

INDIANA GAMING COMMISSION BUSINESS MEETING

March 31, 2008

Indiana Government Center South Auditorium

Call to Order and Roll Call:

Chairman William Barrett called the meeting to order at approximately 1:05 p.m. local time. A quorum was present.

Present:

Commission Members: William Barrett, Chairman, Tom Swihart, Secretary, Tim Walsh, Mary Shy, and Marc Fine. Commissioners Murphy and Cummings were not present. Commission Staff: Ernest E. Yelton, Phil Sicuso, Jennifer Arnold, Chris Gray, Angie Bunton, Matthew Shouse, Adam Packer, Tami Timberman-Wright, Garth Brown, Larry Rollins, Glen Lloyd, Andy Means, Lea Ellingwood, Kesha Rich, Bill Peevler, Tom Piskorowski, Danielle Brooks, John Hoenstine, Mike Hathaway, Doug Smiley, Kyle Shapiro, and members of the public.

Approval of the Minutes:

Upon motion by Tom Swihart, second by Tim Walsh, and the unanimous vote of those present, the Commissioners approved the proposed minutes of the November 8, 2007, and December 6, 2008, business meetings.

Report of the Executive Director:

The Executive Director gave a staff update. Tony Fudge has been hired as the newest background investigator. Clara McCarty and Diane Brown have joined the audit division. Debbie Bauman and Rudy Eidam are the newest members of the Charity Gaming division, and James Regan became the third assistant director of Gaming Enforcement. Andrew Klinger resigned as Deputy Counsel and has been replaced by Adam Packer.

The Charity Gaming Division conducted twelve educational sessions to inform organizations of the new statutory and regulatory changes. From January 1, 2008, to March 24, 2008, 405 single event applications were processed and issued, 173 annual licenses were processed and issued, and 8 Distributor License applications were also processed and issued. Since January, Charity Gaming has issued 34 Annual Bingo Licenses and 26 Annual Charity Game Night Licenses.

Since September, 2007, the Gaming Control Division has seized or caused the removal of 354 illegal gambling devices from 45 locations. The Division was also involved in enforcement action at 2 illegal poker operations. The Division has instituted numerous criminal charges and filings and seized 596 electronic gambling devices, 13 illegal pull tab machines, 16 cases of pull

tabs, component parts of illegal gambling devices, poker tables, blackjack tables, a roulette wheel, over \$65,000 and numerous financial records.

The Investigation Division has completed 116 comprehensive investigations, which include principals for the 2 "racinos". It has also implemented newly revised Personal Disclosure Forms 1, 2 and 3, which have been posted to the IGC website.

The Enforcement Division's 6th Academy class graduated 32 agents on March 5. 10 agents will report to duty at Hoosier Downs and Indiana Live and the other agents will fill vacancies at other casinos.

Three legislative bills were passed affecting the Gaming Commission. HEA 1105 addressed pension issues for gaming agents. SEA 227 was proposed by the Casino Association, wherein all information maintained by the Gaming Commission concerning an individual's licensing is confidential with the exception of name, place of employment, title, gaming experience, reasons for denial or discipline and information regarding felony waiver requests. HEA 1153 granted a Charity Gaming PPT licensee the ability to conduct a winner take all drawing with amounts awarded not to exceed \$300. It also permits patrons to serve as dealers in euchre games.

In February of 2008 Majestic Star filed a Complaint for Declaratory Judgment against the City of Gary and the Commission regarding the LDA's entered into between Majestic Star and the City of Gary. The case is pending in Marion County. The Commission is being represented by the Attorney General's office.

In February of 2008 Caesars and three employees filed a Complaint for Declaratory and Injunctive Relief to prevent the commission from releasing certain personal information about occupational licensees to anyone who requests the information. The suit was filed in response to a PCA opinion. The individual who originally requested the information withdrew his request and the case was dismissed.

In September of 2007 Thomas Donovan filed a Complaint for Damages against the Commission regarding his eviction from Grand Victoria. The Commission filed a Motion to dismiss, which was granted by the Judge on March 18, 2008.

Waiver of Rules and Regulations:

All riverboats were granted a waiver allowing the count room employees to open BV boxes until one with both cash and tickets can be counted to test the currency counter allowing for a more accurate test prior to the count process.

All riverboats were also granted relief from completing a multiple transaction log for manually paid jackpots over \$3,000.

Casino Association Members were granted a waiver allowing them to issue the winning patron a receipt for the jackpot won and resetting the EGD prior to the processing and payment of the jackpot.

Aztar was granted relief from the rules on the drop bucket process and hard count process since the casino has all TITO slot machines.

Blue Chip was granted relief from tracing table game fills and credit slip originals to the manual orders for fills and credits since the order used is the computerized one.

Caesars' request to place dedicated coverage on progressive displays showing incrementation when the display reads a minimum of \$40,000 was approved. The accounting/income audit department will be responsible for daily verification of the incremented amounts.

French Lick's request to allow department managers to retain Title 31 paperwork for two additional business days to properly review all transactions was approved.

French Lick was also granted waiver to allow the list of employees who have access to the sensitive key box to be submitted to the Gaming Enforcement Agents on a weekly basis.

French Lick's request to allow the cage to retain the original copy of the Tip and Gratuity form while the tip count team retains the duplicate was granted.

Grand Victoria's request to eliminate the drop meters and drop offset meters that identify the total drop allowing all income into the slot machines to be accounted for in individually identified meters was granted.

Horseshoe's request to allow hand scanners at the cage entrances instead of a key lock was granted.

Resorts request to allow Level 3 employees of two restaurants to pass through an area beyond the turnstiles to get to their jobs was granted.

Hoosier Park and Indiana Live were granted all waivers that have been granted to the Casino Association or to all of the casinos regarding EGDs, cage operations or the count room process.

Old Business:

There was no old business.

New Business:

Voluntary Exclusion Program:

**Orders Concerning
The Voluntary Exclusion Program
Order 2008-1
Order 2008-2
Order 2008-3**

Order 2008-4
Order 2008-5
Order 2008-6
Order 2008-7
Order 2008-8
Order 2008-9
Order 2008-10
Order 2008-11
Order 2008-12
Order 2008-13
Order 2008-14
Order 2008-15
Order 2008-16
Order 2008-17

Order 2008-1 approved the remittance of winnings by VEP participant John Doe #1 in the amount of \$770 as a fine. Argosy withheld the winnings as required by Commission regulations and will remit the fine on behalf of the patron.

Order 2008-2 approved the remittance of winnings by VEP participant John Doe #2 in the amount of \$199 as a fine. Argosy withheld the winnings as required by Commission regulations and will remit the fine on behalf of the patron.

Order 2008-3 approved the remittance of winnings by VEP participant John Doe #3 in the amount of \$85 as a fine. Blue Chip withheld the winnings as required by Commission regulations and will remit the fine on behalf of the patron.

Order 2008-4 approved the remittance of winnings by VEP participant John Doe #4 in the amount of \$2,000 as a fine. Blue Chip withheld the winnings as required by Commission regulations and will remit the fine on behalf of the patron.

Order 2008-5 approved the remittance of winnings by VEP participant John Doe #5 in the amount of \$1,268 as a fine. Caesars withheld the winnings as required by Commission regulations and will remit the fine on behalf of the patron.

Order 2008-6 approved the remittance of winnings by VEP participant John Doe #6 in the amount of \$150 as a fine. Caesars withheld the winnings as required by Commission regulations and will remit the fine on behalf of the patron.

Order 2008-7 approved the remittance of winnings by VEP participant John Doe #7 in the amount of \$434 as a fine. French Lick withheld the winnings as required by Commission regulations and will remit the fine on behalf of the patron.

Order 2008-8 approved the remittance of winnings by VEP participant John Doe #8 in the amount of \$10,000 as a fine. Grand Victoria Casino withheld the winnings as required by Commission regulations and will remit the fine on behalf of the patron.

Order 2008-9 approved the remittance of winnings by VEP participant John Doe #9 in the amount of \$53 as a fine. Grand Victoria Casino withheld the winnings as required by Commission regulations and will remit the fine on behalf of the patron.

Order 2008-10 approved the remittance of winnings by VEP participant John Doe #10 in the amount of \$5,000 as a fine. Horseshoe Casino withheld the winnings as required by Commission regulations and will remit the fine on behalf of the patron.

Order 2008-11 approved the remittance of winnings by VEP participant John Doe #11 in the amount of \$3,202 as a fine. Horseshoe Casino withheld the winnings as required by Commission regulations and will remit the fine on behalf of the patron.

Order 2008-12 approved the remittance of winnings by VEP participant John Doe #12 in the amount of \$1,800 as a fine. Majestic Star withheld the winnings as required by Commission regulations and will remit the fine on behalf of the patron.

Order 2008-13 approved the remittance of winnings by VEP participant John Doe #13 in the amount of \$90 as a fine. Majestic Star Casino withheld the winnings as required by Commission regulations and will remit the fine on behalf of the patron.

Order 2008-14 approved the remittance of winnings by VEP participant John Doe #14 in the amount of \$1,500 as a fine. Majestic Star Casino withheld the winnings as required by Commission regulations and will remit the fine on behalf of the patron.

Order 2008-15 approved the remittance of winnings by VEP participant John Doe #15 in the amount of \$157.50 as a fine. Majestic Star Casino withheld the winnings as required by Commission regulations and will remit the fine on behalf of the patron.

Order 2008-16 approved the remittance of winnings by VEP participant John Doe #16 in the amount of \$97.50 as a fine. Majestic Star Casino withheld the winnings as required by Commission regulations and will remit the fine on behalf of the patron.

Order 2008-17 approved the remittance of winnings by VEP participant John Doe #17 in the amount of \$1,600 as a fine. Resort East Chicago withheld the winnings as required by Commission regulations and will remit the fine on behalf of the patron.

Action: Upon Motion by Tom Swihart, second by Mary Shy, and unanimous vote of those present, the Commission approved Orders 2008-1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, and 17 as recommended by Commission staff.

Order 2008-18

An Order regarding the appeal of Voluntary Exclusion Remittance of John Doe #27 (VEP-07-27).

Action: Upon Motion by Tom Swihart, second by Tim Walsh, the Commission approved Order 2008-18, and affirmed the ruling made by the Administrative Law Judge which stated John Doe #27 was a voluntarily excluded person on the date of his/her winnings.

Order 2008-19

An Order regarding the appeal of Voluntary Exclusion Remittance of John Doe #32 (VEP-07-32).

Action: Upon Motion by Tom Swihart, second by Tim Walsh, the Commission approved Order 2008-19, and affirmed the ruling made by the Administrative Law Judge which stated John Doe #32 was a voluntarily excluded person on the date of his/her winnings.

Occupational License Matters:

Order 2008-20

Order Denying the Application for Occupational Licenses of Philip Green, Robert Harris, Dwayne Henderson, Antonio Ingram, Donald Newton and James Walton. Philip Green, Robert Harris, Dwayne Henderson, Donald Newton and James Walton filed to disclose felony convictions on the applications for occupational licenses. Antonio Ingram was seen taking several \$500 chips and running out of the casino. Commission staff recommended their license applications be denied.

Action: Upon Motion by Tim Walsh, second by Tom Swihart, and unanimous vote of those present, the Commission denied the application for the occupational license of Phillip Green, Robert Harris, Dwayne Henderson, Antonio Ingram, Donald Newton and James Walton in Order 2008-20.

Order 2008-21

An Order of the Indiana Gaming Commission Concerning the Disciplinary Action Against the Occupational License of Fred Moy. Mr. Moy had a conviction for syndicated gambling and the Administrative Judge ruled that his conviction made him ineligible for licensure in Indiana and recommended his license be revoked.

Action: Upon Motion by Tim Walsh, second by Tom Swihart, and unanimous vote of those present, the Commission approved the Order affirming the ALJ's recommendation.

Supplier License Matters

Order 2008-22

An Order of the Indiana Gaming Commission Granting a Permanent Supplier's License to Patriot Gaming & Electronics, Inc.

Action: Upon Motion by Tom Swihart, second by Tim Walsh, and unanimous vote of those present, the Commission granted a permanent supplier's license to Patriot Gaming & Electronics, Inc. This license will be good for a period of one year beginning March 31, 2008 and ending March 30, 2009.

Order 2008-23

An Order of the Indiana Gaming Commission Granting a Permanent Supplier's License to Fairchild Communication Systems, Inc.

Action: Upon Motion by Tom Swihart, second by Tim Walsh, and unanimous vote of those present, the Commission granted a permanent supplier's license to Fairchild Communication Systems, Inc. This license will be good for a period of one year beginning March 31, 2008 and ending March 30, 2009.

Order 2008-24

An Order of the Indiana Gaming Commission Concerning the Renewal of Supplier's Licenses of IEP, Ltd., Midwest Game Supply, IGT, AC Coin, WMS Gaming, Inc., Bally Technologies, Inc., and Dallmann Systems, Inc.

Action: Upon Motion by Tom Swihart, second by Tim Walsh, and unanimous vote of those present, the Commission granted the Renewal of Supplier's Licenses of IEP, Ltd., Midwest Game Supply, IGT, AC Coin, WMS Gaming, Inc., Bally Technologies, Inc., and Dallmann Systems, Inc.

New Gambling Game Licenses

Order 2008-25

An Order Concerning the Application of Hoosier Park, L.P., A Wholly Owned Subsidiary of Centaur, Inc., For a Gambling Game License Under Indiana Code 4-35.

Action: Upon Motion by Tom Swihart, second by Tim Walsh, and unanimous vote of those present, the Commission granted Hoosier Park, L.P., a Gambling Game License for an initial five years and approved the proposed slot machine facility. The Commission further approved Hoosier Park's financing package and waived the procedural requirements and deadlines in 68 IAC 5-3-2.

Order 2008-26

An Order Concerning the Application of Indianapolis Downs, LLC for a Gambling Game License Under Indiana Code 4-35.

Action: Upon Motion by Tom Swihart, second by Mary Shy, and unanimous vote of those present, the Commission granted Indianapolis Downs, LLC, a Gambling Game License for an

initial five years and approved the proposed temporary and permanent slot machine facilities. The Commission further approved Indianapolis Downs financing package and waived the procedural requirements and deadlines in 68 IAC 5-3-2.

Disciplinary Actions:

**Settlement Agreement of
Indiana Gaming Company, L.P.
08-AR-01
Order 2008-27**

A settlement agreement was reached regarding the failure to inspect cards, resulting in cards missing from a deck. Commission staff recommended and Indiana Gaming Company, L.P. agreed to pay a total fine in the amount of \$5,000.

Action: Upon Motion by Tom Swihart, second by Tim Walsh, and unanimous vote of those present, the Commission approved the proposed terms of the agreement.

**Settlement Agreement of
Belterra Casino and Resort
08-BT-01
Order 2008-28**

A settlement agreement was reached regarding Ct. 1: a slot machine being placed into service before passing a coin test, Ct. 2: a vendor did not have a security escort while on the casino floor, and Ct. 3: Violation of rules requiring a list of authorized employees who have access to sensitive keys and that a log be maintained documenting access to the sensitive key. Commission staff recommended and Belterra Casino and Resort agreed to pay a total fine in the amount of \$12,500.

Action: Upon Motion by Tom Swihart, second by Mary Shy, and unanimous vote of those present, the Commission approved the proposed terms of the agreement.

**Settlement Agreement of
Blue Chip Casino, LLC
08-BC-01
Order 2008-29**

A settlement agreement was reached regarding Ct. 1: violation of rule requiring casinos to report any apparent criminal activity, Ct. 2: violation of rule requiring progressive controllers to have two locks, Ct. 3: violation of sensitive key rule, Ct. 4: bill validator boxes were not properly transported or secured, and Ct. 5: funds in the count room were not properly counted. Commission staff recommended and Blue Chip Casino, LLC agreed to pay a total fine in the amount of \$25,000.

Action: Upon Motion by Tom Swihart, second by Mary Shy, and unanimous vote of those present, the Commission approved the proposed terms of the agreement.

**Settlement Agreement of
French Lick Resort•Casino
08-FL-01
Order 2008-31**

A settlement agreement was reached with French Lick Resort•Casino regarding Ct. 1: Violation regarding rules for progressive slot machines in which of the machines was set incorrectly, and Ct. 2: violation of the procedure for collecting and counting tip boxes. French Lick Resort•Casino agreed to a total fine of \$12,500 and Commission staff recommended the approval of this settlement.

Action: Upon Motion by Tom Swihart, second by Tim Walsh, and unanimous vote of those present, the Commission approved the proposed terms of the agreement.

**Settlement Agreement of
Grand Victoria Casino and Resort LP
08-GV-01
Order 2008-32**

A settlement agreement was reached with Grand Victoria Casino and Resort regarding Ct. 1: failure to keep a separate log for record adjustments made to roulette table/wheels, Ct. 2: violation of the rule to continuously record an area of the casino, and Ct. 3: violation of rule requiring surveillance to be able to view the table game cards with sufficient clarity to determine values, Grand Victoria Casino and Resort agreed to a fine of \$16,000 and Commission staff recommended the approval of this settlement.

Action: Upon Motion by Tom Swihart, second by Tim Walsh, and unanimous vote of those present, the Commission approved the proposed terms of the agreement.

**Settlement Agreement of
Horseshoe Hammond, Inc.
08-HH-01
Order 2008-33**

A settlement agreement was reached with Horseshoe Hammond, Inc. regarding violation of the rule requiring all roulette wheels on closed games to be locked and secured. Horseshoe agreed to a fine of \$2,500 and Commission staff recommended the approval of this settlement.

Action: Upon Motion by Tom Swihart, second by Mary Shy, and unanimous vote of those present, the Commission approved the proposed terms of the agreement.

**Settlement Agreement of
Majestic Star Casino, LLC
08-MS-01
Order 2007-121**

A settlement agreement was reached with Majestic Star Casino, LLC regarding a violation of the VEP, wherein a patron enrolled in the VEP was paid a jackpot. Majestic Star Casino agreed to a total fine of \$16,200 and Commission staff recommended the approval of this settlement.

Action: Upon Motion by Tom Swihart, second by Tim Walsh, and unanimous vote of those present, the Commission approved the proposed terms of the agreement.

Charity Gaming:

Resolution 2008-38

A Resolution Adopting LSA Document #06-335 as a Final Rule.

Action: Upon Motion by Tim Murphy, second by Tim Walsh, and unanimous vote of those present, the Commission adopted Resolution 2008-38.

Patron Counting Systems

Resolution 2008-39

A Resolution Adopting an Emergency Rule Regarding Patron Counting Systems.

Action: Upon Motion by Tom Swihart, second by Mary Shy, and unanimous vote of those present, the Commission approved the proposed Resolution.

Junketeers

Resolution 2008-40

A Resolution Adopting an Emergency Rule Regarding Junketeers.

Action: Upon Motion by Tom Swihart, second by Mary Shy, and unanimous vote of those present, the Commission approved the Resolution Adopting the Emergency Rule.

Slot Machines:

Resolution 2008-41

A Resolution Adopting an Emergency Rule Regarding Definition of "Slot Machine".

Action: Upon Motion by Tom Swihart, second by Tim Walsh, and unanimous vote of those present, the Commission approved the Resolution Adopting the Emergency Rule.

Renewal of Riverboat Owner's Licenses

Order 2008-35

An Order of the Indiana Gaming Commission Renewing the Riverboat Owner's License of Indiana Gaming Company, LP.

Action: Upon Motion by Tom Swihart second by Mary Shy, and unanimous vote of those present, the Commission approved the renewal of Indiana Gaming Company, LP, riverboat license.

Order 2008-36

An Order of the Indiana Gaming Commission Renewing the Riverboat Owner's License of Caesars Riverboat Casino, LLC.

Action: Upon Motion by Tom Swihart, second by Tim Walsh, and unanimous vote of those present, the Commission approved the renewal of Caesars Riverboat Casino, LLC's riverboat license.

Casino Aztar:

Order 2008-37

An Order of the Indiana Gaming Commission Approving the Designation and Appointment of an Attorney-in-Fact for Conducting Riverboat Gambling Operations and Related Activities at Casino Aztar.

Action: Upon Motion by Tom Swihart, second by Tim Walsh, and unanimous vote of those present, the Commission approved the designation and appointment of Robert T. Dingman as Attorney-in-Fact for Casino Aztar, to exercise and perform any and all activities and powers regarding the Casino and its Riverboat Gambling Operations and related business activities on behalf of the Licensee. This Order is in effect at 8:00 a.m. Eastern Daylight Time on April 2, 2008.

Next Meeting:

The next business meeting of the Commission will be June, 2008, at a yet to be determined location.

Adjournment:

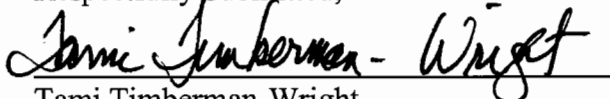
The meeting was adjourned at approximately 2:50 p.m.

Minutes:


Circle City Reporting, 135 North Pennsylvania, 2050 First Indiana Plaza, Indianapolis, IN 46204, transcribed the, business meeting. The transcript is a complete record of the meeting. Anyone wishing to see the transcript may review it at the Commission Office at 101 West Washington Street, East Tower, Suite 1600, Indianapolis, Indiana.

These minutes were prepared by Tami Timberman-Wright, Administrative Assistant for the Indiana Gaming Commission. This transcript may also be viewed online at www.in.gov/gaming.

Respectfully Submitted,


Tami Timberman-Wright

THE INDIANA GAMING COMMISSION:


William Barrett, Chairman


Tom Swihart, Secretary

5/28/08
Date