

**INDIANA GAMING COMMISSION
TELEPHONIC BUSINESS MEETING**

10:00 a.m. January 29, 2001
115 West Washington St., Ste. 950, South Tower
Indianapolis, IN 46204

Present: Participating by phone: Donald R. Vowels, Chair; Ann Bochnowski, Vice-Chair; Thomas Milcarek, Secretary; Dr. Ross, Robert Swan, and David Carlton. Richard Darko was not present. Staff: Jack Thar, Cynthia Dean, Jennifer Arnold, and Rhonda Dalton, Major Mark Mason, and members of the public.

Call to Order and Roll Call

Chairman Donald Vowels called the meeting to order at approximately 10:00 a.m. (local time). A quorum was present.

Report of the Executive Director

Jack Thar, Executive Director, reported to the Commission on the activities of the riverboats, suppliers, and the Commission office.

ShuffleMaster has expanded their license to include the selling of slot machines. GEMACO has expanded their license to include the selling of table layouts in Indiana.

House Bill 1729 has passed the House and has been sent to the Senate. In its present form HB1729 contains numerous provisions relating to gaming in the State of Indiana, including dockside gaming, changes in tax rates, and pull tabs at off track betting sites. Also contained within HB 1729 are provisions requested by IGC which would make it a crime for someone under 21 to use deception to enter a casino as well as for anyone to aide or abet that person to gain access to a casino; and that the application submitted to the Indiana Gaming Commission, by an Occupational Licensee to work on an Indiana riverboat, which contains background, financial, and/or criminal history, remain confidential; and when a casino sues for a bad debt as a result of a bad check that they not be allowed to receive triple damages. Cheryl DeVolGlowinski, Executive Director of the Casino Association of Indiana addressed the Commissioners as to the position of the operators with regards to dockside gaming.

A bill containing provisions affecting public records and open meeting laws has been submitted to the house. In its present form, one provision of the bill would prohibit telephonic business meetings and would require a quorum be physically present. In the event a quorum were present, then non-present individual could participate by telephone. Executive Director Thar inquired as to the Commissioners views on this issue. Commissioners Vowels and Swan as well as Executive Director Thar expressed their opposition to the bill in its present form. The Commissioners expressed their support for Executive Director Thar's suggestion that legislators be contacted.

Commissioner Swan suggested the state would lose volunteers from outlying parts if the state if they were required to be physically present at meetings. Commissioner Vowels inquired if legislation had been proposed raising the \$50.00 per diem amount paid to the Commissioners by the State of Indiana. Executive Director Thar responded That there was no bill to increase the payment that he is aware.

Commissioner Ross inquired if the two meeting rule relating to financial matters for the riverboats was still in effect. Executive Director Thar replied in the affirmative and explained that the two meeting rule is sometimes, but not always, necessary due to the complexity of the financing.

Resolution 2001-1

A Resolution Concerning Financing by Argosy Gaming Company. Don Malloy, General Counsel of Argosy appeared before the Commission to discuss their request to issue additional Senior Subordinated Notes in an amount up to \$150 Million and an increase to a Revolver bank facility up to the amount of \$425 Million with the total increase in debt financing not to exceed \$550 Million. In accordance with 68 IAC 5-3-2(b)(3), this is the second meeting at which Argosy Gaming Company has appeared before the Commission with the first meeting having occurred on September 18, 2000.

Action: Upon motion by Robert Swan, second by Ann Bochnowski, and unanimous vote of those present, the Commission approved the request of Argosy Gaming Company's debt transactions in an amount of up to \$550 Million subject to review and approval of the terms of the final draft and associated documents by the Commission staff.

Resolution 2001-2

A Resolution Concerning Financing by Aztar Corporation. William Diener, Ice Miller Donadio & Ryan local counsel for Aztar Corporation appeared before the Commission to discuss the refinancing request and request a waiver of the two (2) meeting rule. Aztar Corporation has requested approval to issue additional Senior Subordinated Notes in the same series as the initial senior Notes due 2007 and approved by the Commission in Resolution 1999-12. The additional notes will be used to pay down amounts borrowed under a Revolver, approved by the Commission in Resolution 1998-10.

Action: Upon motion by David Carlton, second by Dr. Ross and unanimous vote of those present, the Commission approved the request for a waiver of 68 IAC 5-3-2(b)(3) the two (2) meeting rule and approved the request for the approval of Aztar's additional Senior Subordinated Notes up to the amount of \$100 Million.

2001-3

A Resolution Concerning Financing by Centaur, Inc. During the course of a joint investigation by the Indiana Gaming Commission and the Horse Racing Commission, it was discovered that Centaur had entered into a debt transaction with Wells Fargo without requesting Commission approval. Kurt Wilson, President of Centaur, Inc. and Theodore Nicholas, as attorney with Lewis and Wagner, appeared before the Commission to request approval of the financing between Centaur and Wells Fargo as well as a waiver of the two (2) meeting rule. Executive Director Thar as well as Centaur informed the Commission that Centaur had entered into the financing prior to seeking approval in violation of 68 IAC 5-3 and Executive Director Thar stated a disciplinary Action will be brought to the Commission at the next meeting.

Action: Upon motion by Dr. Ross, second by Thomas Milcarek, and unanimous vote of those present, the Commission approved the request for a waiver of the two (2) meeting rule and approved Centaur's debt transaction in an amount of \$12.5 Million subject to a review and approval of the terms of the final draft and associated documents by Commission staff.

2001-4

A Resolution Concerning A Change in the Surety Bond Company With Which Majestic Star Casino, LLC Has Its Bond Posted.

Action: Upon motion by Robert Swan, second by Ann Bochnowski, and unanimous vote of those present, the Commission approved the replacement of Surety Bond and Guaranty, Bond Number 12-0110-31953-96-1 with a Surety Bond Number 285001596 in the amount of \$2,500,000 posted by Majestic Star Casino, LLC with Peerless Insurance Corp. and guaranteed by the Liberty Mutual Insurance Company, and ratified the release of Surety Bond and Guaranty, Bond Number 12-0110-31953-96-1 to Majestic Star Casino, LLC.

Next Meeting

The next business meeting of the Indiana Gaming Commission will be Friday, March 2, 2001 at Evansville, Indiana. The time will be announced at a later date.

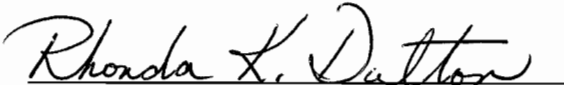
Adjournment

Upon motion by Thomas Milcarek, second by Ann Bochnowski, and unanimous vote of those present, the meeting was adjourned.

Minutes

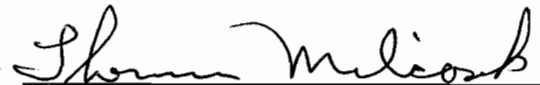
Rhonda Dalton, Executive Secretary of the Indiana Gaming Commission staff, prepared the January 29, 2001 minutes. A transcript is not available.

Respectfully submitted,


Rhonda K. Dalton

THE INDIANA GAMING COMMISSION:


Donald Vowels, Chair


Thomas Milcarek, Secretary