

**INDIANA GAMING COMMISSION**  
**Business Meeting**  
**10:00 a.m., November 14, 2003**  
**421 N.W. Riverside Drive**  
**Evansville, Indiana 47708**

**Call to Order and Roll Call:** Chairman Vowels called the meeting to order at approximately 10:07 a.m. There are six commissioners at this time. A quorum was present.

**Present:** Commission Members: Donald R. Vowels, Chair; Thomas Milcarek, Secretary; Dale Gettelfinger; Marya Rose; and I. Maurice Ndukwu. Ann Bochnowski, Vice-Chair was absent. Staff: Glenn R. Lawrence, Jennifer Arnold, Jennifer Chelf, Susan Brodnan, Roger Shinness, Jill Wulf, Major Carlos Pettiford and members of the public.

**Report of the Executive Director**

**Waiver of Rules and Regulations**

The Executive Director granted the following waivers:

- Blue Chip - 68 IAC 1-4-1(d). Waiver of "subsequent disapproval" provision for electric utility easement contract. 9/26/03
- Blue Chip - 68 IAC 15-11-2,3; 15-13-2(d)(10). Change 3-part EGD fill and jackpot slips to 2-part slips. 9/30/03.
- Aztar - 68 IAC 2-6-15(a). Waiver of token acceptors on Electronic Gaming Devices, and approval to purchase EGD's without token acceptors and hoppers. 10/6/03
- Argosy - 68 IAC 2-6-27. Waiver of token hoppers on Electronic Gaming Devices configured to accept Electronic Tickets. 10/6/03
- Caesars - 68 IAC 2-6-27. Waiver of token hoppers on Electronic Gaming Devices configured to accept Electronic Tickets. 10/22/03
- Blue Chip - 68 IAC 15-9-1(b)(3). Approval to replace a casino cage cashier with a security officer on the tip count team. 10/14/03
- Aztar - 68 IAC 15-13-2(d)(4). (5) and (10). Waiver of cage cashier signature on non-cash prize jackpot slip, and waiver allowing entire 3-part slip to be deposited into the accounting box. 10/17/03.
- Blue Chip - 68 IAC 15-6-3. Waiver of admission tickets in favor of turnstile pass-throughs. 9/23/03
- Caesars - 68 IAC 15-6-3. Waiver of admission tickets in favor of turnstile pass-throughs. 10/20/03
- Majestic Star/Trump - 68 IAC 15-6-3. Waiver of admission tickets in favor of turnstile pass-throughs. 10/24/03
- Aztar - 68 IAC 15-6-3. Waiver of admission tickets in favor of turnstile pass-throughs. 11/7/03

- Grand Victoria - 68 IAC 15-9-1(b)(3). Alteration of tip count team, replacing cage cashier with security officer. 10/31/03
- Horseshoe - 68 IAC 14-4-3(a)(4). Temporary waiver roulette chip reserve set. 11/7/03
- Horseshoe - 68 IAC 15-1-1©. Temporary waiver of in-state requirement for accounting records to allow photocopying for FTC inquiry. 11/12/03

Executive Director Lawrence introduced the new commander of the Indiana State Police Gaming Enforcement Division, Major Carlos Pettiford.

Pursuant to Resolution 2003-41, adopted on September 12, 2003, the Commission approved IGT's acquisition of Acres Gaming, Inc. There was a minor grammatical error in the resolution. The error has since been corrected and is accurately reflected in the resolution.

On September 12, 2003, Pursuant to Resolution 2003-45, the Commission granted the request of Harold Handelsman to transfer an ownership interest in RGB, L.P., which owns an 80% interest in Grand Victoria Casino & Resort, L.P. The action resulted in the transfer of 2.8085194% ownership of Grand Victoria through an inter vivos trust divided evenly among four separate trusts to benefit his children. The resolution referred to the children as minors when they are not minor children. The correction has been made in the resolution.

Gaming Systems Unlimited submitted the table game Fast Action Poker for approval. Conditional approval was granted by the Commission on September 12, 2003, pursuant to Resolution 2003-38. Gaming Systems Unlimited has advised Commission staff that the name of the game has been changed to Sweepstakes Poker. The change will be reflected by resolution when the game is presented to the Commission for permanent approval upon completion of the conditional approval period.

Gaming Systems Unlimited submitted the game of Sweepstakes Blackjack for approval. The game was presented at the July Commission meeting and no action was taken at that time. Gaming Systems Unlimited has since withdrawn its request for approval of the game.

### **Resolution 2003-48**

A Resolution approving for final readoption 68 IAC 4. The Commission previously readopted other provisions of Title 68 in 2002, and at that time attempted to readopt 68 IAC 4. The Commission received a written request for separate consideration of Article 4. The Commission would not have been able to complete the promulgation process before the January 1, 2003 expiration of the rules, and Governor O'Bannon issued Executive Order 02-22, which extended the expiration date of Article 4 to January 31, 2004. A hearing was held on October 24, 2003 in the Commission office. No one appeared to make oral comments at the hearing. No written comments, other than the request for separate consideration, were received.

**Action:** Upon motion by Thomas Milcarek, second by Maurice Ndukwu, and unanimous vote of those present, the Commission adopted as final rules, 68 IAC 4.

### **Resolution 2003-49**

A Resolution adopting 68 IAC 6-3 As A Final Rule. The Commission began promulgation of these rules pursuant to IC 4-22. A Notice of Intent to Adopt 68 IAC 6-3 was published in the August 1, 2003 edition of the Indiana Register. The rules were then published as proposed rules in the Indiana Register. On October 24, 2003 the Commission held a public hearing on this rule. The transcript of the hearing, as well as the written comments, were made available to the Commission members for review.

**Action:** Upon motion by Marya Rose, second by Dale Gettelfinger, and unanimous vote of those present, the Commission readopted these rules which will be submitted to the office of the Attorney General for approval as a final rule pursuant to IC 4-22-2-32. After approval by the Attorney General, the rules will be sent to the Governor's Office. After the rule has been approved by the Governor, the rule will be submitted to the Secretary of State for filing.

### **Orange County**

Orange County approved a referendum on November 4<sup>th</sup> authorizing a casino. The casino will be located between the French Lick and West Baden Springs Hotel. Bally's French Lick, Inc., Jacobs Entertainment, Inc., Orange County Development, LLC, Tranchant Indiana, LLC, and Trump Indiana Casino Management, LLC each submitted an application. The Historic Preservation Committee will meet the week of November 17<sup>th</sup>. Applicants for the Operating Agent Contract and IGC staff will meet November 18<sup>th</sup> to begin discussing the Request for Proposal process.

### **New Game Approval**

#### **2003-50**

Conditional Approval of the Game of High Tie Blackjack. Gaming Entertainment, Inc. submitted the game of High Tie Blackjack and has asked that the Commission consider approving it for use in Indiana. Majestic Star Casino advised the Commission, in writing, that it supports the game of High Tie Blackjack for use in Indiana, and has submitted a draft of proposed rules for the game which it purports to utilize if the game is approved. Gaming Laboratories International, Inc. ("GLI") reviewed the information and material submitted by Gaming Entertainment, Inc. and has found that the game of High Tie Blackjack is a variation of the traditional game of Blackjack.

**Action:** Upon motion by Dale Gettelfinger, second by Thomas Milcarek, the Commission approved the game of High Tie Blackjack for use on Indiana riverboats for a trial period of six (6) months. During the trial period, all riverboats who offer the game must have pre-approved rules of the game and must report those matters as directed by the Executive Director, or designee. The riverboat must also document any customer complaints or incidents that are generated by the game of High Tie Blackjack and forward those reports to the Commission. At the end of the trial period, the Commission will consider approving the game of High Tie Blackjack to be offered on Indiana riverboats on a permanent basis.

#### **2003-51**

Conditional Approval of the Game of 3-5-7 Poker. Gaming Entertainment, Inc. submitted the game of 3-5-7 Poker and asked that the Commission consider approving it for use in Indiana. Majestic Star Casino advised the Commission, in writing, that it supports the game of 3-5-7 Poker for use in Indiana, and submitted a draft of proposed rules for the game which it purports to utilize if the game is approved. Gaming Laboratories International, Inc. ("GLI") has reviewed the information and material submitted by Gaming Entertainment, Inc. GLI has forwarded its report to the Commission and found that the game of 3-5-7 Poker is a variation of the traditional game of Poker.

**Action:** Upon motion by Dale Gettelfinger, second by I. Maurice Ndukwu, and unanimous vote of those present, the Commission approved the game of 3-5-7 Poker for use on Indiana riverboats for a trial period of six (6) months. During the trial period, all riverboats who offer the game must have pre-approved rules of the game and must report those matters as directed by the Executive Director, or designee.

#### **2003-52**

Approval of the Request of Mikohn Gaming Corporation to Withdraw Its Request for Approval of the Game of Monopoly Blackjack. Mikohn Gaming Corporation submitted the game of Monopoly Blackjack for approval for play on Indiana riverboats. Gaming Laboratories International, Inc. (GLI") reviewed the information submitted by Mikohn and found that the game is a variation of the traditional game of Blackjack. Pursuant to Resolution 2002-23, adopted by the Commission on September 27, 2002, Mikohn received conditional approval of the game for a period of six (6) months. Caesars Indiana sponsored Monopoly Blackjack by introducing the game to its casino floor. Caesars advised Commission staff that the game was removed from the casino floor in March 2003 due to low player popularity. Mikohn has advised Commission staff that there are no probabilities of future interest in the game and requested that its requests for approval of Monopoly Blackjack be withdrawn.

**Action:** Upon motion by Marya Rose, second by Thomas Milcarek, and unanimous vote of those present, the Commission granted Mikohn's request to withdraw its request for approval of the game Monopoly Blackjack.

### **2003-53**

T & P Gaming, Inc. has submitted the game of Deuces Wild Hold'Em Fold'Em and has asked that the Commission consider approving it for use in Indiana. Caesars Indiana advised the Commission, in writing, that it supports the game of Deuces Wild Hold'Em Fold'Em for use in Indiana; and submitted a draft of proposed rules for the game which it purports to utilize if the game is approved. Gaming Laboratories International, Inc. ("GLI") reviewed the information and material submitted by T & P Gaming, Inc and has found that the game of Deuces Wild Hold'Em Fold'Em is a variation of the traditional game of Poker.

**Action:** Upon motion by Thomas Milcarek, second by I. Maurice Ndukwu, and unanimous vote of those present, the Commission approved the game of Deuces Wild Hold'Em Fold'Em for use on Indiana riverboats for a trial period of six months. During the trial period, all riverboats who offer the game must have pre-approved rules of the game and must report those matters as directed by the Executive Director, or designee. The riverboat licensee must also document any customer complaints or incidents that are generated by the game. At the end of the trial period, the Commission will consider approving the game of Deuces Wild Hold'Em Fold'Em to be offered on Indiana riverboats on a permanent basis.

### **Occupational License Matters**

#### **Recommended Revocation of a Permanent Occupational License Issued To Jermaine McLendon No. 03-OLD-AZ-1**

On May 25, 1999 Jermaine McLendon was issued a permanent level 3 occupational license to work as an assistant chief engineer at Casino Aztar. On or about April 8, 2003 Mr. McClendon submitted an Annual Renewal Update Form to the Commission, but failed to list any criminal arrests or charges occurring since receiving his permanent license from the Commission. On July 2, 2003 Mr. McClendon notified the Indiana State Police that he had been convicted of a Class D felony for operating a vehicle while intoxicated on May 19, 2003. The offense occurred on February 10, 2003. On July 24, 2003, the Commission delivered its Complaint for Disciplinary Action to Mr. McClendon and notified him of his right to an administrative hearing on his felony disqualification. The Commission appointed Bernard L. Pylitt the Administrative Law Judge in this matter and Commission staff filed a Motion for Summary Judgment with Judge Pylitt on August 25, 2003. Mr. McClendon failed to respond to Judge Pylitt's Notice by September 15, 2003. Judge Pylitt recommended that Mr. McLendon's occupational license be revoked. Because of Mr. McLendon's failure to disclose his arrest and conviction of a Class D felony and the loss of his occupational license, Casino Aztar terminated Mr. McClendon's employment on July 31, 2003.

**Action:** Upon motion by Marya Rose, second by Dale Gettelfinger and unanimous vote of those present, the Commission affirmed the ALJ's recommendations that Mr. McClendon's occupational license be revoked.

**Revocation of Temporary License and Denial of Application for a  
Permanent Occupational License of Lisa Steele  
HA-DEN-03-2**

Lisa Steele received a level 2 temporary occupational license, Level 2, for employment as a Cage Supervisor at Harrah's Casino. On or about September 18, 2003 Ms. Steele's employment at Harrah's was terminated after it was discovered that she stole \$2,500 from the casino during the performance of her duties as a cage supervisor. Based on evidence obtained during the course of an investigation, Commission staff revoked Ms. Steele's temporary occupational license and denied her application for a permanent license.

**Action:** Upon motion by Thomas Milcarek, second by I. Maurice Ndukwu, and unanimous vote present, the Commission denied the application for an occupational license, level 2, submitted by Lisa Steele.

**2003-54**

A Resolution Concerning the Renewal of Supplier's Licenses held by Tech Innovations, Inc., IEP, Ltd. and International Game Technology. These licensees requested renewal of licensure. The licensure fees have been paid in accordance with 68 IAC 2-2-3© and 6 IAC 2-2-8. The Supplier Licensees may have outstanding background investigation fees and will be responsible for payment of the background fees. If payment for the background fees is not received as directed by Commission staff, the license will be subject to non-renewal or revocation. The licenses will be valid for a period of one year from the date of issuance.

**Action:** Upon motion by Dale Gettelfinger, second by Marya Rose, and unanimous vote of those present, the Commission granted the renewal of the Supplier's Licenses issued to IEP, Ltd., IGT, and Tech Innovations, Inc.

**2003-55**

A Resolution Concerning The Renewal of Supplier's License held by Midwest Game Supply Company. This licensee requested renewal of licensure. Linda Sohm, Owner, requested the ability to pay the renewal fee on or about December 15, 2003 due to the fact that the Commission has requested Midwest submit their renewal fee sixty days before the expiration of their license, instead of the typical thirty (30) day request.

**Action:** Upon motion by Thomas Milcarek, second by Dale Gettelfinger, and unanimous vote of those present, the Commission granted the renewal of the Supplier's License issued to Midwest Game Supply Company on the condition that the Five Thousands Dollar (\$5,000) renewal fee is paid by December 15, 2003 and that any outstanding background investigation fees are paid as directed by the Commission staff. The Supplier's License will be valid for a period of one (1) year from the date of issuance.

### **2003-56**

A Resolution Concerning The Renewal of Supplier's License held by Chipco International. On October 21, 2003 Chipco requested their license be renewed. The Commission also received the \$5,000 annual fee, as well as the outstanding renewal and background investigation fees.

**Action:** Upon motion by Marya Rose, second by Thomas Milcarek, and unanimous vote of those present, the Commission granted the renewal of the Supplier's License issued to Chipco International. If it is determined that the Supplier Licensee has additional background investigation fees, the Licensee will be responsible for payment of those fees. If the payment for the background fees are not received as directed by Commission staff, the license would be subject to non-renewal or revocation. The Suppliers' License will be valid for a period of one (1) year from the date of issuance.

### **2003-57**

A Resolution Concerning the Request of Tech Innovations, Inc. for Approval to Transfer An Ownership Interest. On or about September 26, 2003 Tech Innovations requested that the Commission allow stock holder Matthew Linderman to transfer fifty percent common stock ownership (12,500 shares) to Tech Innovations. The shares will then be retired. The remaining fifty percent stock ownership will continue to be held by the other shareholder, Francis Murphy. This will result in Mr. Murphy being the sole shareholder of Tech Innovations. Mr. Linderman and Mr. Murphy were subject to back ground investigations for their present ownership interests and were approved by the Commission. Due to the fact that no new key persons or substantial owners are being introduced as a result of this change in ownership, Tech Innovations has requested that the Commission waive the normal transfer of ownership procedures and attendant background investigations.

**Action:** Upon motion by Dale Gettelfinger, second by I. Maurice Ndukwu, and unanimous vote of those present, the Commission granted Tech Innovation's request for a waiver of the normal transfer of ownership procedures and attendant background investigations.

**Action:** Upon motion by Dale Gettelfinger, second by I. Maurice Ndukwu, and unanimous vote of those present, the Commission granted Tech Innovations' request for approval of the resulting transfer of ownership interests of fifty percent from Matthew Linderman to Tech Innovations.

### **2003-58**

A Resolution Concerning The Request of George C. Matteson Co., Inc. D/B/A Gemaco Playing Card Company To Transfer Ownership Interests. On or about June 4, 2003 GEMACO submitted an application to transfer ownership interests

which would allow C.L. Fitzhugh, the sole owner of F & F, the parent company of GEMACO, to transfer 100% ownership of F & F to Danny Carpenter and D. Kaye Summers. F & F will continue to hold all stock of GEMACO. Upon completion of the transaction, Mr. Carpenter and Ms. Summers will retain 95% ownership of F & F. Jason Fitzhugh, Director of Sales and Marketing for GEMACO, will own 5% of F & F stock. Mr. Carpenter, Ms. Summers, and Jason Fitzhugh have submitted Personal Disclosure Forms to the Commission and have undergone background investigations. The investigations uncovered no derogatory information.

**Action:** Upon motion by Marya Rose, second by I. Maurice Ndukwu, and unanimous vote of those present, the Commission granted George C. Matteson Co., Inc. d/b/a GEMACO's request for approval of transfer of ownership in F & F Holdings, Inc.

### **2003-59**

A Resolution Concerning the Request of IEP, Ltd. For Approval To Transfer An Ownership Interest. IEP's original application indicated that June Reader owned 50% of the company and Charles Reader owned 50%. The Commission was advised during the 3<sup>rd</sup> quarter of 2003 that Ms. Reader's ownership interest was increased by 1% to 51% and that Mr. Reader retained 49% ownership.

**Action:** Upon motion by I. Maurice Ndukwu, second by Thomas Milcarek, and unanimous vote of those present, the Commission granted IEP, Ltd.'s request for a waiver of the normal transfer of ownership procedures and attendant background investigations.

**Action:** Upon motion by I. Maurice Ndukwu, second by Thomas Milcarek, and unanimous vote of those present, the Commission granted IEP, Ltd.'s request for approval of the resulting transfer of ownership interests of one percent to June Reader.

### **2003-60**

A Resolution Concerning the Request of American Gaming and Electronics to Withdraw its Application for a Supplier's License. American Gaming and Electronics submitted an application for a Supplier's License to the Commission on or about January 26, 2001. On or about January 18, 2002 Commission staff advised AGE that it could supply certain products to Indiana riverboat casinos prior to obtaining a Supplier's License from the Commission. Commission staff inquired, by letter dated September 22, 2003, whether or not AGE remained interested in distributing approved products that did not require issuance of a Supplier's License. AGE advised the Commission that it does not wish to expand its product line and requested that the application for a Supplier's License be withdrawn.



**Action:** Upon motion by Thomas Milcarek, second by I. Maurice Ndukwu, and unanimous vote of those present, the Commission granted the request of American Gaming and Electronics to withdraw its application for a supplier's license.

#### **2003-61**

A Resolution Concerning the Request of International Gaming Services, LLC to Withdraw Its Application for a Supplier's License. International Gaming Services, LLC submitted an application for a supplier's license on June 9, 1998. On April 1, 1999 Commission staff advised International Gaming Services, LLC (Hyatt Gaming Services) that the company would not need to be licensed by the Commission as a supplier. Hyatt Gaming Services requested that the application for a supplier's license submitted by International Gaming Services be withdrawn.

**Action:** Upon motion by Marya Rose, second by Dale Gettelfinger, and unanimous vote of those present, the Commission granted International Gaming Services' request to withdraw its application for a supplier's license.

#### **2003-62**

A Resolution Concerning the Request for Approval by Harrah's Operating Co., Inc. to Purchase Two Half Shares of Waterfront Entertainment and Development, Inc. Waterfront Entertainment and Development, Inc. is one of the partners that comprises casino licensee Showboat Marina Casino Partnership. Ninety-nine of the one hundred shares of Waterfront are owned by Harrah's Operating Company, Inc. The remaining share of Waterfront is owned by Mr. George Pabay and Mr. John Flores, who each own one-half share. Harrah's Operating Company is currently negotiating with Mr. Pabay and Mr. Flores to purchase their half shares of Waterfront stock.

**Action:** Upon motion by Dale Gettelfinger, second by Marya Rose, and unanimous vote of those present, second by I. Maurice Ndukwu, and unanimous vote of those present, the Commission granted Harrah's Operating Company's request for approval to purchase one half-share share of Waterfront stock from Mr. George Pabay, and one half-share of Waterfront stock from Mr. John Flores.

### **Consideration of License Renewal**

#### **Indiana Gaming Company, LP**

Vice President and General Manager Larry Kinser, requested a renewal of its Riverboat Owner's License by letter dated September 5, 2003. Argosy has submitted payment of the annual renewal fee in the amount of five thousand dollars (\$5,000).

**Action:** Upon motion by Dale Gettelfinger, second by Marya Rose, and unanimous vote present, the Commission granted the renewal of Argosy's Riverboat Owner's License for a period of one year subject to continued compliance with IC 4-33, Title 68 of the Indiana Administrative Code and the conditions directed by the Commission on December 7, 2001. The renewal of the Riverboat Owner's License shall be valid for a period of one year from December 10, 2003 to December 9, 2004.

## **Development Agreement**

### **Resolution 2003-63**

A Resolution Concerning Amendments to the Riverboat Development Agreement Between Harrison County and RDI/Caesars Riverboat Casino, LLC. Harrison County and RDI/Caesars Riverboat Casino, LLC entered into a development agreement to memorialize commitments made regarding economic development. The terms of that agreement were incorporated into and made a condition of the Certificate of Suitability issued to Caesars on or about June 12, 1996. Harrison County and RDI/Caesars Riverboat Casino executed an amended version of the Riverboat Development Agreement.

**Action:** Upon motion by Dale Gettelfinger, second by Marya Rose, and unanimous vote present, the Commission granted the request of Harrison County and RDI/Caesars Riverboat Casino, LLC to approve the amended Riverboat Gaming Development Agreement dated November 3, 2003.

## **Financing**

### **2003-64**

A Resolution Concerning Financing By Pinnacle Entertainment, Inc. Ron Gifford, Baker and Daniels local counsel for Pinnacle and Jack Godfrey, General Counsel of Pinnacle Entertainment appeared before the Commission. Pinnacle Entertainment requested approval of a Senior Credit Facility on November 7, 2003. The facility is for an amount up to \$300 million, and will replace Pinnacle's existing facility approved in Resolutions 2003-11 and 2003-26 and is comprised of two components. The first being a revolving credit facility in an amount up to 475 million. The second component consists of a term loan B not to exceed \$250 million, up to \$75 million of which is a delayed draw loan to be drawn no later than 12 months following the closing. In no event would the combined components of the credit facility exceed \$300 million. The interest rate on the facility will not exceed LIBOR plus 4.5%. Pinnacle requested a waiver of the two (2) meeting rule.

**Action:** Upon motion by Marya Rose, second by Thomas Milcarek, and unanimous vote of those present, the Commission approved Pinnacle's request for a waiver of 68 IAC 5-3-2(b)(3), the two (2) meeting rule.

**Action:** Upon motion by Marya Rose, second by Thomas Milcarek, and unanimous vote of those present, the Commission approved pinnacle's request

for a \$300 million credit facility subject to the preparation of a financial analysis if deemed necessary by Commission staff, and approval of the terms of the final draft and associated documents by the Commission staff.

### **2003-65**

A Resolution Concerning Financing by Harrah's Operating Company, Inc. Kay Fleming, Ice Miller local counsel for Harrah's, appeared before the Commission. On October 20, 2003, Harrah's requested approval of a Standby Letter of Credit Facility not to exceed \$25 million. Harrah's also requested a waiver of the two (2) meeting rule.

**Action:** Upon motion by Thomas Milcarek, second by Dale Gettelfinger, and unanimous vote of those present, the Commission approved Harrah's request for a waiver of the two (2) meeting rule.

**Action:** Upon motion by Thomas Milcarek, second by Dale Gettelfinger, and unanimous vote of those present, the Commission approved Harrah's request for approval of Harrah's \$25 million dollar letter of credit.

## **Disciplinary Actions**

### **Grand Victoria Casino & Resort LP Complaint No. 03-GV-1**

On or about September 7, 2003, a twenty (20) year old boarded the riverboat without being asked for identification. The minor's age was discovered by a cage cashier when the minor attempted to obtain a cash advance. The minor was on board for approximately fifteen (15) minutes before his age was discovered. The minor did not engage in any gambling during this time. Commission staff and Grand Victoria agree that a sanction be imposed. Pending Commission approval Grand Victoria agrees to promptly remit payment in the amount of \$1,500.

**Action:** Upon motion by, Dale Gettelfinger, second by I. Maurice Ndukwu, and unanimous vote of those present, the Commission approved the proposed terms of the settlement agreement.

### **Showboat Marina Casino Partnership Complaint No. 03-HA-1**

In November 2002, Commission staff discovered that an employee was working as a Casino Manager, a level 1 position, without having completed the appropriate licensing procedures. This individual had been working in a level 1 capacity since September 2002. Her level 1 license application was not submitted until January of 2003. She worked for approximately four months in a level 1 position without proper licensure. In November 2002, Commission staff discovered that an employee who held a level 2 occupational license as a Shift Manager had, from time to time worked as an acting Casino Manager without

having submitted a level 1 occupational license application. Commission staff was informed that another individual had been promoted to Casino Manager in December of 2002. The individual did not submit his application for a level 1 occupational license until January 2003. He worked for approximately one month in a level 1 position without proper licensure. All individuals involved have since submitted proper licensing applications and have been approved to hold a level 1 occupational license. A Settlement Agreement was executed between Commission staff and Harrah's whereby Harrah's will agree to pay a fine in the amount of \$5,000.00

**Action:** Upon motion by Dale Gettelfinger, second by I. Maurice Ndukwu, and unanimous vote of those present, the Commission approved the proposed terms of the settlement agreement.

### **Minority/Women's Business Enterprise Issues**

#### **Belterra Casino and Resort**

Ron Gifford, Baker and Daniels local counsel; and representatives of Belterra Casino and Resort appeared before the Commission. As of 10/31/03 the yearly Belterra MBE number is 26.85%; and the WBE number is 8.52%. Representative Cleo Duncan has agreed to serve on the Advisory Committee. The Committee has recommended the disbursement of two additional grants. A grant, in the amount of, \$145,000, was awarded to Barbeque Heaven. A second grant in the amount of \$200,000 was awarded to Top City Laundry.

### **Next Meeting**

The next meeting of the Indiana Gaming Commission will be February 6, 2004 at 10:00 a.m. in the offices of the Indiana Gaming Commission at 115 W. Washington St., Ste. 950 S., Indianapolis, IN.

### **Adjournment**

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

### **Minutes**

Southern Indiana Reporting, LLC transcribed the November 14, 2003 business meeting. Consequently, the transcript is the complete record of the meeting. Anyone wishing to see the transcript can review it in the Commission office or obtain a copy of the transcript from Southern Indiana Reporting, P. O. Box 1106 Evansville, IN 47706. 812-422-9265 or 800-733-9477.

Rhonda K. Dalton, Executive Secretary of the Indiana Gaming Commission Staff,  
prepared these minutes.

Respectfully submitted,

*Rhonda K. Dalton* (FACSIMILE)  
Rhonda K. Dalton

THE INDIANA GAMING COMMISSION:

*Donald R. Vowels* (FACSIMILE)  
Donald Vowels, Chair

*Thomas Milcarek* (FACSIMILE)  
Thomas Milcarek, Secretary