

INDIANA GAMING COMMISSION
BUSINESS MEETING
MARCH 23, 2021

The Indiana Gaming Commission Business Meeting was stenographically taken down by me, Dianne Lockhart, RMR, CRR, a Notary Public in and for the County of Marion, State of Indiana, virtually via Microsoft Teams in Indianapolis, Indiana, commencing at the hour of 2:11 p.m., March 23, 2021. The following transcript is a true and accurate transcript of the proceedings held.

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A P P E A R A N C E S

ON BEHALF OF THE GAMING COMMISSION:

Michael McMains, Chairman

Marc D. Fine, Commissioner

Susan Williams, Commissioner

Jason Dudich, Commissioner

Chuck Cohen, Commissioner

Sara Gonso Tait, Executive Director

Jennifer Reske, Deputy Director

Greg Small, General Counsel

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1 CHAIRMAN McMains: Hello, everyone. I'm
2 sorry for the delay in our connection today.
3 This is the March 23, 2021, meeting of the
4 Indiana Gaming Commission.

5 We'll start with the call to order. This
6 meeting is hereby called to order.

7 Mrs. Tait, would you kindly read the roll of
8 the Commissioners.

9 EXECUTIVE DIRECTOR TAIT: Sure.

10 Chairman McMains.

11 CHAIRMAN McMains: Here.

12 EXECUTIVE DIRECTOR TAIT: Vice Chair Fine.
13 We're -- we will skip him for now, having some
14 technical difficulties.

15 Commissioner Williams.

16 COMMISSIONER WILLIAMS: Yes, here.

17 EXECUTIVE DIRECTOR TAIT: Commissioner
18 Dudich.

19 COMMISSIONER DUDICH: Here.

20 EXECUTIVE DIRECTOR TAIT: And Commissioner
21 Cohen.

22 COMMISSIONER COHEN: Present.

23 EXECUTIVE DIRECTOR TAIT: Great.

24 CHAIRMAN McMains: A quorum is established.
25 Commissioners, have you had an opportunity

1 to review the minutes of the last meeting? Are
2 there any additions or corrections to the minutes
3 as written?

4 Hearing none, what is your pleasure?

5 COMMISSIONER DUDICH: Mr. Chairman, I make a
6 motion for the approval of the minutes from the
7 last meeting of the Commission.

8 COMMISSIONER COHEN: I second.

9 CHAIRMAN McMAINS: Thank you. It's been
10 properly moved and seconded to approve the
11 minutes (audio glitch).

12 Any further discussion on the motion?

13 Hearing none, all in favor of the motion,
14 please signify by saying aye.

15 (Chorus of ayes.)

16 Opposed.

17 Motion carries unanimously.

18 Executive Director Tait, you have a report
19 for us?

20 EXECUTIVE DIRECTOR TAIT: I do. Thank you,
21 Mr. Chairman.

22 Good afternoon, everyone. We have welcomed
23 one new staff member since our last meeting and
24 also a legal extern, so J.P. Mattingly joined the
25 Commission as the EGD compliance manager on

1 December 21st. He joins us actually from Caesars
2 Southern Casino and brings over 21 years of
3 gaming experience. He also has experience in law
4 enforcement and quality assurance. He attended
5 IU Southeast and Ivy Tech. So we are -- we are
6 thrilled to have J.P. join us.

7 We also have a legal extern, Kim Wrigley.
8 She joined us on January 14th. She has a
9 Bachelor's of Science in Business Management and
10 Criminal Justice from IU Southeast. She's
11 currently attending IU McKinney School of Law and
12 is expected to receive her Juris Doctorate in May
13 of 2022.

14 She is also an extern for the Marion County
15 Prosecutor's Office and has a load of experience
16 working as a legal assistant, a campaign
17 assistant and a research assistant all while
18 being a full-time law student, so we are thrilled
19 to have her and appreciate all of the work that
20 she's been doing for our legal division this
21 semester.

22 Our investigations division has completed
23 reinvestigations of the following licensees:
24 VICI Properties, Majestic Star Casino, Rising
25 Star Casino, SportsHub DFS, and Yahoo DFS. These

1 confidential reports are in your materials.
2 Director Brown is also present should you have
3 any questions.

4 We've added 15 individuals to our statewide
5 exclusion list and granted 24 waivers since our
6 November meeting. Information concerning these
7 actions are in your materials and they will be
8 posted to the Commission's website.

9 So that concludes my report. There are a
10 few other matters on the agenda where I will be
11 chiming in, but as for now, I am finished and am
12 happy to answer any questions of the
13 Commissioners.

14 None?

15 Okay. Well, Mr. Chairman, I think, you
16 know, to be as efficient as possible, we have
17 been getting oaths ahead of time by people who
18 intend to or may be asked to address the
19 Commission. So I will read off the list of
20 people who have, you know, attested to the oath
21 that is on file with the Commission for the
22 purpose of this meeting.

23 But, first, I'm pleased that there are a few
24 of them that are our elected officials, so we
25 have Mayor Jerome Prince, Mayor Duke Bennett,

1 Representative Alan Morrison and then maybe
2 Senator Eddie Melton, so we're pleased to have
3 them join us today.

4 Other presenters include Cathy Rossouw,
5 Chris Soriano, Gary Stage, Greg Gibson, Ilkim
6 Hincer, Jahnae Erpenbach, Kathryn Jenkins, Kay
7 Fleming, Mike Rich, Mike Galle, Nick Casiello,
8 Jim Allen, Jon Lucas and Tom Reeg, so as I said,
9 Mr. Chair, all of these people have filed the
10 oath to be able to address the Commission.

11 CHAIRMAN McMAINS: Thank you, Sara.

12 Is there any old business to come before the
13 Commission today?

14 Hearing none, new business.

15 Greg, are you going to present to us?

16 MR. SMALL: I am. Thank you very much.

17 Commissioners, before you are Orders 2021-3
18 and 2021-4. These are companion orders.

19 These orders seek ratification of Orders
20 2021-1 and 2021-2, both entered on March 2, 2021.
21 These orders were issued pursuant to Resolution
22 2012-151.

23 Resolution 2012-151 grants the Executive
24 Director the authority to exercise the powers and
25 duties of the Commission under Indiana Code

1 4-33-4-1 and 4-35-4-1 if the Executive Director
2 finds that a situation requires, is a matter of
3 urgent circumstances, and the failure to act
4 would be impractical, burdensome or not in the
5 best interests of the public or the gaming
6 industry. The resolution further allows the
7 Executive Director to exercise the powers and
8 duties of the Commission not specifically
9 prohibited from assignment by law or resolution.

10 The Executive Director must obtain consent
11 from one Commissioner before exercising such
12 authority under the resolution. In this case,
13 Chairman McMains provided that consent to both
14 orders.

15 Lastly, the Executive Director must report
16 the action taken under the resolution to the
17 Commission at the next business meeting for
18 ratification or other action taken by the
19 Commission, which is the purpose of the
20 ratification orders currently before you.

21 Order 2021-1 approved a transfer of
22 ownership between Spectacle Entertainment Group,
23 LLC, and SHRE/SHRI, LLC, parent company of
24 Seminole Hard Rock International, LLC, which is
25 the 100 percent owner of Hard Rock Gary.

1 Pursuant to Indiana Code 4-33-4-21, a casino
2 owner's licensee must apply for and receive the
3 Commission's approval before an owner's license
4 may be transferred, sold or purchased.

5 Further, pursuant to 68 IAC 5-2-2, licensees
6 that are not publicly traded companies must
7 comply with certain requirements before
8 transferring an ownership interest, including the
9 filing of a transfer of ownership application and
10 a suitability investigation.

11 On or about February 25, 2021, the
12 Commission received a waiver request from Hard
13 Rock Gary in association with the transfer.

14 In December 2019, the Commission completed a
15 background and financial investigation of Hard
16 Rock Gary, including all key persons. As
17 SHRE/SHRI is in the direct line of ownership of
18 Hard Rock Gary, its key persons have previously
19 been found suitable and are licensed by the
20 Commission, it satisfied the requirements for a
21 transfer of ownership under 68 IAC 5-2.

22 It was determined that there was little to
23 gain from requiring new applications for the
24 transfer since both parties have recently been
25 investigated and found suitable by the

1 Commission, and all key persons are currently
2 licensed in good standing.

3 Moving on to Order 2021-2. This order is a
4 settlement and release agreement between the
5 Commission and Mr. Ratcliff.

6 Pursuant to 68 IAC 13-1-18, settlement
7 agreements entered into by and between the
8 Commission and its licensees must be approved by
9 the Commission as the ultimate authority for the
10 agency and entered pursuant to Commission order.

11 Following the Commission entering certain
12 orders on December 23, 2020, administrative
13 actions and civil actions were commenced by both
14 Mr. Ratcliff and the Commission.

15 The Commission, in entering into this
16 settlement, determined that it was not prudent to
17 expend valuable public resources to achieve the
18 same outcome.

19 The effect of Orders 2021-1 and 2021-2
20 resulted in the immediate and complete divesture
21 of Mr. Ratcliff from ownership in entities
22 associated with casino owner licensee Majestic
23 Star Casino, LLC.

24 Orders 2021-1 and 2021-2 fulfilled the
25 mandate of the Commission as set forth in the

1 December 23rd orders.

2 Approving Orders 2021-1 and 2021-2 also
3 allows a very important economic development
4 project to move forward for the benefit of the
5 State, the City of Gary and Majestic Star Casino
6 employees and their families.

7 Lastly, approving Orders 2021-1 and 2021-2
8 is in the best interests of the public and the
9 gaming industry and is within the authority
10 granted via Resolution 2012-151.

11 Per Resolution 2012-151, the Commission must
12 ratify the orders currently before you.

13 I'm happy to take any questions. Thank you.

14 CHAIRMAN McMANS: Thanks, Greg.

15 Any questions for Counselor Small?

16 Hearing none, Commissioners, what is your
17 pleasure with regard to proposed Order 2021-3 and
18 2021-4, which ratifies, as I understand
19 Mr. Small, Orders 2021-1 and 2021-2; is that
20 correct?

21 MR. SMALL: That is correct, Chair.

22 CHAIRMAN McMANS: Thank you.

23 COMMISSIONER DUDICH: Mr. Chairman, I make a
24 motion that the Commission adopt Orders 2021-3
25 and 2021-4 as presented by staff.

1 CHAIRMAN McMAINS: Thank you.

2 Is there a second?

3 COMMISSIONER FINE: Second.

4 CHAIRMAN McMAINS: It's been properly moved
5 and seconded to adopt Orders 2021-3 and 2021-4.

6 Is there any further discussion on the
7 motion?

8 Hearing none, all in favor of the motion,
9 please signify by saying aye.

10 (Chorus of ayes.)

11 Opposed.

12 Motion carries unanimously.

13 Thank you, Greg.

14 MR. SMALL: Thank you.

15 EXECUTIVE DIRECTOR TAIT: Hi, Chairman,
16 sorry, it's Sara. I got kicked off, but I am
17 back now, and I -- it sounds like you all just
18 adopted Orders 2021-3 and 4?

19 CHAIRMAN McMAINS: Yes.

20 EXECUTIVE DIRECTOR TAIT: So if you don't
21 mind, before we move on to the next order of
22 business, I did want to give a quick update to
23 the Commissioners on the Spectacle investigation,
24 if that's okay, before we move on. Perfect.

25 Okay. So since -- some of this is

1 repetitive, so I apologize. So since the
2 November business meeting, as you know, staff has
3 worked very hard to enable the Gary casino
4 project to continue under difficult and
5 unprecedented circumstances.

6 Spectacle failed to meet the deadline
7 imposed by the Commission regarding the
8 divestiture and it appeared the parties were
9 unable to reach an agreement on how to comply.
10 Upon observing this at the end of January, we
11 required Hard Rock and Spectacle to participate
12 in mediation, which was one of our last remaining
13 tools.

14 We're pleased that the mediation was
15 successful and the parties were able to reach
16 agreement, which you just ratified. That
17 satisfies the Commission's initial concerns.

18 You know, I immediately then rescinded the
19 pause on the inland project and dedicated
20 Commission staff and resources towards an
21 expeditious opening.

22 I'm pleased to say that the transition from
23 boat to land is going smoothly. This project is
24 so important to the City of Gary, to the State
25 and to Majestic Star employees and their

1 families.

2 And the parties should be commended for
3 their efforts, which resulted in this project
4 moving forward. I think you'll hear from the
5 parties a little later on, potentially, about
6 some -- some timing on opening, so I won't steal
7 their thunder. And they're here today to be
8 available for any questions and to present to you
9 all.

10 I'd be remiss if I didn't publicly
11 acknowledge both the IGC's legal team at Lewis
12 Wagner, including Tom Funk, and IGC consultants
13 Walt Stowe and Mike Hile.

14 The IGC was placed in the very unfortunate
15 position to respond to numerous court filings.
16 We also took the extreme step of filing our own
17 significant disciplinary action for revocation of
18 a level one licensee. We were represented by
19 wise and capable counsel and we are very
20 appreciative of the hard work of many.

21 In addition, I wanted to publicly thank Sam
22 Ardery of Bunger & Robertson out of Bloomington.
23 He served as the IGC's appointed mediator. I
24 think now that he's had time to sleep, he will
25 forgive us for appointing him to this job. He

1 took on a very challenging mediation and managed
2 a process professionally and with strong
3 commitment to identifying a solution, so we -- we
4 gave Sam a tight timeline, and we are so
5 appreciative of his exceptional efforts.

6 So thank you for the opportunity to give
7 that quick update.

8 Next on the list we're going to move on to
9 patron matters, and Dustin Moloy. And I need to
10 give Dustin a hard time because hopefully his
11 second baby doesn't come during the middle of
12 this meeting.

13 You're due in two days, is that right,
14 Dustin?

15 MR. MOLOY: We've still got two days, but if
16 I do jump up out of here, you'll have to excuse
17 me. Greg has been forwarded a copy of my
18 materials in the event I need to sprint out of
19 here, but we've made it this far, so I think
20 we'll be okay. But I appreciate you bearing with
21 me.

22 On another note, my two-year-old is home
23 from day care, so if you hear any shouting, no
24 need to be alarmed. She's a little bit crazy, so
25 I'm sure we all have experience with that this

1 past year. It's just been a little bit wacky
2 around here.

3 But, anyways. Members of the Commission,
4 good afternoon. You do have before you Orders
5 2021-5 and 2021-6. Both of these orders concern
6 petitions for removal from the statewide
7 exclusion list. These petitions were received
8 from petitioners Jill Moore and Chemise Johnson,
9 respectively.

10 Both of these individuals were present for a
11 telephonic hearing in which a Commission attorney
12 was present, where the burden was placed on each
13 petitioner to prove by clear and convincing
14 evidence that she should be removed from the
15 exclusion list.

16 A Commission attorney then prepared Findings
17 of Fact and Recommendation for each petition,
18 where he recommended both Moore and Johnson be
19 removed from the exclusion list.

20 Adopting the Commission staff attorneys'
21 findings would have the effect of granting Moore
22 and Johnson's petitions for removal from the
23 exclusion list.

24 If you have any questions regarding these
25 orders, I'd be happy to answer them.

1 CHAIRMAN McMAINS: Thank you.

2 Commissioners, you probably also had a
3 chance to read Dustin's materials.

4 Any questions for Dustin regarding Orders
5 2021 No. 5 and 2021 No. 6?

6 Hearing none, what's your pleasure?

7 COMMISSIONER DUDICH: Mr. Chairman, I would
8 make a motion the Commission consider Order
9 No. 2021-5 and No. 2021-6 as presented by staff.

10 COMMISSIONER WILLIAMS: Second.

11 CHAIRMAN McMAINS: Thank you. It's been
12 properly moved and seconded to approve Orders
13 2021-5 and 2021-6.

14 Any further discussion on the motions?

15 Hearing none, all in favor of the motion,
16 please signify by saying aye.

17 (Chorus of ayes.)

18 Opposed.

19 The motion carries unanimously.

20 Thanks, Dustin.

21 EXECUTIVE DIRECTOR TAIT: And, sorry, this
22 is Sara again. I don't know if this happened
23 when I was kicked off, but I should note that
24 Vice Chair Fine was able to join us, so he is --
25 he is present on the call for the meeting.

1 So, Dustin, you are still up. If you want
2 to go ahead and present license renewals for the
3 Commission consideration.

4 MR. MOLOY: Absolutely.

5 Commissioners, you have before you Orders
6 2021-7 through 2021-11 concerning the renewals of
7 the following suppliers: Amelco; IGT; Halifax;
8 Zuvid; Data Financial; Incredible Technologies;
9 Tony DeLeon and Associates; Interblock; TCS John
10 Huxley; Genesis Gaming Supply; Midwest Game
11 Supply; SG Gaming, and Patriot Gaming, as well as
12 the following casinos: Indiana Grand, Hoosier
13 Park and Ameristar. And, finally, the following
14 sports wagering vendors: Roar Digital and
15 PointsBet.

16 Each of the aforementioned licensees has
17 submitted a timely request for renewal of his
18 license along with the required payment.

19 Approving Orders 2021-7 through 2021-11
20 would have the effect of renewing the license of
21 each of the respective licensees for a period of
22 one year.

23 Thank you.

24 CHAIRMAN McMANS: Thank you, Dustin.

25 Any questions for Dustin?

1 Hearing none, Commissioners, is there a
2 motion to approve Order 2021-7 through 2021-11?

3 COMMISSIONER COHEN: Mr. Chairman, I make a
4 motion that Orders 2021-8 through 2021-11 be
5 adopted -- I'm sorry, 2021-7 through 2021-11.

6 CHAIRMAN McMAINS: Thank you, sir.

7 Is there a second?

8 COMMISSIONER DUDICH: Second.

9 CHAIRMAN McMAINS: It's been properly moved
10 and seconded to approve Orders 2021-7 through
11 2021-11.

12 Any further discussion on the motions?

13 Hearing none, all in favor of the motion,
14 please signify by saying aye.

15 (Chorus of ayes.)

16 Opposed.

17 Motion carries unanimously.

18 EXECUTIVE DIRECTOR TAIT: Thank you, Dustin.

19 So next up we will go ahead and welcome
20 Garth Brown to present permanent licenses to the
21 Commission.

22 So, Garth.

23 MR. BROWN: Thank you, Executive Director
24 Tait.

25 Commissioners and Executive Staff, you have

1 before you Orders 2021-12 through 2021-15, which
2 would approve permanent supplier licenses for GAN
3 UK Limited, Surveillance Systems Integration,
4 Inc., Sportradar Solutions, LLC, and Amelco UK
5 Limited.

6 You also have before you Order 2021-16,
7 which would approve the permanent sports wagering
8 vendor license for Penn Sports Interactive, LLC.

9 All of the applicants have submitted the
10 required applications and received temporary
11 licenses issued by the IGC. Commission staff
12 conducted background and financial investigations
13 on each applicant, along with their substantial
14 owners and key persons. Commission staff found
15 no derogatory information that would negatively
16 affect any of the applicants' suitability.
17 Staff's final reports were included in your
18 confidential Commission meeting documents.

19 Approving Orders 2021-12 through 16 would
20 grant permanent licenses for the previously
21 mentioned applicants, each subject to yearly
22 renewals.

23 I'm happy to answer any questions you would
24 have on those.

25 CHAIRMAN McMains: Thank you, Garth.

1 Any questions for Mr. Brown?

2 Hearing none, Commissioners, what is your
3 pleasure?

4 COMMISSIONER WILLIAMS: Mr. Chairman, I
5 would move the approval of 2021-12 through 16.

6 CHAIRMAN McMAINS: Thank you. Second? Sara
7 seconds.

8 Any further discussion on the motion?

9 Hearing none, all in favor of the motion to
10 approve Orders 2021-12 through 2021-16, please
11 signify by saying aye.

12 (Chorus of ayes.)

13 Opposed.

14 Motion carries unanimously.

15 MR. BROWN: Thank you.

16 CHAIRMAN McMAINS: Sara.

17 EXECUTIVE DIRECTOR TAIT: Thank you. And
18 next we will invite Angeline Parshall to present
19 the sports wagering service provider licenses to
20 the Commission.

21 Angeline.

22 MS. PARSHALL: Thank you, Executive Director
23 Tait.

24 Good morning, Commissioners and Executive
25 Staff. You have before you Orders 2021-17 and

1 2021-18, which would approve the permanent sports
2 wagering service provider licenses for IMG Arena
3 and Genius Sports, respectively.

4 All of the applicants have submitted the
5 required applications and have received a
6 temporary license issued by the IGC. Commission
7 staff conducted background and financial
8 investigations on each of the applicants, along
9 with their substantial owners and key persons.
10 Commission staff found no derogatory information
11 that would affect the suitability of the
12 applicants. Staff's final reports are included
13 in the confidential Commission meeting documents
14 that have been provided to you.

15 Approving Orders 2021-17 and 18 will grant a
16 permanent license for each of the previously
17 mentioned applicants.

18 I'm happy to answer any questions you may
19 have.

20 CHAIRMAN McMAINS: Thank you, Angeline.

21 Commissioners, any questions?

22 Hearing none, what is your pleasure?

23 COMMISSIONER DUDICH: Mr. Chairman, I'd like
24 to make a motion to recommend to the Commission
25 approval of Order 2021-17 and 2021-18 as

1 presented by staff.

2 COMMISSIONER WILLIAMS: Second.

3 CHAIRMAN McMAINS: Thank you.

4 It's been properly moved and seconded to
5 approve Orders 2021-17 and 2021-18.

6 Any further discussion on the motion?

7 Hearing one, Commissioners, what is your
8 pleasure?

9 I think I got turned around.

10 Hearing no further discussion, all in favor
11 of the motion, please signify by saying aye.

12 (Chorus of ayes.)

13 Opposed.

14 Thank you, folks.

15 EXECUTIVE DIRECTOR TAIT: So next we will
16 move on to disciplinary actions, so Angela
17 Bunton, if you would like to present those to the
18 Commission.

19 MS. BUNTON: Good afternoon, Commissioners
20 and Executive Staff.

21 You have before you four settlement
22 agreements concerning disciplinary actions
23 against licensed suppliers; twelve settlement
24 agreements concerning disciplinary action against
25 casinos; one disciplinary action against

1 corporate; and nine settlement agreements
2 concerning disciplinary actions against sports
3 wagering operators.

4 Order 2021-19 is a settlement agreement with
5 Everi Payments totaling \$3,000.

6 Order 2021-20 is a settlement agreement with
7 NeoGames Solutions totaling \$2,500.

8 Order 2021-21 is a settlement agreement with
9 NRT Technology totaling \$3,000.

10 Orders 2021-22 and Order 2021-23 have been
11 withdrawn.

12 Order 2021-24 is a settlement agreement with
13 Surveillance Systems Integration totaling \$2,500.

14 Order 2021-25 is a settlement agreement with
15 Ameristar East Chicago totaling \$1,000.

16 Order 2021-26 is a settlement agreement with
17 Belterra Casino, including two counts, totaling
18 \$3,500.

19 Order 2021-27 is a settlement agreement with
20 Blue Chip Casino, including four counts, totaling
21 \$7,500.

22 Order 2021-28 is a settlement agreement with
23 French Lick Resort Casino totaling \$2,000.

24 Order 2021-29 is a settlement agreement with
25 Hollywood Casino, including seven counts,

1 totaling \$41,500 and the submission of a
2 corrective action plan for count seven of the
3 settlement agreement.

4 Order 2021-30 is a settlement agreement with
5 Hoosier Park, including five counts, totaling
6 \$9,500.

7 Order 2021-31 is a settlement agreement with
8 Horseshoe Hammond, including four counts,
9 totaling \$108,000 and the submission of a
10 corrective action plan for count three of the
11 settlement agreement.

12 Order 2021-32 is a settlement agreement with
13 Caesars Southern Indiana, including six counts,
14 totaling \$21,500.

15 Order 2021-33 is a settlement agreement with
16 Indiana Grand, including five counts, totaling
17 \$23,500.

18 Order 2021-34 is a settlement agreement with
19 Majestic Star Casino, including two counts,
20 totaling \$5,000.

21 Order 2021-35 is a settlement agreement with
22 Rising Star, including three counts, totaling
23 \$9,000.

24 Order 2021-36 is a settlement agreement with
25 Tropicana Evansville, including two counts,

1 totaling \$4,000.

2 Order 2021-37 is a settlement agreement with
3 Caesars Holdings, including three counts,
4 totaling \$6,500.

5 Order 2021-38 is a settlement agreement with
6 Churchill Downs Interactive Gaming, including two
7 counts, totaling \$2,500.

8 Order 2021-39 is a settlement agreement with
9 DraftKings, including three counts, totaling
10 \$6,000.

11 Order 2021-40 is a settlement agreement with
12 PointsBet Indiana totaling \$4,000.

13 Order 2021-41 is a settlement agreement with
14 Roar Digital, including two counts, totaling
15 \$5,500.

16 Order 2021-42 is a settlement agreement with
17 Rush Street Interactive, including two counts,
18 totaling \$9,500.

19 Order 2021-43 is a settlement agreement with
20 Unibet Indiana totaling \$3,500.

21 Order 2021-44 is a settlement agreement with
22 the off-track betting facility Winner's Circle
23 Clarksville, including three counts, totaling
24 \$47,500.

25 Order 2021-45 is a settlement agreement with

1 the off-track betting facility Winner's Circle
2 Indianapolis totaling \$1,000.

3 Order 2021-46 is a settlement agreement with
4 the off-track betting facility Winner's Circle
5 New Haven totaling \$1,500.

6 Relevant details for each settlement
7 agreement have been provided in your meeting
8 materials. Details on the settlement agreements
9 will also be available on the Commission's
10 website following the meeting.

11 Mr. Chair, this concludes my presentation.

12 EXECUTIVE DIRECTOR TAIT: And, Mr. -- thank
13 you, Angie.

14 Mr. Chairman, if it -- if the Commission is
15 inclined, I'm happy to invite the general manager
16 of Horseshoe Hammond, Kathryn Jenkins, to address
17 the Commission regarding count three of Order
18 2021-31 before you all take action.

19 Is that the will of the Commission?

20 CHAIRMAN McMANS: Thank you.

21 EXECUTIVE DIRECTOR TAIT: Yeah, okay. So,
22 Kathryn, I'll go ahead -- or, Commissioners, do
23 you want to invite Kathryn to address you first
24 or would you like to ask her questions?

25 Susan, you are muted.

1 CHAIRMAN McMAINS: Why don't you ask her if
2 she has any remarks, Sara.

3 EXECUTIVE DIRECTOR TAIT: Okay. So,
4 Kathryn, if you have opening remarks, please go
5 ahead.

6 MS. JENKINS: Okay. Thank you. So, yes, we
7 are very sorry about the -- about the underage
8 incident that we had.

9 In 2017 we invested in Veridocs, which is an
10 identification validation system, and we have
11 been without incident since 2018.

12 We did have a young man who had a fake ID
13 that was a really good fake ID who was able to
14 enter the casino. I wanted to let you know that
15 Veridocs is not a foolproof system. About
16 3 percent of all IDs are rejected by Veridocs.
17 It could be something of a scratch on the bar
18 code, it could be a bent, it could be any -- any
19 number of things that would make it fail. So
20 then our policy, our proof process was for us to
21 dip it twice and then the security officer checks
22 out the ID to make sure that it's valid and then
23 makes the decision whether or not to allow
24 access.

25 What we've done since we've had -- the day

1 we found out about the underage getting into the
2 casino, we immediately changed our process, this
3 was on November 28th, to require that a manager
4 or supervisor come and check that ID themselves
5 to then allow access.

6 Since then, in March we decided to change it
7 so now anybody that appears to be under the age
8 of 30 who fails Veridocs will not be allowed in
9 regardless of anybody on the property's decision.
10 The only person that can allow access would be a
11 gaming control officer who is on site.

12 CHAIRMAN McMAINS: Thank you, Ms. Jenkins.

13 I have one question. Is it likely that you
14 have other folks that have slipped through this
15 system that you're aware of?

16 MS. JENKINS: My hope is no. I can't -- I
17 can't really speak to it. If we knew it, we
18 would certainly report it.

19 Again, it's not foolproof. When -- when
20 Veridocs denies it and then a security officer
21 looks at it, it's no different than many
22 properties who don't have Veridocs that just do a
23 visual inspection of the identification, so I
24 can't speak to whether or not it's happened. I
25 do believe in human error, but I know we do

1 everything we can to ensure that we just allow
2 people that are of age on property.

3 COMMISSIONER WILLIAMS: Mr. Chairman, I have
4 a question for Ms. Jenkins.

5 I'm not sure I understood what you said. I
6 thought you said that the fake ID was good and --
7 and the young man got through the system, but
8 then it was my understanding that he didn't get
9 through the system, that he was allowed in by
10 your officer and I -- multiple times, I believe;
11 is that correct?

12 MS. JENKINS: Yes. Yes. He failed the
13 Veridocs system and then he passed our process,
14 so what happens after they dip the ID, they have
15 to ask questions and visually inspect the
16 identification. Then he was allowed access to
17 the property.

18 COMMISSIONER WILLIAMS: And I would like for
19 you to verify how this got caught, because
20 obviously it didn't get caught within your
21 system.

22 MS. JENKINS: Yes. It got caught in
23 Illinois. The Gaming Control Board in Illinois,
24 an officer inspected the ID and the officer
25 realized it was fake and called the IGC.

1 COMMISSIONER WILLIAMS: And so you've got a
2 new system in place that you are confident will
3 avoid this kind of problem?

4 MS. JENKINS: Yes. Anybody that appears to
5 be under the age of 30 that does not -- their ID
6 does not pass the Veridocs system will
7 automatically be turned away, so we won't even
8 have the opportunity for human error there unless
9 an IGC officer wants to approve access, so they
10 would have to inspect the ID and then allow
11 special access for that one particular person, so
12 anyone under the age of 30 that doesn't pass will
13 not be walking through our doors.

14 COMMISSIONER WILLIAMS: And that's someone
15 that visually appears to be under the age of 30;
16 is that right?

17 MS. JENKINS: Correct.

18 COMMISSIONER WILLIAMS: Does that satisfy
19 the staff's concerns?

20 MS. JENKINS: I would like to add that
21 we're one of the only -- not every property has a
22 system at all, so they're just -- just visually
23 inspected, so we do have one extra step that
24 other properties may not have, and taking that
25 extra step to ensure that we do not allow

1 underage, and so I feel like we have one extra
2 step rather than just visual inspection.

3 EXECUTIVE DIRECTOR TAIT: Angie, when I was
4 listening to your presentation, you indicated
5 that a corrective action plan. Has staff
6 received that yet or is it still forthcoming?

7 MS. BUNTON: It's still forthcoming. I
8 usually give them a couple weeks after the
9 approval of the order.

10 EXECUTIVE DIRECTOR TAIT: Okay. So,
11 Kathryn, you all will be submitting the
12 corrective action plan, putting in writing your
13 new policy. IGC staff will have an opportunity
14 to review that. And, Commissioner Williams,
15 we're happy to keep you in the loop regarding
16 that process and a review of that submission.

17 MS. JENKINS: All right. Thank you.

18 COMMISSIONER FINE: Can I ask one follow-up
19 question? So I want to understand this. So you
20 have a piece of technology to identify when IDs
21 are not true, not valid, and when that happens,
22 then you allow an individual to override the
23 technology.

24 MS. JENKINS: Yes. Yes.

25 COMMISSIONER FINE: Why would you do that?

1 I mean, why wouldn't you just let your technology
2 work and move on?

3 MS. JENKINS: So it's not a foolproof
4 system. For instance, my ID right now happens to
5 be bent and so the stamp, the bar code is not
6 reading correctly, so I would not pass.

7 COMMISSIONER FINE: Do you have another ID?
8 I mean, it seems like you have the technology but
9 you're not using it, so you're letting -- you're
10 letting the system fail.

11 MS. JENKINS: I don't know that I agree with
12 that. We run it, and then we have another step,
13 another process in place where we visually
14 inspect the identification, so, again, not every
15 ID will pass, so 97 percent pass, 3 percent
16 don't. And some of those can be for various
17 reasons. It could be dirty, it could be -- it
18 could be rubbed off on the back, so if a
19 seven-year-old walks in and it didn't pass and we
20 visually inspect the ID and the person appears to
21 be of age, then we would make a decision whether
22 to let them into the casino (audio glitch).

23 CHAIRMAN McMANS: If you're not speaking,
24 please mute your microphones.

25 MS. JENKINS: Does that make sense?

1 COMMISSIONER WILLIAMS: Have we taken action
2 on the young man with the fake ID? Has he been
3 excluded and all that's done?

4 MS. JENKINS: Yes, there's a criminal
5 investigation that was processed with the IGC.
6 That's the information I have now. I believe
7 something happened in Illinois as well. He's
8 been -- we're trying to figure out how to
9 eighty-six somebody that's underage from our
10 property, but we'll make sure that he's -- he's
11 within the process that we're able to do.

12 COMMISSIONER DUDICH: Mr. Chairman --

13 COMMISSIONER COHEN: I have a question for
14 Ms. Jenkins. For the 97 percent that do pass the
15 Veridocs system, what additional steps are taken
16 to -- in your process to make sure that person is
17 using their true and proper identification, not a
18 fraudulent, forged or someone else's
19 identification?

20 MS. JENKINS: That's a great question.
21 There's a visual inspection of the ID upon
22 arrival, just as -- just as you would do if they
23 were entering a nightclub or anything else, so
24 we -- we check the ID, run it through the system,
25 look at the ID and then allow them access.

1 COMMISSIONER DUDICH: Ms. Jenkins, what kind
2 of training do the security personnel receive on
3 ID review or identifying that potential IDs may
4 not be before even the Veridocs, or if the
5 Veridocs wasn't working, you mentioned there's
6 the visual inspection, what kind of training,
7 either initially or ongoing, is conducted in
8 order to ensure that they're up to speed on ID --
9 fraudulent IDs that might be out there?

10 MS. JENKINS: Yeah, absolutely. We have
11 actually really great training processes in
12 place. And just to let you all know, we're
13 running everybody through yet another advanced
14 process -- or another advanced training. I'm
15 going to -- let me look at my notes real quick.
16 I have it written down for you guys. One second.

17 I can send you the exact training if you'd
18 like, but there's a -- there's a book we can
19 access that the security officers all have in
20 place and then they go through what each ID looks
21 like, what to look for as far as the -- the
22 markings and all of that.

23 Now, I did talk to our gaming enforcement
24 officer here, they have something, a black light,
25 which we're also going to provide to all of our

1 security officers at the podium so they can look
2 for any water marks. He also looks at -- so
3 Molina, our officer, looks at microprinting,
4 which I guess is like a -- like a magnifying
5 glass. I think that would be a bit much to put
6 on a security officer. However, if we have
7 anybody that we're that concerned about, we'll
8 call our officer to go into that level of detail.

9 CHAIRMAN McMAINS: Sara, when corrective
10 measures are put on paper and -- and gotten to
11 Angela and the Commission, could you distribute
12 those to the Commissioners, please?

13 EXECUTIVE DIRECTOR TAIT: Sure, I'd be happy
14 to.

15 CHAIRMAN McMAINS: Thank you.

16 Any further questions, Commissioners, for
17 Ms. Jenkins?

18 Thank you, Ms. Jenkins.

19 MS. JENKINS: Thank you.

20 CHAIRMAN McMAINS: I have one for Angela.
21 Angela, I understand that Orders 22 and 23 were
22 withdrawn, is that correct, of the original
23 agenda?

24 MS. BUNTON: Yes, that's correct.

25 CHAIRMAN McMAINS: Okay. Commissioners, any

1 other questions for Angela on her presentation?

2 Hearing none, is there a motion to approve
3 Orders 19 -- 2021-19 through 21 and Orders
4 2021-24 through 46?

5 COMMISSIONER WILLIAMS: So moved,
6 Mr. Chairman.

7 CHAIRMAN McMAINS: Thank you.

8 Second?

9 COMMISSIONER COHEN: Second.

10 CHAIRMAN McMAINS: Thank you.

11 All in favor of the motion, please signify
12 by saying aye.

13 (Chorus of ayes.)

14 Opposed.

15 Motion carries unanimously.

16 Thanks, Angela.

17 MS. BUNTON: Thank you.

18 EXECUTIVE DIRECTOR TAIT: Thanks, Angie.

19 So before I invite Greg to present the next
20 order, I would like to offer the Commissioners a
21 little bit of context about the settlement
22 agreement, as I believe it's one of the more
23 important ones that we have entered into during
24 my tenure.

25 Regarding the Spectacle investigation, it's

1 ongoing. As noted previously, staff was pleased
2 that the remaining parties were able to alleviate
3 our most pressing concerns, but I'm disappointed
4 it was after many months of very significant
5 pressure, and, frankly, an embarrassing display
6 at our December meeting.

7 Much is still unknown. Both Spectacle and
8 Lucy Luck know the concerns of IGC staff and the
9 continued risks that could impact suitability. I
10 am hopeful that we are entering a stage following
11 many dark months where we're moving forward, and
12 I am hopeful that the parties later today will
13 provide the Commission with assurances regarding
14 that path.

15 However, with that being said, staff still
16 believed it was essential to address one
17 violation by Spectacle Entertainment. And before
18 you is an agreed-to settlement on that one
19 violation alone. Staff retains all ability to
20 take action regarding our past or future
21 findings. But, never has a casino owner's
22 licensee failed to comply with a Commission
23 order. Specifically, an order issued by you in
24 December was not complied with for 53 days. If
25 this was left unaddressed, we would be sending a

1 dangerous message to not only the public but also
2 to our other licensees that we regulate.

3 I'm very proud of staff and the Commission's
4 efforts to uphold our key statutory tenet to
5 ensure integrity of gaming in Indiana, and that
6 cannot be effectively done without the strict
7 regulation.

8 So with those comments, I'll invite Greg to
9 present order 2021-47.

10 MR. SMALL: Thank you, Executive Director
11 Tait.

12 And, Commissioners, before you is Order
13 2021-47. On December 23, 2020, the Commission --
14 the Commission issued Order 2020-168 whereby
15 Spectacle Entertainment Group, LLC, and
16 Mr. Roderick Ratcliff were ordered by the
17 Commission to remove Mr. Ratcliff individually
18 and as trustee of his trust from the ability to
19 exercise control, management or voting related to
20 Spectacle, including amending the trust agreement
21 by replacing the current trustee with a person
22 acceptable to the Commission.

23 Order 2020-168 became effective on
24 January 8, 2021. Spectacle failed to ensure that
25 all parties to Order 2020-168 complied with all

1 the requirements of that order.

2 Thereafter, on February 24, 2021, Spectacle
3 was able to reach the agreements necessary to
4 complete the disassociation of Mr. Ratcliff from
5 Spectacle.

6 On March 2, 2021, the Commission issued
7 Order 2021-1, which approved the transfers of
8 ownership interest in Spectacle and the
9 disassociation of Mr. Ratcliff. Fifty-three days
10 had elapsed before Spectacle and Ratcliff came
11 into compliance with Order 2020-168.

12 Spectacle has agreed to a settlement in the
13 amount of \$530,000.

14 Thank you, Commissioners.

15 CHAIRMAN McMANS: Thank you, Greg.

16 Any questions for Sara or Greg?

17 Hearing none, Commissioners, what is your
18 pleasure?

19 COMMISSIONER DUDICH: Mr. Chairman, I make a
20 motion that the Commission approve Order 2021-47
21 as provided by staff.

22 COMMISSIONER FINE: Second.

23 CHAIRMAN McMANS: Thank you, gentlemen.

24 It's been properly moved and seconded to
25 approve Order 2021-47.

1 Any further discussion on the motion?

2 Hearing none, all in favor of the motion,
3 please signify by saying aye.

4 (Chorus of ayes.)

5 Opposed.

6 Motion carries unanimously.

7 EXECUTIVE DIRECTOR TAIT: Thank you.

8 CHAIRMAN McMANS: Thank you, Mr. Small.

9 EXECUTIVE DIRECTOR TAIT: I'm going to go
10 ahead and invite Dustin back up to present
11 regarding occupational licensees.

12 Dustin.

13 MR. MOLOY: Thank you.

14 Commissioners, you have before you Orders
15 2021-48 through 2021-57.

16 Orders 21 -- 2021-48 through 2021-54 concern
17 settlement agreements reached between Commission
18 staff and occupational licensees where the
19 licensee agreed to an unpaid voluntary
20 relinquishment of his or her license in lieu of
21 further disciplinary action.

22 Approving these orders would have the effect
23 of ratifying the settlement agreement entered
24 into by the parties.

25 Orders 2021-55 through 2021-57 would deny

1 applications for occupational licenses to work in
2 Indiana casinos. With respect to these orders,
3 each applicant failed to disclose his or her
4 complete criminal history, thus failing to meet
5 the established standards for licensure. Each
6 applicant was given an opportunity to withdraw
7 his or her application from consideration for
8 permanent licensure, but failed to do so.

9 Detailed information regarding these orders
10 is contained in the confidential materials
11 provided to you.

12 If you have any questions regarding these
13 orders, I'll be happy to answer them.

14 Thank you.

15 CHAIRMAN McMANS: Thank you, Dustin.

16 Any questions for Dustin?

17 Hearing none, Commissioners, what is your
18 pleasure?

19 The Chairman moves to approve Orders 2021-48
20 through 2021-54.

21 COMMISSIONER FINE: Second.

22 CHAIRMAN McMANS: It's been properly moved
23 and seconded to approve Orders 2021-48 through
24 2021-54.

25 Any further discussion on the motion?

1 Hearing none, all in favor of the motion,
2 please signify by saying aye.

3 (Chorus of ayes.)

4 Opposed.

5 Motion carries unanimously.

6 MR. MOLOY: Thank you.

7 CHAIRMAN McMANS: You're up, Dustin.

8 MR. MOLOY: Continuing on here. Good
9 afternoon, Commissioners, again. You have before
10 you Order 2021-58 concerning a felony waiver
11 application submitted by David Rohrer.

12 After the application was received, a
13 hearing was conducted --

14 EXECUTIVE DIRECTOR TAIT: Hey, Dustin,
15 sorry. Let's pause really quick. So your
16 presentation previously, did that include -- that
17 included Orders 2021-55 through 57; correct?

18 MR. MOLOY: That was 2021-48 through
19 2021-57.

20 EXECUTIVE DIRECTOR TAIT: Okay. So,
21 Commissioners, I think you need to entertain an
22 order to approve Orders 2021-55 through 57 as
23 well before we move on to the felony waiver.

24 CHAIRMAN McMANS: Thank you, Sara.

25 EXECUTIVE DIRECTOR TAIT: Yeah.

1 CHAIRMAN McMAINS: Commissioners, is there a
2 motion to approve Orders 2021 -- should that be
3 2020 or 2021, Sara?

4 EXECUTIVE DIRECTOR TAIT: 2021, sorry.

5 CHAIRMAN McMAINS: I'm sorry. An order
6 to -- is there a motion to approve Orders 2021-55
7 through 2021-57?

8 COMMISSIONER WILLIAMS: So moved.

9 COMMISSIONER DUDICH: So moved.

10 CHAIRMAN McMAINS: It's been properly moved
11 and seconded to approve Orders 2021-55 through
12 2021-57.

13 Any further discussion on the motion?

14 Hearing none, all in favor of the motion,
15 please signify by saying aye.

16 (Chorus of ayes.)

17 Opposed.

18 The motion carries unanimously.

19 EXECUTIVE DIRECTOR TAIT: Okay. Now you can
20 go, Dustin, to the next one.

21 MR. MOLOY: Okay. Thank you. Moving on to
22 our felony waiver application.

23 Commissioners, you have before you Order
24 2021-58 concerning a felony waiver application
25 received from David Rohrer.

1 After the application was received, a
2 hearing was conducted and then a Commission
3 attorney prepared Findings of Fact and
4 Recommendation.

5 Additionally, through the delegation of
6 authority found in Resolution 2020-83, Executive
7 Director Tait issued Mr. Rohrer an interim felony
8 waiver, allowing him to serve as a level three
9 occupational licensee to work as a maintenance
10 worker at Hollywood Casino.

11 Approving Order 2021-58 would have the
12 effect of adopting the review officer's Finding
13 of Fact and Recommendation and approve
14 Mr. Rohrer's felony waiver request.

15 This concludes my presentation. Thank you.

16 CHAIRMAN McMANS: Thank you, Dustin.

17 Any questions for Dustin?

18 Hearing none, what is your pleasure,
19 Commissioners?

20 COMMISSIONER DUDICH: Mr. Chairman, I make a
21 motion to accept Order 2021-58 as presented by
22 staff.

23 COMMISSIONER WILLIAMS: Second.

24 CHAIRMAN McMANS: Thank you.

25 It's been properly moved and seconded to

1 approve Order 2021-58.

2 Any further discussion on the motion?

3 Hearing none, all in favor of the motion,
4 please signify by saying aye.

5 (Chorus of ayes.)

6 Opposed.

7 The motion carries unanimously.

8 EXECUTIVE DIRECTOR TAIT: Thank you, Dustin.
9 You guys are all getting a glimpse into Greg's
10 life with Sara, that I'm going to chime in before
11 he presents the next order again.

12 So during my tenure, we have worked to
13 identify rules deemed to be obsolete or
14 unnecessary or overly burdensome. As risk-based
15 regulators, we are also charged with remaining
16 watchful of threats to the regulatory environment
17 that could serve to undermine the integrity of
18 gaming in Indiana.

19 So the proposed emergency rules which Greg
20 will present to you momentarily are a reform
21 package designed to enhance the public's trust in
22 the industry through increased public disclosure
23 of information regarding casino ownership,
24 updated thresholds for when licensing is
25 required, and more clear guidelines for reporting

1 material information to the IGC for those who
2 perhaps need assistance in being more mindful of
3 the high standards of disclosure upon which their
4 suitability for licensure is dependent.

5 With the passage of this reform package,
6 additional areas of regulation will also ensure
7 greater accountability with regard to financial
8 transactions, particularly those including
9 currency, ordered divestitures and lobbying
10 contracts.

11 The increased reporting and new procedures
12 will enhance transparency and promote public
13 confidence. The reform package also addresses
14 other areas as well.

15 During the course of our review, we
16 consulted with other gaming jurisdictions, and
17 this set of rules includes provisions that are
18 already industry standards. As is our practice,
19 I offered the industry the ability to review
20 these rules and offer feedback. Several
21 operators and applicants offered support for this
22 initiative, as well as very helpful feedback and
23 clarifying language, which were incorporated into
24 the document before you for approval today.

25 So, Greg, I will invite you to go ahead and

1 present Resolution 2021-59.

2 MR. SMALL: Thank you very much. And I have
3 pretty short work to do here then.

4 Commissioners, before you is Resolution
5 2021-59. Pursuant to IC 4-33-4, 4-35-4 and
6 4-22-2-37.1, the Commission has the authority to
7 adopt emergency rules. The Commission is
8 authorized to adopt emergency rules if the
9 Commission determines that the need for a rule is
10 so immediate and substantial that rulemaking
11 procedures under 4-22-2-13 and 4-22-2-36 are
12 inadequate to address that need and that the
13 emergency rule is likely to address that need.

14 In order for the Commission to fulfill its
15 responsibilities under 4-33-4, 4-35-4 and 68 IAC,
16 measures to enhance the accountability of
17 privately held companies must be executed
18 immediately. The Commission has also identified
19 a number of rules applicable to all casino
20 licensees that will likewise serve to support the
21 integrity of the industry. The emergency rules
22 cover those areas as well.

23 Approval of Resolution 2021-59 would have
24 the effect of adopting the emergency rule. The
25 rule will be effective for 90 days.

1 We've also included a signature page that
2 would allow the rule to be extended for an
3 additional 90 days, for a 180 day total. The
4 emergency rule would become effective upon
5 acceptance by the publisher for filing, if
6 approved. And staff would begin working on
7 promulgation of a permanent rule thereafter.

8 If the Commissioners have any questions, I'm
9 happy to answer them. Thank you.

10 CHAIRMAN McMAINS: Thank you, Greg.

11 I might say that I think this is a nice
12 piece of legal work, Greg, nice job, and, Sara,
13 appreciate you -- you folks giving attention to
14 this matter.

15 Commissioners, any questions for Greg or
16 Sara regarding this resolution?

17 Hearing none, what is your pleasure,
18 Commissioners?

19 COMMISSIONER COHEN: Mr. Chairman, I move
20 that Resolution 2021-59 be approved.

21 COMMISSIONER DUDICH: So moved -- or
22 seconded, sorry.

23 CHAIRMAN McMAINS: It's been properly moved
24 and seconded to approve Resolution 2021-59.

25 Any further discussion on the motion?

1 Hearing none, all in favor of the motion,
2 please signify by saying aye.

3 (Chorus of ayes.)

4 Opposed.

5 Motion carries unanimously.

6 MR. SMALL: Thank you.

7 EXECUTIVE DIRECTOR TAIT: All right. So
8 Dustin I think has the remaining agenda items, so
9 if you want to begin with the transfers of
10 ownership.

11 MR. MOLOY: Sure thing. Thank you.

12 Commissioners, you have three orders in
13 front of you, 2021-60, 2021-61 and 2021-62.

14 Order 2021-60 and 61 involves an ownership
15 transfer request between Indiana licensees
16 Novomatic Americas Sales and Ainsworth Gaming
17 Technology.

18 After receiving the transfer application,
19 the Commission completed a background and
20 financial investigation of both entities and
21 relevant shareholders, finding that all were
22 substantially compliant with Indiana statutes and
23 regulations, and also finding no derogatory
24 information that would affect any party's
25 suitability for holding the interest in Novomatic

1 and Ainsworth.

2 Approving Order 2021-60 and Order 2021-61
3 would have the effect of approving the ownership
4 transfer of Novomatic and Ainsworth.

5 I'll go ahead and continue with the other
6 transfer application we received.

7 Order 2021-62 involves an ownership transfer
8 request between Indiana licensees William Hill,
9 PLC, and Caesars Entertainment, Inc. After
10 receiving the transfer application, the
11 Commission completed a background and financial
12 investigation of Caesars, finding that it was
13 substantially compliant with Indiana statutes and
14 regulations, and also finding no derogatory
15 information that would affect Caesars'
16 suitability for holding the interest in William
17 Hill.

18 Approving Order 2021-62 would have the
19 effect of approving the ownership transfer of
20 William Hill to Caesars.

21 If you have any questions on these
22 transfers, I'd be happy to answer them. Thank
23 you.

24 CHAIRMAN McMANS: Thank you.

25 Any questions for Dustin on Orders 2021-60

1 through 2021-62?

2 Hearing none, Commissioners, what is your
3 pleasure?

4 COMMISSIONER DUDICH: Mr. Chairman, I make a
5 motion the Commission approve Orders 2021-60 and
6 61 and 2021-62 as presented by staff.

7 COMMISSIONER WILLIAMS: Second.

8 CHAIRMAN McMANS: Thank you, Commissioners.
9 It's been properly moved and seconded to
10 approve Orders 2021-60 through 2021-62.

11 Any further discussion on the motion?

12 Hearing none, all in favor of the motion,
13 please signify by saying aye.

14 (Chorus of ayes.)

15 Opposed.

16 Motion carries unanimously.

17 MR. MOLOY: Thank you.

18 For our last two orders, they involve casino
19 financing, so you have before you Orders 2021-63
20 and 2021-64 which concerns separate requests from
21 Full House Resorts and Boyd Gaming, respectively,
22 for approval of proposed financing transactions.

23 In addition to seeking permission to act on
24 the proposed financial transactions, both Full
25 House and Boyd requested a waiver of 68 IAC's

1 so-called two meeting requirement in accordance
2 with the Commission's authority pursuant to
3 Resolution 2017-109.

4 The confidential details of the proposed
5 financial transactions as well as Commission
6 staff's analysis were provided to the
7 Commissioners in their confidential materials.

8 In accordance with the procedures identified
9 in Resolution 2017-109, Full House received
10 interim approval on January 1, 2021, and Boyd
11 received interim approval on March 10, 2021.

12 The interim approvals each contained the
13 following provisions:

14 First, the terms articulated in the final
15 financing documentation do not materially differ
16 from the terms that were presented in writing for
17 approval.

18 Second, the terms within the final
19 documentation do not violate IC 4-33 or IC 4-35.

20 Third, each entity must provide the
21 Commission with a legal opinion demonstrating
22 compliance with IC 4-33 and 4-35.

23 Finally, the entities must close on all
24 proposed financing before March 31, 2021.

25 Resolution 2017-109 requires that the

1 interim approval be reported to the Commission
2 for final consideration or ratification or other
3 direction.

4 If you have any questions regarding these
5 matters, I'll be happy to answer them. Thank
6 you.

7 CHAIRMAN McMAINS: Thank you, Dustin.

8 Any questions for Dustin, Commissioners?

9 COMMISSIONER DUDICH: Mr. Chairman, if I
10 may.

11 CHAIRMAN McMAINS: Yes, sir.

12 COMMISSIONER DUDICH: Dustin, with regard to
13 the -- the Boyd and the Full House financing, I
14 noticed there were mentions of LIBOR, and that is
15 potentially going away, I believe it's in maybe
16 two or three years, as an interest rate measure
17 in some of these deals.

18 Do we know if the two entities have included
19 language that will replace LIBOR once that goes
20 away?

21 I know there's been some discussion at least
22 in the financial markets to -- any new deals that
23 are going on, to try to avoid LIBOR and other
24 indices to use when it comes to interest rates.

25 Do you know if they have any language in

1 those agreements that will replace LIBOR, or
2 would they get to that issue further down the
3 road once LIBOR is discontinued?

4 MR. MOLOY: Yeah, commissioners, it's my
5 understanding that they will get to that issue
6 down the road. I would defer to Danielle Leek,
7 the financial and background investigator who
8 worked on this issue. I don't know if she is
9 available at this meeting. But that is something
10 that we could certainly look into and supply
11 supplemental materials for your review if you'd
12 like.

13 COMMISSIONER DUDICH: Yeah, if there's not
14 anybody here, that's fine, just kind of thinking
15 about that as that indice will be -- or that rate
16 setting indice will be replaced in the near
17 future. So yes, to follow up, that's fine. Just
18 kind of wondering as those new deals occur, how
19 that's being handled.

20 MR. SMALL: Commissioner Dudich, that's a
21 great question and we will follow up on that and
22 provide information to you.

23 COMMISSIONER DUDICH: Thank you both. Thank
24 you, Mr. Chairman.

25 CHAIRMAN McMANS: Thank you, sir.

1 Any further questions for Dustin?

2 Hearing none, Commissioners, what is your
3 pleasure with regard to Orders 2021-63 and
4 2021-64?

5 COMMISSIONER WILLIAMS: Mr. Chairman, I move
6 to approve 2021-63 and 4.

7 COMMISSIONER COHEN: Second.

8 COMMISSIONER FINE: Second.

9 CHAIRMAN McMAINS: Thank you, folks. It's
10 properly moved and seconded to approve Orders
11 2021-63 and 2021-64.

12 Any further discussion on the motion?

13 Hearing none, all in favor of the motion,
14 please signify by saying aye.

15 (Chorus of ayes.)

16 Opposed.

17 Motion carries unanimously.

18 MR. MOLOY: Thank you.

19 CHAIRMAN McMAINS: Thank you.

20 Mrs. Tait.

21 MS. RESKE: Mr. Chair, Sara's had a little
22 bit of technical difficulties, she lost her
23 connection, so I'm happy to do her part to keep
24 things moving along.

25 The last item we have is actually a

1 presentation from the Spectacle Gary and Lucy
2 Luck group. So hopefully we can get them
3 situated so they can go ahead and make their
4 presentation.

5 CHAIRMAN McMAINS: Ms. Reske, while they're
6 getting ready, I think we agreed to allow a
7 representative of a union to speak for two
8 minutes; is that correct?

9 MS. RESKE: That's correct.

10 CHAIRMAN McMAINS: Okay. Shall we do that
11 now?

12 MS. RESKE: Yes, I think that'd be great.

13 CHAIRMAN McMAINS: Okay. Let's do that now.
14 Is the representative here?

15 MR. SMALL: Ms. Nalls, are you available?

16 MS. NALLS: Yes, I am.

17 MR. SMALL: Okay. Thank you very much.
18 Please, Mr. Chair, go ahead.

19 CHAIRMAN McMAINS: Ms. Nalls, we'll be glad
20 to hear your comments, and we ask that you keep
21 your comments to two minutes, please.

22 MS. NALLS: Okay. Well, thank you so much.

23 Good afternoon. My name is Kasey Nalls.

24 I've been a server at Majestic Star Casino for 15
25 years. I'm here to speak to you because I and 25

1 of my co-workers at Majestic Star will lose our
2 jobs on March 30, 2021, if we are not brought
3 back to work or given an extension of our rights
4 to return to work.

5 It is my understanding that Indiana's 2019
6 gaming legislation allowed for an inland casino
7 as long as each Majestic Star Casino employee
8 would be transferred over to the new Hard Rock
9 Northern Indiana.

10 I'm not a lawyer, but this is what the law
11 says: Each employee employed at the riverboat
12 shall be offered a similar position at the inland
13 casino -- at the inland location.

14 Majestic Star is now telling me and other
15 employees who have been laid off due to the
16 pandemic that we will not be transferred
17 automatically to the Hard Rock and that we have
18 to reapply for our jobs at the new facility.

19 It's not fair that this pandemic, this
20 tragedy, is used as a loophole to be able to fire
21 me and my co-workers. My co-workers and I have
22 made many sacrifices and spent many holidays at
23 this casino to provide for our loved ones.

24 Instead of telling us to reapply for our
25 jobs, Majestic Star should recognize our years of

1 dedication by guaranteeing that we can come back
2 to work.

3 Please support us and tell Majestic Star to
4 extend our recall rights so that we don't lose
5 our jobs on March 30, 2021.

6 Thank you so much for your time.

7 CHAIRMAN McMAINS: Thank you, ma'am.
8 Appreciate your comments.

9 EXECUTIVE DIRECTOR TAIT: Mr. Chairman, this
10 is Sara. I was able to join by phone.

11 So, you know, next on the agenda is a
12 presentation by both Spectacle Gary as well as
13 Lucy Luck. I don't know who wants to start
14 things off from -- from those individuals or if
15 anybody wants to take a moment to address
16 Ms. Nalls' comments to the Commission as well, so
17 Jahnae or Mr. -- Greg, does anybody want to go
18 first?

19 MR. GIBSON: Yeah, I'm here, Sara. It's
20 Greg.

21 EXECUTIVE DIRECTOR TAIT: Okay. We will go
22 ahead and turn it over to you, Greg.

23 MR. GIBSON: Okay. Thank you.

24 I'd like to open our presentation this
25 afternoon by first thanking Chairman McMains and

1 the members of the Indiana Gaming Commission.

2 I'd also like to thank Executive Director
3 Tait, Deputy Director Reske and Counsel Greg
4 Small.

5 The last year has been tough for many,
6 including and especially the hospitality and
7 gaming industries. We've all been faced with
8 tough decisions, and those serving in leadership
9 have certainly been faced with the unexpected.
10 For that and (audio glitch) thank you for your
11 help and guidance.

12 I'm pleased to be here today with my
13 partners from Hard Rock International and
14 leadership from the cities of Gary and
15 Terre Haute to update you on the Hard Rock
16 Northern Indiana and the Rocksino Terre Haute
17 projects.

18 I'd like to acknowledge our speakers in
19 advance to keep the presentation moving
20 efficiently. Today you will hear from Jim Allen,
21 chairman of Hard Rock International; Jon Lucas,
22 the chief operating officer of Hard Rock; Senator
23 Eddie Melton, representing Gary; Mayor Jerome
24 Prince from the City of Gary; State
25 Representative Alan Morrison representing

1 Terre Haute; and Mayor Duke Bennett of
2 Terre Haute.

3 It's no secret that these projects have been
4 on a unique and transparent journey. Many have
5 been anxiously following our progress, our
6 hiccups and our hurdles, and now our path
7 forward. We have certainly had our ups and
8 downs. Things have seemed to jump between crisis
9 and celebration.

10 Well, today we believe is a time for
11 celebration. We're here together to offer an
12 update, not only to the Commission, but to the
13 entire state on two important projects with a
14 total value of over half a billion dollars.
15 Projects like these don't come along often, and
16 we're ready to show how Indiana investors and an
17 international corporate brand can collaborate to
18 bring these fantastic facilities to the State of
19 Indiana.

20 With that, it's my pleasure to introduce my
21 partner, Jim Allen, of Hard Rock International.

22 MR. LUCAS: This is Jon Lucas, chief
23 operating officer. Unfortunately Jim was stuck
24 in a meeting with the State of Florida, the
25 governor and the legislature, so I apologize on

1 his behalf. He had intended to be here to talk
2 to you all, but.

3 Good afternoon, Mr. Chairman, Commissioners,
4 Executive Staff. We appreciate this opportunity
5 to be before you, as Greg said, to talk about
6 these exciting new projects. We want to focus on
7 what we're doing going forward and share some
8 information with you, but we are extremely
9 excited about the future in Indiana and working
10 with the State and the Commission and the local
11 communities that we'll be in.

12 We anticipate a great partnership with
13 Spectacle Entertainment. Certainly Greg Gibson
14 and I have worked very closely over the last year
15 to move this thing forward, and as Greg said,
16 there's certainly been a few speed bumps along
17 the way, but we believe they're behind us now.

18 As Executive Director Tait mentioned, I was
19 going to talk a little bit about some dates for
20 grand opening, and I know she didn't want to
21 steal my thunder, but after discussions and
22 consultation with Executive Director Tait, she
23 assured me that the staff was ready, willing and
24 able to assist us and achieve these dates, so we
25 are in a position now to present those dates.

1 Our schedule is friends and family event
2 with practice on May 11th, that's Tuesday,
3 May 11th.

4 We'll be dark on May 12th in anticipation or
5 to save a date in case there's some things we
6 need to iron out or work through.

7 We'll do a VIP invitation-only event on
8 May 13th. Then we'll do a guitar smash, which is
9 our traditional ribbon cutting in the Hard Rock
10 world; a media event May 14th, Friday, at
11 10 a.m., and we'll have a grand opening to the
12 public 5 p.m. on May 14th.

13 And with that, I'd like to share a few
14 photos that we have that we wanted to share with
15 you and invite the Commissioners and the
16 Executive Staff, if anybody wants to come by for
17 a tour, we'll gladly do that. Our property
18 president, Matt Schuffert, will gladly assist and
19 share it.

20 I know we took Senator Melton, who's going
21 to be speaking here shortly, through the facility
22 last Friday. We are really moving along.

23 This is a picture of the front entrance. On
24 the -- if you could back up one, yeah. On the
25 right is a picture of the casino floor with the

1 tables set in place.

2 Move to the next slide. Here is the
3 pictures of the buffet.

4 Can we go to the next slide. That's just a
5 couple of pictures.

6 One thing that we wanted to assure the
7 Commission and the staff is that we as a company,
8 Hard Rock, have a culture of compliance and we're
9 committed to addressing any Indiana Gaming
10 Commission concerns and issues that -- regarding
11 compliance and governance.

12 We have prepared a separate package that has
13 in detail our policies, our procedures, our
14 internal controls, our training guidelines and
15 protocols as they relate to compliance and
16 corporate governance, and many have been
17 submitted to the Commission already. Those that
18 haven't will be submitted shortly. And we assure
19 you that we will have all pieces in place to
20 establish a culture of compliance and regulatory
21 and governmental adherence.

22 With that, I would like to turn it over to
23 Jahnae Erpenbach, the chair and CEO for Spectacle
24 Entertainment.

25 MR. GIBSON: Commission members, you can all

1 see that after hearing about Hard Rock's culture
2 of compliance, why we sought out a partner like
3 Hard Rock. The integrity of their compliance and
4 ethical business practices offer a platform for a
5 partnership and a brand that we are proud to
6 bring to the State of Indiana. Both Spectacle
7 Entertainment and Lucy Luck Gaming want to share
8 these core values, and we believe they'll serve
9 as a key component to our partnership now and on
10 into the future.

11 With that, I'd like to introduce Senator
12 Eddie Melton, representing the City of Gary.

13 SENATOR MELTON: Thank you. And thank you,
14 Mr. Chairman and the members of the Commission,
15 for allowing me to present to you today. It is
16 truly an honor and a pleasure.

17 Well, as State Senator of Gary, I'm pleased
18 to let you know that my community is extremely
19 excited for the future of Hard Rock Northern
20 Indiana and the project itself. It seems like it
21 was just yesterday when we were here in the
22 statehouse passing legislation for this actual
23 project itself.

24 Although many have not been able to see the
25 inside like many of us, the exterior details have

1 left many awaiting the positive outcome on what
2 has to come. And there's certainly a great
3 amount of anticipation.

4 I've had the opportunity to work with
5 Spectacle over the years for some time now and
6 I've been extremely pleased with the commitments
7 they've had and continue to make by bettering
8 Gary and the region and engaging employees and
9 leadership team on boards of directors of
10 nonprofits and making sure that that true support
11 of good corporate citizenship is there.

12 And as we look to the future, I'm excited to
13 explore new ideas as well about their partnership
14 with the community and the state as we move
15 forward.

16 I'm also looking forward to getting to know
17 Hard Rock more and exploring ways the brand will
18 help elevate part of this state.

19 During the legislative process, asking for
20 the ability to move the license to a more
21 productive location, I was encouraged by my
22 colleagues in their action to help Gary move
23 forward. This was an extremely important piece
24 of legislation in 2019.

25 I do believe, along with my colleagues, this

1 project will not only be a positive attribute for
2 my community but a game changer.

3 It's always been my hope that we continue to
4 build off this project and not only grow the
5 development of the footprint of Hard Rock Casino,
6 but also look at the untapped resources within
7 the Buffington Harbor area where Majestic Star
8 Casino currently sits and utilizing that as more
9 of a logistics park or light manufacturing,
10 industrial work to grow the economic development
11 in the City of Gary.

12 Although we're excited about the future, I
13 have to acknowledge the trades unions as well and
14 their hard work to keep this project on task,
15 over \$300 million of project. That's significant
16 and meaningful, that is going into investment in
17 this community, but I also want to go and
18 acknowledge that I have been working with
19 Spectacle in ensuring that the workers that were
20 laid off are starting to return back. I want to
21 acknowledge Ms. Nalls and her remarks, and I
22 agree, that that legislation, that language was
23 written into State statute to ensure that those
24 workers would go to the new facility, so I'm
25 hoping that those remaining few workers, I

1 believe we started around 80 or so that were laid
2 off and got that number down to about 20 plus, so
3 I'm optimistic that something will be worked out
4 hopefully in the near future.

5 So with that being said, I just want to say
6 thank you. I'm sure you probably can hear in the
7 background, we're still in session. I have to
8 run back on the Senate floor, but I definitely
9 wanted to come and show my support, my
10 community's support for this new growth and
11 opportunity and partnership with Spectacle and
12 Hard Rock.

13 CHAIRMAN McMAINS: Thank you, Senator
14 Melton.

15 SENATOR MELTON: Thank you.

16 MR. GIBSON: With that, I'd like to now
17 introduce the Mayor of the City of Gary, Jerome
18 Prince.

19 MAYOR PRINCE: Thank you. And thank you to
20 everyone. Actually, I want to start by thanking
21 the members of the Commission and everyone who's
22 in attendance before, but I also want to voice my
23 appreciation to the Commission particularly as
24 you set forth in some pretty challenging work
25 over the last few months, anyway, to keep the

1 project on track, and to that, we're extremely
2 appreciative, and we certainly appreciate and
3 respect the fact that you wanted to make sure
4 that the interests of all parties are -- are
5 protected, and that certainly includes the City
6 of Gary.

7 You know, I could speak a lot, and certainly
8 for the sake of time I want to just share some
9 salient points. I'm glad that the Senator was on
10 the conversation this morning, which I believe
11 all of his comments I would agree with a hundred
12 percent, and to that extent, provided an
13 excellent segue for me to just add a few more
14 salient points.

15 And, you know, although our interests here
16 in the City of Gary we believe is pretty
17 apparent, there are some things that we want to
18 highlight that present our advocacy, I would say,
19 from a greater context.

20 And, you know, it starts with the catalytic
21 investment of almost half a billion dollars over
22 there in the City of Gary, but including that,
23 there's some very finer points that we certainly
24 are appreciative of, such as the \$52 million in
25 construction contracts that have been awarded to

1 companies within Lake County, but certainly the
2 32,000,000 of that -- rather, 32,000,000 has been
3 awarded so far to companies in the city of Gary,
4 and of that total, also, I think I would be
5 remiss if I didn't point out that 25,000,000 of
6 that goes to state and self-certified women-owned
7 businesses, things that are completely consistent
8 with the objectives of this administration, and
9 certainly goes a long way to help benefit the
10 economy of our city.

11 But in addition to that, we spoke -- or we
12 heard from Ms. Nalls, who, again, I'm definitely
13 appreciative of the Senator addressing her
14 particular concern, because one of the benefits
15 that we so absolutely receive here would be from
16 an employment perspective. As I understand,
17 there will be 400 to 500 full- and part-time
18 employment opportunities created, and that's in
19 addition to the 1,000 construction jobs that were
20 created as a result of the other thing that I
21 mentioned earlier in terms of the thirty-two
22 million being awarded to Gary contracts and
23 companies for construction.

24 One other point, and this is certainly
25 beneficial for the City of Gary, is that we will

1 continue to receive revenue from that operation,
2 but in this instance, no less than six million
3 dollars as a result of the long-standing LDA, but
4 also the opportunity to receive .5 percent in
5 gross receipts from the new Terre Haute facility.
6 And, again, those things -- or those factors, I
7 believe, are going to help us, as we say in Gary,
8 reimagine our city as a place to work, live and
9 play.

10 But, lastly, and I certainly don't want to
11 take much of your time, I want to mention another
12 integral part that I think is extremely
13 important, and that's the community engagement
14 that we certainly realize and appreciate it and
15 in many ways benefited from the relationship with
16 Spectacle along that line. Collaboration, as I
17 mentioned earlier, is something that we consider
18 to be an integral part of our city and certainly
19 is in the spirit of reimagining the city.

20 So far Spectacle has generated over 1,000 --
21 or one hundred thousand, rather, dollars in
22 donations from over ten local community
23 organizations. They've insured that each of the
24 top executive members of their staff -- or their
25 team, rather, join a board of civic organization

1 groups here and -- on behalf of Spectacle, and we
2 believe that that has provided them an
3 opportunity to develop a fundamental
4 understanding of the community at large, and just
5 extremely important in terms of them becoming
6 part of the fabric of the community.

7 Some of the organizations, and I'll close
8 with that, that have benefited from that, one
9 that's certainly close to my heart as a veteran,
10 and that would be the Disabled American Veterans,
11 but certainly I'd like to mention on the county
12 perspective or the region, their contributions to
13 the YMCA of Northwest Indiana.

14 And so, in closing, you know, I think it
15 goes without question saying that we're certainly
16 appreciative and grateful for the relationship
17 that we've had and certainly the presence of
18 Spectacle Entertainment, as well as Hard Rock,
19 and we thank them for their vision and certainly
20 for their commitment to the City of Gary.

21 I would be remiss at this particular time if
22 I did not mention, again, the Indiana Gaming
23 Commission, who I think has worked tirelessly to
24 make sure that this project gets up and running,
25 but certainly our state leadership, the

1 leadership of city and county council persons,
2 but most of all, the community at large and the
3 citizens of Gary I think have been tremendous and
4 are prepared to continue to support this
5 development in the hopes that it certainly
6 increases more attention right here in our city.

7 So, ladies and gentlemen, I thank you for
8 your time this afternoon. Most of all, I thank
9 you for the work that you've done on behalf of
10 the state and certainly here in the city of Gary.
11 Thank you.

12 MR. GIBSON: Thank you, Mayor. Hard Rock
13 and I both appreciate your help and friendship in
14 this process.

15 Before I introduce the leadership
16 representing Terre Haute, I'd like to take a
17 quick moment to explain the name change from
18 Spectacle Jack to Lucy Luck.

19 First, I felt that we needed to alleviate
20 some of the confusion regarding the Spectacle
21 brand. Some of the challenges faced by Spectacle
22 Entertainment were assumed to be hurdles for
23 Spectacle Jack, and that was just not the case.

24 And, second, maybe more important to me, I
25 was able to give a little attention to my

1 daughter Lucy Jane.

2 Both of these projects are extremely
3 important. The possibility of a gaming facility
4 for Terre Haute is what drew me into this
5 venture. I love Terre Haute, and I saw this as
6 an opportunity to bring a transformational
7 project to my community that will cultivate
8 unlimited benefits and help the entire state.

9 Terre Haute's very excited about this
10 project, and we're moving closer to getting
11 started. We've landed a financing package with
12 five Indiana banks that will bring additional
13 economic value to the project, something that
14 many told us we couldn't accomplish. I'm really
15 excited that we'll be able to work with five
16 financial institutions based in our home state to
17 complete the Terre Haute facility.

18 As you receive an update from Representative
19 Morrison and Mayor Bennett, please consider
20 Terre Haute's journey and their readiness to
21 celebrate the next phase of this important
22 economic project.

23 With that, I'll introduce State
24 Representative Alan Morrison.

25 REPRESENTATIVE MORRISON: Well, good

1 afternoon, everybody. First, I'd like to thank
2 Executive Director Tait and the Commission
3 members, appreciate this opportunity to be able
4 to talk to you about Terre Haute. And seeing the
5 pictures of the Gary casino gets me really
6 excited about what -- what we're going to see in
7 Terre Haute.

8 We -- this journey didn't start in 2019.
9 Actually, I think it started back in the '90s.
10 West central Indiana has been thinking about a
11 casino in Terre Haute for a long time. And I can
12 remember it was 2014 and I sat in the -- the
13 office of our Convention and Visitors Bureau,
14 David Patterson, excuse me, and I said we -- we
15 need a casino sitting right here on 46 and 70.
16 Could you imagine how amazing it would be to see
17 some lights ballyhooing and the excitement of
18 having something that big in west central
19 Indiana. And David said yeah, let's try to do
20 this. This was back in 2014.

21 And so through the years, I worked with a
22 handful of different people. Senator Ford was
23 extremely important, and he shared a vision. We
24 talked with a lot of our colleagues throughout
25 the legislature. And, obviously, Mr. Greg Gibson

1 getting involved was a godsend.

2 And so now we -- we find ourselves here, and
3 in 2019 we were able to pass that legislation and
4 now we are close to the finish line.

5 The tourism aspect, the proximity of where
6 we are in Terre Haute, west central Indiana, with
7 Illinois being right there as well, we are kind
8 of a hub for west central Indiana and that
9 part -- and eastern Illinois, so it's so
10 important for us to see this project through and
11 ultimately produce what we said we would to the
12 community.

13 And the community is very, very excited
14 about it. One of the best things about this
15 whole process was watching the Terre Haute
16 community turn out. And -- and it's one thing
17 for the people who are paid to come up here and
18 push for -- excuse me, push for the project, the
19 lobbyists, so to speak, but when the people who
20 actually live in the community come down to the
21 statehouse, turn out, and -- and work for, you
22 know, a piece of legislation is so important, and
23 that's what we saw from the people of
24 Terre Haute.

25 And it's -- it doesn't -- I don't go very

1 many days without somebody asking me when is that
2 project going to be done and when are we going to
3 see those lights ballyhooing and a casino in
4 Terre Haute, and I always tell them it's coming
5 soon, we're working hard.

6 Greg is -- and Lucy Luck are great members
7 and great partners for our community, and so
8 we're looking forward to this project being done
9 pretty quick, really.

10 I'd also like to thank, and Senator Melton
11 pointed it out, my fellow legislators. No -- no
12 gaming legislation is ever an easy lift, and it
13 was tough. All gaming legislation is tough, and
14 so -- but to get consensus from the -- in the
15 House and the Senate and have the piece of
16 legislation that we did, that we're able to move
17 these two licenses and help our communities out
18 was a great -- a great work of partnership. And
19 it's going to, again, be a great -- a great
20 project at the end of the day.

21 So thank you very much to all involved. I
22 appreciate the time from the Commission, and I
23 thank you and look forward to seeing you all in
24 Terre Haute at our casino some day.

25 MR. GIBSON: Thanks, Representative

1 Morrison. To move along, I'd like to introduce
2 the mayor of Terre Haute, Duke Bennett.

3 MAYOR BENNETT: Thank you, Greg. First, I'd
4 just like to say good afternoon, everybody, and
5 you know, appreciate the Commissioners and the
6 Executive Staff. This is my second time in front
7 of you, and I appreciate the -- this additional
8 opportunity and just this is -- this project is
9 so critical for our community and it's just
10 exciting to be here today to talk about moving
11 forward.

12 I want to thank Representative Morrison and
13 Senator Ford and all the others that helped. You
14 know, we spent quite a bit of time at the
15 statehouse and talking to our legislators,
16 knowing that this wasn't going to happen without
17 their support, as Representative Morrison
18 mentioned a few minutes ago. And it was a
19 process. There's no question about that.

20 And the Gaming Commission did a great job of
21 guiding us, you know, telling us what we needed
22 to do and getting the support of the legislature
23 and getting the governor to sign off on this.

24 And so now we've kind of been in that mode
25 of what's the next step. Our community is really

1 transitioning in a lot of different ways. We've
2 got a new convention center coming. Next year
3 it'll be opening. And this casino just adds a
4 whole new component as we look at changing our
5 community, growing our community, continuing to
6 diversify our economy. This is a whole new piece
7 of that, and we eagerly anticipate getting this
8 casino on line.

9 I would say a day does not go by that
10 somebody doesn't stop me at the store or wherever
11 and say when are they going to break ground on
12 that casino, so I'm excited to be able to know
13 that it's really going to come here very soon.

14 We had a Terre Haute Is All In campaign that
15 the chamber spearheaded, and with the help of RJL
16 Solutions went out and we got the referendum
17 done, and, you know, you just look back on this
18 and you see all the community support for this
19 project.

20 Lucy Luck Gaming, in partnership with Hard
21 Rock, has brought their vision to our community,
22 and you can see by our community and the state's
23 hard work that this is going to become a reality
24 very, very soon, and we're grateful for their
25 commitment.

1 When you look at the economic benefits,
2 \$175 million construction project, 750 to 1,000
3 construction jobs, using local union trades,
4 that's a big part of what we're trying to do
5 here. The employment number, six to seven
6 hundred brand-new jobs both full- and part-time,
7 and local workforce development and training that
8 will support and get those folks ready to serve.

9 And the monetary benefit is what really the
10 most important thing that I'm excited about, let
11 alone all the people coming here, but what with
12 the benefit we get out of that, about 4.6 million
13 coming back to local government each year,
14 another 2.6 million that's going to be coming to
15 our school system and our regional development
16 efforts, along with some additional funds for
17 local government, \$2.7 million going into a
18 community improvement foundation via our local
19 development agreement, and then additional
20 property tax and local option income tax, so when
21 you look at the entire picture, there's so many
22 people that are going to benefit from that
23 locally and at the state level, and so thank you
24 for making this real.

25 I'm thankful to Greg Gibson. I couldn't say

1 enough about him. He's such a giver to our
2 community and to the state as a whole. We have a
3 long history of giving back, and he's really
4 stepped out and done something very significant
5 that's going to have an impact for so many years
6 to come, so I thank Greg for that, and thank the
7 Commission once again for their help.

8 Hard Rock's going to be a major player in
9 this. They're a solid company that's going to
10 deliver a quality product.

11 And so at the end, I can't say again how
12 excited I am, but the people of our community are
13 excited. We're ready to get going and looking
14 forward to the groundbreaking coming soon. We're
15 excited for Gary, but Terre Haute's now next in
16 line here and we're almost to the finish line.

17 So thank you for your time, appreciate
18 everything you've done, and we look forward to
19 the future.

20 MR. GIBSON: Thank you very much, Mayor.
21 Appreciate your comments. We -- just for the
22 Commission members' knowledge, we -- my partners
23 and I hope to choose a groundbreaking date very
24 soon, hopefully maybe at the end of April, so
25 we're working on that right now and excited to

1 get this project moving forward.

2 I appreciate you allowing us the time today,
3 and our teams are ready to address any questions
4 that the Commission members may have, and we look
5 forward to the future.

6 CHAIRMAN McMAINS: Thank you, Mr. Gibson.

7 Commissioners, what questions might you have
8 for our speakers today?

9 COMMISSIONER DUDICH: Mr. Chairman, if I
10 may.

11 Mr. Gibson, thank you for presentation.
12 Very helpful. In terms of the relationship with
13 Hard Rock and thinking about Terre Haute and --
14 and Gary and Commissioner Gonso's comment -- or,
15 excuse me, Commissioner Tait's comments earlier
16 in the discussion, how's the relationship with
17 Hard Rock and Spectacle going thus far and are
18 you seeing things starting to jell and move
19 forward to allow for that announcement of a
20 groundbreaking and have strong management, just
21 kind of update the Commission on how that
22 relationship is going thus far if you can, sir.

23 MR. GIBSON: Absolutely. I feel good about
24 that relationship, Commissioner. To be honest,
25 we've gotten along very well through this whole

1 process. We obviously had the one hurdle we had
2 to get over, and we were dealing with issues with
3 our credit facility and our operating agreements
4 and so there were a few issues there, but I've
5 always gotten along very well with -- with Hard
6 Rock and consider them partners. In fact, Jon
7 Lucas and I have become good friends.

8 So, you know, I'm very optimistic about the
9 future and moving forward in partnership.

10 MR. LUCAS: And this is Jon Lucas. I would
11 echo those comments exactly.

12 COMMISSIONER DUDICH: So from your point,
13 Mr. Gibson and Mr. Lucas, you feel that the
14 partnership that is in Gary right now in terms of
15 the management and the coordination between the
16 two entities, you feel that will be mirrored in
17 terms of the relationship potentially in the
18 Terre Haute facility where, again, strong
19 investment, strong communities forged strong
20 management to allow for that facility to be
21 successful.

22 MR. LUCAS: Again, this is Jon Lucas.
23 Absolutely. The truth is it'll be an easier
24 transition because, you know, this is an unusual
25 situation that we're dealing with in Gary where

1 you have a facility that's operating and those
2 people are moving over to the new facility and
3 they kind of have to split their time between the
4 existing facility and as we get closer and closer
5 to the opening, they have to dedicate some of
6 their time there, so it makes probably for some
7 long days and long weeks for those people, but
8 that's the only way it's going to -- both
9 operations are going to be successful. They
10 can't let their guard down at Majestic Star yet.
11 We want to be successful when we open the doors.

12 In Terre Haute we obviously won't have that
13 challenge of trying to operate an existing
14 facility while building a new one. We'll be
15 doing it from the ground up, we'll have a team a
16 hundred percent dedicated to that facility, so
17 we -- we see the Terre Haute project as a little
18 easier hurdle to jump over than Gary and Majestic
19 Star.

20 And certainly it's not the first time we've
21 done what we're doing in Majestic. We did it up
22 in Ottawa, Canada, but it's a difficult
23 challenge, truthfully.

24 COMMISSIONER DUDICH: One final question.
25 Sorry, Mr. Commissioner. Is -- is there a

1 management agreement in place between Spectacle
2 and Hard Rock with regard to Terre Haute?

3 MR. GIBSON: Currently there is not an
4 executed management agreement. Jon and I are
5 working on that agreement right now and hope to
6 have something completed soon.

7 COMMISSIONER DUDICH: Thank you,
8 Mr. Chairman.

9 COMMISSIONER WILLIAMS: Mr. Chairman, I am
10 really excited about what I'm hearing about Gary,
11 and that looks like it's well under way.

12 And obviously in Terre Haute, the political
13 enthusiasm, the community enthusiasm, all of that
14 work has been done. I'm hoping that this
15 relationship in Terre Haute gets formalized very
16 quickly. And it -- it seems to me that that
17 management issue is really a missing piece, and I
18 would hope that by the next meeting, that we
19 have -- we have a signed agreement. I mean, I
20 think it's time. We've been asking for quite
21 some time to get all those ducks in a row, and so
22 for my part, I would be anxious to see that
23 formalized by the time we meet next, which I
24 think is toward the end of May.

25 CHAIRMAN McMANS: Sara, do we have a

1 license renewal coming up before then?

2 EXECUTIVE DIRECTOR TAIT: We do. You know,
3 licenses are up for annual renewal. I believe
4 that we issued the license on May 15th regarding
5 the Vigo County owner's license, so it would be
6 subject to renewal then, so, yeah.

7 And I just want to also kind of clarify just
8 to make sure everybody's on the same page. With
9 respect to -- to management and casino
10 experience, I think, you know, if I -- if I may
11 speak on behalf of Commissioner Dudich as well as
12 Commissioner Williams, that our concern is that
13 Lucy Luck comply with the rules that have been on
14 the books for 25 years in the state of Indiana,
15 which is you've got to have gaming experience to
16 be an applicant and to move forward with -- with
17 a casino project in Indiana, and so however
18 that's accomplished by Mr. Gibson, whether that's
19 with a management agreement similarly to what he
20 has up in Gary or if there's another way he
21 can -- can meet that requirement in our rules,
22 you know, we would be open to that, so to echo
23 what Commissioner Williams said, you know,
24 perhaps there is, you know, a -- a time frame
25 coming up upon which, you know, Mr. Gibson should

1 strive to figure out that missing piece that we
2 have before us.

3 CHAIRMAN McMAINS: Mr. Gibson.

4 MR. GIBSON: Director Tait --

5 CHAIRMAN McMAINS: Mr. Gibson, message
6 received?

7 MR. GIBSON: Message received. We'll work
8 on that process quickly.

9 COMMISSIONER DUDICH: Mr. Chairman, if I
10 may. Mr. Gibson, I just want to make sure, you
11 mentioned a groundbreaking date, selecting a
12 groundbreaking date in April.

13 Kind of thinking about the -- the time
14 frame, you know, renewal in May, announcement of
15 a groundbreaking in April for some future date, I
16 think it -- speaking as a commissioner, just as
17 myself, I think it would be very helpful to -- as
18 you solidify getting closer to that May renewal
19 date and a groundbreaking date, that there be
20 some update on the management discussions,
21 whether it be through Executive Director Tait or
22 whatnot, because I think all of us have been in
23 jobs where there's a great groundbreaking
24 announcement, everybody gets excited, and then
25 something starts to tail off that doesn't allow

1 for a project to move forward, so I think it'd be
2 helpful if that announcement is made and the
3 excitement around it, as Commissioner Williams
4 said, if there's information that you have or
5 updates that you have that you can pass along to
6 the Commission that says here's where we are in
7 this management discussion, that probably makes
8 us feel a lot more comfortable heading towards
9 that May date that the wheels are moving and that
10 we're getting closer to some type of agreement,
11 so just my experience being in different roles,
12 announcements get made and then some things
13 aren't tied up on the back end, so just whatever
14 additional information or updates you might have,
15 please feel free to pass them along.

16 MR. GIBSON: Absolutely. We'll definitely
17 do that. We'll keep staff well informed of our
18 progress.

19 EXECUTIVE DIRECTOR TAIT: Yeah, and I'll
20 echo that, Commissioner Dudich. Greg's probably
21 sick of -- sick of talking to me at this point,
22 but, you know, staff, and I know the Commission,
23 we are very excited about this project. It is
24 important to the state, it's important to the
25 local community. I agree that some positive

1 steps have -- have been taken, and I agree that,
2 you know, Greg has all the tools to meet all of
3 the requirements quickly, so staff stands ready
4 to facilitate and continue the open dialogue that
5 we've had with Mr. Gibson this entire time. And
6 I will pass that along to the Commissioners as
7 well.

8 CHAIRMAN McMAINS: Mr. Gibson, thank you,
9 sir. Thanks for all you're doing.

10 MR. GIBSON: Thank you.

11 CHAIRMAN McMAINS: Mrs. Tait, any other
12 business to come before the Commission today?

13 EXECUTIVE DIRECTOR TAIT: Well, we've sort
14 of teased the next meeting. I don't know if we
15 want to announce that since we just settled --
16 settled on a date, if you want to, Mr. Chair, or
17 we can update the website.

18 CHAIRMAN McMAINS: I think we've tentatively
19 agreed to shoot for May the 25th; is that
20 correct?

21 EXECUTIVE DIRECTOR TAIT: That's correct,
22 yes.

23 CHAIRMAN McMAINS: Any other comments,
24 Commissioners, before we adjourn today?

25 Well, thank you, staff, Commissioners, and

1 members of the public for enduring the technical
2 difficulties of these online meetings. They're
3 difficult, obviously.

4 Mr. Lucas, thank you for being here, your
5 picture just popped up here.

6 MR. LUCAS: Thank you.

7 CHAIRMAN McMAINS: Is there a motion to
8 adjourn today? No motion?

9 COMMISSIONER DUDICH: So moved.

10 COMMISSIONER WILLIAMS: So moved.

11 CHAIRMAN McMAINS: It's been moved and
12 seconded to adjourn today's meeting.

13 All in favor, please signify by saying aye.

14 (Chorus of ayes.)

15 Motion carries unanimously.

16 Have a good afternoon, folks.

17 (At 3:54 p.m., March 23, 2021, this meeting
18 of the Indiana Gaming Commission was adjourned.)

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25

1 STATE OF INDIANA)
) SS:
 2 COUNTY OF MARION)

3
 4 I, Dianne D. Lockhart, a Notary Public and
 5 Stenographic Reporter within and for the County of
 6 Marion, State of Indiana at large, do hereby certify
 7 that the Indiana Gaming Commission Business Meeting
 8 held on March 23, 2021, commencing at 2:11 p.m.
 9 virtually via Microsoft Teams, in Indianapolis,
 10 Indiana, was taken down in stenograph notes and
 11 afterwards reduced to typewriting under my direction,
 12 and that the typewritten transcript is a true record
 13 of the proceedings had.

14 IN WITNESS WHEREOF, I have hereunto set my hand
 15 and affixed my notarial seal this _____ day of
 16 April, 2021.

17
 18 _____
 19 N O T A R Y P U B L I C

20 My Commission Expires:
 21 June 4, 2023

22 County of Residence:
 23 Marion County

24
 25

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