

MINUTES OF THE MISSISSIPPI GAMING COMMISSION

Regular Monthly Meeting
February 15, 2018

The regular monthly meeting of the Mississippi Gaming Commission was held at 9:00 a.m., Thursday, February 15, 2018, at the offices of the Mississippi Gaming Commission, 620 North Street, Suite 200, Jackson, Mississippi 39202. Staff attending:

Major General (R) Al Hopkins, Chairman, MS Gaming Commission
Jerry Griffith, Commissioner, MS Gaming Commission
Tom Gresham, Commissioner, MS Gaming Commission
Allen Godfrey, Executive Director, MS Gaming Commission
Jay McDaniel, Deputy Director, MS Gaming Commission
Eddie Williams, Deputy Director, MS Gaming Commission
Stephanie Sills, Director, Compliance, MS Gaming Commission
Johnny George, Director, Investigations, MS Gaming Commission
Jack DePoyster, Director, Enforcement, MS Gaming Commission
Ed Wong, Director, Work Permits, MS Gaming Commission
Emil Lyon, Director, Gaming Lab, MS Gaming Commission
Ashley Wiselogel, Director, MIS, MS Gaming Commission
Sonny Weathersby, Director, Charitable Gaming, MS Gaming Commission
Louis P. Frascogna, Special Assistant Attorney General

The meeting was called to order at 9:02 a.m. Jay McDaniel gave the invocation and Chairman Al Hopkins led the Pledge of Allegiance.

Chairman Hopkins welcomed everyone to the meeting and asked Executive Director Godfrey to provide the Administrative Update.

ITEM I.

- I. Administrative Update: Allen Godfrey made the following administrative announcements:
 - A. The next regular meeting of the Mississippi Gaming Commission will be held on Thursday, March 15, 2018, at The View Showroom of the Island View Casino Resort 3300 West Beach Blvd., Gulfport, MS beginning at 10:00 a.m. The deadline for submission of agenda items for this meeting is February 28, 2018.

ITEM II.

APPROVAL OF MINUTES

A. January 25, 2018 - Regular Monthly Meeting

EXECUTIVE DIRECTOR'S RECOMMENDATION: The Executive Director recommends approval of the Minutes of the January 25, 2018 Regular Monthly Meeting.

Commissioner Griffith: Motion to adopt recommendation
Commissioner Gresham: Second

RECORDED VOTE:
Chairman Hopkins: YES
Commissioner Griffith: YES
Commissioner Gresham: YES

ITEM III.

GAMING MATTERS

A. Request for Approvals – Interblock USA L.C.

1. Pledges of Equity Interests or Securities
2. Imposition of Equity Restrictions including Negative Equity Pledges

Thomas B. Shepherd, III, Esquire, of Jones Walker, presented this item to the Commission and was available to answer any questions.

EXECUTIVE DIRECTOR'S RECOMMENDATION: With past Commission action, key principals of the company have been found suitable. The Executive Director recommends that:

With past Commission action, key principals of the company have been found suitable. The Executive Director recommends that:

1. The Mississippi Gaming Commission grant approval, as required, to Elektroncek Group B.V. and its affiliated companies and subsidiaries, current and hereafter acquired, to pledge the equity interests or securities of such affiliated companies and subsidiaries, current and hereinafter acquired, including but not limited to, Interblock USA L.C., in connection with the new senior secured credit facility Nova Ljubljanska banka d.d., Ljubljana; and

2. The Mississippi Gaming Commission grant approval, as required, to Elektroncek Group B.V. and its affiliated companies and subsidiaries, current and hereafter acquired, to (1) enter into any negative equity pledges and/or (2) place any restrictions upon the transfer of, and agree not to encumber, the equity interests or securities of Interblock d.d. and Interblock USA L.C. and such affiliated companies and subsidiaries, current and hereinafter acquired, including but not limited to, Interblock d.d. and Interblock USA L.C., in connection with the new senior secured credit facility Nova Ljubljanska banka d.d., Ljubiana.

Commissioner Gresham: Motion to adopt recommendation
Commissioner Griffith: Second

RECORDED VOTE: Chairman Hopkins: YES
Commissioner Griffith: YES
Commissioner Gresham: YES

B. Application for Finding of Suitability – Mr. William G. Lander (Lighthouse Point, LLC d/b/a Trop Casino Greenville)

1. Mr. William G. Lander – Director of Finance (Trop Casino Greenville)

Scott E. Andress of Balch & Bingham, introduced Mr. Lander to the Commission and he provided a brief personal history. Mr. Lander thanked the MS Gaming Commission and specifically, Investigator Chris Woods, for their professionalism.

EXECUTIVE DIRECTOR’S RECOMMENDATION: Based upon the investigative reports, the Executive Director recommends that Mr. William G. Lander be found suitable to be associated with a gaming license granted under the Mississippi Gaming Control Act subject to the following:

1. The finding of suitability is valid for a period of nine (9) years, beginning February 15, 2018;
2. Applicant shall file an annual report as required by 13 Mississippi Administrative Code Part 2, R.1.3(e);
3. Applicant will comply with all federal and state laws, including the laws of Mississippi and particularly the Mississippi Gaming Control Act;
4. Applicant will comply with all the policies, rules and regulations adopted by the Mississippi Gaming Commission;
5. Applicant will comply with and does hereby agree to be bound by all laws, including the Gaming Control Act, of the State of Mississippi; further, licensee agrees to adjudicate all legal proceedings (both state and federal) relative to said license in the courts located in the State of Mississippi; and

6. The finding of suitability is based on the applicant's ability to maintain satisfactory results for all investigations and agency checks.

Commissioner Griffith: Motion to adopt recommendation
Commissioner Gresham: Second

RECORDED VOTE: Chairman Hopkins: YES
Commissioner Griffith: YES
Commissioner Gresham: YES

- C. Application for Finding of Suitability – Mr. Edward B. Pitoniak (Grand Casinos of Biloxi, LLC; Robinson Property Group, LLC; Tunica Roadhouse, LLC; and Casino Computer Programming, Inc.)

1. Mr. Edward B. Pitoniak – Chairman of the Board and CEO (VICI Properties, Inc.)

Michael Fabius, Esquire, of Ballard Spahr, introduced Mr. Pitoniak to the Commission and he provided a brief personal history.

EXECUTIVE DIRECTOR'S RECOMMENDATION: Based upon the investigative reports, the Executive Director recommends that Mr. Edward B. Pitoniak be found suitable to be associated with a gaming license granted under the Mississippi Gaming Control Act subject to the following:

1. The finding of suitability is valid for a period of nine (9) years, beginning February 15, 2018;
2. Applicant shall file an annual report as required by 13 Mississippi Administrative Code Part 2, R.1.3(e);
3. Applicant will comply with all federal and state laws, including the laws of Mississippi and particularly the Mississippi Gaming Control Act;
4. Applicant will comply with all the policies, rules and regulations adopted by the Mississippi Gaming Commission;
5. Applicant will comply with and does hereby agree to be bound by all laws, including the Gaming Control Act, of the State of Mississippi; further, licensee agrees to adjudicate all legal proceedings (both state and federal) relative to said license in the courts located in the State of Mississippi; and
6. The finding of suitability is based on the applicant's ability to maintain satisfactory results for all investigations and agency checks.

Commissioner Gresham: Motion to adopt recommendation
Commissioner Griffith: Second

RECORDED VOTE: Chairman Hopkins: YES
Commissioner Griffith: YES
Commissioner Gresham: YES

D. Application for Finding of Suitability – Mr. Joseph T. Lodise (Robinson Property Group, LLC d/b/a Horseshoe Tunica Hotel and Casino and Tunica Roadhouse, LLC d/b/a Tunica Roadhouse Casino and Hotel)

1. Mr. Joseph T. Lodise – Assistant General Manager and Vice President of Finance (Horseshoe Tunica Hotel & Casino and Tunica Roadhouse Casino & Hotel)

B. Parker Berry, Esquire, of Butler Snow, introduced Mr. Lodise to the Commission and he provided a brief personal history.

EXECUTIVE DIRECTOR’S RECOMMENDATION: Based upon the investigative reports, the Executive Director recommends that Mr. Joseph T. Lodise be found suitable to be associated with a gaming license granted under the Mississippi Gaming Control Act subject to the following:

1. The finding of suitability is valid for a period of nine (9) years, beginning February 15, 2018;
2. Applicant shall file an annual report as required by 13 Mississippi Administrative Code Part 2, R.1.3(e);
3. Applicant will comply with all federal and state laws, including the laws of Mississippi and particularly the Mississippi Gaming Control Act;
4. Applicant will comply with all the policies, rules and regulations adopted by the Mississippi Gaming Commission;
5. Applicant will comply with and does hereby agree to be bound by all laws, including the Gaming Control Act, of the State of Mississippi; further, licensee agrees to adjudicate all legal proceedings (both state and federal) relative to said license in the courts located in the State of Mississippi; and
6. The finding of suitability is based on the applicant’s ability to maintain satisfactory results for all investigations and agency checks.

Commissioner Gresham: Motion to adopt recommendation
Commissioner Griffith: Second

RECORDED VOTE: Chairman Hopkins: YES
Commissioner Griffith: YES
Commissioner Gresham: YES

E. Application for Finding of Suitability – Mr. Derrick D. Madison (IOC-Lula, Inc. d/b/a Isle of Capri Casino Hotel Lula)

1. Mr. Derrick D. Madison – General Manager (IOC-Lula, Inc.)

Sean P. Doran, Esquire, of Phelps Dunbar, introduced Mr. Madison to the Commission and he provided a brief personal history.

EXECUTIVE DIRECTOR’S RECOMMENDATION: Based upon the investigative reports, the Executive Director recommends that Mr. Derrick D. Madison be found suitable to be associated with a gaming license granted under the Mississippi Gaming Control Act subject to the following:

1. The finding of suitability is valid for a period of nine (9) years, beginning February 15, 2018;
2. Applicant shall file an annual report as required by 13 Mississippi Administrative Code Part 2, R.1.3(e);
3. Applicant will comply with all federal and state laws, including the laws of Mississippi and particularly the Mississippi Gaming Control Act;
4. Applicant will comply with all the policies, rules and regulations adopted by the Mississippi Gaming Commission;
5. Applicant will comply with and does hereby agree to be bound by all laws, including the Gaming Control Act, of the State of Mississippi; further, licensee agrees to adjudicate all legal proceedings (both state and federal) relative to said license in the courts located in the State of Mississippi; and
6. The finding of suitability is based on the applicant’s ability to maintain satisfactory results for all investigations and agency checks.

Commissioner Griffith: Motion to adopt recommendation
Commissioner Gresham: Second

RECORDED VOTE: Chairman Hopkins: YES
Commissioner Griffith: YES
Commissioner Gresham: YES

F. Recommendation Regarding Unanimous Approval Request – Work Permit Application

(Documentation attached as Exhibit “1”)

1. Tina Marie Lacoste

EXECUTIVE DIRECTOR’S RECOMMENDATION: The Executive Director recommends that the Commission deny the Unanimous Approval for Tina Mari Lacoste

Commissioner Gresham: Motion to adopt recommendation
Commissioner Griffith: Second

RECORDED VOTE:
Chairman Hopkins: YES
Commissioner Griffith: YES
Commissioner Gresham: YES

ITEM IV.

PUBLIC COMMENT

None.

ITEM V.

CHARITABLE GAMING MATTERS

A. Recommendation for Approval of Licensure – Three Months

(Documentation attached as Exhibit “2”)

1. Greenwood Community & Recreation Center, Inc.
7103 U. S. Highway 49 East
Greenwood, MS 38930

EXECUTIVE DIRECTOR’S RECOMMENDATION: The Executive Director recommends that the previously identified organization be approved for licensure, subject to the following conditions:

- 1) The license will be issued for a thirty-six month period effective March 01, 2018 through May 31, 2018;
- 2) Licensee will comply with all federal and state laws, including the laws of Mississippi and, particularly, the Mississippi Charitable Bingo Law;

- 3) Licensee will strictly comply with the Charitable Gaming Regulations and particularly, Regulation L. Authorized Expenditures, 13 Miss. Admin. Code, Pt. 10, R. 5.5 (m) & (n)(known as the 60/40 Rule and the 65/35 Rule);
- 4) Licensee will comply with all the policies, rules and regulations adopted by the Mississippi Commission;
- 5) Licensee will comply with and does hereby agree to be bound by all laws, including the Mississippi Charitable Bingo Law; further, licensee agrees to adjudicate all legal proceedings (both state and federal) relative to said license in the courts located in the State of Mississippi; and
- 6) The contact person, supervisor, alternate supervisor and anyone assisting in the holding, operating, or conducting of a licensed bingo game are and continue to be suitable, in the discretion of the Mississippi Gaming Commission, to be so associated with charitable bingo.

Commissioner Griffith: Motion to adopt recommendation
Commissioner Gresham: Second

RECORDED VOTE: Chairman Hopkins: YES
Commissioner Griffith: YES
Commissioner Gresham: YES

B. Recommendation for Approval for a waiver of the three year history of charitable activity

(Documentation attached as Exhibit "3")

1. Cripple Deer Ranch, Inc.
136 County Road 147
Tishomingo, MS 38873

EXECUTIVE DIRECTOR'S RECOMMENDATION: The Executive Director recommends that the previously identified organization be approved for a waiver of the three year history of charitable activity.

Commissioner Gresham: Motion to adopt recommendation
Commissioner Griffith: Second

RECORDED VOTE: Chairman Hopkins: YES
Commissioner Griffith: YES
Commissioner Gresham: YES

C. Recommendation for Approval of Licensure – Manufacturer and Distributor – Twelve Months

(Documentation attached as Exhibit “4”)

1. Creative Games Technologies, LLC
2. eQube International, Inc.

EXECUTIVE DIRECTOR’S RECOMMENDATION: The Executive Director recommends that the previously identified organizations be approved for licensure, subject to the following conditions:

- 1) The licenses will be issued for a twelve month period effective March 01, 2018 through February 28, 2019;
- 2) Licensees will comply with all federal and state laws, including the laws of Mississippi and, particularly, the Mississippi Charitable Bingo Law;
- 3) Licensees will comply with all the policies, rules and regulations adopted by the Mississippi Commission;
- 4) Licensees will comply with and do hereby agree to be bound by all laws, including the Mississippi Charitable Bingo Law; further, licensees agree to adjudicate all legal proceedings (both state and federal) relative to said license in the courts located in the State of Mississippi.

Commissioner Griffith: Motion to adopt recommendation
Commissioner Gresham: Second

RECORDED VOTE: Chairman Hopkins: YES
Commissioner Griffith: YES
Commissioner Gresham: YES

D. Recommendation for Approval of Licensure – Manufacturer – Twelve Months

(Documentation attached as Exhibit “5”)

1. Harms Vending, Inc.

EXECUTIVE DIRECTOR’S RECOMMENDATION: The Executive Director recommends that the previously identified organization be approved for licensure, subject to the following conditions:

- 1) The license will be issued for a twelve month period effective March 01, 2018 through February 28, 2019;

- 2) Licensee will comply with all federal and state laws, including the laws of Mississippi and, particularly, the Mississippi Charitable Bingo Law;
- 3) Licensee will comply with all the policies, rules and regulations adopted by the Mississippi Commission;
- 4) Licensee will comply with and does hereby agree to be bound by all laws, including the Mississippi Charitable Bingo Law; further, licensee agrees to adjudicate all legal proceedings (both state and federal) relative to said license in the courts located in the State of Mississippi.

Commissioner Gresham: Motion to adopt recommendation
Commissioner Griffith: Second

RECORDED VOTE: Chairman Hopkins: YES
Commissioner Griffith: YES
Commissioner Gresham: YES

ITEM VI.

PUBLIC COMMENT

None.

ITEM VII.

ADJOURNMENT

Chairman Hopkins asked for a motion to adjourn.

Commissioner Gresham: Motion to Adjourn
Commissioner Griffith: Second

RECORDED VOTE: Chairman Hopkins: YES
Commissioner Griffith: YES
Commissioner Gresham: YES

The Chairman thanked everyone for attending and the meeting adjourned at 9:18 a.m.

MAJOR GENERAL (R) AL HOPKINS, CHAIRMAN

JERRY GRIFFITH, COMMISSIONER

TOM GRESHAM, COMMISSIONER

ALLEN GODFREY, EXECUTIVE DIRECTOR

ATTEST:

LOUIS P. FRASCOGNA, SPECIAL ASSISTANT ATTORNEY GENERAL
MISSISSIPPI GAMING COMMISSION COUNSEL