

Approved
11/13/97

LOUISIANA GAMING CONTROL BOARD

Minutes of October 21, 1997 Meeting

The Louisiana Gaming Control Board held a meeting on Tuesday, October 21, 1997, 10:00 a.m., in House Committee Room 6 of the Louisiana State Capitol. Present at this meeting were Hillary J. Crain, Chairman, Board members James Boyer, Gen. Sherian Cadoria, Ralph Perlman, Ecotry Fuller, Robert Fleming, Marcia Morgan, and ex-officio members Col. W.R. "Rut" Whittington, and Sec. John Kennedy.

The Chairman called the meeting to order and began by introducing the newest Board member, Marcia Morgan. Ms. Morgan lives in New Orleans. The Chairman then presented the minutes of the September 16, 1997 meeting to the Board members. Mr. Ralph Perlman moved to adopt the minutes of the meeting and was seconded by Gen. Cadoria. The Board unanimously approved the minutes.

Next on the agenda was the monthly riverboat revenue report. Ms. Charlotte McGar, auditor with the Louisiana State Police, presented this report to the Board.

Jim Smith, attorney for the Queen of New Orleans at the Hilton joint venture, presented a petition to the Board to transfer ownership in the joint venture and to approve a project for this new ownership to operate from its berth in Shreveport, Louisiana. The Board ordered a suitability investigation and took the matter under advisement.

The Board then voted to extend the deadline for the 15th riverboat license. The new date is January 15, 1998.

Next on the agenda was a transfer of ownership request. Paul West of the McGlinchey Law Firm, represented Boyd Gaming, the prospective buyer of the Treasure Chest Casino. Mr. Robert Vosbien of Adams & Reese law firm, represented the sellers. Lt. Dane Morgan, supervisor of the Riverboat Gaming Division of State Police, introduced the investigators who worked on this request. Trooper Lionel Sibley and Auditor Gary Ernest presented the results of their investigation to the Board. A motion was made by Mr. James Boyer to approved the transaction and was seconded by Mr. Perlman. After a request from State Police, Mr. Boyer amended his motion to add the condition that the sale not take place until October 28, 1997. The amended motion was seconded again by Mr. Perlman and unanimously approved by the Board.

Next was the withdrawal of the Notice of Intent of Amending Rule 108 and adding Rule 114. Those emergency rules were rejected by the legislative oversight committee. Mr. Perlman moved to withdraw both of those proposed rules and notice of intent. Mr. Boyer seconded that motion, and it was unanimously approved by the Board.

The Board then instituted the rule-making process on rules 115 and 116. Rule 115 deals with appeals to the Board from a Hearing Officer decision and 116 provides for procedures to follow when filing a petition to the Board. It was moved by Ralph Perlman to institute the rule-making process. That move was seconded by James Boyer and unanimously approved by the Board.

Next on the agenda was an appeal to the Board from a decision of the Hearing Officer. It was moved by Mr. Perlman to adopt the proposed opinion in the case of Cedricquez Ford, No. P040013553. The motion was seconded by General Cadoria and unanimously approved by the Board.

The Board then went into executive session.

Following the executive session, Mr. Tom Baltimore, representing Hilton, and Mayor Marc Morial, City of New Orleans, stated to the Board that they reached an agreement regarding payments ordered by the Board as a condition on the QNOV license in connection with the approval of the change of berth. They were going to draft an agreement to present to the Board for approval. A motion was made by General Cadoria, seconded by James Boyer and unanimously approved by the Board authorizing the Chairman to take the necessary action to resolve this matter.

The Chairman then recused himself from participating in the next item on the agenda. This involved a motion from J. Manoco to disqualify the Chairman and Hearing Officer A. Clayton James in the J. Manoco case, which had been remanded back to the Gaming Control Board from the 19th Judicial District Court. The Board authorized Judge Robert Fleming to chair the hearing.

After both sides presented evidence and arguments to the Board it was moved by James Boyer, seconded by General Cadoria and unanimously approved by the Board to reject the motion for disqualification.

Following public comments, it was moved by Mr. Boyer, seconded by General Cadoria, and unanimously adopted by the Board to adjourn.

The meeting was then adjourned.