

LOUISIANA GAMING CONTROL BOARD

Minutes of November 17, 2009

The Louisiana Gaming Control Board conducted a meeting on Tuesday, November 17th, 10:00 a.m. in House Committee Room 5 of the Louisiana State Capitol. Present at this meeting were: Dane K. Morgan, Chairman; Major Claude Mercer, Velma Rogers, Ayres Bradford, Robert Jones, Gerald Juneau and James Singleton. Absent were board members Mark Stipe, Jackie Berthelot, and ex-officio members Col. Mike Edmonson and Sec. Cynthia Bridges.

The meeting was called to order. Chairman Morgan introduced Ms. Natalie Thurman, a new employee of the Board.

It was moved by Mr. Jones to waive the reading and approve the minutes of the October board meeting. That motion was seconded by Ms. Rogers 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 track. Mr. Jim Bossier, also with the Gaming Audit Division, presented the statistics for video poker.

Ms. Mesa Brown, Assistant Attorney General, presented the third quarter compliance reports for riverboat casinos and the second quarter compliance reports for racetracks.

Mr. James Smith, Director of the Attorney General's Gaming Division, presented an overview on Indian Gaming. He stated that there are approximately 5,100 jobs between the three tribal casinos. Non-tribal members pay state income tax but tribal members who live on reservations do not pay state income tax. Mr. Smith also stated that although the individual tribes are not required to pay sales tax, one of them voluntarily remits a certain portion of sales tax to the state.

The Board acted on the video gaming application of Tall Timbers Truckstop & Casino, LLC d/b/a Eunice Truckstop & Casino – No. 4900515948. It was moved by Major Mercer to approve the application for the truckstop. That motion was seconded by Mr. Singleton and unanimously approved by the board.

The next item involved consideration of a petition by PNK (Bossier City) for approval of reconfiguration of gaming space. It was moved by Mr. Bradford to approve the petition. That motion was second by Mr. Juneau and unanimously approved by the Board.

There was a petition by Amelia Belle Casino for approval of reconfiguration of gaming space. It was moved by Mr. Juneau to approve the petition. That motion was seconded by Mr. Singleton and unanimously approved by the Board.

The Board also considered a petition by Harrah's Louisiana Downs for approval of reconfiguration of gaming space. It was moved by Mr. Juneau to approve the petition. That motion was seconded by Mr. Bradford and unanimously approved by the Board.

Mr. Jonathon Wagner, Asst. Attorney General, addressed the Board with reference to adoption of rules.

It was moved by Mr. Jones to adopt the amendments to LAC 42:VII.2723 & 2730, Internal Controls and Exchange of Tokens; LAC 42:IX.1907, 2707, 2715, 2723, 2730, 2735, 2901, 3302 & 4315, Non-Gaming Supplier Permits; Record Retention; Internal Controls; Exchange of Tokens and Chips; Gross Gaming Revenue Computations; Code of Conduct; Digital Video Recording Standards; Redemption and Disposal of Discontinued Chips and Tokens; and LAC 42:XIII.2715, 2723, 2730, 4204 & 4209, Internal Controls - General; Internal Controls - Slots; Exchange of Tokens and Chips; Progressive Electronic Gaming Devices; and Approval of New Electronic Gaming Devices. That motion was seconded by Major Mercer and unanimously approved by the Board.

The Board acted on Proposed Settlements/Appeals from Hearing Officers' Decisions in the following:

1. **In Re: LKM Daiquiris, LLC d/b/a Rick's Daiquiris – No. 3601115699** - Motion by Ms. Rogers to approve the \$500 penalty for failure to attend mandatory compulsive gambling training session. That motion was seconded by Mr. Juneau and unanimously approved by the Board.
2. **In Re: Natalbany Creek Campground Bar & Grill, Inc. d/b/a Natalbany Creek Campground Bar & Grill – No. 4600115604** - Motion by Mr. Bradford to approve the \$500 penalty for failure to attend mandatory compulsive gambling training session. That motion was seconded by Mr. Juneau and unanimously approved by the Board.
3. **In Re: LKM Chinese, LLC d/b/a China Palace – No. 3601215700** - Motion by Ms. Rogers to approve the \$500 penalty for failure to attend mandatory compulsive gambling training session. That motion was seconded by Mr. Juneau and unanimously approved by the Board.
4. **In Re: 90 West Restaurant, L.L.C. d/b/a 90 West – No. 4500215323** – Motion by Mr. Juneau to approve the \$500 penalty for failure to timely notify the Division of the cessation of operation and to temporarily turn in the license. That motion was seconded by Mr. Singleton and unanimously approved by the Board.
5. **In Re: KD Hoffman Enterprises, LLC d/b/a Community Grill – No. 4400215801** – Motion by Mr. Juneau to approve the \$3,500 penalty for operating without a valid ATC permit and failure to timely notify the Division. That motion was seconded by Mr. Singleton and unanimously approved by the Board.

6. **In Re: Kenny Gray d/b/a Kenny's Rhythm & Blues Club – No. 4800115439** – Motion by Major Mercer to approve the \$3,000 penalty for operating without a valid ATC permit. That motion was seconded by Mr. Bradford and unanimously approved by the Board.
7. **In Re: Nan, Incorporated d/b/a Randazzo's Deli & Catering – No. 2600213600A** - Motion by Mr. Jones to affirm the decision of the Hearing Officer's revocation of the license. That motion was seconded by Mr. Juneau and approved by a vote of five to two. Voting for the motion was Major Mercer, Ms. Rogers, Mr. Jones, Mr. Juneau and Chairman Morgan. Voting against the motion was Mr. Bradford and Mr. Singleton.
8. **In Re: Armand & Guidry, Inc. d/b/a Tastee #61 – No. 2602207392, B.B.B.J., LLC d/b/a Joe's Café 2 – No. 2600212727, James Armand – No. 07019, Stacey Armand – No. 07020, Helen Byrne – No. 07021, Marilyn Guidry – No. 07022** – Continued to December.

There being no further comments, it was moved by Ms. Rogers to adjourn the meeting. That motion was seconded by Mr. Singleton and unanimously approved.

The meeting was adjourned.