, that
11 resolution is hereby adopted. So, gentlemen,
12 thank y'all for being with us today, and good
13 luck, and we appreciate your commitment.

14 MR. DOWNEY:

15 Thank you.

16 MR. SHEHADI:

17 Thank you.

18 CHAIRMAN JOHNS:

19 Mr. Gathe, thank you very much for
20 your work.

21 VII. VIDEO GAMING ISSUES

22 CHAIRMAN JOHNS:

23 Okay, Members. Moving along to
24 Item No. VII, we're going to move into video
25 gaming issues. First of all, we have

1 consideration of the transfer of interest in the
2 following truck stop: Big D Truck Stop, LLC,
3 doing business as Wagin Cajun Casino of Duson.

4 Good morning.

5 MS. JOHNSON:

6 Good morning.

7 MR. VERRETT:

8 Good morning.

9 CHAIRMAN JOHNS:

10 Good morning again.

11 MS. JOHNSON:

12 Good morning, Chairman Johns, Board
13 Members. I am Assistant Attorney General
14 Venise Johnson present in the matter of the
15 approval of the transfer of interest in Big D
16 Truck Stop, LLC, doing business as Wagin Cajun of
17 Duson, a Type 5 video game licensee.

18 Bayou Gaming, Inc., has a
19 33.3 percent membership interest in the licensee.
20 On December 15, 2021, John Peterson, who held a
21 99 percent of the ownership interest in Bayou
22 Gaming, Inc., passed away. Per Mr. Peterson's
23 Last Will and Testament, he bequeathed all of his
24 ownership interest in Bayou Gaming, Inc., to
25 Benajah K. Peterson, his son, providing that

1 Sharon K. Peterson, his daughter, shall have an
2 option to purchase 50 percent of such shares from
3 him at fair -- sorry -- at fair market value. To
4 date, Ms. Peterson has not exercised her option to
5 purchase any shares. Her option will expire on
6 December 12, 2031. Benajah K. Peterson now owns
7 100 percent of the stock in Bayou Gaming, Inc.

8 Investigator Glenn Verrett conducted
9 the investigation on the transfer of membership
10 interest. He is present this morning to report
11 his findings to the board.

12 MR. VERRETT:

13 Good morning, Mr. Chairman and Board
14 Members. I'm Investigator Glenn Verrett, Gaming
15 Enforcement Division.

16 I investigated the transfers that
17 occurred in the licensees and conducted an updated
18 suitability check on Benajah Peterson and
19 Brande Coxen, who applied as a manager for
20 Bayou Gaming. I found no information that would
21 preclude the licensee or its members from
22 continuing to participate in the Louisiana gaming
23 industry. Let me correct that. I think Brandy is
24 the secretary, I believe.

25 CHAIRMAN JOHNS:

1 Okay.

2 MS. JOHNSON:

3 The office of the Attorney General
4 has reviewed the file prepared by the Office of
5 State Police, and no information contained within
6 would preclude approval of the transfer.

7 CHAIRMAN JOHNS:

8 Okay. Any questions members? Any
9 questions?

10 (NO RESPONSE)

11 CHAIRMAN JOHNS:

12 No questions. I would adopt --
13 entertain a motion to approve the transfer of
14 interest in this property.

15 MS. TRAYLOR:

16 (Indicating)

17 MS. LEWIS:

18 (Indicating)

19 CHAIRMAN JOHNS:

20 Ms. Traylor has moved that we approve
21 this transfer, and Ms. Lewis has seconded that
22 motion. Is there any discussion on the motion?

23 (NO RESPONSE)

24 CHAIRMAN JOHNS:

25 Any opposition to the motion?

1 (NO RESPONSE)

2 CHAIRMAN JOHNS:

3 Hearing none, that motion carries.
4 Thank you very much. Appreciate your -- your work
5 on that. Okay. Next, we have the consideration
6 of Food Junction, LLC, doing business as
7 Food Junction Gameroom. Ms. Murray, welcome back.

8 MS. MURRAY-BROWN:

9 Good morning, Chairman Johns and
10 Board Members. I'm Assistant Attorney General
11 Alonna Murray-Brown, present before the board in
12 the matter of the original application of
13 Food Junction, LLC, doing business as
14 Food Junction Gameroom, applying for approval of a
15 Type 5 video draw poker gaming license. The truck
16 stop facility is located in East Carroll Parish.

17 On April 23, 2021, Outpost Travel
18 Centers, LLC, who previously held a video game --
19 gaming license for the truck stop sold the
20 business, business assets, and the immovable
21 property of the truck stop facility to the
22 applicant. Manjit S. Warar is the sole member of
23 the applicant, and he is married to
24 Seema B. Warar.

25 Investigator Glenn Verrett inspected

1 the truck stop facility and conducted suitability
2 investigations of the associated persons, and he
3 is here this morning to report his findings to the
4 board.

5 MR. VERRETT:

6 Good morning, Mr. Chairman and Board
7 Members. I'm Investigator Glenn Verrett, Gaming
8 Enforcement Division. I conducted suitability
9 investigations on all the relevant persons
10 associated with the application. Manjit Warar and
11 Seema Warar previously submitted to suitability
12 investigations in connection with other video
13 poker licenses. Updated cursory checks were
14 performed that revealed no information that would
15 preclude them from -- from continuing to
16 participate in the gaming industry.

17 An on-site inspection was conducted,
18 and it was determined that the establishment meets
19 all criteria set forth in video gaming law as a
20 qualified truck stop facility. All required
21 licenses and permits were posted and valid at the
22 time of inspection. The establishment is located
23 on a tract of land consisting of 7.382 contiguous
24 acres. The applicant purchased the licensed
25 establishment that was approved for a gaming

1 license on April 20, 2009; therefore, it is not
2 subject to the rule that it must be one mile from
3 a school, church, playground, synagogue, public
4 library, residence, and buildings on the National
5 Historic Registry. I found no information that
6 would preclude the issuance of a Type 5 video draw
7 poker gaming license to Food Junction, LLC, doing
8 business as Food Junction Gameroom.

9 MS. MURRAY-BROWN:

10 The Office of the Attorney General
11 has reviewed the file prepared by the Office of
12 State Police, and the information contained
13 therein would not preclude the issuance of a
14 Type 5 license.

15 CHAIRMAN JOHNS:

16 Okay. Thank y'all very much. Thank
17 you very much. Members, are there any questions
18 on this application? Any questions?

19 (NO RESPONSE)

20 CHAIRMAN JOHNS:

21 If not, I would entertain a motion
22 that we approve the truck stop application for
23 Food Junction, LLC.

24 MS. BERRY:

25 (Indicating)

1 CHAIRMAN JOHNS:

2 Ms. Berry has moved that we approve
3 this.

4 MR. JACKSON:

5 (Indicating)

6 CHAIRMAN JOHNS:

7 Mr. Jackson has seconded that motion.
8 Is there any discussion on the motion?

9 (NO RESPONSE)

10 CHAIRMAN JOHNS:

11 Is there any opposition to the
12 motion?

13 (NO RESPONSE)

14 CHAIRMAN JOHNS:

15 Hearing none, that motion carries.
16 Thank you, Mr. Verrett. Thank you, Ms. Murray.

17 MS. MURRAY-BROWN:

18 Thank you.

19 MR. VERRETT:

20 Thank you, sir.

21 CHAIRMAN JOHNS:

22 I appreciate it very much.

23 VIII. SPORTS WAGERING ISSUE

24 CHAIRMAN JOHNS:

25 Okay. And now we move into the

1 sports wagering issues. The consideration for the
2 approval of the following sports wagering license
3 application: Louisiana Downs Investment Company,
4 LLC, doing business as Louisiana Downs. Good
5 morning.

6 MS. MURRAY-BROWN:

7 Good morning, Chairman Johns and
8 Members of the Board. Assistant Attorney General
9 Alonna Murray-Brown, appearing with Tammy Haupt
10 with the Louisiana State Police, Gaming Audit
11 Division, and Investigative Specialist
12 Angela Hernandez with the Gaming Enforcement
13 Division. A representative of the applicant is
14 also here today and will provide a presentation.
15 We're here in the matter of the consideration of
16 the sports wagering license application of
17 Louisiana Downs Investment Company, LLC, doing
18 business as Louisiana Downs.

19 Pursuant to the Louisiana Sports
20 Wagering Act, the board is charged with issuing or
21 denying applications for sports wagering licenses,
22 and the applicant is eligible to apply for a
23 sports wagering license due to its license --
24 licensure as a "slots at the track" facility.

25 The Board issued a Temporary

1 Certificate of Authority to the applicant to
2 conduct business as a sports wagering license --
3 licensee, with an effective date of March 18,
4 2022, and the TCOA expires on September 18, 2022.

5 State Police's Gaming Division has
6 reviewed and investigated the application and will
7 now report its findings to the board.

8 CHAIRMAN JOHNS:

9 Gentlemen, if you would let this
10 couple of ladies that need to sit at the table for
11 just a second here, if you don't mind, and then
12 we'll call you up. Thank you, gentlemen.

13 MS. HAUPT:

14 Good morning, Chairman Johns --

15 CHAIRMAN JOHNS:

16 Good morning.

17 MS. HAUPT:

18 -- and Board Members. My name is
19 Tammy Haupt with Louisiana State Police's Gaming
20 Audit Section. The Audit Section has reviewed the
21 financial information submitted by the sports
22 wagering license applicant, Louisiana Downs
23 Investment Company, LLC, doing business as
24 Louisiana Downs Casino & Racetrack, its direct
25 parent, Rubico Acquisition Corp., and its ultimate

1 parent, Rubico Gaming, LLC. Rubico Gaming is
2 100 percent owned by its sole member,
3 Mr. Thomas Benninger.

4 In March of 2022, Louisiana Downs
5 entered into an Operating Lease Agreement with
6 American Waging -- Wagering, Inc., AWI, doing
7 business as Caesars Sportsbook, a sports wagering
8 platform provider and wholly owned direct
9 subsidiary of William Hill US HoldCo, Inc. The
10 agreement allows AWI to provide the licensee with
11 a turnkey retail sports wagering operation on the
12 casino's premises using the Sportsbook at
13 Louisiana Downs brand. Pursuant to the agreement,
14 Louisiana Downs will have the right to own and
15 operate a sportsbook bar and grill and horse race
16 betting terminals on or adjacent to the leased
17 premises. Louisiana Downs launched its retail
18 sportsbook under its Temporary Certificate of
19 Authority issued on March 18, 2020 [sic].

20 Louisiana Downs does not yet have an agreement
21 with a sports wagering platform provider for
22 mobile sports wagering.

23 For the three-month interim period
24 ending March 31, 2022, Rubico Acquisition reported
25 revenues of \$10.8 million compared to

1 \$8.66 million for the two-month period,
2 November 1, which was the date of acquisition, to
3 December 31, 2021, with net income of \$431,925 and
4 \$931 -- 31,897 for the same period.

5 Rubico Acquisition's long-term debt
6 consists of a \$15 million five-year senior secured
7 credit facility and a 3 million six-year
8 subordinated term loan provided by Mr. Benninger,
9 Chairman of the Board at Rubico Acquisition.

10 These funds were used to acquire Louisiana Downs'
11 operations and real estate assets. As of
12 March 31, 2022, Rubico Acquisition reported
13 balances of \$11.6 million and \$2.8 million in
14 long-term senior secured debt and subordinated
15 debt, respectively.

16 It is our assessment, based on the
17 information reviewed, Louisiana Downs possesses
18 the financial ability to develop, construct, and
19 maintain its sports wagering facility. No
20 financial issues came to the Audit Section's
21 attention that were of such nature as to preclude
22 the board from approving the issuance of a sports
23 wagering license to Louisiana Downs.

24 Licensing will now present their
25 findings.

1 MS. HERNANDEZ:

2 Good morning, Chairman Johns and
3 Members of the Board. I'm Investigative
4 Specialist Angela Hernandez with the Louisiana
5 State Police, Gaming Enforcement Division.

6 On December 10, 2021, the Louisiana
7 Police, Gaming Enforcement Division, received a
8 sports wagering license application submitted on
9 behalf of Louisiana Investment Company, LLC, doing
10 business as Louisiana Downs. In accordance with
11 the rules and regulations of the Gaming
12 Enforcement Division, a background investigation
13 was conducted on Louisiana Investment Company,
14 LLC, doing business as Louisiana Downs, its
15 shareholders, subsidiaries, officers, directors,
16 and persons with five percent or more ownership or
17 economic interest in the license.

18 The Louisiana State Police, Gaming
19 Enforcement Division, was assigned to conduct the
20 investigation and determine if any information
21 would deem Louisiana Investment Company, LLC,
22 doing business as Louisiana Downs, its
23 shareholders, or its subsidiaries unsuitable.

24 The background investigations
25 consisted of inquiries into federal, state, and

1 local law -- law enforcement agencies, civil
2 jurisdictions, gaming regulatory agencies, and
3 Louisiana Department of Revenue. Inquiries were
4 also made through the Computerized Criminal
5 History Database. Based on this investigation,
6 there is no information that was found which would
7 preclude the board from approving Louisiana
8 Investment Company, LLC, doing business as
9 Louisiana Downs, a sports wagering license.

10 MS. MURRAY-BROWN:

11 If it is the board's pleasure to
12 approve the sports wagering license application of
13 Louisiana Downs Investment Company, LLC, doing
14 business as Louisiana Downs, a resolution has been
15 prepared for the Board's adoption and signature.

16 CHAIRMAN JOHNS:

17 Okay. Thank you very much, ladies.
18 And, if I could, bring the two gentleman back up,
19 and then we'll -- we'll address the resolution
20 shortly. Mr. Preston, good morning.

21 MR. PRESTON:

22 Good morning. Chairman Johns, Board,
23 Kevin Preston, Louisiana Downs. I have to say
24 it's great to be here. The last time I was here,
25 we --

1 CHAIRMAN JOHNS:

2 Pull -- if y'all would, pull your
3 microphones a little closer.

4 MR. PRESTON:

5 Okay.

6 CHAIRMAN JOHNS:

7 There you go. Thank you.

8 MR. PRESTON:

9 The last time we were here was during
10 the approval. So it's great to be back and see
11 everybody. So thank you.

12 What I brought to you today is just
13 some great renderings of what our new sportsbook
14 lounge is going to look like. We'll have over 75
15 seats, over 30 TVs. It's going to be pretty
16 spectacular for the market, and -- and we're
17 really excited about, you know, what we're doing
18 there, what's going on in -- in Bossier, and, you
19 know, hoping that this is going to add to the wow
20 factor, as well as the amenities to continue to
21 bring more folks to -- to Bossier and to
22 Louisiana Downs.

23 CHAIRMAN JOHNS:

24 Okay. Members, Mr. Preston and I
25 continue to have conversations on a regular basis

1 of progress out at Louisiana Downs. I understand
2 you're bringing in a number of new gaming
3 machines. Is that correct?

4 MR. PRESTON:

5 Yeah. As I'm sure you remember, we
6 were, you know, inherited with machines that were
7 20, 25 years old. And so over the next 60 days,
8 we'll have well over 100 new slot machines on the
9 floor, which is definitely going to help from a
10 revenue standpoint.

11 Last week we started remodeling our
12 restaurants. Part of that packet is just some of
13 our -- our new logos and new themes to the -- to
14 the restaurants and the amenities that we're
15 bringing in to Louisiana Downs. So we feel that,
16 along with our weekend concert series that we have
17 inside the casino, the amenities, sportsbook, the
18 OTB that we just opened up last week in
19 Mound, Louisiana, there's a lot of really good,
20 positive things going on. We're investing just as
21 much on the racing side as we are on the casino
22 side, you know, which hasn't been done before. So
23 we're -- we're really excited about what's going
24 on in the future of Louisiana Downs as we continue
25 to make progress.

1 CHAIRMAN JOHNS:

2 Okay. So, Members, we have
3 Mr. Preston here today. So anybody -- any
4 questions? Any -- any questions for Mr. Preston?

5 (NO RESPONSE)

6 CHAIRMAN JOHNS:

7 Mr. Mapes, good morning. Good to see
8 you here at the table this morning.

9 MR. MAPES:

10 Good morning, Mr. Chairman, Members
11 of the Committee. I'm Gerald Mapes with Louisiana
12 Downs. I'm here as a Louisiana citizen and also
13 as a representative of Louisiana Downs to say that
14 I'm proud of the work that Mr. Preston and his
15 partner are doing, Mr. Benninger, for Northwest
16 Louisiana, for Bossier, for the state of
17 Louisiana, and for this Gaming Control Board here.
18 We've made a commitment -- Mr. Preston made a
19 commitment to this state, to this board, and to
20 the parish, and I see that commitment being --
21 that commitment being upheld, and I'm just here to
22 say that today. Thank you, Mr. Chairman.

23 CHAIRMAN JOHNS:

24 Thank you very much, Mr. Mapes, for
25 being here. Mr. Preston, I -- I know you -- you

1 accepted a huge challenge, I guess, is a good word
2 to use, huh.

3 MR. PRESTON:

4 Yeah.

5 CHAIRMAN JOHNS:

6 A huge challenge in taking over that
7 track, and we -- we greatly appreciate the efforts
8 that you're making, and we -- we look forward
9 to -- to seeing some progress in numbers as -- as
10 we move forward.

11 MR. PRESTON:

12 Thank you.

13 CHAIRMAN JOHNS:

14 Okay. Members, any -- any questions
15 for Mr. Preston?

16 MR. JACKSON:

17 Motion to approve.

18 CHAIRMAN JOHNS:

19 Okay. Mr. Jackson has made a motion
20 that we approve the resolution that's actually
21 before you this morning.

22 MS. LEWIS:

23 (Indicating)

24 CHAIRMAN JOHNS:

25 And I have a second from Ms. Lewis on

1 the resolution. So, Ms. Hood, would you read the
2 resolution?

3 MS. HOOD:

4 On the 22nd day of August, 2022, the
5 Louisiana Gaming Control Board did, in a duly
6 noticed public meeting, consider the sports
7 wagering license of Louisiana Downs Investment
8 Company, LLC, doing business as Louisiana Downs,
9 and upon motion duly made and seconded, the Board
10 adopted the following resolution:

11 Be it resolved that Louisiana Downs
12 Investment Company, LLC, doing business as
13 Louisiana Downs, be approved for a sports wagering
14 license for a term of five years, commencing
15 March 18, 2022.

16 Thus done and signed in Baton Rouge,
17 Louisiana, this 22nd day of August, 2022.

18 CHAIRMAN JOHNS:

19 Okay. Members, we have a motion by
20 Mr. Jackson, seconded by Ms. Lewis, that we adopt
21 this resolution. Ms. Hood, would you call the
22 roll, please?

23 MS. HOOD:

24 Ms. Berry?

25 MS. BERRY:

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1 Yes.

2 MS. HOOD:

3 Mr. Jackson?

4 MR. JACKSON:

5 Yes.

6 MS. HOOD:

7 Ms. Lewis?

8 MS. LEWIS:

9 Yes.

10 MS. HOOD:

11 Mr. Poole?

12 MR. POOLE:

13 Yes.

14 MS. HOOD:

15 Ms. Hamilton-Acker?

16 MS. HAMILTON-ACKER:

17 Yes.

18 MS. HOOD:

19 Mr. Sholes?

20 MR. SHOLES:

21 Yes.

22 MS. HOOD:

23 Ms. Traylor?

24 MS. TRAYLOR:

25 Yes.

1 MS. HOOD:

2 Chairman Johns?

3 CHAIRMAN JOHNS:

4 Yes. By unanimous vote, this
5 resolution is hereby adopted. Congratulations to
6 you and good luck to you. Hope you keep growing
7 your market.

8 MR. PRESTON:

9 Thank you, Chairman. Thank you,
10 Board. Appreciate it.

11 CHAIRMAN JOHNS:

12 Thank you very much.

13 MR. MAPES:

14 Thank you, Mr. Chairman and Board.

15 IX. RULEMAKING

16 CHAIRMAN JOHNS:

17 Okay. Moving along to rulemaking.
18 Good morning. Good morning, Charlie.

19 MR. PICOU:

20 Good morning, Chairman Johns and
21 Board Members. I'm Assistant Attorney General
22 Charlie Picou here in the matter of rulemaking
23 procedures for Items IX, A and B. The proposed
24 rule changes before you amend two video draw poker
25 regulations, 2411 and 2413. The industry has

1 requested these changes in order to reflect the
2 actual use of a repair form and also to eliminate
3 the storage of paper records for extended periods
4 of time.

5 The changes to 2411 reduce the
6 necessity of completing a service repair form from
7 every time the repair is performed to only when
8 the meter readings are altered or when a logic
9 board is accessed also upon request of the
10 Division. The changes to 2413 simply allow a
11 licensee to scan and retain a door ticket
12 electronically instead of in a paper form and also
13 to retain the door tickets for at least 90 days.
14 The changes retain the requirement of a written
15 maintenance log and require the log entry at any
16 time that the log -- the logic board is accessed
17 or any kind of meter reading is altered. The
18 Division has reviewed these changes and find them
19 acceptable.

20 If the Board has no questions, a
21 motion to institute rulemaking procedures is
22 needed.

23 CHAIRMAN JOHNS:

24 Okay. So these are just some
25 basic -- I went through the rules. I -- I think

1 they make sense. And --

2 MR. PICOU:

3 Right.

4 CHAIRMAN JOHNS:

5 -- so . . .

6 MR. PICOU:

7 Basically, just -- just, you know, --

8 CHAIRMAN JOHNS:

9 Right.

10 MR. PICOU:

11 -- reducing the need to store paper

12 tickets for extended --

13 CHAIRMAN JOHNS:

14 Yeah.

15 MR. PICOU:

16 -- periods of time and kind of take

17 some of the --

18 CHAIRMAN JOHNS:

19 Bureaucracy --

20 MR. PICOU:

21 -- massive log -- right -- massive

22 log out the industry.

23 CHAIRMAN JOHNS:

24 -- bureaucracy out of the work.

25 MR. PICOU:

1 Correct.

2 CHAIRMAN JOHNS:

3 Okay. Thank you very much. Is there
4 any questions? Any questions of Mr. Picou? Any
5 discussion?

6 (NO RESPONSE)

7 CHAIRMAN JOHNS:

8 If not, I would entertain a motion to
9 adopt the rulemaking procedures in Sections IX, A
10 through B. Do I have a motion?

11 MR. SHOLES:

12 So moved.

13 CHAIRMAN JOHNS:

14 Judge Sholes has made that motion to
15 adopt the resolution.

16 MS. BERRY:

17 (Indicating)

18 CHAIRMAN JOHNS:

19 And Ms. Berry has seconded that
20 motion. Is there any discussion on the motion?

21 (NO RESPONSE)

22 CHAIRMAN JOHNS:

23 Any opposition to the motion?

24 (NO RESPONSE)

25 CHAIRMAN JOHNS:

1 Hearing none, that motion carries.

2 And thank you very much, Mr. Picou.

3 MR. PICOU:

4 Thank you.

5 CHAIRMAN JOHNS:

6 Thank y'all for your work on -- on
7 this at the Attorney General's Office.

8 X. CONSIDERATION OF PROPOSED SETTLEMENT

9 CHAIRMAN JOHNS:

10 Okay, Members. Last on the agenda
11 today is the consideration of a proposed
12 settlement. Soule? Is it Soule Cafe?

13 MS. SIZEMORE:

14 I believe it's Soule Cafe.

15 CHAIRMAN JOHNS:

16 Soule? Okay. Soule Cafe, LLC, doing
17 business as Soule Cafe. Good morning,
18 Ms. Sizemore.

19 MS. SIZEMORE:

20 Good morning, Chairman Johns and
21 Board Members. I'm Assistant Attorney General
22 Shanna Sizemore here in the matter of the
23 settlement of Soule Cafe LLC, doing business as
24 Soule Cafe, which holds a Type 2 video draw poker
25 gaming license. The settlement addresses the late

1 submission of annual forms and fees that are
2 required to be submitted to the Division no later
3 than July 1 of each year.

4 The licensee did not submit the
5 annual forms and fees until September 27, 2021,
6 which gave rise to a violation of gaming law. The
7 civil penalty contained in the settlement is
8 \$750.00, which is an amount that is
9 well-established for violations of this type. The
10 settlement has been signed by the hearing officer
11 and is now before the board for final approval.

12 I would be happy to answer any
13 questions, if you have any.

14 CHAIRMAN JOHNS:

15 Okay. Any questions for
16 Ms. Sizemore?

17 (NO RESPONSE)

18 CHAIRMAN JOHNS:

19 Okay. And the -- the violator has
20 signed the settlement agreement, as I understand;
21 so . . .

22 MS. SIZEMORE:

23 Yes.

24 CHAIRMAN JOHNS:

25 Okay.

1 MS. BERRY:

2 (Indicating)

3 CHAIRMAN JOHNS:

4 Ms. Berry has moved that we approve
5 this settlement.

6 MS. LEWIS:

7 (Indicating)

8 CHAIRMAN JOHNS:

9 And Ms. Lewis has seconded that
10 motion. Is there any discussion on the motion?
11 Any opposition to the motion?

12 (NO RESPONSE)

13 CHAIRMAN JOHNS:

14 Hearing none, that motion is hereby
15 approved. Thank you very, very much.

16 MS. SIZEMORE:

17 Thank you.

18 CHAIRMAN JOHNS:

19 Members, any other business to come
20 before the board from the members? Any comments,
21 questions?

22 (NO RESPONSE)

23 CHAIRMAN JOHNS:

24 Just very briefly, I will tell you
25 that I did a complete walk-through of the

1 Horseshoe Casino in Lake Charles -- across from
2 Lake Charles in Westlake a couple of weeks ago.
3 It's coming along extremely well. They're -- we
4 have our fingers crossed for a late December
5 opening. We hope to get -- they hope to open for
6 the holidays.

7 There are some issues with
8 procurement of -- of hotel furniture and some
9 kitchen equipment and a couple of other issues,
10 but we -- I will tell you, you're going to be
11 extremely impressed with the -- with the project
12 once you see it. I think I forwarded to you a few
13 days ago their -- their latest report. So please
14 take the time to take a look at that.

15 Okay. We will be back on track next
16 month on -- I think it's September 15, if I'm not
17 mistaken -- our normal Thursday meeting.

18 XI. ADJOURNMENT

19 CHAIRMAN JOHNS:

20 And I would entertain a motion by
21 Mr. Jackson, because he's got a long way to go,
22 and -- that we adjourn.

23 MR. JACKSON:

24 (Indicating)

25 MS. BERRY:

1 (Indicating)

2 CHAIRMAN JOHNS:

3 Ms. Berry has seconded that motion.

4 Is there any opposition?

5 (NO RESPONSE)

6 CHAIRMAN JOHNS:

7 We are hereby adjourned. Thank you
8 very much, ladies and gentlemen.

9 (PROCEEDINGS CONCLUDED AT 11:03 A.M.)

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REPORTER'S CERTIFICATE

I, Karla H. Mayers, a Certified Court Reporter in and for the State of Louisiana, do hereby certify that the foregoing is a true and correct transcript of the proceedings held at this Louisiana Gaming Control Board meeting on the 22nd day of August, 2022, as set forth in the forgoing 77 pages.

I further certify that said testimony was reported by me in the Stenotype reporting method, was prepared and transcribed by me or under my direction to the best of my ability and understanding.

I further certify that the transcript has been prepared in compliance with transcript format guidelines required by statute or by rules of the board and that I have been informed about the complete arrangement, financial or otherwise, with the person or entity making arrangements for deposition services.

I further certify that I have acted in compliance with the prohibition on contractual relationships, as defined by Louisiana Code of Civil Procedure Article 1434 and in rules and advisory opinions of the board.

I further certify that I am not an attorney or counsel for any of the parties, that I am neither related to nor employed by any attorney or counsel connected with this action, and that I have no financial interest in the outcome of this matter.

This certification is valid only for this transcript accompanied by my original signature on this page.



Karla H. Mayers, CCR
Certificate No. 94023

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