

LOUISIANA GAMING CONTROL BOARD

Minutes of February 15, 2005

The Louisiana Gaming Control Board held a meeting on Tuesday, February 15, 2005, 10:00 a.m., in Senate Committee Room A of the Louisiana State Capitol. Present at this meeting were: H. Charles Gaudin, Chairman; Robert Fleming, Gen. Sherian Cadoria, Dennis Kinchen, William Lastrapes, Marcia Morgan, Mervin Simoneaux, and ex-officio member, Col. Henry Whitehorn. Absent were board members James Boyer, Rupert Richardson and ex-officio member, Sec. Cynthia Bridges.

The meeting was called to order. It was moved by Gen. Cadoria to waive the reading and approve the minutes of the January meeting. That motion was seconded by Mr. Kinchen 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. Constance Wallace, State Police Gaming Audit Division, reported on the employee numbers and salaries for the landbased casino. Ms. Donna Stevens, also with the Audit Division, reported on the statistics for video poker.

Ms. Allyson McCord, Asst. Attorney General in the Gaming Division, presented the quarterly compliance reports for the riverboat casinos. Mr. Young Bonner, also an Asst. Attorney General in the Gaming Division, reported on the quarterly compliance reports for slots at qualified racing facilities.

The Board acted on the following truckstop applications:

1. **Love's of Louisiana, L.L.C. d/b/a Love's Travel Stop #240 – No. 6100511546**
2. **Love's of Louisiana, L.L.C. d/b/a Love's Country Store #243 – No. 1003511620**

Motion by Ms. Morgan to approve the stock transfers for both truckstops. That motion was seconded by Mr. Lastrapes and unanimously approved by the Board.

The Board acted on the extension of the Unconditional Minimum Payment Guaranty Agreement of Harrah's landbased casino. Mr. John Campbell, Special Asst. Attorney General, addressed the Board on this matter. He stated the period covered by the guaranty would include the fiscal year ending March 31, 2008. The same guarantors are included in this extension as with the original guaranty.

Following discussion it was moved by Mr. Lastrapes to approve the guaranty. That motion was seconded by Mr. Kinchen and unanimously approved by the Board.

The Board acted on the renewal application of Belle of Orleans, L.L.C. d/b/a Bally's Casino Lakeshore Resort. Following discussion, it was moved by Mr. Kinchen to approve the

five-year renewal of the license of Bally's Casino and adopt the resolution as Exhibit A. That motion was seconded by Ms. Morgan and unanimously approved by the Board.

The next item dealt with a transfer of interest of Lucky Lady Casino Supply, L.L.C. Following discussion, it was moved by Ms. Morgan to approve the transfer of interest. That motion was seconded by Mr. Lastrapes and unanimously approved by the Board.

There was a petition requesting a modification of floor plan by Hollywood Casino Shreveport. Following discussion, it was moved by Mr. Kinchen to approve the petition. That motion was seconded by Mr. Simoneaux and unanimously approved by the Board.

The Board also acted on a petition for modification of floor plan by Horseshoe Casino. Following discussion, it was moved by Ms. Morgan to approve the petition. That motion was seconded by Mr. Kinchen and unanimously approved by the Board.

The Board postponed the discussion on Regional Procurement Goals until the April meeting.

There was a discussion concerning the applicability of R.S.27:27.3; advertising, compulsive gambling information (toll-free number). State Police has recommended that posting of the toll-free number not be required for souvenirs designed for personal use, gaming equipment used in the designated gaming areas, and the principal exterior business sign. Any item intended for advertisement or any other medium used to promote gaming or the location of gaming would be required to post the toll-free number. The Chairman concurs with the recommendation of state police.

Mr. Tom Warner, Asst. Attorney General, addressed the Board with reference to the adoption of amendments to LAC 42:VII, IX, and XIII.4209, Approval of New Gaming Devices, Coin Acceptors. Following discussion, it was moved by Ms. Morgan to institute the rulemaking procedures for the previously stated rules. That motion was seconded by Mr. Lastrapes and unanimously approved by the Board.

The Board acted on Proposed Settlements/Appeals from Hearing Officer's decisions in the following:

1. **In Re: Youlanda Y. Williams – No. P040030318**
2. **In Re: Constance Saldana – No. P040019638**
3. **In Re: Torian S. Williams – No. P040021077**
4. **In Re: Shelia Robinson – No. P040010346**

The above four cases were handled in globo. Each permittee was fined \$250.00 for failure to timely submit their tax clearances. It was moved by Gen. Cadoria to approve the \$250.00 penalty for each permittee. That motion was seconded by Mr. Simoneaux and unanimously approved by the Board.

5. **In Re: Jesohn, Inc. d/b/a Coffee & - No. 2600212918** – Motion by Mr. Lastrapes to approve the \$250.00 penalty for failure to have a designated representative present at the establishment. That motion was seconded by Gen. Cadoria and unanimously approved by the Board.
6. **In Re: M.T.M. Associates, L.L.C. d/b/a Sportsman’s Paradise – No. 1001213031** – Motion by Judge Fleming to deny the rehearing request. That motion was seconded by Mr. Lastrapes and approved by a vote of four to two. Voting for the motion were: Judge Fleming, Mr. Kinchen, Mr. Lastrapes and Ms. Morgan. Voting against the motion were Gen. Cadoria and Mr. Simoneaux. Chairman Gaudin abstained from voting.
7. **In Re: Sabrina D. Holt d/b/a Sab’s Place – No. 5100113581** – Motion by Ms. Morgan to deny the rehearing request. That motion was seconded by Mr. Lastrapes and unanimously approved by the Board.
8. **In Re: Jerome Brazier-Carter – No. P04004327** - Motion by Judge Fleming to affirm the decision of the Hearing Officer’s imposition of a \$250.00 penalty for failure to timely submit a tax clearance. That motion was seconded by Gen. Cadoria and approved by a vote of eight to one. Voting against the motion was Chairman Gaudin.
9. **In Re: Daiquiri Bay Café, Inc. d/b/a Daiquiri Bay Café – No. 2600207318A** – Motion by Mr. Lastrapes to remand the case to the Hearing Officer for review of the settlement proposal. That motion was seconded by Ms. Morgan and unanimously approved by the Board.

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

The meeting was adjourned.

**STATE OF LOUISIANA
GAMING CONTROL BOARD**

**In the Matter of Belle of Orleans, L.L.C. D/B/A
Bally's Casino Lakeshore Resort License Renewal**

RESOLUTION

On the 15th day of February, 2005, the Louisiana Gaming Control Board ("Board") did, in a duly noticed public meeting, consider the issue of Belle of Orleans, L.L.C. d/b/a Bally's Casino Lakeshore Resort ("Licensee") License Renewal 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 Licensee.
2. **BE IT FURTHER RESOLVED** by the Board that the riverboat casino license of Belle of Orleans, L.L.C. d/b/a Bally's Casino Lakeshore Resort be renewed for a term of five (5) years commencing as follows:

Belle of Orleans, L.L.C. d/b/a Bally's Casino Lakeshore Resort commencing March 24, 2005

subject to the original conditions as further amended by the Board on June 16, 2003, and all conditions approved this date as attached hereto and made a part hereof.

**THUS DONE AND SIGNED IN BATON ROUGE, LOUISIANA THIS 15TH DAY OF
FEBRUARY, 2005.**

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

ATTEST:

**ROBERT M. FLEMING, VICE-CHAIRMAN
LOUISIANA GAMING CONTROL BOARD**