

INDIANA GAMING COMMISSION BUSINESS MEETING

November 10, 2010
Indiana Government Center South
Indianapolis, Indiana

Call to Order and Roll Call:

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

Present:

Commission Members: Tim Murphy, Chairman, Tom Swihart, Vice Chairman, Robert Morgan, Marc Fine and Sue Shields. Commissioner Mary Shy was not present. Commission Staff: Ernest E. Yelton, Adam Packer, Jennifer Reske, Chris Gray, Lea Ellingwood, Kesha Rich, Jeff Neuenschwander, Joe Hoage, Sherry Green, Kenny Rowan, Larry Delaney, Diane Freeman, Garth Brown, Danielle Leek, Ericka Plummer, Tami Timberman-Wright, and members of the public.

Approval of the Minutes:

Upon motion by Tom Swihart, second by Marc Fine, and unanimous vote of those present, the Commission approved the proposed minutes of the September 16, 2010, business meeting.

Report of the Executive Director:

The Executive Director gave the following staff report: After five and a half years serving as the Gaming Commission's General counsel, Phil Sicuso accepted a position with Bingham McHale in Indianapolis. Replacing him is Adam Packer. Adam joined the Commission in 2006 and recently served as Deputy General Counsel. The new Deputy General Counsel is Lea Ellingwood, who also came about our legal division in 2006.

Since the September commission meeting, IGC staff has added 13 individuals to the Exclusion List, which effectively and permanently bars those patrons from entering any casino in Indiana. The following individuals were observed either past-posting or pinching their bets while at an Indiana casino: Kapptolia Anderson, Teresa Hill.

The following individuals were observed taking illegal possession of a TITO, casino chips, or U.S. Currency in excess of approximately \$500 while at an Indiana casino: Ahmad El Turkmani, Quantez Martin, Jimmy Long, Patrick Hines, Lori Hines, Floyd Weddle, and Scott Hunt.

The following is a summary of the remaining individuals added since the June Commission Meeting: Georgi Georgiev was observed and later admitted to paying another patron \$100 to claim a jackpot Georgiev had won at the Hollywood Casino. Upon completing the appropriate

W2G forms after the discrepancy was discovered, he provided a false social security number. Jason Kelley, while employed as a Slot Supervisor at the Horseshoe Hammond Casino, issued a fraudulent TITO to an unknown patron worth \$819.75. He was charged with Conversion in the Lake County Superior Court, which is still pending. Kenneth D. Young was observed at the Blue Sky Casino and Casino Aztar “sliding dice” while playing craps. “Sliding Dice” occurs when the shooter at a craps table throws the dice in a manner that results in the dice not tumbling or turning during the throw; with the shooter literally attempting to slide the dice across the table. The shooter will throw the dice so that they fall short of hitting the back rail, which is required under IGC regulations. Young was required to make \$2000 in restitution to the Blue Sky Casino as part of a diversion agreement with the Orange County Prosecutor. Rolinda J. Evans was observed attempting to make multiple fraudulent ATM withdrawals while at the Indy Live Casino. She was charged with multiple felonies in the Shelby Superior Court, which are still pending.

For the year 2010, the IGC has placed 66 patrons on the Exclusion List, bringing the total to 202 individuals who are barred from Indiana casinos and racinos.

Waiver of Rules and Regulations:

Hollywood

Granted relief from the requirement for a table controller for the bonus feature since the bonus bet is not a progressive feature but a side bet.

Approved request to place dedicated coverage on progressive displays showing incrementation when the display reads a minimum of \$40,000. The revenue audit department will be responsible for daily verification of the incremented amounts.

Granted a waiver allowing employees of a massage service providing massages in the Poker Room to accept chips for payment of service. As Occupational Licensees the employees of the message service are required to redeem their chips in accordance with

Grand Victoria

Approved request to pay out odds of 6 to 5 on low minimum wage blackjack tables.

Horseshoe Hammond and Horseshoe Southern Indiana

Granted a waiver allowing US coin to be used at the table games.

Old Business:

There was no old business.

New Business:

Voluntary Exclusion Program:

**Orders Concerning
The Voluntary Exclusion Program**

2010-175	2010-184
2010-176	2010-185
2010-177	2010-186
2010-178	2010-187
2010-179	2010-188
2010-180	2010-189
2010-181	2010-190
2010-182	2010-191
2010-183	2010-192

Order 2010-175 approved the remittance of winnings by VEP participant John Doe #93 in the amount of \$20,475. Belterra withheld the winnings as required by Commission regulations and will remit the winnings on behalf of the patron.

Order 2010-176 approved the remittance of winnings by VEP participant John Doe #94 in the amount of \$670. Blue Chip withheld the winnings as required by Commission regulations and will remit the winnings on behalf of the patron.

Order 2010-177 approved the remittance of winnings by VEP participant John Doe #95 in the amount of \$25. Hollywood withheld the winnings as required by Commission regulations and will remit the winnings on behalf of the patron.

Order 2010-178 approved the remittance of winnings by VEP participant John Doe #96 in the amount of \$4.84. Hollywood withheld the winnings as required by Commission regulations and will remit the winnings on behalf of the patron.

Order 2010-179 approved the remittance of winnings by VEP participant John Doe #97 in the amount of \$5. Hoosier Park withheld the winnings as required by Commission regulations and will remit the winnings on behalf of the patron.

Order 2010-180 approved the remittance of winnings by VEP participant John Doe #98 in the amount of \$12.69. Hoosier Park withheld the winnings as required by Commission regulations and will remit the winnings on behalf of the patron.

Order 2010-181 approved the remittance of winnings by VEP participant John Doe #99 in the amount of \$4,616.40. Hoosier Park withheld the winnings as required by Commission regulations and will remit the winnings on behalf of the patron.

Order 2010-182 approved the remittance of winnings by VEP participant John Doe #100 in the amount of \$1,021. Horseshoe Casino withheld the winnings as required by Commission regulations and will remit the winnings on behalf of the patron.

Order 2010-183 approved the remittance of winnings by VEP participant John Doe #101 in the amount of \$1,620. Horseshoe Casino withheld the winnings as required by Commission regulations and will remit the winnings on behalf of the patron.

Order 2010-184 approved the remittance of winnings by VEP participant John Doe #102 in the amount of \$37. Horseshoe Casino withheld the winnings as required by Commission regulations and will remit the winnings on behalf of the patron.

Order 2010-185 approved the remittance of winnings by VEP participant John Doe #103 in the amount of \$51.47. Horseshoe Casino Hotel Southern Indiana withheld the winnings as required by Commission regulations and will remit the winnings on behalf of the patron.

Order 2010-186 approved the remittance of winnings by VEP participant John Doe #104 in the amount of \$1,600.41. Horseshoe Casino Hotel Southern Indiana withheld the winnings as required by Commission regulations and will remit the winnings on behalf of the patron.

Order 2010-187 approved the remittance of winnings by VEP participant John Doe #105 in the amount of \$120. Majestic Star withheld the winnings as required by Commission regulations and will remit the winnings on behalf of the patron.

Order 2010-188 approved the remittance of winnings by VEP participant John Doe #106 in the amount of \$84.25. Majestic Star withheld the winnings as required by Commission regulations and will remit the winnings on behalf of the patron.

Order 2010-189 approved the remittance of winnings by VEP participant John Doe #107 in the amount of \$225. Majestic Star withheld the winnings as required by Commission regulations and will remit the winnings on behalf of the patron.

Order 2010-190 approved the remittance of winnings by VEP participant John Doe #108 in the amount of \$6,500. Majestic Star withheld the winnings as required by Commission regulations and will remit the winnings on behalf of the patron.

Order 2010-191 approved the remittance of winnings by VEP participant John Doe #109 in the amount of \$16. Majestic Star withheld the winnings as required by Commission regulations and will remit the winnings on behalf of the patron.

Order 2010-192 approved the remittance of winnings by VEP participant John Doe #110 in the amount of \$6. Majestic Star withheld the winnings as required by Commission regulations and will remit the winnings on behalf of the patron.

Action: Upon Motion by Sue Shields, second by Robert Morgan, and unanimous vote of those present, the Commission approved Orders 2010-175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, and 192 as recommended by Commission staff.

Exclusion List

Order 2010-193

An Order Affirming Barbara J. Burnett's Placement on the Exclusion List.

Action: Upon Motion by Sue Shields, Second by Robert Morgan, Robert Morgan, and unanimous vote of those present, the Commission approves Order 2010-193 affirming the Administrative Law Judge's Order.

Occupational License Matters

Order 2010-194

An Order Affirming the Revocation of Kennita F. Cole's Occupational License.

Action: Upon Motion by Tom Swihart, second by Marc Fine, and unanimous vote of those present, the Commission approves Order 2010-194 approving the Administrative Law Judge's Order.

Suppliers Matters

Order 2010-195

Order of the Indiana Gaming Commission Concerning the Renewal of Supplier's Licenses.

Action: Upon Motion by Robert Morgan, second by Marc Fine, and unanimous vote of those present, the Commission grants the renewal of the licenses for Aristocrat Technologies, Inc through November 8, 2011; Cordish Gaming Mgmt, LLC through November 12, 2011, and; Paltronics Inc through November 16, 2011.

**Order 2010-196
(10-Bally-02)**

A settlement agreement was reached regarding Bally shipping software that was not listed in the catalog as approved software for Indiana. Commission staff recommended and Bally agreed to pay a total fine in the amount of \$1,500.

Action: Upon Motion by Sue Shields, second by Tom Swihart, and unanimous vote of those present, the Commission approves Order 2010-196 approving the terms of the settlement agreement.

Order 2010-197
10-GPI-01

A settlement agreement was reached regarding Gaming Partner International (GPI) shipping poker layouts that had not been approved by the Indiana Gaming Commission. Commission staff recommended and GPI agreed to pay a total fine in the amount of \$1,500.

Action: Upon Motion by Robert Morgan, second by Marc Fine, and unanimous vote of those present, the Commission approves Order 2010-197.

Riverboat Owners License Renewals

Order 2010-198

Order of the Indiana Gaming Commission Renewing the Riverboat Owner's License of Aztar Indiana Gaming Company, LLC.

Action: Upon Motion by Sue Shields, second by Marc Fine, and unanimous vote of those present, the Commission approves Order 2010-198 renewing the Riverboat Owner's License of Aztar Indiana Gaming Company, LLC until December 4, 2011.

Order 2010-199

Order of the Indiana Gaming Commission Renewing the Riverboat Owner's License of Belterra Resort Indiana, LLC.

Action: Upon Motion by Sue Shields, second by Marc Fine, and unanimous vote of those present, the Commission approves Order 2010-199 renewing the Riverboat Owner's License of Belterra Resort Indiana, LLC until October 22, 2011.

Order 2010-200

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

Action: Upon Motion by Sue Shields, second by Marc Fine, and unanimous vote of those present, the Commission approves Order 2010-200 renewing the Riverboat Owner's License of Caesars Riverboat Casino, LLC until November 15, 2011.

Disciplinary Actions:

Settlement Agreement of
Ameristar East Chicago
10-AS-03
Order 2010-201

A settlement agreement was reached regarding Ct. 1: the casino failed to timely file two RG-2s, and Ct. 2: the casino failed to timely notify the Gaming agents of an employee termination.

Commission staff recommended and Ameristar agreed to pay a total fine in the amount of \$7,000.

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

**Settlement Agreement of
Casino Aztar
10-AZ-04
Order 2010-202**

A settlement agreement was reached regarding Ct. 1: the casino failed to correctly cancel four decks of playing cards, and Ct. 2: the casino failed to timely place dedicated coverage on a progressive game with a jackpot payout in excess of \$50,000. Commission staff recommended and Casino Aztar agreed to pay a total fine in the amount of \$6,000.

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

**Settlement Agreement of
Belterra Casino and Resort
10-BT-04
Order 2010-203**

A settlement agreement was reached wherein the casino did not secure tournament and non value chips at closed tables. Commission staff recommended and Belterra agreed to pay a total fine in the amount of \$2,500.

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

**Settlement Agreement of
Blue Chip Casino, LLC
10-BC-02
Order 2010-204**

A settlement agreement was reached wherein the casino allowed an underage person onto the casino floor. Commission staff recommended and Blue Chip agreed to pay a total fine in the amount of \$1,500.

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

**Settlement Agreement of
French Lick Resort•Casino**

10-FL-03
Order 2010-205

A settlement agreement was reached regarding Ct. 1: the casino failed to correctly cancel numerous decks of playing cards, Ct. 2: the casino violated the rule requiring the timely notification to the Commission of a position change, and Ct. 3: an underage person was allowed on the casino floor. Commission staff recommended and French Lick agreed to pay a total fine in the amount of \$4,500.

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

Settlement Agreement of
Grand Victoria Casino & Resort LP
10-GV-02
Order 2010-206

A settlement agreement was reached regarding Ct. 1: the casino failed to properly monitor the soft count room during the count process, and Ct. 2: the casino did not ensure proper coverage during a power outage. Commission staff recommended and Grand Victoria agreed to pay a total fine in the amount of \$15,000.

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

Settlement Agreement of
Indiana Gaming Company, L.P.
10-HW-04
Order 2010-207

A settlement agreement was reached with Indiana Gaming Company, L.P. regarding Ct. 1: the casino failed to timely notify the Gaming agents of the termination of ten employees and the change of position for eleven employees from a level 3 to a level 2 license, Ct. 2: the casino allowed fourteen employees to work on an expired badge, Ct. 3: the casino violated the VEP rule, Ct. 4: the casino violated the rule regarding the receiving of tips, Ct. 5: the casino violated the rule regarding the storing of cards that are not being utilized at a live gaming table, as well as the rule requiring the notification to the Commission of a violation, Ct. 6: the casino allowed an underage person to be on the casino floor on four different occasions, Ct. 7: the casino violated the rule requiring a member of the Commission staff or an Enforcement agent to be present at the point of delivery when a live gaming device is delivered, Ct. 8: the casino failed to have a sufficient number of surveillance employees during the drop and count process, and Ct. 9: the casino failed to timely report a cage variance. Commission staff recommended and Indiana Gaming Company, L.P. agreed to pay a total fine in the amount of \$115,000.

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

**Settlement Agreement of
Hoosier Park LP: Centaur, Inc.
10-HP-03
Order 2010-208**

A settlement agreement was reached with Hoosier Park, LP; Centaur, Inc regarding Ct. 1: the casino allowed an underage person on the casino floor on two separate occasions, and Ct. 2: an employee was allowed to work with an expired badge. Commission staff recommended and Hoosier Park, LP: Centaur, Inc. agreed to pay a total fine in the amount of \$7,000.

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

**Settlement Agreement of
Horseshoe Hammond, LLC
10-HH-04
Order 2010-209**

A settlement agreement was reached with Horseshoe Hammond, LLC concerning an underage patron being allowed onto the casino floor on three separate occasions. Commission staff recommended and Horseshoe Hammond, LLC agreed to pay a total fine in the amount of \$13,500.

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

**Settlement Agreement of
Caesars Riverboat Casino, LLC
d/b/a Horseshoe Casino Hotel Southern Indiana
10-CS-03
Order 2010-210**

A settlement agreement was reached with Horseshoe Southern Indiana regarding Ct. 1: the casino failed to secure playing cards that were not being used at a live table game, Ct. 2: the casino failed to timely notify Gaming agents that an employee was terminated, Ct. 3: the casino allowed an underage person onto the casino floor, and Ct. 4: violation of the VEP rule. Commission staff recommended and Horseshoe Casino Hotel Southern Indiana agreed to pay a total fine in the amount of \$10,000.

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

**Settlement Agreement of
Indianapolis Downs
10-IL-04
Order 2010-211**

A settlement agreement was reached with Indiana Live regarding Ct. 1: the casino allowed an underage person onto the casino floor, and Ct. 2: violation of the rule regarding the sensitive keys. Commission staff recommended and Indiana Live agreed to pay a total fine in the amount of \$6,000.

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

**Settlement Agreement of
The Majestic Star Casino, LLC
10-MS-03
Order 2010-212**

A settlement agreement was reached with Majestic Star regarding Ct. 1: the casino violated the rule requiring that chips be secured during non-gaming hours, Ct. 2: violation of rule regarding card specifications, Ct. 3: violation of rule requiring logic boards and computer chips that store memory in an electronic gaming device to be sealed with evidence tape by a gaming agent, Ct. 4: violation of rule requiring surveillance room be staffed by at least two surveillance employees at all times. The casino also failed to have coverage of a live table game and a chip tray, and Ct. 5: violation of rule requiring that Gaming agents be timely notified of an employee termination. Commission staff recommended and Majestic Star Casino, LLC agreed to pay a total fine in the amount of \$.33,000.

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

Gambling Games

Order 2010-213

An Order Concerning the Gambling Game License of Indianapolis Downs, LLC.

Action: Upon Motion by Robert Morgan, second by Tom Swihart, and unanimous vote of those present, the Commission approved the modification of the gambling license of Indianapolis Downs wherein the contract of Gomes + Cordish or another manager is no longer necessary for Indianapolis Downs to maintain its suitability to hold a gambling game license.

Emergency Rules

Resolution 2010-214

A Resolution Adopting An Emergency Rule Regarding Local Development Agreements.

Action: Upon Motion by Tom Swihart, second by Marc Fine, and unanimous vote of those present, the Commission approved Resolution 2010-213 and adopted the Rule as an Emergency Rule for an initial period of ninety days as well as for an optional ninety day extension period. This Emergency Rule becomes effective upon filing with the Publisher.

Resolution 2010-215

A Resolution Adopting An Emergency Rule Regarding Collection of Delinquent Child Support.

Action: Upon Motion by Marc Fine, second by Sue Shields, and unanimous vote of those present, the Commission approved Resolution 2010-215 and adopted the Rule as an Emergency Rule for an initial period of ninety days as well as for an optional ninety day extension period. The Emergency Rule adopted in Section 3 of this Resolution is to become effective on December 31, 2010.

MBE/WBE Business Enterprises

Resolution 2010-216

Findings of Good Faith Effort in Meeting Women Business Enterprise Expenditure Goals.

Action: Upon Motion by Marc Fine, second by Robert Morgan, and unanimous vote of those present, the Commission approved Resolution 2010-216, finding that Ameristar, Blue Chip and Horseshoe Southern Indiana have demonstrated Good Faith Effort in meeting goals established by the Commission for construction related to expenditures for women-owned business enterprises.

Resolution 2010-217

A Resolution Adopting Annual Goals for Minority and Women Owned Business Enterprise Expenditures.

Action: Upon Motion by Robert Morgan, second by Marc Fine, and unanimous vote of those present, the Commission approved Resolution 2010-217, which adopts a minority owned business enterprise goal for the purchase of construction goods and services to be set at 23.2%, which reflects the capacity of minority owned business enterprises ready, willing and able to provide construction goods or services. This Resolution is effective January 1, 2011.

Next Meeting:

The next business meeting of the Commission will be March 17, 2011 , at a yet to be determined location.

Adjournment:

Action: Upon Motion by Tom Swihart, second by Marc Fine, and unanimous vote of those present, this meeting was adjourned at approximately 2:40 p.m.

Minutes:

Associated Reporting, Two Market Square Center, Suite 940, 251 East Ohio Street, Indianapolis, Indiana 46204. The transcript is a complete record of the meeting. Anyone wishing to see the transcript may review it at the Commission Office at 101 West Washington Street, East Tower, Suite 1600, Indianapolis, Indiana.

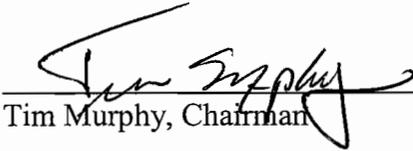
These minutes were prepared by Tami Timberman-Wright, Administrative Assistant for the Indiana Gaming Commission. This transcript may also be viewed online at www.in.gov/gaming.

Respectfully Submitted,



Tami Timberman-Wright

THE INDIANA GAMING COMMISSION:



Tim Murphy, Chairman



Marc Fine, Secretary

3-17-2011

Date