

**ORDER 2017-160  
IN RE SETTLEMENT AGREEMENT**

**BELTERRA RESORT INDIANA, LLC  
17-BT-01**

After having reviewed the attached Settlement Agreement, the Indiana Gaming Commission hereby:

**APPROVED**

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APPROVES OR DISAPPROVES

the proposed terms of the Settlement Agreement.

**IT IS SO ORDERED THIS THE 29<sup>th</sup> DAY OF SEPTEMBER, 2017.**

**THE INDIANA GAMING COMMISSION:**

  
Cris Johnston, Chair

ATTEST:

  
Joseph Svetanoff, Secretary

**STATE OF INDIANA  
INDIANA GAMING COMMISSION**

<b>IN RE THE MATTER OF:</b>	)	
	)	<b>SETTLEMENT</b>
<b>BELTERRA RESORT INDIANA, LLC</b>	)	<b>17-BT-01</b>
	)	

**SETTLEMENT AGREEMENT**

The Indiana Gaming Commission (“Commission”) by and through its Executive Director Sara Gonso Tait and Belterra Resort Indiana, LLC (“Beltterra”) (collectively, the “Parties”) desire to settle this matter prior to the initiation of a disciplinary proceeding pursuant to 68 IAC 13-1-18(a). The Parties stipulate and agree that the following facts are true:

**FINDINGS OF FACT**

**COUNT I**

1. IC 4-33-9-12 states a person who is less than twenty-one (21) years of age may not be present in the area of a riverboat where gambling is being conducted.
2. 68 IAC 1-11-1(c) states a person under twenty-one (21) years of age shall not be present in a casino.
3. On April 14, 2017, a Surveillance Supervisor notified a Gaming Agent that an underage male patron had attempted to enter the casino but was stopped. At this time, the underage patron stated that he had been allowed on the casino floor twice prior to this occasion. An interview with the underage patron and a review of surveillance coverage determined that the underage patron was allowed on the casino floor on April 12<sup>th</sup> and April 13<sup>th</sup>. Security did not check his identification on either occasion. On the April 12, the underage patron was allowed to consume alcohol and play at a slot machine while on the floor with his co-workers. On April 13, the underage patron entered the casino with his co-workers to eat.
4. On June 11, 2017, a Dual Rate (D/R) Security Officer notified a Gaming Agent that an underage female patron had attempted to enter the casino through the turnstiles but was stopped by Security. The underage patron stated she had been allowed to enter the casino earlier in the day. A surveillance review indicated that the underage patron (17 years old) was walking behind her grandmother’s motorized scooter. They were allowed through the turnstile gate by Security without verifying the identification of the underage patron. The underage patron did play on a slot machine with her grandmother while on property.

## COUNT II

5. 68 IAC 2-3-9.2(b) states riverboat licensees must advise the enforcement agent, on a form prescribed or approved by the commission, when one (1) of the following events occurs with an occupational licensee: (1) The occupational licensee's employment with the riverboat licensee is terminated for any reason. 68 IAC 2-3-9.2(c) requires the form must be submitted to the enforcement agent within fifteen (15) days of the occurrence of the change or action.
6. On June 7, 2017, a Human Resources Coordinator self-reported to a Gaming Agent that a Dealer's employment was terminated. The Dealer last worked on January 6, 2017 and soon after voluntarily quit. The Dealer's employment was officially terminated on January 24, 2017. The Table Games Department realized the oversight when the Dealer showed up on an annual renewal report coming up in July 2017.

## TERMS AND CONDITIONS

Commission staff alleges that the acts or omissions of Belterra by and through its agents as described herein constitute a breach of IC 4-33, 68 IAC and/or Belterra's approved internal control procedures. The Commission and Belterra hereby agree to a monetary settlement of the alleged violations described herein in lieu of the Commission pursuing formal disciplinary action against Belterra. This agreement is being entered into to avoid the potential expense and inconvenience of disciplinary action.

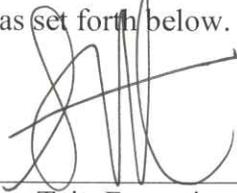
Belterra shall pay to the Commission a total of \$10,000 (\$9,000 for Count I, \$1,000 for Count II) in consideration for the Commission foregoing disciplinary action based on the facts specifically described in each count of this agreement. This agreement extends only to those violations and findings of fact specifically alleged in the findings above. If the Commission subsequently discovers facts that give rise to additional or separate violations, the Commission may pursue disciplinary action for such violations even if the subsequent violations are similar or related to an incident described in the findings above.

Upon execution and approval of this Settlement Agreement, Commission staff shall submit this Agreement to the Commission for review and final action. Upon approval of the Settlement Agreement by the Commission, Belterra agrees to promptly remit payment in the amount of \$10,000 and shall waive all rights to further administrative or judicial review.

This Settlement Agreement constitutes the entire agreement between the parties. No prior or subsequent understandings, agreements, or representations, oral or written, not specified or referenced within this document will be valid provisions of this Settlement Agreement. This Settlement Agreement may not be modified, supplemented, or amended, in any manner, except by written agreement signed by all Parties.

This Settlement Agreement shall be binding upon the Commission and Belterra.

IN WITNESS WHEREOF, the parties have signed this Settlement Agreement on the date and year as set forth below.



\_\_\_\_\_  
Sara Gonso Tait, Executive Director  
Indiana Gaming Commission

9-28-17

\_\_\_\_\_  
Date



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Sue Ascanio, General Manager  
Belterra Resort Indiana, LLC

9-21-17

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Date