

## **LOUISIANA GAMING CONTROL BOARD**

### **Minutes of January 19, 2010**

The Louisiana Gaming Control Board conducted a meeting on Tuesday, January 19, 2010, 10:00 a.m. in House Committee Room 6 of the Louisiana State Capitol. Present at this meeting were: Dane K. Morgan, Chairman; Major Claude Mercer, Velma Rogers, Ayres Bradford, Robert Jones, Mark Stipe, Gerald Juneau, James Singleton and Jackie Berthelot. Absent were ex-officio members, Col. Mike Edmonson and Sec. Cynthia Bridges.

The meeting was called to order. It was moved by Mr. Singleton to waive the reading and approve the minutes of the December meeting. That motion was seconded by Mr. Jones and unanimously approved by the Board.

It was moved by Major Mercer to approve the 2010-2011 budget of the Gaming Control Board. That motion was seconded by Mr. Singleton and unanimously approved by the Board.

The next item was approval of the proposed office lease for the Board. It was moved by Ms. Rogers to authorize the Chairman to enter into a proposed five-year office lease. That motion was seconded by Mr. Bradford 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. Ms. Janice Adolph, also with the Gaming Audit Division, presented the statistics for video poker.

The next item dealt with an update by Pinnacle Entertainment, Inc. on their Baton Rouge project. Mr. Cliff Kortman, Executive Vice President of Construction & Development, and Mr. Larry Orlansky, local counsel for Pinnacle, addressed the Board on this issue. Mr. Kortman stated that he was meeting later in the month with officials from the Department of Transportation and Development concerning the traffic impact and redesigning River Road. He also stated that physical work could not begin at the site until Pinnacle receives a permit from the Corp of Engineers.

The Board acted on the five-year license renewal of Pinnacle Entertainment, Inc., Louisiana-1 Gaming, L.P. d/b/a Boomtown New Orleans. It was moved by Mr. Singleton to approve the five-year renewal of the license. That motion was seconded by Mr. Berthelot and unanimously approved by the Board.

The Board also acted on the five-year license renewal of Red River Entertainment of Shreveport Partnership in Commendam, Boyd Gaming Corporation d/b/a Sam's Town Hotel and Casino. It was moved by Mr. Bradford to approve the five-year renewal of the license. That motion was seconded by Mr. Juneau and unanimously approved by the Board.

There was a petition by Catfish Queen Partnership in Commendam d/b/a Belle of Baton Rouge for various transfers of ownership and economic interest resulting from the reorganization

of the licensee's parent company, Tropicana Entertainment Holdings, L.L.C. Following discussion, it was moved by Mr. Bradford to approve the petition concerning the transfers of ownership and economic interest. That motion was seconded by Major Mercer and unanimously approved by the Board.

The next item dealt with the institution of rulemaking procedures to amend LAC 42:III.2521, 2522, 2523, 2524, 2525 & 2526; LAC 42:VII.2521, 2523 & 2524, LAC 42:IX.2521, 2522, 2523 & 2524; and LAC 42:XIII.2521, 2523 & 2524 (Transfers of Interest; Loans and Restrictions). It was moved by Major Mercer to institute the rulemaking procedures to amend the rules as stated. That motion was seconded by Ms. Rogers and unanimously approved by the Board.

The Board acted on Proposed Settlements/Appeals from Hearing Officers' decisions as follows:

1. **In Re: RDG, LLC d/b/a The Black Orchard Bistro – No. 2600214895** – Motion by Mr. Juneau to approve the \$500 penalty for failure to timely report the purchase of membership interests and assets of the licensee. That motion was seconded by Mr. Bradford and unanimously approved by the Board.
2. **In Re: K & W Diner's, LLC d/b/a Fat Hen Grill - No. 2600215504** – Motion by Mr. Bradford to approve the \$500 penalty for failure to attend the mandatory compulsive gambling training session. That motion was seconded by Ms. Rogers and unanimously approved by the Board.
3. **In Re: Divaz Lounge, LLC d/b/a Divaz Lounge – No. 3601115657** – Motion by Mr. Jones to approve the \$500 penalty for failure to attend the mandatory compulsive gambling training session. That motion was seconded by Mr. Singleton and unanimously approved by the Board.
4. **In Re: R C Management, Inc. d/b/a River Parishes Truckstop & Casino – No. 4800514194A** – Motion by Mr. Bradford to approve the \$12,500 penalty for failure to have the statutorily required on-site restaurant open for a period of 12 hours. That motion was seconded by Mr. Berthelot and unanimously approved by the Board.
5. **In Re: THT Enterprises II, LLC d/b/a On the Rox – No. 2600115333** – Motion by Mr. Juneau to approve the \$500 penalty for failure to attend the mandatory compulsive gambling training session. That motion was seconded by Mr. Jones and unanimously approved by the Board.
6. **In Re: Emma J. Boyd d/b/a B & R Café – No. 2900115640** – Motion by Mr. Juneau to approve the \$500 penalty for failure to attend the mandatory compulsive gambling training session. That motion was seconded by Major Mercer and unanimously approved by the Board.

7. **In Re: Cello, L.L.C. d/b/a Vodanovich's Monkey Hill Bar – 3601111667** – Motion by Mr. Bradford to approve the \$5,500 penalty for failure to timely notify the Division of the sale of membership interest, change in ownership and revocation of Mag Web's corporate charter. That motion was seconded by Mr. Singleton and unanimously approved by the Board.
8. **In Re: Heidi's Café, LLC d/b/a Heidi's Café – No. 3601215690** - Motion by Mr. Bradford to continue this case to February, 2010. That motion was seconded by Ms. Rogers and unanimously approved by the Board.
9. **In Re: Armand & Guidry, Inc. d/b/a Tastee #61 – No. 2602207392, James Armand – No. 07019, Marilyn Guidry – No. 07022, B.B.B.J., LLC d/b/a Joe's Café 2 – No. 2600212727, Stacey Armand – No. 07020, Helen Byrne – No. 07021** – Motion by Mr. Juneau to affirm the Hearing Officer's decision finding James Armand unsuitable, revoking the license of Armand & Guidry, Inc. d/b/a Tastee #61, finding Stacey Armand suitable, maintaining the license of B.B.B.J., LLC d/b/a Joe's Café 2, and finding Helen Byrne suitable. That motion was seconded by Mr. Jones and unanimously approved by the Board.
10. **In Re: Newman & Newman, LLC d/b/a Anita's Smokin Steak Burger – No. 4500214986** – Motion by Mr. Stipe to affirm the decision of the Hearing Officer dismissing the recommendation of administrative action. That motion was seconded by Mr. Juneau but failed by a vote of four to five. Voting for the motion was: Mr. Stipe, Mr. Juneau, Mr. Singleton and Mr. Berthelot. Voting against the motion was: Major Mercer, Ms. Rogers, Mr. Bradford, Mr. Jones and Chairman Morgan.

There was an alternate motion by Mr. Jones to reverse the Hearing Officer's decision and impose a \$3000 penalty. It was moved by Mr. Bradford to amend Mr. Jones motion to impose a \$2,500 penalty and reverse the Hearing Officer's decision dismissing the recommendation of administrative action. Mr. Jones had no objection to the amendment. Mr. Jones amended motion was seconded by Mr. Bradford and passed by a vote of 6 to 3. Mr. Juneau objected to Mr. Bradford's amendment. Voting for the motion was: Major Mercer, Ms. Rogers, Mr. Bradford, Mr. Jones, Mr. Singleton and Chairman Morgan. Voting against the motion was: Mr. Stipe, Mr. Juneau and Mr. Berthelot.

11. **In Re: T and R, LLC d/b/a Zydeco's Cajun Kitchen – No. 3800215658** – Motion by Mr. Stipe to affirm the Hearing Officer's decision imposing a \$500 penalty for failure to attend the mandatory compulsive gambling training session. That motion was seconded by Mr. Juneau and unanimously approved by the Board.

There being no further comments, it was moved by Mr. Juneau to adjourn the meeting. That motion was seconded by Major Mercer and unanimously approved by the Board.

The meeting was adjourned.