

INDIANA GAMING COMMISSION

BUSINESS MEETING

10:00 a.m., October 1, 2004
115 West Washington Street
South Tower, Suite 950
Indianapolis, IN 46204-3804

Call to Order and Roll Call: Chairman Donald Vowels called the meeting to order at approximately 10:12 a.m. local time. A quorum was present.

Present: Commission Members: Donald R. Vowels, Chair; Ann Bochnowski, Vice-Chair; Thomas Milcarek, Secretary; I. Maurice Ndukwu, Robert Barlow and Marya Rose. Staff: Glenn R. Lawrence, James Osborn, Major Carlos Pettiford, Jennifer Chelf, Susan Brodnan, Catherine Hood, Leanne Bailey, Michelle Marsden and members of the public. It was announced that Commissioner Dale Gettelfinger had resigned from the Commission.

Approval of the Minutes:

Upon motion by Ann Bochnowski, second by I. Maurice Ndukwu, and unanimous vote of those present, the Commissioners approved the proposed minutes of the August 5, 2004, business meeting after some amendments were made to the minutes.

Report of the Executive Director:

Kesha Rich, Legal Secretary and Leanne Bailey, Staff Attorney were introduced to the Commissioners. Rhonda Dalton, Administrative Secretary resigned, and transferred to the Commission on Volunteerism and Field Auditor, Hulian Campbell resigned and is working for Black Expo.

Resolution 2004-41 adopted by the Commission on August 6, 2004 approved a new game Player's Choice Poker. The resolution reflected Shuffle Master as the company requesting the approval. The correct company should be New Vision Gaming which will be reflected in the resolution.

Waiver of Rules and Regulations

These requests were approved by the Executive Director.

- Argosy and Harrah's were granted a waiver of the requirements regarding certain drop bucket processes and hard drop procedures due to conversion to ticket-in and ticket-out machines.
- Blue Chip was granted a waiver of the requirement to maintain accounting records for five (5) years allowing for the retention of tickets for a 90 day period.
- Trump was granted a waiver allowing Commission agents to inspect the seal on slot machine EPROMs for machines being used for off-site training.
- Aztar was granted a waiver allowing for roulette wheel adjustments while the riverboat is open to the public.

New Business

The Department of Administration will be issuing a request for proposals for a new disparity study relative to minority-owned business and women-owned business enterprises, to do an analysis of the businesses' availability in the State of Indiana and to give an assessment of the percentages of businesses that are available for not only the casino boats but also new legislation. Executive Director Lawrence has agreed to enter into a consortium with the Department of Administration, Department of Transportation and the seven Institutions of Public Higher Education to fund it and be on the analysis committee.

Commission staff is reviewing the rules and regulations to see if they need to be updated or done away with.

Recent Supreme Court decisions relative to Indiana riverboats were announced. First, the Supreme Court ruled that vessels that were purchased out of state and brought into the State of Indiana should be assessed as real property and be subject to Indiana sales tax. Second, the Supreme Court denied the case of the tax court and it was determined that gaming tax could not be deducted from the adjusted gross revenue. Estimates from the Department of Revenue could result in taxes to the boats in the amount of \$665 to \$675 million dollars. An assessment of the sales tax for those vessels purchased out of state has not been determined but the impact could be anywhere on an average of \$1.5 and \$3 million in taxes.

Executive Director Lawrence mentioned that Jack Carnes, the leader of the "orange shirts" in Orange County and his wife were killed in an automobile accident recently. He will be missed.

Orange County Update. Executive Director Lawrence provided an update on the Orange County project. Commission staff and the Trump organization met with the Business Action Team which was initiated by the Lt. Governor's office through the Department of Commerce. This is the first project that is used for this process. The Business Action Team is made up of a representative from the Department of Transportation, Department of Environmental Management, Department of Natural Resources, Department of Commerce and Fire and Building Safety who have regulatory authority over the project. The concept is that decisions will be made quickly and move the process forward. During that meeting, the Commission staff also viewed the site.

Additionally, the Commission staff and the Trump organization along with their attorneys have met on several occasions going over the details of the contract. Contract discussions continue with other contract entities that will be included in the contract.

Mr. Robert Pickus, Executive VP and General Counsel with Trump Hotels and Casino Resorts and Greg Hahn, with Tabbert, Hahn, Earnest & Weddle, Indiana Counsel gave an update on the Orange County project since being awarded the operating agent contract. Mr. Pickus advised the Commissioners that the Trump Company and the investment banking firm of DLJ MB III, terminated the proposed recapitalization of the company. The Trump company has entered into direct dialogue with bondholders with respect to a standard recapitalization as they continue to pursue other alternatives. The Orange County project is moving forward and is on schedule so far. An agreement has been reached with the architectural firm the Worth Group to proceed with the architectural engineering and design documents for the facility. During the month of August the Trump Company engaged several professionals to conduct environmental site assessments, wetlands delineations, geo-technical studies and a site survey. Since that time all matters have

been concluded. The precise survey which led Trump to conclude the site plans the facility will be designed and move forward toward the permitting and construction process. Trump plans on meeting with INDOT to discuss road improvements and particular needs of the facility. Trump will be submitting the IDEM Section 401 permits, as well as the Army Corps of Engineers permit, which are major permits for this project, within a week.

Boykin and Trump are reviewing drafts of the agreement which allows Trump the right-of-entry necessary for Trump to perform all of the physical work that is to be done on the site. Also, Trump received the local development agreement that was drafted by HHPC and is close to concluding the internal review. Trump is reviewing drafts for the ground lease for the facility and the development agreement with respect to Trump's obligations and commitments to French Lick Springs Resort, prepared by Boykin Lodging.

Harrah's/Caesars Update. Executive Director Lawrence advised the Commissioners that Harrah's Entertainment, Inc. who owns the Harrah's East Chicago and the Horseshoe Hammond properties in Indiana is in the process of purchasing the Caesars Indiana organization in Southwest Indiana. Riverboat licensees are not allowed to own three (3) properties. Harrah's is in the process of offloading the Harrah's East Chicago property in order to comply with Indiana rules, federal government and other jurisdictions where Harrah's properties are sited. Harrah's has entered into an agreement with Resorts International. Resorts International is an affiliate of Colony Capital, LLC. Colony is an investment firm that holds gaming licenses in New Jersey. Mr. Jack Thar of Ice Miller, Indiana Counsel, Mr. Phil Parenti, VP of Regulatory Compliance for Harrah's and Mr. Ron Gifford of Baker and Daniels, outside Counsel for Colony Capital, LLC spoke to the Commissioners about the mergers and divesting of properties.

Speaker. Walter Schulz was given 5 minutes to speak to the Commissioners on responsible gaming. He handed out a flyer with information about responsible gaming. Each Commissioner received a copy.

New Game Approvals

Resolution 2004-54

A Resolution Concerning Approval of the Game of Dragon Bonus. Shuffle Master Gaming submitted the game of Dragon Bonus for approval for play on Indiana riverboats. Gaming Laboratories International, Inc. ("GLI") reviewed the information and material submitted by Shuffle Master Gaming and found that the game of Dragon Bonus is a variation of the traditional game of Baccarat. Shuffle Master Gaming received conditional approval of the game for a period of six (6) months, pursuant to Resolution 2003-27, adopted by the Commission on July 11, 2003. Harrah's Casino sponsored Dragon Bonus by introducing the game to its casino floor following the conditional approval. Harrah's has indicated in writing that it wishes to continue offering the game of Dragon Bonus.

Action: Upon motion by Robert Barlow, second by Ann Bochnowski, and unanimous vote of those present, the Commission approved the game of Dragon Bonus for use on Indiana riverboats. All riverboats who offer the game of Dragon Bonus must have pre-approved rules of the game and layout schematics.

Resolution 2004-55

A Resolution Concerning Approval of the Game of Four Card Poker. Shuffle Master Gaming submitted the game of Four Card Poker for approval for play on Indiana riverboats. Gaming

Laboratories International, Inc. ("GLI") reviewed the information and material submitted by Shuffle Master Gaming and found that the game of Four Card Poker is a variation of the traditional game of Poker. Shuffle Master Gaming received conditional approval of the game for a period of six (6) months, pursuant to Resolution 2004-2, adopted by the Commission on February 6, 2004. Blue Chip Casino sponsored Four Card Poker by introducing the game to its casino floor following the conditional approval. Blue Chip has indicated in writing that it wishes to continue offering the game of Four Card Poker.

Action: Upon motion by Ann Bochnowski, second by Thomas Milcarek, and unanimous vote of those present, the Commission approved the game of Four Card Poker for use on Indiana riverboats. All riverboats who offer the game of Four Card Poker must have pre-approved rules of the game and layout schematics.

Resolution 2004-56

A Resolution Concerning Approval of the Game of Asian Baccarat. Random Gaming submitted the game of Asian Baccarat for approval for play on Indiana riverboats. Gaming Laboratories International, Inc. ("GLI") reviewed the information and material submitted by Random Gaming and found that the game of Asian Baccarat is a variation of the traditional game of Baccarat. Random Gaming received conditional approval of the game for a period of six (6) months, pursuant to Resolution 2004-3, adopted by the Commission on February 6, 2004. Horseshoe Casino sponsored Asian Baccarat by introducing the game to its casino floor following the conditional approval. Horseshoe has indicated in writing that it wishes to continue offering the game of Asian Baccarat.

Action: Upon motion by Thomas Milcarek, second by Marya Rose, and unanimous vote of those present, the Commission approved the game of Asian Baccarat for use on Indiana riverboats. All riverboats who offer the game of Asian Baccarat must have pre-approved rules of the game and layout schematics.

Occupational License Matters

Michael Held GV-DEN-04-01

On or about April 28, 2004 Michael Held was issued a level 3 temporary occupational license to work as a Porter at Grand Victoria Casino. Mr. Held disclosed several arrests on his application. Commission staff sent Mr. Held three letters requesting court documentation showing the outcome of these arrests. Two of the three letters were hand delivered to Mr. Held by a Commission agent at Grand Victoria. Mr. Held failed to submit the requested court documents. On that basis, Commission staff revoked Mr. Held's temporary occupational license and denied his application for a permanent license and formally advised him of this action on September 7, 2004.

Action: Upon motion by Robert Barlow, second by I. Maurice Ndukwa, and unanimous vote of those present, the Commission denied the application for an occupational license, level 3, submitted by Michael Held. The order will become effective fifteen (15) days after it is served.

Yvette Williams HA-DEN-04-02

On or about February 11, 2004, Yvette Williams was issued a level 2 temporary occupational license to work as a Cage Cashier at Harrah's Casino. Ms. Williams disclosed an arrest on her

application for an occupational license. Commission staff sent four letters to Ms. Williams requesting court documentation showing the outcome of the arrest. Two of the letters were hand delivered to Ms. Williams by a Commission agent at Harrah's. Ms. Williams failed to comply with the numerous requests for information. On that basis, Commission staff revoked Ms. Williams' temporary occupational license and denied her application for a permanent license. Commission staff formally advised Ms. Williams of this action on September 8, 2004. On September 8, 2004, Ms. Williams contacted the Commission staff and advised that she had in fact attempted to send the requested documentation via facsimile. Ms. Williams faxed the requested documents along the facsimile verification report confirming that she had faxed the court documentation to the Commission's office on August 2, 2004 and that the transmission was successful. Due to the fact that Ms. Williams had attempted to comply with the Commission's requests for information regarding her criminal background, Commission staff agreed to reinstate Ms. Williams' temporary occupational license to work at Harrah's, pending Commission review of the matter and pursuant to the terms of the Settlement Agreement.

Action: Upon motion by Ann Bochnowski, second by Robert Barlow, and unanimous vote of those present, the Commission denied the application for an occupational license, level 2, submitted by Yvette Williams and approved the terms of the Settlement Agreement allowing Ms. Williams to receive a temporary occupational license to work as a Cage Cashier at Harrah's Casino and place her occupational license on six (6) months probationary status for failure to respond to Commission requests for information.

Supplier's License Matters

Resolution 2004-57

A Resolution Concerning the Renewal of Supplier's License held by Chipco International. The Supplier Licensee has requested renewal of licensure and the renewal fees has been paid in accordance with 68 IAC 2-2-3(c) and 68 IAC 2-2-8. The Supplier Licensee 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 the Commission staff, the license will be subject to non-renewal or revocation.

Action: Upon motion by Thomas Milcarek, second by I. Maurice Ndukwu, and unanimous vote of those present, the Commission granted the renewal of the Supplier's License issued to Chipco International on the condition that any outstanding background 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. The Supplier Licensee must request renewal of the Supplier's License at least thirty (30) days before the expiration of the license and pay the Five Thousand Dollar (\$5,000) renewal fee.

Resolution 2004-58

A Resolution Granting the Request of Kilmartin Industries Inc. d/b/a Roger Williams Mint to Withdraw its Supplier's License. The Commission issued a temporary Supplier's License to Kilmartin Industries, Inc. d/b/a Roger Williams Mint ("KI-RWM") on October 22, 1997 pursuant to Resolution 1997-35. KI-RWM was issued a permanent Supplier's License on August 20, 1999, pursuant to Resolution 1999-20. On or about August 4, 2004, the Commission received a letter from KI-RWM requesting the ability to withdraw its Supplier's License due to the unavailability of business opportunities.

Action: Upon motion by Robert Barlow, second by I. Maurice Ndukwu, and unanimous vote of those present, the Commission granted KI-RWM their request to withdraw its Supplier's License.

Resolution 2004-59

A Resolution Granting a Permanent Supplier's License to Western Money Systems. The Commission issued a temporary Supplier's License to Western Money Systems pursuant to Resolution 2004-15. The Commission has completed the background investigation on the temporary Supplier Licensee and has found Western Money Systems suitable to receive a permanent Supplier's License.

Action: Upon motion by Ann Bochnowski, second by I. Maurice Ndukwu, and unanimous vote of those present, the Commission issued Western Money Systems a permanent Supplier's License on the condition that upon payment of the cost of the license investigation and the payment of \$5,000 annual license fee in accordance with IC 4-33-1 and 68 IAC 2-2. The Supplier's License will be valid for a period of one (1) year from the date of issuance. The Supplier Licensee must request renewal of the Supplier's License at least thirty (30) days before the expiration of the license and pay the Five Thousand Dollar (\$5,000) renewal fee.

Resolution 2004-60

A Resolution Concerning the Request of Atlantic City Coin & Slot Service Company, Inc. for Approval to Transfer an Ownership Interest. Atlantic City Coin & Slot Service Company, Inc. ("AC Coin") received a permanent Supplier's License on February 26, 1999. By letter dated August 11, 2004, AC Coin requests the Commission allow the majority stock holder, Mac Seelig, to transfer one percent (1%) common stock ownership to each of his sons: Jerald, Jeffrey and Jason Seelig. The transfer of interest will result in the ownership of ten percent (10%) by each son. The purpose of the transfer is for estate planning. All the Seeligs were subject to a background investigation for their present employment positions and their ownership interest in AC Coin and were approved by the Commission. Due to the fact the no key persons or substantial owners are being introduces as a result of this change in ownership. Additionally, AC Coin has requested that the Commission waive the normal transfer of ownership procedures and attendant background investigations.

Action: Upon motion by Robert Barlow, second by I. Maurice Ndukwu, and unanimous vote of those present, the Commission granted AC Coin the waiver of the normal transfer of ownership procedures and attendant background investigations and granted AC Coin the approval of the resulting transfer of ownership interests of one percent (1%) each to Jerald, Jeffrey and Jason Seeling for a total ownership interest of 10% each.

Settlement Agreement Concerning Global Surveillance Associates

In December 2003, Global Surveillance Associates submitted an application to the Commission for a Supplier's License in order to supply surveillance equipment to Indiana Riverboats. During the background investigation, the Commission staff was notified that Global Surveillance Associates had been performing duties at Harrah's East Chicago on nine (9) separate days from November 24, 2003, the date they were advised that a Supplier's License was required, through December 31, 2003. Pursuant to Resolution 2004-46 the Commission denied Global Surveillance Associates' application for a Supplier's License. On August 23, 2004, Global Surveillance Associates requested a hearing to appeal the denial of its application for a Supplier's License. Global Surveillance Associates desires to settle and compromise the proceeding with out a hearing to adjudicate any issue of the fact or law. Pending Commission approval, the

Commission and Global Surveillance Associates agreed to a settlement. The terms of the settlement agreement are that the action take by Resolution 2004-46 is withdrawn and the Commission issues Global Surveillance Associates a permanent Supplier's License, due to the fact the Global performed duties at Harrah's Casino prior to receiving a Supplier's License, agree to pay a fine in the amount of \$12,000 and agree to pay the \$5,000 annual license fee that will be due upon the issuance of the permanent Supplier's License.

Action: Upon motion by Ann Bochnowski, second by Thomas Milcarek, and unanimous vote of those present, the Commission approved the proposed terms of the Settlement Agreement.

Resolution 2004-61

A Resolution Granting a Permanent Supplier's License to Global Surveillance Associates. Pursuant to Resolution 2004-46, the Commission denied Global Surveillance Associates' application for a Supplier's License due to the fact that they performed duties at Harrah's Casino prior to receiving a Supplier's License. The Commission has completed the background investigation on Global Surveillance and no additional issues regarding their suitability were uncovered in the investigation. Pursuant to the proposed terms of the Settlement Agreement executed by the Commission and Global Surveillance Associates the Commission grants Global Surveillance Associates a permanent Supplier's License.

Action: Upon motion by Ann Bochnowski, second by Thomas Milcarek, and unanimous vote of those present, the Commission issued a permanent Supplier's License to Global Surveillance Associates on the condition that upon payment of the cost of the license investigation and the payment of \$5,000 annual license fee in accordance with IC 4-33-1 and 68 IAC 2-2. Issuance is further conditioned upon payment of the \$12,000 disciplinary fine agreed upon in the Settlement Agreement. The Supplier's License will be valid for a period of one (1) year from the date of issuance. The Supplier Licensee must request renewal of the Supplier's License at least thirty (30) days before the expiration of the license and pay the Five Thousand Dollar (\$5,000) renewal fee.

Riverboat Owner's Matters

Order of Renewal for RDI/Caesars Riverboat Casino, LLC Riverboat Owner's License

The Riverboat Owner's License held by RDI/Caesars Riverboat Casino, LLC was renewed on November 16, 2003 and expires on November 15, 2004. RDI/Caesars requests the renewal of its license and has submitted the required application fee. Commission staff recommends that the license be renewed for a period of one year from November 16, 2004, to November 15, 2005.

Action: Upon motion by Robert Barlow, second by I. Maurice Ndukwu, and unanimous vote present, the Commission granted RDI/Caesars Riverboat Casino, LLC's request to renew the license for a period of one year, expiring November 15, 2005.

Disciplinary Action Matters

RDI/Caesars Riverboat Casino, LLC Complaint No. 04-CS-04

In April 2004, Caesars submitted a promotion called Cleopatra's Pyramid, which consisted of four weekly drawings where guests would have a chance to play a pyramid and attempt to win

various prizes, including a top prize of \$10,000. If the \$10,000 was still available by the final drawing on May 25, 2004, a drawing would be held to award that prize. The winner would be chosen from all entries collected since the promotion began, which guests earned based on their slot play on the days of the weekly drawings. All documents relating to the promotion would be maintained for a minimum period of five years. Caesars was advised on May 10 that it could implement the promotion as submitted. It was discovered that the winner had an inordinate amount of entries in the drawing. Caesars investigated the matter and discovered that an employee gave her former husband numerous extra entries, which he did not legitimately earn. After the investigation was complete, Caesars threw away all entries for the drawing, violating the terms of the approved promotion. Further, this action violated regulations regarding the destruction of records, 68 IAC 1-15-1, which requires Commission staff approval to destroy any records.

In July 2004, Caesars submitted a promotion called Easy Electronic Entry Car Giveaway, in which Connection Center members would be eligible to receive entries to a drawing by swiping their card during the entry period or by their slot and table game play. The winner would be selected at random by a computer program. All guests with entries in the drawing were to return on August 29 to activate their entries and the drawing would be held at 9:00 p.m. There were to be three drawings for a \$1,000 prize, which required the guest to be present to win and one drawing for the car, which did not require the guest to be present to win. Caesars was advised that it could implement the promotion as submitted. Commission staff was advised on August 29 that the computer system processing the entry activations slowed down significantly due to the large number of cards being swiped. In an attempt to correct this problem, Caesars employees wrote down the account numbers and manually entered the information in the system using computers in the back of the house. The drawing was scheduled for 9:00 p.m. However, all entries were not entered until approximately 11:45 p.m. Due to the delay most of the guests were no longer present. Caesars altered the promotion to include additional drawings that did not require guests to be present to win a prize. This revision was not submitted to the Commission for approval.

The actions of Caesars described above violated Indiana gaming rules and terms of approved promotions. Commission staff and Caesars agree that a sanction be imposed. Commission staff recommends and Caesars will agree to pay a fine in the amount of \$35,000: \$25,000 for Cleopatra's Pyramid and \$10,000 for the Easy Electronic Entry Car Giveaway.

Action: Upon motion by Thomas Milcarek, second by I. Maurice Ndukwu, and unanimous vote of those present, the Commission approved the proposed terms of the settlement agreement executed by the Commission staff and RDI/Caesars Riverboat Casino, LLC will agree to pay a fine in the amount of \$35,000: \$25,000 for Cleopatra's Pyramid and \$10,000 for the Easy Electronic Entry Car Giveaway.

Majestic Star Casino, LLC
Complaint No. 04-MS-02

On or about March 23, 2004 Majestic Star experienced a failure of computer communications between slot machines and the cage. The malfunction resulted in the inability to validate slot tickets at the cage. Pursuant to Majestic Star's internal control procedures, specifically Section II, Subsection E, "in the event that all cashier terminals are unable to redeem a cashout ticket(s), the EGD cashout ticket shall be verified at the originating EGD". Pursuant to Majestic Star's Internal control procedures, "slot personnel shall authorize the payment of the amount of the cashout ticket by signing their name and license number on the cashout ticket, and should also

contain the date of issuance, the last four digits of the ticket validation number." During the malfunction, Majestic Star employees only verified the tickets in the amounts greater than one hundred dollars and did not sign the tickets upon redemption. Pursuant to 68 IAC 11-1-5, a riverboat licensee may amend an internal control procedure in the event of an emergency. The emergency must be reported to Commission agents at the property and the agents must concur that an emergency exists. Commission agents were not notified of the computer malfunction.

Pursuant to 68 IAC 14-7-4, prior to opening a roulette table for the gaming day, the wheel shall be inspected and balanced by or in the presence of a Commission agent. On July 21, 2004 a roulette wheel was found to be unbalanced during the daily wheel inspection. A Commission agent advised Majestic Star personnel that the table remain closed. The following day, the same Commission agent was conducting the daily wheel inspection and found that the table he closed the day before was open. Majestic Star personnel indicated that the wheel was balanced prior to the table being opened, but without the presence of a Commission agent. The wheel was checked and was still unbalanced.

The actions of Majestic Star described above violated Indiana gaming rules 68 IAC 11-1-5 and 68 IAC 14-7-4, as well as Majestic Star's approved internal controls. Commission staff and Majestic Star agree that a sanction be imposed and have entered into a Settlement Agreement. Commission staff recommends and Majestic Star will agree to pay a fine in the amount of \$26,000: \$10,000 for the failure to validate all tickets, \$10,000 for the failure to sign redeemed tickets, \$5,000 for the failure to notify Commission agents, and \$1,000 for the failure to test a roulette wheel in the presence of a Commission agent.

Action: Upon motion by I. Maurice Ndukwu, second by Ann Bochnowski, and unanimous vote of those present, the Commission approved the proposed terms of the settlement agreement executed by the Commission staff and Majestic Star will agree to pay a fine in the amount of \$26,000: \$10,000 for the failure to validate all tickets, \$10,000 for the failure to sign redeemed tickets, \$5,000 for the failure to notify Commission agents, and \$1,000 for the failure to test a roulette wheel in the presence of a Commission agent.

Grand Victoria Casino & Resort LP Complaint No. 04-GV-02

Pursuant to Grand Victoria internal control procedures, specifically, Section 6-1(D) and a memo from former Executive Director, Jack Thar, there must be at least two (2) security guards at the admissions area. Pursuant to IC 4-33-9-12(a) and 68 IAC 1-11-1(c), "a person who is less than twenty-one (21) years of age may not be present in the area of riverboat where gambling is being conducted." On or about August 7, 2004, a patron boarded the vessel with his minor daughter. There was only one security officer at the admissions area at the time and was busy with another situation. The patron was stopped after boarding the vessel by a Host who informed him that he could not bring anyone under twenty-one (21) years old with him onto the vessel. The actions of Grand Victoria described above violated Indiana Code 4-33-9-12(a) and Indiana gaming rule 68 IAC 1-11-1(c), as well as Grand Victoria's approved internal controls. Commission staff and Grand Victoria agree that a sanction be imposed and have entered into a Settlement Agreement. Commission staff recommends and Grand Victoria will agree to pay a fine in the amount of \$6,500: \$1,500 for allowing a minor to board the vessel and \$5,000 for not maintaining an adequate number of security officers at the admissions area.

Action: Upon motion by Ann Bochnowski, second by Robert Barlow, and unanimous vote of those present, the Commission approved the proposed terms of the settlement agreement executed by the Commission staff and Grand Victoria will agree to pay a fine in the amount of \$6,500: \$1,500 for allowing a minor to board the vessel and \$5,000 for not maintaining an adequate number of security officers at the admissions area.

**Indiana Gaming Company, L.P.
Complaint No. 04-AG-02**

Pursuant to 68 IAC 8-2-2, "A riverboat licensee shall have at least one (1) employee who is certified as an emergency medical technician under IC 16-31-3 and 836 IAC 1-5 on the riverboat at all times patrons are present on the riverboat." The Commission received two letters dated August 3 and August 9, 2004 from Mark Mason, Director of Security for Argosy Casino, regarding a failure to maintain a certified EMT on board the vessel. Between October 1, 2003 and July 31, 2004, an employee of Argosy performed duties as the sole EMT on the vessel on fifteen (15) different occasions. It was later discovered that this employee had failed to recertify and was no longer eligible to be performing EMT duties. The actions of Argosy Casino described above violated 68 IAC 8-2-2. Commission staff and Argosy Casino agree that a sanction be imposed and have entered into a Settlement Agreement. Commission staff recommends and Argosy will agree to pay a fine in the amount of \$9,500: \$2,500 for not having a certified EMT and \$500 for each additional day no certified EMT was on board the vessel.

Action: Upon motion by Marya Rose, second by Robert Barlow, and unanimous vote of those present, the Commission approved the proposed terms of the settlement agreement executed by the Commission staff and Argosy will agree to pay a fine in the amount of \$9,500: \$2,500 for not having a certified EMT and \$500 for each additional day no certified EMT was on board the vessel.

NEXT MEETING:

The next business meeting of the Indiana Gaming Commission will be December 3, 2004 at Grand Victoria Casino & Resort, 600 Grand Victoria Drive, Rising Sun, IN.

ADJOURNMENT:

Upon motion by Thomas Milcarek, second by Marya Rose, and unanimous vote of those present, the meeting was adjourned at 11:45 a.m.

MINUTES:

Baynes and Shirey, Inc. Court Reporters transcribed the October 1, 2004 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 Baynes & Shirey Inc., Circle Center, 111 Monument Circle, Suite 582, Indianapolis, IN 46204, (317) 231-9004.

These minutes were prepared by Michelle Marsden, Licensing Coordinator for the Indiana Gaming Commission.

Respectfully submitted,

Michelle Marsden

THE INDIANA GAMING COMMISSION:

Donald Vowels, Chair

Thomas Milcarek, Secretary