

LOUISIANA GAMING CONTROL BOARD

Minutes of September 18, 2001

10/16/01
APPROVED

The Louisiana Gaming Control Board held a meeting on Tuesday, September 18, 2001, at 10:00 a.m., House Committee Room 6 of the Louisiana State Capitol. Present at this meeting were: Hillary J. Crain, Chairman; Robert M. Fleming, Vice-Chairman; Ralph R. Perlman, Secretary/Treasurer; Gen. Sherian Cadoria, James Boyer, Dennis Kinchen, Dudley Lastrapes, Marcia Morgan, and Rupert Richardson. Absent were ex-officio members, Col. Terry Landry and Sec. Cynthia Bridges.

The meeting was called to order. It was moved by Gen. Cadoria to approve the minutes of the August meeting and Executive Session. 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 and landbased casino. Ms. Donna Stevens, also with State Police Gaming Audit, reported on the statistics for video poker.

Mr. Kelly Duncan, attorney representing Atlantic City Coin & Slot Service Company, filed a Petition for Approval of Transfer of Interest within the company. Sgt. Leland Falcon, State Police Gaming Suitability Division and Ms. Claudeidra Minor, Asst. Attorney General, addressed the Board concerning this issue. Following the presentation, it was moved by Sec. Perlman to approve the request. That motion was seconded by Mr. Lastrapes and unanimously approved by the Board.

The next item dealt with the 15th riverboat gaming license. Chairman Crain stated that the Board had scheduled Wednesday, October 10, 2001, 10:00 a.m., as the date and time for the Special Meeting to discuss this license, and that a final decision would be made at the regularly scheduled meeting on October 16, 2001. He also stated both meetings would be held in Senate Room E.

Captain Dane Morgan, State Police Casino Gaming, reported on the request for Withdrawal of Application without prejudice that was filed by Mr. Paul West, attorney representing Shawn Scott and Delta Downs Enterprises, LLC. He stated that Boyd Gaming was in the process of purchasing the company and would be making an application for a license at a later date. Captain Morgan consulted the Attorney Generals' office and stated neither the Division or Attorney General's Office had objections to the request but the original application would remain on file with State Police. Following his presentation, it was moved by Mr. Lastrapes to allow the withdrawal of application without prejudice. That motion was seconded by Ms. Richardson and unanimously approved by the Board.

Mr. Jay Quinlan, Director of the Attorney General's Gaming Division, and Ms. Jeanne Marie Barham, Asst. Attorney General, addressed the Board with reference to the Casino Support Services Contract with the City of New Orleans. Following this discussion, it was moved by Mr. Boyer to approve the contract conditioned on the necessary legislative approvals and funding, and to authorize

the Chairman to enter into the contract on behalf of the Board. That motion was seconded by Sec. Perlman and unanimously approved by the Board.

The Chairman then called on Ms. Susan Demouy, Audit Director at State Police, to discuss parameters for reporting casino employment numbers and salaries for Jazz Casino Corporation. Also speaking was Mr. Kevin Columb, attorney for Harrah's. Following discussion, it was moved by Gen. Cadoria to adopt the parameters classifying employees as provided in "Exhibit A" attached to these minutes. In addition, the motion was to establish the base line employment level at 2,667 employees. That motion was seconded by Ms. Richardson and unanimously approved by the Board.

Ms. Stacey Madden, Auditor 3, and Jeff Traylor, Audit Manager, reported on the baseline salary figure. Following the discussion, it was moved by Vice-Chairman Fleming to establish the base line salary figure at \$1,999,498.82. That motion was seconded by Mr. Kinchen and unanimously approved by the Board.

The Board acted on an application for a video poker truckstop license for Morel G. LeMoine Distributors, Inc. d/b/a Café Mangeur. It was moved by Mr. Lastrapes to approve the license. That motion was seconded by Mr. Kinchen and unanimously approved by the Board.

Mr. Tom Warner, Asst. Attorney General, addressed the Board with reference to a public hearing request that had been received regarding the promulgation of LAC 42:III.121, Withdrawal of Applications, and 42:III.122, Voluntary Surrender of Licenses or Permits. The Board scheduled the hearing for the October 16th meeting.

There was a motion to go into Executive Session by Vice-Chairman Fleming. That motion was seconded by Gen. Cadoria and unanimously approved by the Board.

Following the Executive Session, the Board returned to the Regular Session.

The Board considered settlement of a suit filed in the 19th J.D.C., Div. "D", **J. Manoco, Inc. et al. v. The La. Gaming Control Board, et al., No. 448,676**, as presented by Richard Zimmerman, attorney representing the Board. It was moved by Vice-Chairman Fleming to approve the settlement and authorize the Chairman to execute the settlement on behalf of the Board. That motion was seconded by Gen. Cadoria and unanimously approved.

The Board acted on proposed settlements/appeals from hearing officers' decisions in the following:

1. **In Re: Catfish Town Partnership in Commendum d/b/a Argosy Casino - No. RGS000256** - Motion by Ms. Morgan to approve the settlement. That motion was seconded by Gen. Cadoria and unanimously approved by the Board.
2. **In Re: Decimal Inc. - No. P080900685** - Motion by Vice-Chairman Fleming to approve the settlement. That motion was seconded by Ms. Richardson and unanimously approved by the Board.

3. **In Re: Jerry Langley - Cert. No. H060007565** - Motion by Vice-Chairman Fleming to affirm the Hearing Officer's decision and revoke his certification. 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.

EXHIBIT A

Jazz Casino Company, LLC Operating Workforce Parameters

Classifications Included in the JCC Operating Workforce Parameters

Regular and Salary Wages – including dual rate employee payments
Adjustments to Regular and Salary Wages
Paid Time Off
Bereavement Pay
Jury Duty Pay
Military Leave Pay
Meetings
Training
Unpaid Leave of Absence Protected by FMLA

Classifications NOT Included in the Operating Workforce Parameters

Unpaid Leave of Absence (unless protected by FMLA)
Non-Active Employee Status – (employees who aren't on leave and haven't worked in thirty days)
JCC Corporate and Temporary Employees
On-Call Personnel
Persons receiving continued severance payments
Other – includes tokens, bonuses etc.

Classifications of Full-Time and Part-Time Operating Workforce Parameters

Full Time – 30 hours a week or more
If employee averages less than 30 hours per week for a 90 day period,
employment status is classified as Part-Time.

Part Time – less than 30 hours per week are classified as Part-Time (16-29 hours per
week eligible for limited benefits, less than 16 hours per week no benefits)

Specific JCC payroll register codes included in the average working
hour calculations

Regular Adjustment (REGAD)
Regular Pay (REG1)
Regular Pay 2nd Job (REG2)
Regular Pay-Job 3 (REG3)
Salary Adjustment (SALAD)
Salary Wages (SAL2)
Paid Time Off (PTO)
Bereavement (BRVM&)
Bereavement Pay (BRVMT)
Jury Duty (JURY)
Jury Duty (JURY&)

Jury - Salary (JURYS)
Military Leave (MLTL)
Meetings (MTG)
Meetings - Regular (MTG&)
Training Pay (TR)
Training - Regular (TR&)
Training - Brand (TRBAD)
Training - Dept (TRDPT)
Training - Focus (TRFOC)
New Hire Orientation (TRNHO)