

MINUTES OF THE MISSISSIPPI GAMING COMMISSION

Regular Monthly Meeting
January 18, 2001

The regular monthly meeting of the Mississippi Gaming Commission was held at 9:00 a.m., Thursday, January 18, 2001, at the Mississippi Gaming Commission, 202 E. Pearl Street, Stuart C. Irby Conference Room, Jackson, Mississippi. Staff attending:

W. W. Gresham, Jr., Chairman, MS Gaming Commission
Victor P. Smith, Commissioner, MS Gaming Commission
Leonard A. Blackwell, II, Commissioner, MS Gaming Commission
Chuck Patton, Executive Director, MS Gaming Commission
Mick Lura, Chief of Staff, MS Gaming Commission
Charlene R. Pierce, Special Assistant Attorney General, Attorney General's Office
J. Ledbetter, Chief of Intelligence, MS Gaming Commission
John Carpenter, Director of Investigations, MS Gaming Commission
Brenda Redfern, Director of Compliance, MS Gaming Commission
Cassandra Moore, Director of Personnel, MS Gaming Commission
Leigh Ann Wilkins, Staff Officer I, MS Gaming Commission
Ashley Skellie, Director of Public Relations, MS Gaming Commission
Ray Reed, Investigation Division, MS Gaming Commission
JoAn Miller, Investigation Division, MS Gaming Commission
Richard Johnson, Investigation Division, MS Gaming Commission
Teresa Tucker, Special Projects Officer IV, Attorney General's Office

Chairman W. W. Gresham, Jr., presided and called the meeting to order at 9:00 a.m.

Chairman Gresham gave the invocation.

ITEM I.

Chuck Patton, Executive Director, stated that the February meeting was scheduled for February 22 at the Commission offices, and reminded everyone that the March commission meeting was to be held in Tunica, Mississippi.

ITEM II.

APPROVAL OF MINUTES

A. December 21, 2000

EXECUTIVE DIRECTOR'S RECOMMENDATION: "The Executive Director recommends that the minutes of the December 21, 2000, meeting be adopted."

Commissioner Smith: Move to adopt recommendation

Commissioner Blackwell: Second

RECORDED VOTE: Chairman Gresham: YES
Commissioner Smith: YES
Commissioner Blackwell: YES

ITEM III.

GAMING MATTERS

A. APPLICATION FOR FINDING OF SUITABILITY B Riverboat Corporation of Mississippi d/b/a Isle of Capri Casino B Biloxi; Riverboat Corporation of Mississippi B Vicksburg d/b/a Isle of Capri B Vicksburg; Isle of Capri Casino B Tunica, Inc.; IOC B Lula, Inc. d/b/a Isle of Capri B Lula and IOC B Natchez, Inc. d/b/a Isle of Capri - Natchez

1. Mrs. Irene Selma Goldstein (Initial)
Greater than 5% Shareholder B Isle of Capri Casinos, Inc.;
2. Mr. Jeffrey David Goldstein (Initial)
Greater than 5% Shareholder B Isle of Capri Casinos, Inc. and
3. Mr. Richard Alter Goldstein (Initial)
Greater than 5% Shareholder B Isle of Capri Casinos, Inc.

Greg Guida, General Counsel for Isle of Capri, came forward to introduce Irene Selma Goldstein, Jeffrey David Goldstein, and Richard Alter Goldstein to the Commission.

EXECUTIVE DIRECTOR'S RECOMMENDATION: A Based upon the

investigative reports, the Executive Director recommends that the following be found suitable to be associated with a gaming license granted under the Mississippi Gaming Control Act:

1. Mrs. Irene Selma Goldstein,
2. Mr. Jeffrey David Goldstein and
3. Mr. Richard Alter Goldstein.≡

Commissioner Blackwell: Move to adopt recommendation
Commissioner Smith: Second

RECORDED VOTE: Chairman Gresham: YES
Commissioner Smith: YES
Commissioner Blackwell: YES

B. RECOMMENDATION FOR LICENSURE B Riverboat Corporation of Mississippi - Vicksburg d/b/a Isle of Capri - Vicksburg

Greg Guida, General Counsel for Isle of Capri, was present.

EXECUTIVE DIRECTOR=S RECOMMENDATION: AWith past Commission action, key principals of the company have been found suitable. The Executive Director recommends that they be granted an operator=s license to conduct business in the State of Mississippi subject to the following conditions:

1. The license will be issued for a three-year period, beginning February 19, 2001;
2. Licensee will comply with all federal and state laws, including the laws of Mississippi and particularly the Mississippi Gaming Control Act;
3. Licensee will comply with all the policies, rules and regulations adopted by the Mississippi Gaming Commission;
4. Licensee 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;

5. Licensee must comply with the definition of navigable waters in §27-109-1 of the Miss. Code of 1972, as amended; and
6. Pending the results of any background agency checks of key principals.≡

Commissioner Smith: Move to adopt recommendation
Commissioner Blackwell: Second

RECORDED VOTE: Chairman Gresham: YES
 Commissioner Smith: YES
 Commissioner Blackwell: YES

C. REQUEST FOR SITE APPROVAL B Casino Ventures, LLC d/b/a Splash Back

(Copy of Legal Notice attached as Exhibit A1≡).

Danny McDaniel, with Phelps Dunbar, came forward. Also present was Matt Walker, President of Casino Ventures, LLC d/b/a Splash Back. Mr. Walker stated that the projected opening time frame was in five to six months. The Chairman reminded Mr. Walker about the Commission=s infrastructure regulation.

EXECUTIVE DIRECTOR=S RECOMMENDATION: AHaving observed that the site meets all statutory and regulatory requirements, the Executive Director recommends that the site be approved on the following conditions:

1. The site approval is effective for a two-year period, beginning January 18, 2001, within which time the holder of the site approval must complete the site development, obtain all agency approvals, and open the property to the public;
2. The holder of the site approval will complete the construction of its casino and infrastructure facilities as set forth in the plan for development which has been presented to the Commission, any deviations from this plan must be specifically approved by the Commission prior to implementation;
3. The holder of the site approval will comply with all federal and state laws, including the laws of Mississippi and particularly the Mississippi Gaming Control Act;
4. The holder of the site approval will comply with all the policies, rules and regulations adopted by the Mississippi Gaming Commission;

5. The holder of the site approval will comply with and does hereby agree to be bound by all laws, including the Gaming Control Act, of the State of Mississippi; further, the holder of the site approval agrees to adjudicate all legal proceedings (both state and federal) relative to said site approval, in the courts located in the State of Mississippi;
6. The holder of the site approval must locate its vessel in compliance with the definition of navigable waters in Miss. Code Ann. ' 27-109-1 as amended and Mississippi Gaming Regulations.
7. The holder of the site approval must immediately submit the Notice of Intent and proof of publication, gaming application, and fingerprint cards.
8. The holder of the site approval must comply with Mississippi Gaming Regulation II. Licensing, A. Applications, Section 3. Licenses and Other Commission Actions, (h) Preliminary Approval of Vessels, Cruise Vessels, and Locations.

Commissioner Blackwell: Move to adopt recommendation
Commissioner Smith: Second

RECORDED VOTE: Chairman Gresham: YES
 Commissioner Smith: YES
 Commissioner Blackwell: YES

D. APPLICATION FOR FINDING OF SUITABILITY B ABD Technologies, Inc. d/b/a
 ABD Gaming Supplies

1. Mr. Lawrence Anthony Boone (Updated)
 President
2. Mrs. Debra Susan Boone (Updated)
 Vice President

Lawrence A. Boone and Debra S. Boone came forward.

EXECUTIVE DIRECTOR=S RECOMMENDATION: ABased upon the investigative reports, the Executive Director recommends that the following be found suitable to be associated with a gaming license granted under the Mississippi Gaming Control Act:

1. Mr. Lawrence Anthony Boone and

2. Mrs. Debra Susan Boone.≡

Commissioner Smith: Move to adopt recommendation
Commissioner Blackwell: Second

RECORDED VOTE: Chairman Gresham: YES
Commissioner Smith: YES
Commissioner Blackwell: YES

E. RECOMMENDATION FOR LICENSURE B ABD Technologies, Inc. d/b/a ABD Gaming Supplies

EXECUTIVE DIRECTOR=S RECOMMENDATION: AWith past Commission action, key principals of the company have been found suitable. The Executive Director recommends that they be granted a distributor=s license to conduct business in the State of Mississippi subject to the following conditions:

1. The license will be issued for a three-year period, beginning February 19, 2001;
2. Licensee will comply with all federal and state laws, including the laws of Mississippi and particularly the Mississippi Gaming Control Act;
3. Licensee will comply with all the policies, rules and regulations adopted by the Mississippi Gaming Commission;
4. Licensee 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
5. Pending the results of any background agency checks of key principals.≡

Commissioner Blackwell: Move to adopt recommendation
Commissioner Smith: Second

RECORDED VOTE: Chairman Gresham: YES
Commissioner Smith: YES
Commissioner Blackwell: YES

F. APPLICATION FOR FINDING OF SUITABILITY B Rainbow Casino B Vicksburg Partnership, L.P. d/b/a Rainbow Casino and Bally Gaming, Inc.

1. Mr. Anthony Louis DiCesare (Updated)
Director B Alliance Gaming Corporation

Tommy Shepherd, with Watkins Ludlam Winter & Stennis, came forward. Anthony L. DiCesare was not present, but had been excused by the Executive Director prior to the meeting.

EXECUTIVE DIRECTOR=S RECOMMENDATION: ABased upon the investigative report, the Executive Director recommends that Mr. Anthony Louis DiCesare be found suitable to be associated with a gaming license granted under the Mississippi Gaming Control Act.≡

Commissioner Smith: Move to adopt recommendation
Commissioner Blackwell: Second

RECORDED VOTE: Chairman Gresham: YES
Commissioner Smith: YES
Commissioner Blackwell: YES

ITEMS III. G. AND H. WERE TAKEN TOGETHER.

- G. REQUEST FOR APPROVAL OF TRANSFER OF EQUITY INTEREST B Atlantic City Coin & Slot Service Co., Inc.

Mac Roger Seelig seeks approval to transfer six (6) shares of Atlantic City Coin & Slot Service Co., Inc., or two (2) shares each, to his three (3) sons, Jason Seelig, Jeffrey Seelig and Jerald Seelig. The transfer of equity interest must be approved in advance by the Commission.

Dan Hise, with Butler Snow, came forward. Mr. Hise stated that Mr. Seelig=s flight had been canceled and was unable to attend today=s meeting.

EXECUTIVE DIRECTOR=S RECOMMENDATION: AThe Executive Director recommends that the request for approval of transfer of equity interest be approved.≡

Commissioner Blackwell: Move to adopt recommendation
Commissioner Smith: Second

RECORDED VOTE: Chairman Gresham: YES
Commissioner Smith: YES
Commissioner Blackwell: YES

H. RECOMMENDATION FOR LICENSURE B Atlantic City Coin & Slot Service Co., Inc.

Dan Hise, with Butler Snow, was present to represent Atlantic City Coin & Slot Service Co., Inc.

EXECUTIVE DIRECTOR'S RECOMMENDATION: A With past Commission action, key principals of the company have been found suitable. The Executive Director recommends that they be granted a manufacturer and distributor's license to conduct business in the State of Mississippi subject to the following conditions:

1. The license will be issued for a three-year period, beginning February 22, 2001;
2. Licensee will comply with all federal and state laws, including the laws of Mississippi and particularly the Mississippi Gaming Control Act;
3. Licensee will comply with all the policies, rules and regulations adopted by the Mississippi Gaming Commission;
4. Licensee 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
5. Pending the results of any background agency checks of key principals.≡

Commissioner Blackwell: Move to adopt recommendation
Commissioner Smith: Second

RECORDED VOTE: Chairman Gresham: YES
Commissioner Smith: YES

I. REQUEST FOR CONTINUOUS APPROVAL FOR INVOLVEMENT IN FOREIGN GAMING B Phoenix Mississippi, Inc. d/b/a Paradise Bay Resort & Casino

Gene McCarly and Cliff McCarly came forward.

EXECUTIVE DIRECTOR'S RECOMMENDATION: The Executive Director recommends that the Mississippi Gaming Commission waive the requirements of Mississippi Code 1972 Annotated §75-76-269 through §75-76-277 of the Mississippi Gaming Control Act, as consistent with public policy of the State of Mississippi concerning gaming, for Phoenix Leisure Corporation and any related licensee, as defined in Mississippi Code 1972 Annotated §75-76-269(b), to be involved in foreign gaming in the jurisdiction of Washington.

Commissioner Smith: Move to adopt recommendation
Commissioner Blackwell: Second

RECORDED VOTE: Chairman Gresham: YES
Commissioner Smith: YES
Commissioner Blackwell: YES

J. RECOMMENDATION FOR LICENSURE - EZ Learn Casino Training, Inc.

George Hooper, President, came forward.

EXECUTIVE DIRECTOR'S RECOMMENDATION: The Executive Director recommends that EZ Learn Casino Training, Inc. be issued a license to do business in the State of Mississippi as a gaming school subject to the following conditions:

1. The license will be issued for a two-year period, beginning January 18, 2001;
2. Licensee will comply with all federal and state laws, including the laws of Mississippi and particularly the Mississippi Gaming Control Act;
3. Licensee will comply with all the policies, rules and regulations adopted by the Mississippi Gaming Commission;
4. Licensee 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
5. The curriculum utilized by EZ Learn Casino Training, Inc. must remain available for review and inspection by the Mississippi Gaming Commission upon request, and any modifications thereto shall be approved by the Executive Director prior to implementation.

Commissioner Blackwell: Move to adopt recommendation
Commissioner Smith: Second

RECORDED VOTE: Chairman Gresham: YES
Commissioner Smith: YES
Commissioner Blackwell: YES

K. PROPOSED AMENDMENT B Public Notice

MGC Regulation II. Licensing, B. Qualifications, Section 2. Location, (a)(1)

(Copy attached to the record as Exhibit A2≡).

EXECUTIVE DIRECTOR=S RECOMMENDATION: AThe Executive Director recommends to the Commission that the proposed amendment to MGC Regulation II. Licensing, B. Qualifications, Section 2. Location, (a)(1) be adopted for public notice.≡

Commissioner Smith: Move to adopt recommendation
Commissioner Blackwell: Second

RECORDED VOTE: Chairman Gresham: YES
Commissioner Smith: YES
Commissioner Blackwell: YES

L. PROPOSED REGULATION B Public Notice

MGC Regulation III. Operations, K. Security, Sections 1-2

(Copy attached to the record as Exhibit A3≡).

EXECUTIVE DIRECTOR=S RECOMMENDATION: AThe Executive Director recommends to the Commission that proposed regulation MGC Regulation III. Operations, K. Security, Sections 1-2 be adopted for public notice.≡

Commissioner Blackwell: Move to adopt recommendation
Commissioner Smith: Second

RECORDED VOTE: Chairman Gresham: YES
Commissioner Smith: YES
Commissioner Blackwell: YES

Chairman Gresham welcomed former Commissioner Robert Engram and his wife, Carmen, to the meeting.

M. PROPOSED AMENDMENT B Final Adoption

MGC Regulation II. Licensing, A. Applications, Section 3. Licenses and Other Commission Actions, (I) Compliance Review and Reporting System

(Copy attached to the record as Exhibit A4≅).

EXECUTIVE DIRECTOR=S RECOMMENDATION: AThe Executive Director recommends that the Commission give approval for final adoption of the proposed amendments to MGC Regulation II. Licensing, A. Applications, Section 3. Licenses and Other Commission Actions, (I) Compliance Review and Reporting System.≅

Commissioner Smith: Move to adopt recommendation
Commissioner Blackwell: Second

RECORDED VOTE: Chairman Gresham: YES
Commissioner Smith: YES
Commissioner Blackwell: YES

N. RECOMMENDATION REGARDING WORK PERMIT HEARINGS HELD AND DECISIONS RENDERED ON NOVEMBER 15, 2000, DECEMBER 5, 2000 AND DECEMBER 6, 2000

(Copies attached to the record collectively as Exhibit A5≅).

HEARING EXAMINER=S DECISIONS:

The following work permits were revoked:

Thomas A. Boyd
Denise M. Catten
Carl S. Gregory
Gregory E. Lane
Michael F. Martin
Cathy Ladner
Joseph Pham

The following work permit was not revoked, but granted on condition:

Igenea Williams

The following work permit denial was affirmed:

Derrell Hughes

The following work permit was not denied, but issued on condition:

Lynden Parker
Tina D. Moore

The following work permit denial on renewal was dismissed:

David E. Dalrymple

The following work permits were expired and of no force and effect:

Tajuana Monroe
Shawn Prince

EXECUTIVE DIRECTOR'S RECOMMENDATION: AThe Executive Director recommends that the Commission accepts into the minutes the Findings of Facts and recommended actions of the Hearing Examiner, Special Assistant Attorney General, Larry J. Stroud.≡

Commissioner Blackwell: Move to adopt recommendation
Commissioner Smith: Second

RECORDED VOTE: Chairman Gresham: YES
Commissioner Smith: YES
Commissioner Blackwell: YES

O. RECOMMENDATION REGARDING UNANIMOUS APPROVAL OF WORK
PERMIT APPLICATION

(Copy attached to the record as Exhibit A6≡).

Leslie Verne Johnson

EXECUTIVE DIRECTOR=S RECOMMENDATION: AThe Executive Director recommends that the Commission accepts into the minutes that by unanimous vote, Leslie Verne Johnson be issued a gaming employee work permit.≡

Commissioner Smith: Move to adopt recommendation

Commissioner Blackwell: Second

RECORDED VOTE: Chairman Gresham: YES
Commissioner Smith: YES
Commissioner Blackwell: YES

P. APPLICATION FOR FINDING OF SUITABILITY B Greenville Riverboat, LLC d/b/a
Lighthouse Point Casino

1. Mr. Gene R. Ashley (Updated)
General Manager

John Maxey, with Maxey, Wann, Fyke & Hawkins, came forward to introduce Gene R. Ashley to the Commission.

EXECUTIVE DIRECTOR=S RECOMMENDATION: ABased upon the investigative report, the Executive Director recommends that Mr. Gene R. Ashley be found suitable to be associated with a gaming license granted under the Mississippi Gaming Control Act.≡

Commissioner Smith: Move to adopt recommendation

Commissioner Blackwell: Second

RECORDED VOTE: Chairman Gresham: YES
Commissioner Smith: YES
Commissioner Blackwell: YES

ITEM IV.

PUBLIC COMMENTS

None.

A short recess was taken.
Meeting reconvened.

Commissioner Blackwell was not present.

Chairman Gresham stated that an item had been left off of the gaming section of the meeting and would be taken up after bingo matters.

ITEM V.

CHARITABLE BINGO MATTERS

Staff present for Charitable Bingo session:

W. W. Gresham, Jr., Chairman, MS Gaming Commission
Victor P. Smith, Commissioner, MS Gaming Commission
Leonard A. Blackwell, II, Commissioner, MS Gaming Commission
Chuck Patton, Executive Director, MS Gaming Commission
Charlene R. Pierce, Special Assistant Attorney General, Attorney General's Office
J. Ledbetter, Chief of Intelligence, MS Gaming Commission
Doug Tyrone, Director of Charitable Bingo, MS Gaming Commission
Sonny Weathersby, Division Director, Charitable Bingo Division, MS Gaming Commission
Cassandra Moore, Director of Personnel, MS Gaming Commission
Joel Jones, Special Assistant Attorney General, Attorney General=s Office
Leigh Ann Wilkins, Staff Officer I, MS Gaming Commission
Ashley Skellie, Director of Public Relations, MS Gaming Commission
Ray Reed, Investigation Division, MS Gaming Commission
JoAn Miller, Investigation Division, MS Gaming Commission
Richard Johnson, Investigation Division, MS Gaming Commission
Teresa Tucker, Special Projects Officer, IV, Attorney General=s Office

A. APPROVALS OF LICENSURE

(Copy attached to the record as Exhibit A7≅).

EXECUTIVE DIRECTOR=S RECOMMENDATION: AThe Executive Director recommends that the previously identified organizations be approved for licensure.≅

Commissioner Smith: Move to adopt recommendation
Commissioner Blackwell: Second

RECORDED VOTE: Chairman Gresham: YES
Commissioner Smith: YES
Commissioner Blackwell: YES

Commissioner Blackwell returned to meeting.

B. DENIALS FOR LICENSURE

1. Royce Amusement Co.

ITEM V. B. WITHDRAWN - The Commission received a letter from Royce Amusement Co. requesting that its application for licensure be withdrawn. This request was granted.

GAMING ITEM III. Q., WHICH HAD BEEN TABLED AT THE DECEMBER 21, 2000 COMMISSION MEETING, WAS TAKEN UP AT THIS TIME.

Q. APPEAL OF HEARING EXAMINER=S DECISION - Denial of Work Permit Application

(Copy attached to the record as Exhibit A8≅).

1. Chad Hendricks

EXECUTIVE DIRECTOR=S RECOMMENDATION: AThe Executive Director recommends to the Commission that they decline to review the Hearing Examiner=s decision on Chad Hendricks.≅

Commissioner Smith: Move to adopt recommendation
Commissioner Blackwell: Second

RECORDED VOTE: Chairman Gresham: YES
Commissioner Smith: YES
Commissioner Blackwell: YES

ITEM VI.

PUBLIC COMMENTS B CHARITABLE BINGO MATTERS

Mr. Charles Royce, Royce Amusement Company, came forward to explain his failure to list arrests on his application for a bingo license. Mr. Royce stated that the petit larceny on his record stemmed from a misunderstanding. He paid a fine, but did not go to court and didn't think about listing this on his application. The second incident was for selling beer to a minor. Mr. Royce stated that he did not remember selling the beer to the minor, but the minor said he had and Mr. Royce was so charged.

Mr. Royce asked for a meeting with Chuck Patton and Doug Tyrone to further discuss these incidents.

ITEM VII.

ADJOURNMENT

There being no further business, the meeting was adjourned at 10:25 a.m.

W. W. GRESHAM, JR., CHAIRMAN

VICTOR P. SMITH, COMMISSIONER

LEONARD A. BLACKWELL, II, COMMISSIONER

CHARLES PATTON, EXECUTIVE DIRECTOR

ATTEST:

Tucker

Teresa