

MINUTES OF THE MISSISSIPPI GAMING COMMISSION

**Regular Monthly Meeting
November 20, 2001**

The regular monthly meeting of the Mississippi Gaming Commission was held at 9:00 a.m., Tuesday, November 20, 2001, at the offices of the Mississippi Gaming Commission, 202 E. Pearl Street, Jackson, Mississippi. Staff attending:

**Leonard A. Blackwell, II, Chairman, MS Gaming Commission
Victor P. Smith, Commissioner, MS Gaming Commission
Chuck Patton, Executive Director, MS Gaming Commission
Larry Gregory, Deputy Executive Director, MS Gaming Commission
Charlene R. Pierce, Special Assistant Attorney General, Attorney General's Office
Sam Weaver, Corporate Securities, MS Gaming Commission
John Carpenter, Director of Investigations, MS Gaming Commission
J. Ledbetter, Director of Intelligence, MS Gaming Commission
Leigh Ann Wilkins, Staff Officer I, MS Gaming Commission
Joan Myers, Special Assistant Attorney General, Attorney General's Office
Regina Holbrooks, Bureau Director, MS Gaming Commission
Brad Hetherington, Investigations, MS Gaming Commission
D. C. Ladner, Director of the Gaming Lab, MS Gaming Commission
Rich Randall, Branch Director - Biloxi, MS Gaming Commission
John Gorman, Branch Director - Vicksburg, MS Gaming Commission
Ed Wong, Acting Branch Director - Tunica, MS Gaming Commission
Patricia Johnson, Branch Director I - Tunica, MS Gaming Commission
Sandra Ammons, Special Enforcement Agent, MS Gaming Commission**

Chairman Leonard A. Blackwell, II, presided and called the meeting to order at 9:01 a.m.

ITEM I.

Commissioner Smith gave the invocation and led the Pledge of Allegiance.

Chuck Patton, Executive Director, made the following administrative announcements:

The December commission meeting is scheduled for December 19th. A Special Interim commission meeting is scheduled for Tuesday, November 27th. The purpose of the meeting is to complete the process of receiving input from staff concerning the job responsibilities of the executive director and staff's current job responsibilities. Mr. Patton also announced that Commissioner A. J. Pitts would not be present for

the day's meeting.

ITEM II.

APPROVAL OF MINUTES

1. September 20, 2001

Larry Gregory presented the minutes of the September 20th commission meeting. He noted that there was a correction to these minutes. Under Item II.O., an agenda item had been inadvertently omitted from the Executive Director's recommendation. The recommendation should have included as paragraph 1: "The Mississippi Gaming Commission grant approval to Horseshoe Gaming Holding Corp. for finding of suitability and registration as a publicly traded corporation." He noted that after inserting this language as paragraph 1 under the Executive Director's recommendation for Item II.O, the remaining paragraphs should be re-numbered accordingly.

EXECUTIVE DIRECTOR'S RECOMMENDATION: "The Executive Director recommends that the minutes of the September 20, 2001, meeting be adopted as corrected."

Commissioner Smith: Move to adopt recommendation
Chairman Blackwell: Second

RECORDED VOTE: Chairman Blackwell: YES
Commissioner Smith: YES

2. October 15, 2001

EXECUTIVE DIRECTOR'S RECOMMENDATION: "The Executive Director recommends that the minutes of the October 15, 2001, meeting be adopted."

Commissioner Smith: Move to adopt recommendation
Chairman Blackwell: Second

RECORDED VOTE: Chairman Blackwell: YES
Commissioner Smith: YES

3. October 24, 2001

EXECUTIVE DIRECTOR'S RECOMMENDATION: "The Executive Director recommends that the minutes of the October 24, 2001, meeting be adopted."

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Commissioner Smith: Move to adopt recommendation
Chairman Blackwell: Second

RECORDED VOTE: Chairman Blackwell: YES
Commissioner Smith: YES

ITEM III.

GAMING MATTERS

A. INFRASTRUCTURE UPDATE – BSL, Inc. d/b/a Casino Magic - Bay St. Louis

Dan McDaniel, with Phelps Dunbar, came forward to represent Penn National Gaming, parent company of BSL, Inc., d/b/a Casino Magic - Bay St. Louis. Also present were: John Jagunich, President and Chief Executive Officer; Todd J. Raziano, General Manager; and, Ken Schultz, Construction Director.

NO RECOMMENDATION NEEDED.

2. REQUEST FOR CONTINUOUS APPROVAL FOR INVOLVEMENT IN FOREIGN GAMING – BSL, Inc. d/b/a Casino Magic - Bay St. Louis and BTN, Inc. d/b/a Boomtown - Biloxi

Dan McDaniel, with Phelps Dunbar, came forward to represent Penn National Gaming, parent company of BSL, Inc., d/b/a Casino Magic - Bay St. Louis. Also present were John Jagunich, President and Chief Executive Officer of BSL, Inc.; and Todd J. Raziano, General Manager, Casino Magic - Bay St. Louis.

EXECUTIVE DIRECTOR'S RECOMMENDATION: "The Executive Director recommends that the Mississippi Gaming Commission waive the requirements of Sections 75-76-269 through 75-76-277 of the Gaming Control Act, as consistent with public policy of the State of Mississippi concerning gaming, for Penn National Gaming, Inc. and any related "licensee", as defined in Section 75-76-269(b), to be involved in foreign gaming in the jurisdictions of Colorado, Louisiana, West Virginia and Ontario, Canada.

Commissioner Smith: Move to adopt recommendation
Chairman Blackwell: Second

RECORDED VOTE: Chairman Blackwell: YES
Commissioner Smith: YES

C. APPLICATION FOR FINDING OF SUITABILITY – Atlantic City Coin & Slot Service Co., Inc.

3. Mr. Jason Scott Seelig (Updated)

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Executive Vice-President of Sales and Marketing.

EXECUTIVE DIRECTOR'S RECOMMENDATION: "Based upon the investigative reports, the Executive Director recommends that Mr. Jason Scott Seelig be found suitable to be associated with a gaming license granted under the Mississippi Gaming Control Act."

Commissioner Smith: Move to adopt recommendation
Chairman Blackwell: Second

RECORDED VOTE: Chairman Blackwell: YES
Commissioner Smith: YES

D. APPLICATION FOR FINDING OF SUITABILITY – Paul-Son Gaming Supplies, Inc.

1. Mr. Paul Stewart Dennis (Initial)
Independent Outside Director.

Mr. Paul Stewart Dennis came forward to introduce himself to the Commission.

EXECUTIVE DIRECTOR'S RECOMMENDATION: "Based upon the investigative reports, the Executive Director recommends that Mr. Paul Stewart Dennis be found suitable to be associated with a gaming license granted under the Mississippi Gaming Control Act."

Commissioner Smith: Move to adopt recommendation
Chairman Blackwell: Second

RECORDED VOTE: Chairman Blackwell: YES
Commissioner Smith: YES

E. REQUEST FOR APPROVALS – PDS Gaming Corporation-Mississippi and PDS Financial Corporation-Mississippi

1. Recommendation for Licensure – PDS Gaming Corporation-Mississippi
1. Surrender of License – PDS Financial Corporation-Mississippi

Dan McDaniel, with Phelps Dunbar, came forward to represent PDS Gaming Corporation-Mississippi.

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

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1. PDS Gaming Corporation-Mississippi be granted a manufacturer and distributor's license to conduct business in the State of Mississippi subject to the following conditions:
 - a) The license will be issued for a three-year period only when both of the following conditions are satisfied: (i) registration and qualification to do business in the State of Mississippi has been filed with the Mississippi Secretary of State; and, (ii) the required surety bond is provided to the State Tax Commission;
 - b) Licensee will comply with all federal and state laws, including the laws of Mississippi and particularly the Mississippi Gaming Control Act;
 - c) Licensee will comply with all the policies, rules and regulations adopted by the Mississippi Gaming Commission;
 - d) 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;
 - e) Pending the results of any background agency checks of key principals.
2. Effective upon licensure of PDS Gaming Corporation-Mississippi as a manufacturer and distributor, PDS Financial Corporation-Mississippi be granted approval to surrender its license as a manufacturer and distributor."

Commissioner Smith: Move to adopt recommendation
Chairman Blackwell: Second

RECORDED VOTE: Chairman Blackwell: YES
Commissioner Smith: YES

F. REQUEST FOR APPROVAL TO RECEIVE A PERCENTAGE OF GAMING REVENUE – Bally's Olympia Limited Partnership d/b/a Bally's Saloon and Gambling Hall

Micky Aldridge, a CPA from Batesville, came forward to represent Holmes Properties, L.P. and the Tommie Bernard Holmes Family Trust. The Tommie Bernard Holmes Family Trust is one of the limited partners of Holmes Properties, L.P., which with other co-owners lease approximately seventy (70) acres of land to Bally's Olympia Limited Partnership.

EXECUTIVE DIRECTOR'S RECOMMENDATION: "The Executive Director recommends that the Mississippi Gaming Commission grant approval to Holmes Properties, L.P. and the

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Tommie Bernard Holmes Family Trust to receive a percentage of gaming revenue from Bally's Olympia Limited Partnership d/b/a Bally's Saloon and Gambling Hall."

Commissioner Smith: Move to adopt recommendation
Chairman Blackwell: Second

RECORDED VOTE: Chairman Blackwell: YES
Commissioner Smith: YES

G. REQUEST FOR APPROVALS – Boyd Tunica, Inc. d/b/a Sam's Town Hotel & Gambling Hall

1. Application for Finding of Suitability as a Greater than 5% Shareholder
2. Recommendation for Licensure
3. Continuous Approval of Public Offerings and/or Private Placements
4. Pledge of Equity Interests or Securities
5. Imposition of Stock Restrictions Including Negative Stock Pledges
6. Guarantee of Securities and Hypothecation of Assets

Tommy Shepherd, with Watkins, Ludlam, Winter & Stennis, came forward to represent William S. Boyd Gaming Properties Trust, Boyd Gaming Corporation, which is owned, in part, by the Trust, and Boyd Tunica, Inc., which is wholly owned by Boyd Gaming Corporation. Also present were Don Snyder, President of Boyd Gaming Corporation, and Monte Collins, General Manager of Sam's Town Hotel and Gambling Hall.

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

1. The Williams S. Boyd Gaming Properties Trust be granted a finding of suitability as a greater than 5% shareholder of Boyd Gaming corporation; and
1. Boyd Tunica, Inc. d/b/a Sam's Town Hotel & Gambling Hall 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 December 3, 2001;

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- 2) Licensee shall implement a compliance review and reporting system, which shall include a compliance committee. No later than January 15, 2001, licensee shall submit for approval to the Executive Director a written compliance review and reporting plan that meets the requirements of Mississippi Gaming commission Regulation II.A.§3 and such other conditions as may be required by the Executive Director;
 - 3) Licensee will comply with all federal and state laws, including the laws of Mississippi and particularly the Mississippi Gaming control Act;
 - 4) Licensee will comply with all the policies, rules and regulations adopted by the Mississippi Gaming Commission;
 - 5) 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;
 - 6) Licensee must comply with the definition of navigable waters in §27-109-1 of the Miss. Code of 1972, as amended; and
 - 7) Pending the results of any background agency checks of key principals.
2. The Mississippi Gaming Commission exempt Boyd Gaming Corporation, a publicly traded corporation, from the requirement to obtain prior approval of continuous public offerings and/or private placements of its securities for a period of two (2) years. The Mississippi Gaming Commission grants the Executive Director the power to issue an interlocutory stop order with respect to any public offering and/or private placement by Boyd Gaming Corporation. The Mississippi Gaming Commission further grants the Executive Director the power, at any time and upon notice to Boyd Gaming Corporation, to require that Boyd Gaming Corporation submit any proposed public offerings and/or private placements of its securities to the Executive Director at least fourteen (14) calendar days prior to offering such public offerings and/or private placements. At the request of Boyd Gaming Corporation, the fourteen (14) calendar day period may be reduced, in the sole discretion of the Executive Director, to such period of time as shall be designated in writing by the Executive Director. This recommendation for exemption is conditioned on compliance with the laws of the State of Mississippi and the regulations of the Mississippi Gaming Commission. This action is not to be relied upon as a finding by the Mississippi Gaming Commission of the truth or accuracy of any statements contained in documents submitted to the Mississippi Gaming

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Commission. The Mississippi Gaming Commission, its officers, and employees disclaim any liability in respect to such a public offering and/or private placement of securities;

4. The Mississippi Gaming Commission grant approval, as otherwise required by the Mississippi Gaming Commission Regulations, to Boyd Gaming Corporation and its affiliated companies and subsidiaries, current and hereafter acquired, for a period of two (2) years, to pledge the equity interests or securities of such affiliated companies and subsidiaries pursuant to a public offering and/or private placement made under the approval granted by paragraph 3 above;
5. The Mississippi Gaming Commission grant approval, as otherwise required by the Mississippi Gaming Commission Regulations, to Boyd Gaming Corporation and its affiliated companies and subsidiaries, current and hereafter acquired, for a period of two (2) years, to place restrictions including negative stock pledges, upon the transfer of, and to enter into agreements not to encumber, the equity interests or securities of such affiliated companies and subsidiaries pursuant to a public offering and/or private placement made under the approval granted by paragraph 3 above;
6. The Mississippi Gaming Commission grant approval, as otherwise required by the Mississippi Gaming Commission Regulations, to the Mississippi licensees, current and hereafter acquired, of Boyd Gaming Corporation for a period of two (2) years, to guarantee the securities issued by Boyd Gaming Corporation pursuant to a public offering and/or private placement made under the approval granted pursuant to paragraph 3 above and to hypothecate their assets to secure the payment or performance of obligations evidenced by securities issued by Boyd Gaming Corporation pursuant to a public offering and/or private placement made under the approval granted by paragraph 3 above; and
7. Boyd Gaming Corporation shall report to the Executive Director of the Mississippi Gaming Commission all public offerings and/or private placements of its securities by simultaneously filing with the Executive Director all related reports, statements, etc. (and amendments thereto) that must be filed with the U.S. Securities and Exchange Commission ("SEC"). If the proposed transaction is not required to be filed/reported to the SEC, Boyd Gaming Corporation shall report such transaction to the Mississippi Gaming Commission by filing copies of all documents related to the transaction within fourteen (14) calendar days of the closing of such transaction. Within fourteen (14) calendar days after the closing of any public offering and/or private placement, Boyd Gaming Corporation shall file with the Executive Director a report of all participants in the public offering and/or private placement, which shall include (at a minimum) name, amount of securities issued and purchase price. If the offering is an equity offering, Boyd Gaming Corporation

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shall also file, within thirty (30) calendar days after the closing, an updated master list of all shareholders following such offering, which shall include (at a minimum) the names of all record shareholders and number of shares owned."

Commissioner Smith: Move to adopt recommendation
Chairman Blackwell: Second

RECORDED VOTE: Chairman Blackwell: YES
Commissioner Smith: YES

H.F. REQUEST FOR APPROVALS – Ameristar Casino Vicksburg, Inc. d/b/a Ameristar Casino Vicksburg

1. Continuous Approval of Public Offerings and/or Private Placements
2. Pledge of Equity Interests or Securities
3. Imposition of Stock Restrictions including Negative Stock Pledges
4. Guarantee of Securities and Hypothecation of Assets

Tommy Shepherd, with Watkins, Ludlam, Winter & Stennis, came forward to represent Ameristar Casinos, Inc.

EXECUTIVE DIRECTOR'S RECOMMENDATION: "The Executive Director recommends that:

1. The Mississippi Gaming Commission exempt Ameristar Casinos, Inc., a publicly traded corporation, from the requirement to obtain prior approval of continuous public offerings and/or private placements of its securities for a period of two (2) years. The Mississippi Gaming Commission grants the Executive Director the power to issue an interlocutory stop order with respect to any public offering and/or private placement by Ameristar Casinos, Inc. The Mississippi Gaming Commission further grants the Executive Director the power, at any time and upon notice to Ameristar Casinos, Inc., to require that Ameristar Casinos, Inc. submit any proposed public offerings and/or private placements of its securities to the Executive Director at least fourteen (14) calendar days prior to offering such public offerings and/or private placements. At the request of Ameristar Casinos, Inc., the fourteen (14) calendar day period may be reduced, in the sole discretion of the Executive Director, to such period of time as shall be designated in writing by the Executive Director. This recommendation for exemption is conditioned on compliance with the laws of the State of Mississippi and the regulations of the Mississippi Gaming Commission. This action is not to be relied upon as a finding

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by the Mississippi Gaming Commission of the truth or accuracy of any statements contained in documents submitted to the Mississippi Gaming Commission. The Mississippi Gaming Commission, its officers, and employees disclaim any liability in respect to such a public offering and/or private placement of securities;

2. The Mississippi Gaming Commission grant approval, as otherwise required by the Mississippi Gaming Commission Regulations, to Ameristar Casinos, Inc. and its affiliated companies and subsidiaries, current and hereafter acquired, for a period of two (2) years, to pledge the equity interests or securities of such affiliated companies and subsidiaries pursuant to a public offering and/or private placement made under the approval granted by paragraph 1 above;
3. The Mississippi Gaming Commission grant approval, as otherwise required by the Mississippi Gaming Commission Regulations, to Ameristar Casinos, Inc. and its affiliated companies and subsidiaries, current and hereafter acquired, for a period of two (2) years, to place restrictions including negative stock pledges, upon the transfer of, and to enter into agreements not to encumber, the equity interests or securities of such affiliated companies and subsidiaries pursuant to a public offering and/or private placement made under the approval granted by paragraph 1 above;
4. The Mississippi Gaming Commission grant approval, as otherwise required by the Mississippi Gaming Commission Regulations, to the Mississippi licensees, current and hereafter acquired, of Ameristar Casinos, Inc. for a period of two (2) years, to guarantee the securities issued by Ameristar Casinos, Inc. pursuant to a public offering and/or private placement made under the approval granted pursuant to paragraph 1 above and to hypothecate their assets to secure the payment or performance of obligations evidenced by securities issued by Ameristar Casinos, Inc. pursuant to a public offering and/or private placement made under the approval granted by paragraph 1 above; and
5. Ameristar Casinos, Inc. shall report to the Executive Director of the Mississippi Gaming Commission all public offerings and/or private placements of its securities by simultaneously filing with the Executive Director all related reports, statements, etc. (and amendments thereto) that must be filed with the U.S. Securities and Exchange Commission ("SEC"). If the proposed transaction is not required to be filed/reported to the SEC, Ameristar Casinos, Inc. shall report such transaction to the Mississippi Gaming Commission by filing copies of all documents related to the transaction within fourteen (14) calendar days of the closing of such transaction. Within fourteen (14) calendar days after the closing of any public offering and/or private placement, Ameristar Casinos, Inc. shall file with the Executive Director a report of all participants in the public offering and/or private placement, which shall include (at a minimum) name, amount of securities issued and purchase price. If

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the offering is an equity offering, Ameristar Casinos, Inc. shall also file, within thirty (30) calendar days after the closing, an updated master list of all shareholders following such offering, which shall include (at a minimum) the names of all record shareholders and number of shares owned."

Commissioner Smith: Move to adopt recommendation
Chairman Blackwell: Second

RECORDED VOTE: Chairman Blackwell: YES
Commissioner Smith: YES

I. APPLICATION FOR FINDING OF SUITABILITY – Robinson Property Group, L.P. d/b/a Horseshoe Casino & Hotel

1. Mr. Frank Dominic Polizzotto (Initial)
Senior Vice President and General Counsel – Horseshoe Gaming Holding Corp.

Scott Andress, with Balch & Bingham, came forward to introduce Mr. Frank Dominic Polizzotto to the Commission.

EXECUTIVE DIRECTOR'S RECOMMENDATION: "Based upon the investigative reports, the Executive Director recommends that Mr. Frank Dominic Polizzotto be found suitable to be associated with a gaming license granted under the Mississippi Gaming Control Act."

Commissioner Smith: Move to adopt recommendation
Chairman Blackwell: Second

RECORDED VOTE: Chairman Blackwell: YES
Commissioner Smith: YES

J. REQUEST FOR APPROVALS – Silicon Gaming-Mississippi, Inc.

1. Surrender of License
1. De-registration of Intermediary Company
2. De-registration of Publicly Traded Corporation

Scott Andress, with Balch & Bingham, came forward to represent International Game Technology which has acquired as a result of a merger, Silicon Gaming, Inc., a registered publicly traded corporation of Silicon Gaming-Mississippi, Inc.

EXECUTIVE DIRECTOR'S RECOMMENDATION: "The Executive Director recommends that:

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1. The Mississippi Gaming Commission grant approval for Silicon Gaming-Mississippi, Inc. to surrender its license as manufacturer and distributor;
2. The Mississippi Gaming Commission grant approval to Silicon Gaming, Inc. to be de-registered as an intermediary company of Silicon Gaming-Mississippi, Inc.; and,
3. The Mississippi Gaming Commission grant approval to International Game Technology to be de-registered as a publicly traded corporation of Silicon Gaming-Mississippi, Inc."

Commissioner Smith: Move to adopt recommendation
Chairman Blackwell: Second

RECORDED VOTE: Chairman Blackwell: YES
Commissioner Smith: YES

11. REQUEST FOR APPROVAL OF TRANSFER OF LIMITED PARTNERSHIP INTEREST – Greenville Casino Partners, L.P. d/b/a Bayou Caddy's Jubilee Casino

Scott Andress, with Balch & Bingham, came forward to represent Greenville Casino Partners, L.P.

EXECUTIVE DIRECTOR'S RECOMMENDATION: "The Executive Director recommends that the Mississippi Gaming Commission grant approval to Michael J. Jacobson to transfer 24,316 units or 1.36% of his limited partnership interest in Greenville Casino Partners, L.P. to Eric J. Jacobson."

Commissioner Smith: Move to adopt recommendation
Chairman Blackwell: Second

RECORDED VOTE: Chairman Blackwell: YES
Commissioner Smith: YES

12. PROPOSED AMENDMENT - Public Comment

1. MGC Regulation VII. Internal Controls for Gaming Establishments, P. Procedure for Filling Payout Reserve Containers of Slot Machines (1-2)

This regulation was presented for public comment. There were none. Written comments will be accepted for thirty days.

EXECUTIVE DIRECTOR'S RECOMMENDATION: "The Executive Director recommends to

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the Commission that the proposed amendment to MGC Regulation VII. Internal Controls for Gaming Establishments, P. Procedure for Filling Payout Reserve Containers of Slot Machines (1-2) be adopted for public comment. Written comments will be accepted for thirty days and public oral comments will be taken today."

Commissioner Smith: Move to adopt recommendation
Chairman Blackwell: Second

RECORDED VOTE: Chairman Blackwell: YES
Commissioner Smith: YES

M. RECOMMENDATION REGARDING WORK PERMIT HEARINGS HELD AND DECISIONS
RENDERED ON OCTOBER 2, 2001

(Copies attached to the record as Exhibit "1").

HEARING EXAMINER'S DECISIONS:

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

Sonia Harrell
Jason N. Josey
Valerie Marks
Monte Mulherin
Mark M. Norwood

EXECUTIVE DIRECTOR'S RECOMMENDATION: "The Executive Director recommends that the Commission accepts into the minutes the Findings of Facts and recommended actions of the Hearing Examiner, Deputy Attorney General, Michael Lanford."

Commissioner Smith: Move to adopt recommendation
Chairman Blackwell: Second

RECORDED VOTE: Chairman Blackwell: YES
Commissioner Smith: YES

N. APPEAL OF HEARING EXAMINER'S DECISION - REVOCATION OF WORK PERMITS

(Copies attached to the record as Exhibit "2").

1. Gwendolyn Graves, Case No. 01-00409

1. Adam T. Lovato, Case No. 01-00457

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EXECUTIVE DIRECTOR'S RECOMMENDATION: "The Executive Director recommends that the Commission table the decision of the Hearing Examiner, Special Assistant Attorney General Larry J. Stroud, in the case of Gwendolyn Graves, Case No. 01-00409, and that the Commission reverse the decision of the Hearing Examiner, Special Assistant Attorney General Larry J. Stroud, in the case of Adam T. Lovato, Case No. 01-00457."

Commissioner Smith: Move to adopt recommendation
Chairman Blackwell: Second

RECORDED VOTE: Chairman Blackwell: YES
Commissioner Smith: YES

15. PETITION FOR RECONSIDERATION, AND/OR FOR A REHEARING, WITH MOTION TO ALLOW PETITIONER TO REMAIN EMPLOYED

(Copy attached as Exhibit "3".)

1. Thomas E. Hysmith

EXECUTIVE DIRECTOR'S RECOMMENDATION: "The Executive Director recommends that the Commission consider Thomas E. Hysmith's Petition and modify the Hearing Examiner's Decision to reflect a suspension of Mr. Hysmith's work permit for a period of three (3) months effective October 15, 2001 to January 14, 2002, during which time Mr. Hysmith may not work in any gaming position within the jurisdiction of the Mississippi Gaming Commission."

Commissioner Smith: Move to adopt recommendation
Chairman Blackwell: Second

RECORDED VOTE: Chairman Blackwell: YES
Commissioner Smith: YES

16. RECOMMENDATION REGARDING UNANIMOUS APPROVAL OF WORK PERMIT APPLICATION

(Copy attached as Exhibit "4".)

1. Osvaldo Lopez

EXECUTIVE DIRECTOR'S RECOMMENDATION: "The Executive Director recommends that the Commission unanimously approve the application of Osvaldo Lopez for a gaming work permit."

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Commissioner Smith: Move to adopt recommendation
Chairman Blackwell: Second

RECORDED VOTE: Chairman Blackwell: YES
Commissioner Smith: YES

17. RECOMMENDATION REGARDING PLAYER DISPUTE HEARINGS HELD AND DECISIONS RENDERED ON SEPTEMBER 19, 20, AND 21, 2001, IN TUNICA, MS AND SEPTEMBER 25, 2001 IN JACKSON, MS

(Copies attached as Exhibit "5".)

EXECUTIVE DIRECTOR'S RECOMMENDATION: "The Executive Director recommends that the Commission accepts into the minutes the Findings of Facts and Recommended action of the Hearing Examiner, Special Assistant Attorney General Larry J. Stroud."

Commissioner Smith: Move to adopt recommendation
Chairman Blackwell: Second

RECORDED VOTE: Chairman Blackwell: YES
Commissioner Smith: YES

18. REVIEW OF HEARING EXAMINER'S DECISION – Player Dispute

(Copies attached as Exhibit "6".)

1. Fitzgerald's v. Rebecca Tucker
2. Linda Towner v. Horseshoe Casino

EXECUTIVE DIRECTOR'S RECOMMENDATION: "The Executive Director recommends that the Commission decline to review Rebecca Tucker's and Linda Towner's requests for review of the Hearing Examiner's decisions."

Commissioner Smith: Move to adopt recommendation
Chairman Blackwell: Second

RECORDED VOTE: Chairman Blackwell: YES
Commissioner Smith: YES

19. REVIEW OF HEARING EXAMINER'S DECISION – Patron Dispute

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(Copy attached as Exhibit "7".)

1. Don Fuller v. Grand Casino-Biloxi

EXECUTIVE DIRECTOR'S RECOMMENDATION: "The Executive Director recommends that the Commission sustain the decision of the Hearing Examiner in the case of Don Fuller v. Grand Casino-Biloxi."

Commissioner Smith: Move to adopt recommendation
Chairman Blackwell: Second

RECORDED VOTE: Chairman Blackwell: YES
Commissioner Smith: YES

ADDENDUM

20. REQUEST FOR APPROVAL TO HIRE D. C. LADNER – Konami Gaming, Inc.

EXECUTIVE DIRECTOR'S RECOMMENDATION: "The Executive Director recommends that the request by Konami Gaming, Inc. to hire D. C. Ladner be denied."

Commissioner Smith: Move to adopt recommendation
Chairman Blackwell: Second

RECORDED VOTE: Chairman Blackwell: YES
Commissioner Smith: YES

ITEM IV.

PUBLIC COMMENTS - GAMING

NONE.

A short recess was taken at 10:08 a.m.
Meeting reconvened at 10:21 a.m.

ITEM V.

CHARITABLE BINGO MATTERS

Staff present for Charitable Bingo session:

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Leonard A. Blackwell, II, Chairman, MS Gaming Commission
Victor P. Smith, Commissioner, MS Gaming Commission
Chuck Patton, Executive Director, MS Gaming Commission
Larry Gregory, Deputy Executive Director, MS Gaming Commission
Charlene R. Pierce, Special Assistant Attorney General, Attorney General's Office
Regina Holbrooks, Bureau Director, MS Gaming Commission
Doug Tyrone, Director of Charitable Bingo, MS Gaming Commission
Sonny Weathersby, Branch Director, Charitable Bingo, MS Gaming Commission
Joel R. Jones, Special Assistant Attorney General, Attorney General's Office
Mickey Perry, Agent, Charitable Bingo, MS Gaming Commission
Rodney Smith, Agent, Charitable Bingo, MS Gaming Commission

A. APPROVALS FOR LICENSURE

(Copy attached to the record as Exhibit "8").

EXECUTIVE DIRECTOR'S RECOMMENDATION: "The Executive Director recommends that the previously identified organizations be approved for licensure."

Commissioner Smith: Move to adopt recommendation
Chairman Blackwell: Second

RECORDED VOTE: Chairman Blackwell: YES
Commissioner Smith: YES

2. CHARITABLE BINGO LICENSE

1. Amvets Post #1989
2. Moose Lodge #1916
3. Veterans of Foreign Wars #4889
4. Veterans of Foreign Wars #5697

(Copies attached to the record as Exhibit "9".)

EXECUTIVE DIRECTOR'S RECOMMENDATION: "The Executive Director recommends that the Commission issue a 180 day (6 month) renewal license to Amvets Post #1989, Moose Lodge #1916, Veterans of Foreign War #4889 and Veterans of Foreign Wars #5697. These recommendations are made so that Commission staff may evaluate their expenses for the previous year."

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Commissioner Smith: Move to adopt recommendation
Chairman Blackwell: Second

RECORDED VOTE: Chairman Blackwell: YES
Commissioner Smith: YES

3. DENIAL OF LICENSURE

1. Country Oaks Recovery Center

(Copy attached to the record as Exhibit "10".)

Forea Ford, Executive Director, came forward to represent Country Oaks Recovery Center before the Commission. He told the Commission that the charity was making progress in its efforts to comply with Charitable Bingo Regulation L., Sec. 12, the "60/40" rule, and other issues.

EXECUTIVE DIRECTOR'S RECOMMENDATION: "The Executive Director recommends that Country Oaks Recovery Center be denied a charitable bingo license."

Commissioner Smith: Move to adopt recommendation
Chairman Blackwell: Second

RECORDED VOTE: Chairman Blackwell: YES
Commissioner Smith: YES

ITEM VI.

COMMENTS - CHARITABLE BINGO

Jeff Johns, Executive Director, updated the Commission on the activities of the Mississippi Advocacy Center.

ITEM VII.

ADJOURNMENT

There being no further business, the meeting was adjourned at 10:55 a.m.

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LEONARD A. BLACKWELL, II, CHAIRMAN

VICTOR P. SMITH, COMMISSIONER

A. J. PITTS, COMMISSIONER

CHARLES PATTON, EXECUTIVE DIRECTOR

ATTEST:

Charlene R. Pierce