

INDIANA GAMING COMMISSION
BUSINESS MEETING
MARCH 8, 2022

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, in the Auditorium of the Indiana Government Center South, 302 West Washington Street, Indianapolis, Indiana, commencing at the hour of 2:04 p.m., March 8, 2022. 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

Daniel Housman, Commissioner

Darren Root, Commissioner

Greg Small, Executive Director

Jennifer Reske, Deputy Director

Dennis Mullen, General Counsel

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1 CHAIRMAN McMains: Good afternoon, everyone.
2 Welcome to the March 8, 2022, meeting of the
3 Indiana Gaming Commission. It's my pleasure to
4 call this meeting to order. My name is Mike
5 McMains.

6 And, Greg, could you call the roll of the
7 Commissioners, please.

8 EXECUTIVE DIRECTOR SMALL: Absolutely.
9 Chairman McMains.

10 CHAIRMAN McMains: Here.

11 EXECUTIVE DIRECTOR SMALL: Vice Chair Fine.

12 COMMISSIONER FINE: Here.

13 EXECUTIVE DIRECTOR SMALL: Secretary Dudich.

14 COMMISSIONER DUDICH: Here.

15 EXECUTIVE DIRECTOR SMALL: Commissioner
16 Williams.

17 COMMISSIONER WILLIAMS: Here.

18 EXECUTIVE DIRECTOR SMALL: Commissioner
19 Cohen.

20 COMMISSIONER COHEN: Here.

21 EXECUTIVE DIRECTOR SMALL: Commissioner
22 Housman.

23 COMMISSIONER HOUSMAN: Here.

24 EXECUTIVE DIRECTOR SMALL: Commissioner
25 Root.

1 COMMISSIONER ROOT: Here.

2 EXECUTIVE DIRECTOR SMALL: We have a quorum.

3 CHAIRMAN McMAINS: Thank you, Greg. Let the
4 record reflect we have a quorum and all
5 Commissioners are present.

6 Next, Commissioners, review and approval of
7 the minutes for the December 21, 2021, meeting of
8 the Indiana Gaming Commission.

9 Have you all had a chance to review the
10 minutes?

11 COMMISSIONER WILLIAMS: Move for approval,
12 Mr. Chairman.

13 COMMISSIONER DUDICH: Second.

14 CHAIRMAN McMAINS: Thank you, Commissioners.

15 It's been properly moved and seconded to
16 approve the minutes of the December 21, 2021,
17 meeting of the Indiana Gaming Commission.

18 Is there any further discussion on the
19 motion?

20 Hearing none, all in favor of the motion,
21 please signify by saying aye.

22 (Chorus of ayes.)

23 Opposed.

24 Motion carries unanimously.

25 Mr. Small.

1 EXECUTIVE DIRECTOR SMALL: All right. I
2 have a lot of new hires and promotions to
3 announce.

4 We'll start out in central office. Bob Opat
5 was promoted to license control counsel in
6 January. Previously Bob had worked as a staff
7 attorney for the IGC and the Department of Child
8 Services. Bob has a bachelor's degree in
9 political science from Indiana University and a
10 law degree from Georgetown University.

11 Next up, Alex Dudley has been promoted to
12 deputy general counsel. Alex started as a staff
13 attorney with the IGC in April of 2021. Prior to
14 joining the IGC, Alex clerked for the Honorable
15 Cale J. Bradford of the Indiana Court of Appeals
16 and also worked as a managing associate for
17 Dentons Bingham Greenebaum, LLP.

18 Next up, Chris Neal was hired as an IGC
19 staff attorney in January. Chris graduated from
20 Indiana University, Bloomington, in 2016 and IU
21 McKinney School of Law, Indianapolis, in 2020.
22 While in law school, Chris externed with the
23 Gaming Commission in the fall of 2019. Chris
24 worked as an administrative law judge with the
25 Indiana Department of Workforce Development

1 before joining the IGC.

2 Liz Sullivan has been promoted to the
3 position of information analyst. Liz previously
4 served as IGC secretary for two years. Liz
5 brings a wealth of accounting, administration and
6 gaming industry experience to the IGC.

7 Leia Foster is the new sports wagering
8 assistant director. Leia began her professional
9 career in the not-for-profit accounting/auditing
10 field after earning an associate's degree in
11 accounting from Ivy Tech. Leia has earned a
12 bachelor's degree in accounting and a master's
13 degree in criminal justice and public safety from
14 IU, Indianapolis. Leia is also a certified fraud
15 examiner. Before joining the IGC, Leia managed
16 the Indiana Department of Workforce Development's
17 field investigations unit.

18 Maryanne McDonnell is the new assistant
19 controller. Maryanne is a University of Dayton
20 grad with a Bachelor of Science in business
21 administration, with a major in accounting. She
22 worked for 24 years at Indiana University in
23 various departments, mainly in accounting and
24 finance and business operations roles. For the
25 last five years she worked as an administrative

1 support manager for the Materials & Test Division
2 at INDOT.

3 Investigations has hired three new
4 employees.

5 Ian Hill comes to the IGC with over 15 years
6 of experience conducting in-depth background
7 investigations on personnel serving in various
8 federal positions. Ian holds a BA from Boston
9 University and a master's in public policy from
10 Pepperdine University.

11 Next up, Melina Gonzalez has a bachelor's
12 degree in criminal justice and was most recently
13 senior director of professional services with
14 Merydyan Technologies. In this role she worked
15 with gaming clients on software and data
16 collection. Prior to Merydyan, Melina was a
17 background investigator for the Rincon Band of
18 Luiseno Indians in California where she conducted
19 background and financial investigations on gaming
20 applicants.

21 Caitlin Hannah has a bachelor's degree in
22 criminal justice and has been with the IGC since
23 2016. She served as the IGC's assistant director
24 of compliance, and most recently as a field
25 auditor before her promotion to the role of

1 financial investigator.

2 Our Charity Gaming Division has three new
3 hires.

4 Karen Wethington will be the person who
5 greets and helps those who come to the IGC in
6 person. Karen has close to 20 years of
7 experience in education in Shelbyville and at
8 Bunker Hill Elementary School. Most recently she
9 worked for HIS Construction Management
10 Corporation. Karen and her husband were the
11 owners of Greenwood Schwinn Cycling for over 20
12 years.

13 Amy Overacker recently moved to Indiana from
14 Michigan. She earned a BS degree in education
15 from Western Michigan University and has
16 experience in education in Tennessee and
17 Michigan. Most recently she was the backup lead
18 at Edwards Garment Company, which produced high
19 quality garments and uniforms for customers.

20 Jeri Jo Blazier is our new program
21 coordinator in the Charity Gaming Division. Jeri
22 comes to us from ATC, where she began her State
23 employment in 2012. She recently worked in the
24 accounts receivable section and had experience in
25 the bartenders/salesmen permit section.

1 We have a ton of new hires and promotions in
2 our Enforcement Division.

3 For the new hires:

4 Margaret McKinley started with the IGC in
5 January as a gaming agent. Margaret has
6 previously worked for the State of Kentucky in
7 the Social Services Division. Margaret also
8 previously worked for the Jefferson County
9 Judicial Center. Margaret also possesses two
10 master's degrees in justice administration and
11 social work. Margaret also has a bachelor's
12 degree in justice administration. She is a
13 certified social worker. Margaret will be
14 assigned to the Belterra Casino once she
15 completes her Tier II training at Indiana Law
16 Enforcement Academy.

17 Zachary Claahsen transferred to the IGC from
18 the DOC to become a gaming agent in January.
19 Zachary has been a corrections officer with the
20 Westville Correctional Facility for the last two
21 years before joining the IGC. He also interned
22 with the Valparaiso Police Department, and has a
23 bachelor's degree from Purdue University in
24 sociology and criminal justice, with a minor in
25 political science. He will be assigned to

1 Horseshoe Hammond Casino once he completes
2 Tier II training at Indiana Law Enforcement
3 Academy.

4 Jacob Pierce joined the IGC in January as
5 well. Jacob came to the IGC with industry
6 experience, previously working in surveillance at
7 Hollywood Casino. He possesses a bachelor's
8 degree in criminal justice and police studies
9 from Eastern Kentucky University. Jacob will be
10 assigned to the Rising Star Casino once he
11 completes Tier II training at the Indiana Law
12 Enforcement Academy.

13 Jason LaFollette joined the IGC in January
14 as well. Jason came to the IGC with industry
15 experience, previously working in surveillance at
16 Hollywood Casino. He graduated from Northern
17 Kentucky University with a BA in radio and
18 television and a minor in PR and advertising. He
19 will be assigned to the Rising Star Casino once
20 he completes his Tier II training.

21 Enforcement promotions.

22 David Panak was promoted to assistant
23 supervisor at Horseshoe Indianapolis on March 6,
24 2022. David began his career with the Commission
25 14 years ago after graduating from Campbell

1 University with a degree in criminal justice.
2 While working for the Commission, he has
3 continued his education and obtained a master's
4 degree in criminal justice with a concentration
5 in crime analysis. He has attended multiple
6 training courses over the years to expand his
7 knowledge of the criminal justice system and how
8 it relates to his job at the Commission.

9 Marecia Dewar was promoted to supervisor at
10 the Harrah's Hoosier Park Casino in February.
11 She has been with the IGC over 14 years, serving
12 as a gaming agent working at Harrah's Hoosier
13 Park and Indiana Grand Casinos. In September of
14 2020 she was promoted to assistant supervisor at
15 Indiana Grand Casino. She graduated from Ball
16 State University with a Master's of Art degree
17 focusing on political science.

18 David Jenkins was promoted to assistant
19 supervisor at Harrah's Hoosier Park on March 6,
20 2022, as well. David began with the IGC just
21 over 14 years ago and has been employed by the
22 State for 22 years. He received a BS in criminal
23 justice and homeland security in 2008 from
24 Indiana Wesleyan.

25 Gary Moody was promoted to the role of

1 enforcement investigator in February. He started
2 as an agent with the IGC in September of 2012.
3 He started at Rising Star Casino, transferred to
4 Indiana Grand. Prior to working for the IGC, he
5 spent 26 years at the Columbus Police Department,
6 reaching the rank of captain.

7 Kelli Losekamp was promoted to assistant
8 supervisor at Hollywood Casino on March 6th.
9 Kelli is a graduate of Purdue University, where
10 she received a BA majoring in elementary
11 education. She's been a gaming enforcement agent
12 with the IGC for 15 years. In January of 2007
13 she began her career with the IGC in Grand
14 Victoria Casino, Rising Sun, Indiana. In January
15 2011 she transferred to Hollywood, where she has
16 been since.

17 Joe Cinko was promoted to supervisor of
18 Horseshoe Hammond Casino on March 6th. He has
19 worked for the IGC for seven and a half years.
20 He was promoted to assistant supervisor in 2018
21 at the then Majestic Star Casino, prior to his
22 supervisor promotion. Joe has an associate's
23 degree from Purdue University in business
24 management. He's been in law enforcement for 30
25 years, with 22 years at the Dyer Police

1 Department.

2 David Whitesell was promoted to supervisor
3 at the Rising Star Casino in January. David has
4 been with the IGC for almost 16 years. He was
5 the assistant supervisor at Hollywood Casino for
6 the past five years. He has a bachelor's degree
7 in criminal justice from Ohio Northern
8 University.

9 Congratulations to all.

10 For reinvestigations.

11 Our Investigations Division has completed
12 reinvestigations for the following licensees:
13 Data Financial; Global Surveillance Associates;
14 Caesars, including Horseshoe Hammond, Caesars
15 Southern Indiana, Horseshoe Indianapolis and
16 Harrah's Hoosier Park; Boyd Gaming, including
17 Blue Chip and Belterra; Penn, including Ameristar
18 and Hollywood.

19 The confidential reports are in your
20 materials. Directors Brown and Leek are also
21 present should you have any additional questions.

22 Exclusions.

23 The IGC has added 21 individuals to the
24 statewide exclusion list since the December 2021
25 meeting. The total number of individuals on that

1 list is now 920.

2 Waivers.

3 The IGC has granted 11 waivers to Indiana
4 casinos since the previous meeting. This
5 information is included in your materials and
6 will also be posted on the Commission's website.

7 That concludes my report.

8 CHAIRMAN McMAINS: Thank you, Greg. And
9 congratulations to all the promotions and new
10 employees.

11 Next we'll administer the oath to folks who
12 are going to present today in front of the
13 Commission. So everybody who -- who thinks you
14 may present today and speak today at the
15 Commission, would you please stand and raise your
16 right hand.

17 (At this time the oath was administered to
18 presenters by Chairman McMains.)

19 CHAIRMAN McMAINS: Please remain standing.
20 I'll go around and have you recite your names for
21 the record.

22 Ma'am.

23 MS. BUNTON: Angela Bunton.

24 CHAIRMAN McMAINS: Thank you.

25 MR. DUDLEY: Alex Dudley.

1 CHAIRMAN McMAINS: Thank you, sir.

2 MR. JORDAN: Ryan Jordan.

3 MR. SAUER: Jason Sauer.

4 MS. JANES: Betsy Janes.

5 CHAIRMAN McMAINS: Thank you.

6 MR. MULLEN: And Dennis Mullen.

7 CHAIRMAN McMAINS: Did I get everybody?

8 Thank you, ladies and gentlemen.

9 Is there any old business to come before the
10 Commission today?

11 Hearing none, new business.

12 Alex.

13 MR. DUDLEY: Good afternoon, Mr. Chairman,
14 Commissioners.

15 Before you you have Orders 2021-01 through
16 05 concerning the petitions for removal from the
17 exclusion list of Barbra Coleman-Bishop, Armon
18 Caldwell, Everett Rogers, Keisha Franklin and
19 Thao Tran.

20 Petitioners have been placed on the
21 exclusion list for over three years and have
22 petitioned to be removed from the exclusion list.
23 Telephonic hearings were conducted, at which each
24 provided support for their petitions.

25 Based on the totality of the factors

1 relevant to these matters, the reviewing officer
2 has concluded that all petitioners have met the
3 standard of clear and convincing evidence, as
4 reflected in staff's findings of fact and
5 recommendation.

6 Adopting staff's findings of fact and
7 recommendation would have the effect of granting
8 petitioners' petitions for removal from the
9 statewide exclusion list.

10 Thank you.

11 CHAIRMAN McMAINS: Thank you, Counsel.

12 Any questions for Mr. Dudley?

13 Hearing none, what is your pleasure?

14 COMMISSIONER DUDICH: Mr. Chairman, I'd make
15 a motion for the approval of Orders 2022-01
16 through 2022-05 as presented by staff.

17 COMMISSIONER WILLIAMS: Second.

18 CHAIRMAN McMAINS: Thank you.

19 It's been properly moved and seconded to
20 approve Orders 2022-01 through 2022-05.

21 Is there any discussion on the motion?

22 Hearing none, all in favor of the motion,
23 please signify by saying aye.

24 (Chorus of ayes.)

25 Opposed.

1 Motion carries unanimously. Thank you.

2 Mr. Dudley.

3 MR. DUDLEY: Commissioners, next you have
4 before you Order 2022-06. Pursuant to the
5 Indiana Code Section 4-33-7-8 and 68 Indiana
6 Administrative Code Section 2-2-8, each of the
7 following licensees has submitted a timely
8 request for renewal along with the required
9 payment: Global Surveillance; IGT; Halifax
10 Security; Zuvid; Acres Manufacturing; Data
11 Financial; Incredible Technologies; Tony DeLeon
12 and Associates; Interblock Luxury Gaming
13 Products; TCS John Huxley Europe; Genesis Gaming
14 Solutions; GAN Limited; Amelco UK Limited;
15 Sportradar Solutions; SG Gaming; Patriot Gaming
16 and Electronics.

17 Approving Order 2022-06 would have the
18 effect of renewing the license of each of the
19 respective licensees for a period of one year.

20 Also you have before you Orders 2022-07 and
21 08 regarding the renewal of Horseshoe
22 Indianapolis Casino and Horseshoe Park Casino's
23 casino owner's license.

24 Horseshoe Indianapolis and Hoosier Park have
25 filed the appropriate paperwork and paid for

1 their renewal fee.

2 Previously by Orders 2021-08 and 2021-09,
3 the Commission had approved the written power of
4 attorneys for Horseshoe Indianapolis, which was
5 then Indiana Grand, and Hoosier Park. These
6 approvals expire upon the renewal of the casino
7 owner's license. For that reason, all casino --
8 casinos must request renewal of the Commission's
9 approval of the written power of attorney
10 concurrently with the request for renewal or
11 presentation to the Commission with a new written
12 power of attorney naming a new
13 trustee-in-waiting.

14 Blue Chip and Rising Star have stated their
15 intent to maintain their existing
16 trustees-in-waiting and have not presented the
17 Commission with any modifications to their power
18 of attorney.

19 Approving Orders 2022-07 and 2022-08 would
20 have the effect of renewing the licenses and
21 approving the powers of attorney for Hoosier --
22 or for Horseshoe Indianapolis and Hoosier Park
23 for a period of one year.

24 You also have before you Order 2022-09.
25 Pursuant to Indiana Code Section 4-38-6-6, each

1 of the following licensees has submitted a timely
2 request for renewal along with the required
3 payment: Roar Digital; PointsBet Indiana; Wynn
4 Sports.

5 Approving Order 2022-09 would have the
6 effect of renewing the license of each respective
7 licensee for a period of one year.

8 And, last, you have before you Order
9 2022-10. Pursuant to Indiana Code Section
10 4-33-24-15 and 68 Indiana Administrative Code
11 Section 26-3-10, each of the following has
12 submitted a timely request for renewal along with
13 the required payment: Underdog Sports.

14 Approving Order 2022-10 would have the
15 effect of renewing the license of the respective
16 licensee for a period of one year.

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

18 CHAIRMAN McMANS: Thank you, Counsel.

19 Commissioners, any questions for Mr. Dudley?

20 COMMISSIONER WILLIAMS: I'm curious to know
21 when the name change occurred between Indiana --
22 from Indiana Grand to Horseshoe Indianapolis, is
23 the first part of my question, and the second is
24 I don't remember that we took any action. It
25 wasn't brought to us for approval.

1 Was it approved by the Horse Racing
2 Commission, or did it not require approval?

3 MR. SMALL: The name change typically does
4 not come to the Commission for formal approval.
5 They did notify the Commission or notify staff of
6 the name change. I believe -- when did that come
7 in, Dennis?

8 MR. MULLEN: It was fairly recent. We've
9 updated our web list, so I could pull up the
10 exact date of the name change, but as Executive
11 Director Small indicated, this is not a change
12 that would require Commission approval under any
13 regulation or statute.

14 COMMISSIONER WILLIAMS: It just seems a
15 little strange to me that -- because this
16 facility is not in Indianapolis, more adjacent,
17 really, to Indianapolis, how that -- how that
18 works, but since we don't have jurisdiction.

19 EXECUTIVE DIRECTOR SMALL: I believe we have
20 representatives from Caesars, if you would like
21 to ask them.

22 MS. RESKE: I think I see Dan Nita here.

23 CHAIRMAN McMAINS: Thank you, Mr. Dudley.

24 MR. DUDLEY: Thank you.

25 CHAIRMAN McMAINS: So who's here from

1 Caesars today? Are you coming up, sir?

2 MR. NITA: Yep.

3 Sir, would you raise your right hand,
4 please.

5 (At this time the oath was administered to
6 Daniel Nita by Chairman McMains.)

7 CHAIRMAN McMAINS: Thank you, sir.

8 EXECUTIVE DIRECTOR SMALL: Would you
9 identify yourself for the record.

10 MR. NITA: Sure. Daniel Nita, regional
11 president of Caesars. I have the opportunity to
12 the oversee Horseshoe Casino Hammond, Harrah's
13 Hoosier Park, and formerly Indiana Grand, now
14 Horseshoe Indianapolis, which is the question
15 that you've asked.

16 So we've -- to your point, we've given
17 notice to both commissions, Horse Racing and
18 Gaming. And, you know, our thought, just like we
19 did with Hoosier Park, we have four key brands in
20 our company. We have Caesars, Harrah's,
21 Horseshoe, World Series of Poker, and so our goal
22 over time is to transition the names of our
23 different entities to one of those four brands
24 which we believe has a higher brand equity.
25 Customers from around the country know the

1 different brands that we have.

2 And so we did the same thing with Hoosier
3 Park, I guess it was two years ago. And we've
4 definitely seen the -- the guests that travel
5 throughout the country, they now know this is
6 part of the Caesars Entertainment portfolio,
7 which when it was just Hoosier Park they didn't
8 know that.

9 As relates to Horseshoe, again, another
10 great brand that we have, the terminology
11 Indianapolis is really to -- it's less for the
12 local community, everybody calls it the
13 Horseshoe, but for guests that are coming,
14 particularly conventioneers, as an example, it
15 gives them the opportunity to know that there is
16 a casino offering that's within a short period of
17 time. We attribute it closest to, think about
18 the New York Giants, the New York Jets. They
19 play in Jersey, but they have a New York moniker.
20 People know about New York more so than they do
21 the Meadowlands of New Jersey. The Cincinnati
22 Airport is in Kentucky, but the moniker again is
23 associated with the metropolitan area.

24 So in our case, we thought Indianapolis is
25 an amazing name that's known nationwide. We've

1 communicated with the -- both the mayor of
2 Shelbyville, and Shelby County, and they were
3 understanding of the changes that we decided to
4 make. And we believe with the \$40 million
5 investment that we most recently made and are
6 making, that this puts us in a opportunity to
7 expand our brand awareness throughout the
8 country.

9 COMMISSIONER WILLIAMS: So you communicated
10 with the Shelbyville government, so to speak, but
11 not Indianapolis. Was there any communication?

12 MR. NITA: No. I mean, this is -- I don't
13 believe we've communicated directly with the City
14 of Indianapolis, yeah.

15 COMMISSIONER WILLIAMS: Okay.

16 CHAIRMAN McMANS: Any other questions or
17 comments, Commissioners?

18 MR. MULLEN: Commissioner Williams, that
19 change was made on December 21st of 2021.

20 CHAIRMAN McMANS: Thank you.

21 MR. NITA: Sure. We look forward to the
22 opportunity to host the Commission to see all the
23 progress that we've made. We had the opportunity
24 to have Executive Director Small at the ribbon
25 cutting that we had on the 22nd of February and

1 it was a-- with the various community partners,
2 and it's going -- the next time you see the
3 property, you'll be, hopefully, pleasantly
4 surprised by all the positive changes that we've
5 been making.

6 CHAIRMAN McMAINS: Commissioner Dudich.

7 COMMISSIONER DUDICH: Sorry, one question.
8 Hypothetically if a casino was ever built in
9 Marion County, in Indianapolis, change the name
10 again?

11 MR. NITA: I guess we'll approach that if
12 that were ever to transpire.

13 COMMISSIONER DUDICH: Because I can tell you
14 the City of Indianapolis would probably want to
15 promote whatever facility might be in
16 Indianapolis, not to confuse visitors that
17 there's two Indianapolises in Indiana, so might
18 be something -- might be something to consider
19 that if there's future ideas for names, the City
20 of Indianapolis, Marion County, ever considers or
21 is provided the opportunity for a casino, might
22 need to discuss that with the City of
23 Indianapolis.

24 MR. NITA: Absolutely. We, you know,
25 operate under the -- the license account that we

1 currently have, and so if that were to take place
2 in the future, we'd obviously look forward to the
3 opportunity to speak with whatever authorities
4 there might be.

5 COMMISSIONER DUDICH: Thank you,
6 Mr. Chairman.

7 CHAIRMAN McMAINS: Thank you, sir.

8 MR. NITA: Thanks.

9 CHAIRMAN McMAINS: Any further questions or
10 discussion on Mr. Dudley's presentation of
11 proposed Orders 2022-06 through 2022-10?

12 Hearing none, what is your pleasure,
13 Commissioners?

14 COMMISSIONER DUDICH: Mr. Chairman, I'll
15 make a motion for approval of Orders 2022-06
16 through 2022-10 as provided by staff.

17 COMMISSIONER COHEN: Mr. Chairman, I'll
18 second.

19 CHAIRMAN McMAINS: Thank you, Commissioners.

20 It's been properly moved and seconded to
21 approve Orders 2022-06 through 2022-10.

22 Any further discussion on the motion?

23 Hearing none, all in favor of the motion,
24 please signify by saying aye.

25 (Chorus of ayes.)

1 Opposed.

2 The motion carries unanimously. Thank you.

3 Ms. Bunton.

4 MS. BUNTON: Good afternoon, Commissioners
5 and Executive Staff. You have before you 11
6 settlement agreements concerning disciplinary
7 actions against licensed suppliers, 12 settlement
8 agreements concerning disciplinary action against
9 casinos, 2 settlement agreements concerning
10 disciplinary action against corporate entities,
11 and 12 settlement agreements concerning
12 disciplinary action against sports wagering
13 operators.

14 Order 2022-11 is a settlement agreement with
15 Aristocrat Technologies, totaling \$1,500.

16 Order 2022-12 is a settlement agreement with
17 Everi Payments, totaling \$3,000.

18 Order 2022-13 is a settlement agreement with
19 GAN Limited, totaling \$2,500.

20 Order 2022-14 is a settlement agreement with
21 Gaming Partners International, totaling \$3,000.

22 Order 2022-15 is a settlement agreement with
23 IGT, totaling \$3,000.

24 Order 2022-16 is a settlement agreement with
25 Interblock, including three counts, totaling

1 \$7,000.

2 Order 2022-17 is a settlement agreement with
3 Pala Interactive, including three counts,
4 totaling \$5,500.

5 Order 2022-18 is a settlement agreement with
6 Patriot Gaming and Electronics, totaling \$1,500.

7 Order 2022-19 is a settlement agreement with
8 Scientific Games, totaling \$6,000.

9 Order 2022-20 is a settlement agreement with
10 TCS John Huxley, including two counts, totaling
11 \$4,000.

12 Order 2022-21 is a settlement agreement with
13 White Hat Gaming, totaling \$1,500.

14 Order 2022-22 is a settlement agreement with
15 Ameristar East Chicago, including five counts,
16 totaling \$20,000.

17 Order 2022-23 is a settlement agreement with
18 Bally's Evansville, including seven counts,
19 totaling \$21,500.

20 Order 2022-24 is a settlement agreement with
21 Belterra Casino, totaling \$1,000.

22 Order 2022-25 is a settlement agreement with
23 Blue Chip Casino, including eight counts,
24 totaling \$24,500.

25 Order 2022-26 is a settlement agreement with

1 Caesars Southern Indiana, including seven counts,
2 totaling \$36,500.

3 Order 2022-27 is a settlement agreement with
4 French Lick Resort Casino, including two counts,
5 totaling \$2,500.

6 Order 2022-28 is a settlement agreement with
7 Hard Rock Northern Indiana, including six counts,
8 totaling \$41,500.

9 Order 2022-29 is a settlement agreement with
10 Harrah's Hoosier Park, including seven counts,
11 totaling \$20,000.

12 Order 2022-30 is a settlement agreement with
13 Hollywood Casino, including three counts,
14 totaling \$15,000.

15 Order 2022-31 is a settlement agreement with
16 Horseshoe Hammond, including five counts,
17 totaling \$20,000.

18 Order 2022-32 is a settlement agreement with
19 Horseshoe Indianapolis, including seven counts,
20 totaling \$27,500.

21 Order 2022-33 is a settlement agreement with
22 Rising Star Casino, including six counts,
23 totaling \$32,000.

24 Order 2022-34 is a settlement agreement with
25 Boyd Gaming Corporation, including two counts,

1 totaling \$3,500.

2 Order 2022-35 is a settlement agreement with
3 Caesars Holdings, Inc., including two counts,
4 totaling \$4,500.

5 Order 2022-36 is a settlement agreement with
6 Digital Gaming Corporation, doing business as
7 Betway, totaling \$1,000.

8 Order 2022-37 is a settlement agreement with
9 Churchill Downs Interactive Gaming, including
10 four counts, totaling \$16,063.

11 Order 2022-38 is a settlement agreement with
12 Caesars Sportsbook, including seven counts,
13 totaling \$16,000.

14 Order 2022-39 is a settlement agreement with
15 DraftKings, including three counts, totaling
16 \$26,938.

17 Order 2022-40 is a settlement agreement with
18 FanDuel Sportsbook, including two counts,
19 totaling \$6,125.

20 Order 2022-41 is a settlement agreement with
21 Caesars Race and Sportsbook, Clarksville,
22 including two counts, totaling \$8,000.

23 Order 2022-42 is a settlement agreement with
24 Penn Sports Interactive, including two counts,
25 totaling \$4,500.

1 Order 2022-43 is a settlement agreement with
2 PointsBet, totaling \$1,000.

3 Order 2022-44 is a settlement agreement with
4 Roar Digital, including three counts, totaling
5 \$63,938.

6 Order 2022-45 is a settlement agreement with
7 theScore, totaling \$1,000.

8 Order 2022-46 is a settlement agreement with
9 Unibet, including three counts, totaling \$12,000.

10 Order 2022-47 is a settlement agreement with
11 Wynn Bet, including three counts, totaling
12 \$6,500.

13 Relevant details for each settlement
14 agreement have been provided in your meeting
15 materials. Details of the settlement agreements
16 will also be available on the Commission's
17 website following the meeting.

18 Mr. Chair, this concludes my presentation.

19 CHAIRMAN McMAINS: Thank you, Angie.

20 MS. BUNTON: Thank you.

21 CHAIRMAN McMAINS: Commissioners, any
22 questions for Ms. Bunton? Yes, sir.

23 COMMISSIONER DUDICH: Thank you,
24 Mr. Chairman. Maybe not a direct question for
25 you, but just in general, and Executive Director

1 Small might remember this, back in December of
2 '19, I think Commissioner Williams and I had been
3 discussing the large number of fines and
4 disciplinary actions that were on the agenda back
5 then and had asked if we needed to look at the
6 fine schedule or the disciplinary schedule in
7 terms of the amounts that are -- that are -- if
8 those need to be updated either because they
9 haven't been updated in a while or they were too
10 low and it was just a cost of business, so I'm
11 not -- I realize I'm putting you on the spot,
12 Executive Director, but when prior Executive
13 Director Tait responded, it was there were a lot
14 of things going on, we'll look into it.

15 Obviously a lot has happened since December
16 of '19, so is that something we can look at? Has
17 it been looked at? Just a quick update, because
18 with all of these and going through all of those,
19 is it time we kind of crack that open again? Are
20 we good with where those fines are? Do we need
21 to try to be more aggressive to try to send a
22 message that, you know, to have this many is just
23 probably not an acceptable business practice.

24 EXECUTIVE DIRECTOR SMALL: We actually have
25 updated the fine schedule in that time frame.

1 And one of the things that we have done is -- I
2 believe we only have one fine that's more the
3 \$500 range, and we will not bring those to the
4 Commission until it's at least a thousand
5 dollars, so that's -- we're holding those off.

6 We've reviewed the entire fine schedule
7 because, A, it helps us for consistency when
8 levying the fines. It also adds transparency to
9 the process.

10 I think right now we are comfortable where
11 we are at with the amounts. Obviously we
12 continue to look at things. We will implement
13 new things as -- as they become necessary.

14 For instance, we had a problem with our
15 child support intercepts, so we instituted an
16 audit program which did lead to some significant
17 fines; however, we have seen much greater
18 compliance in that area because of that.

19 We have a similar initiative that we're
20 looking at with sports wagering, which is why
21 you're seeing some of the fines where they're at.
22 These -- these involve prohibited participants,
23 and we see that as another significant issue that
24 we want to focus on, and we will work toward that
25 end.

1 COMMISSIONER DUDICH: Okay. Thank you.

2 EXECUTIVE DIRECTOR SMALL: Yeah, and that is
3 a good point as well. The March meeting
4 typically has some carryover. It covers more
5 months, so we're going to have more. Plus, as
6 you'll recall, we had a lot of special meetings
7 for, you know, offering a new license, other
8 litigation matters, so some of these more
9 run-of-the-mill compliance issues sort of got
10 back-burnered a little bit, so some of these I
11 believe go back until --

12 MS. BUNTON: Yeah, I was going to say that
13 the last meeting I really did a chunk was the
14 September meeting, and so these reports are --
15 compile almost probably six months' worth. I
16 think some probably date back to August, so it's
17 a lot of holdovers.

18 COMMISSIONER DUDICH: Yeah, and that was
19 part of my -- my thought process. We haven't
20 done much -- we've had a lot of meetings, but
21 haven't done a lot of the disciplinary,
22 regulatory side, so want to just, one, put that
23 on the record that it had been a while, but also,
24 two, to also put on the record that we've
25 reviewed those, so I appreciate that update

1 because that's the last thing I remember seeing
2 and, again, other things came up, so completely
3 understand. That's really helpful information.

4 Thank you.

5 CHAIRMAN McMAINS: Commissioners, any other
6 comments or questions?

7 What is your pleasure with proposed Order
8 2022-11 through 2022-47?

9 COMMISSIONER COHEN: Mr. Chairman, I move to
10 approve Orders 2022-11 through 2022-47 as read.

11 COMMISSIONER WILLIAMS: Second.

12 CHAIRMAN McMAINS: Thank you, Commissioners.

13 It's been properly moved and seconded to
14 approve Orders 2022-11 through 2022-47.

15 Any discussion on the motion?

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

18 (Chorus of ayes.)

19 Opposed.

20 The motion carries unanimously.

21 MS. BUNTON: Thank you.

22 CHAIRMAN McMAINS: Thank you.

23 Mr. Dudley.

24 MR. DUDLEY: Thank you, Mr. Chairman.

25 Mr. Chairman, Commissioners, you have before

1 you Order 2022-48 concerning an application for
2 an occupational license to work for an Indiana
3 licensee.

4 With regard to this order, this applicant
5 failed to disclose his complete criminal history,
6 and therefore failed to meet the established
7 standards for licensure. The applicant was given
8 an opportunity to withdraw his application from
9 consideration, but failed to do so. Despite
10 detailed -- detailed information regarding this
11 order is contained in your -- in your Commission
12 materials.

13 Approving Order 2022-48 would have effect of
14 denying this application.

15 You also have before you Orders 2022-48
16 through 53, which concern settlement agreements
17 between Commission staff and occupational
18 licensees. In lieu of disciplinary action, the
19 Commission staff offered each of these -- each of
20 these licensees a settlement agreement that would
21 have them agree to an unpaid, voluntary
22 relinquishment of their occupational license for
23 a period of regularly scheduled working days,
24 with no vacation or other time paid off to be
25 used.

1 Each of these licensees has agreed to the
2 terms of the settlement. Detailed information
3 regarding each of these matters is contained in
4 your materials that have been provided to each of
5 you.

6 Approving Orders 2022-48 through 53 would
7 have the effect of ratifying the agreements with
8 the occupational licensees.

9 Thank you.

10 CHAIRMAN McMAINS: Thank you, sir.

11 Commissioners, any questions for Mr. Dudley?

12 Hearing none, what is your pleasure
13 concerning proposed Orders 2022-48 through
14 2022-53?

15 COMMISSIONER DUDICH: Mr. Chairman, I'll
16 make a motion for approval of Orders 2022-48
17 through 2022-53 as presented by staff.

18 COMMISSIONER COHEN: Mr. Chairman, I second.

19 CHAIRMAN McMAINS: Thank you, Commissioners.

20 It's been properly moved and seconded to
21 approve Orders 2022-48 through 2022-53 as
22 presented by Mr. Dudley.

23 All in favor of the motion, please signify
24 by saying aye.

25 (Chorus of ayes.)

1 Opposed. Opposed.

2 The motion carries unanimously.

3 Alex.

4 MR. DUDLEY: Next, Commissioners, you have
5 before you Resolution 2022-55 regarding the
6 adoption of an emergency rule regarding casino
7 owner's licensees and other persons subject to
8 the jurisdiction of the Commission. The proposed
9 emergency rule will supersede and replace LSA
10 Document Number 21-453(E), the emergency rule
11 adopted at the September 2021 meeting. The
12 commission's reason and rationale for adopting
13 that emergency rule remains true and support
14 today's action.

15 Today's rule includes improvement to LSA
16 Document 231(e) based on Commission staff's
17 application of the rule and ongoing dialogue with
18 licensees and the Office of Management and
19 Budget, which are routine and practical results
20 of the rulemaking process.

21 The rule package adopted in September of
22 2021 and before you today are substantially
23 similar in context.

24 Commission staff is pleased with the results
25 of the emergency rule to date, as we believe that

1 there was a substantial and immediate need that
2 was not only identified but remedied with this
3 package.

4 For these reasons, Commission staff is
5 requesting approval of the emergency rule
6 adoption and extension to address the need as
7 staff works through the final rules promulgation
8 process.

9 The notice of intent to adopt the rule was
10 filed with the Indiana Register March 1st of
11 2022, and we anticipate the formal rule being in
12 place within the calendar year.

13 Thank you.

14 CHAIRMAN McMANS: Thank you.

15 Commissioners, any questions for Mr. Dudley
16 concerning proposed Resolution 2022-54?

17 Hearing none, what is your pleasure?

18 COMMISSIONER DUDICH: Mr. Chairman, I make a
19 motion to approve Order 2022-55 as presented by
20 staff.

21 COMMISSIONER WILLIAMS: Second.

22 CHAIRMAN McMANS: Oh, I didn't -- I'm
23 sorry, I've got the number wrong.

24 EXECUTIVE DIRECTOR SMALL: I think it is 54,
25 right?

1 MR. MULLEN: It is 54.

2 EXECUTIVE DIRECTOR SMALL: It is 54.

3 COMMISSIONER DUDICH: Oh, I missed that.

4 EXECUTIVE DIRECTOR SMALL: And the reason
5 there is confusion, on the previous agenda,
6 BetIndiana was on the agenda as Order 2022-54.
7 That has been removed from the agenda, so this
8 will be 54.

9 COMMISSIONER DUDICH: My apologies,
10 Mr. Chairman.

11 EXECUTIVE DIRECTOR SMALL: No, it's
12 confusing.

13 CHAIRMAN McMAINS: Would you like to restate
14 the motion?

15 COMMISSIONER DUDICH: Yeah, I'm sorry. I
16 apologize, Mr. Chairman.

17 I would make a motion to approve Order
18 2022-54 as presented by staff.

19 CHAIRMAN McMAINS: Thank you, Commissioner.

20 The Chair seconds the motion.

21 Is there any further discussion on the
22 motion?

23 Hearing none, all in favor of the motion to
24 approve Resolution 2022-54, please signify by
25 saying aye.

1 (Chorus of ayes.)

2 Opposed.

3 Motion carries unanimously.

4 Thank you, Alex.

5 MR. DUDLEY: Commissioners, next you have
6 before you Order 2022-55 concerning a request
7 received from casino licensee Full House Resorts,
8 whereby it requested approval of a proposed
9 financing transaction.

10 In addition to seeking permission to act on
11 the proposed financing transactions, the casino
12 licensee also requested a waiver of 68 IAC's
13 so-called two meeting requirement in accordance
14 with the Commission's authority contained in
15 Resolution 2017-109.

16 The confidential details of the proposed
17 financing transaction, as well as the Commission
18 staff's analysis, were provided to the
19 Commissioners in their confidential materials.
20 In accordance with the procedures identified in
21 Resolution 2017-109, the casino licensee was
22 issued an interim approval for the proposed
23 financing transaction.

24 The interim approval contained the following
25 conditions:

1 First, the terms articulated in the final
2 financing documentation do not materially differ
3 from the terms that were presented in writing for
4 approval.

5 Second, the terms of the final documentation
6 do not violate IC -- or, sorry, Indiana Code 4-33
7 or 4-35.

8 Third, each casino licensee must provide the
9 Commission with a legal opinion demonstrating
10 compliance with Indiana Code 4-33 and 4-35.

11 And, finally, the casino licensee must close
12 on its prospective financial transaction by
13 certain dates. Resolution 2017-109 requires that
14 any interim financing approval that is issued
15 must be reported to the Commission for
16 consideration and final ratification or other
17 direction.

18 Thank you. I'll take any questions if you
19 have any.

20 CHAIRMAN McMANS: Thank you, sir.

21 Commissioners, any questions for Counselor
22 Dudley concerning this proposed order?

23 Hearing none, what is your pleasure
24 concerning proposed Order 2022-55?

25 COMMISSIONER WILLIAMS: Mr. Chairman, I move

1 for the approval of Order 2022-55.

2 CHAIRMAN McMAINS: Thank you. Is there a
3 second?

4 COMMISSIONER DUDICH: Second.

5 CHAIRMAN McMAINS: Thank you, Commissioners.

6 It's been properly moved and seconded to
7 approve Order 2022-55.

8 Is there any further discussion on the
9 motion?

10 Hearing none, all in favor of the motion,
11 please signify by saying aye.

12 (Chorus of ayes.)

13 Opposed.

14 Motion carries unanimously.

15 MR. DUDLEY: Thank you.

16 CHAIRMAN McMAINS: Dennis.

17 MR. MULLEN: Yes, thank you, Commissioners.

18 Next on the agenda today is a presentation from
19 representatives from Churchill Downs.

20 As background, in late January 2021,
21 Churchill Downs informed Commission staff it is
22 working to secure an alternate site for its
23 proposed Terre Haute casino along State Road 46
24 and I-70.

25 On February 1, 2022, Churchill Downs

1 provided the Commission with transactional
2 documents related to the new location.
3 Commission staff has reviewed the transactional
4 documents related to the new location and found
5 no derogatory information. Commission staff's
6 confidential reports and all transactional
7 documents have been provided in your meeting
8 documents.

9 Churchill Downs has confirmed no changes to
10 the scope, capitol expenditure or any other
11 factor outlined under Indiana Code Section
12 4-38-6.7-4 as a result of this proposal.

13 You'll recall that Churchill Downs did
14 timely and properly propose a State Road 46/I-70
15 location in its original application.

16 Churchill Downs has provided letters of
17 support for this move from Vigo County
18 Commissioners and Terre Haute Mayor Duke Bennett,
19 which have also been provided to you all.

20 Commission staff has reviewed relevant
21 statute and regulations and determined no need
22 for the Commission to formally approve the new
23 location. However, given the importance of the
24 change, Commission staff has asked officials from
25 Churchill Downs to present information about this

1 move today to you all and answer any questions
2 that you may have.

3 So if there's no questions for -- for me at
4 this time, I'd like to turn the floor over to
5 Mr. Jason Sauer and Churchill Downs to give his
6 presentation.

7 CHAIRMAN McMAINS: Thank you, Dennis.

8 Any questions for counsel? No.

9 Go ahead, sir.

10 MR. SAUER: Thank you, Mr. Chairman. Thank
11 you, Mr. Mullen.

12 Commission staff, Commissioners, good
13 afternoon. My name Jason Sauer. I'm the senior
14 vice president of corporate development for
15 Churchill Downs, Incorporated.

16 With me this afternoon are Ryan Jordan,
17 senior vice president of real estate development
18 for CDI; Betsy Janes, vice president, government
19 relations, for CDI; and Michael Meagher, vice
20 president for gaming operations for CDI.

21 Michael, I want to point out in particular,
22 has been licensed twice in the state of Indiana
23 before with his work both at Belterra and at
24 Caesars Southern Indiana, and will be starting
25 the licensure soon. It's contemplated that once

1 we hire a GM, that GM will report operationally
2 to Michael at our corporate headquarters.

3 It's good to see you all again. I want to
4 note that I think we're on track for this meeting
5 to last approximately six hours shorter than the
6 last time we were together.

7 CHAIRMAN McMAINS: Don't be so sure about
8 that.

9 (Laughter)

10 MR. SAUER: That's to note I'm aspirational.

11 So speaking of that, that meeting in
12 November, I wanted to reiterate on behalf of the
13 company our gratitude to the Commission and
14 Commission staff not only for your patience and
15 your endurance, but also the trust that you've
16 placed in us as a company.

17 Suffice it to say we're extremely excited
18 about entering the Indiana gaming market; but not
19 just entering the market, it's how we're doing
20 it. We're extremely excited about the project.

21 It's been quite a wait for the people of
22 Vigo County for this casino to get off the
23 ground, moving to groundbreaking, which we're
24 going to be talking about shortly, and we plan on
25 delivering.

1 Just have a few slides for you today, but
2 starting with the first, and as Mr. Mullen
3 pointed out, first of all, we're extremely
4 excited about the project. And our goal here, as
5 we stated back in November, is to deliver a true
6 destination resort for the Midwest based in west
7 central Indiana.

8 Now, the aspect of our proposal, which we
9 obviously received a lot of support and received
10 the trust of your recommendation for us to
11 receive the license, where we received the most
12 input was with respect to our site; whether it
13 was here in front of the Commission where we
14 received some feedback during that meeting,
15 whether it was in meetings with local officials,
16 whether it was in unsolicited public support that
17 we received or whether it was a lot of the public
18 comments that were solicited by the Commission,
19 in fact, part of the public competitive process.

20 And while there was definite support for our
21 original site identified in the application,
22 which was approximately a 20-acre site on the --
23 on the west side of town near the Haute City
24 Center Shopping Mall, the strong preference was
25 for development on the east side of town.

1 That's why we reiterated throughout the
2 process, as Mr. Mullen pointed out, from our
3 original application back in September to an
4 addendum to that application that we filed to our
5 comments during the November 17th public meeting
6 that we were continuing to evaluate other
7 locations for the construction of the Queen of
8 Terre Haute.

9 As this slide indicates, that work continued
10 after our selection on November 17th for the
11 recipient of the certificate of suitability.

12 That period since November 17th, it's
13 been -- the owners of all of the three sites
14 associated with the other applicants have reached
15 out to us and we've engaged, had good
16 conversations with the owners of all those three
17 sites.

18 As you can see on those slides -- on the
19 slide, that some of these sites will be familiar
20 to you. And each of those sites had its
21 advantages. However, we ultimately didn't find
22 them to be quite right to accommodate our
23 project.

24 That's why we ultimately chose to acquire
25 the 25-acre parcel that was associated with the

1 Premier Gaming Group's bid, as well as an
2 adjacent 25-acre parcel. As Mr. Mullen pointed
3 out, we entered into definitive contracts for
4 these two parcels, the first on February 14th and
5 the second yesterday, and both those contracts
6 have been provided to the Commission.

7 Okay. On this slide, why we are extremely
8 excited about this new site and why we're asking
9 for the Commission's support to proceed with
10 development on this revised site. There are many
11 reasons, but there are three that I want to focus
12 on: Size, accessibility and overwhelming public
13 support.

14 First, size. And the 50 acres really says
15 it all. It's more than twice the size of our
16 original site and it's nearly twice the size of
17 any of the sites that were identified back during
18 the competitive process in the fall.

19 Accessibility. The site is in a -- the
20 heart of the thriving commercial area of Vigo
21 County, an area that's been planned to
22 accommodate growth such as this. It fits with
23 the existing road and infrastructure plan for the
24 City of Terre Haute and Vigo County.

25 And the overwhelming public support. As I

1 alluded to before, our request to develop on this
2 revised site reflects a clear desire of the
3 Terre Haute community and many local and state
4 stakeholders. This is where most in Terre Haute
5 wanted this development to occur from the
6 beginning, and they're thrilled about our plan to
7 build there.

8 As Mr. Mullen pointed out, we've -- we've
9 shared with the Commission letters of support for
10 this move from Mayor Duke Bennett, from County
11 Commissioners Mike Morris, Chris Switzer and
12 Brendan Kearns, as well as last week's unanimous
13 8-0 vote of the city council supporting our
14 rezoning of this new site to accommodate
15 construction of our casino.

16 As I mentioned a moment ago, during the
17 November 17th public hearing more than one of the
18 Commissioners encouraged us to explore this move.
19 We were listening. We took decisive action since
20 November 17th and we now have a plan and a site
21 that has unified Terre Haute.

22 Before I turn it over to Ryan to talk more
23 about our progress towards groundbreaking, I also
24 want to reiterate another point that Mr. Mullen
25 made before I had a chance to, and that's at the

1 bottom of this slide, that nothing about the
2 scope or the scale of our original proposal that
3 you approved back in November has changed.

4 What's more, this site, it's 50 acres, it's
5 going to allow us to not just build what we told
6 you we were going to build, but it also gives us
7 ample room and flexibility as we look forward to
8 think about future expansion and adjacent
9 development opportunities as soon as demand
10 warrants it.

11 I'll turn it over to my colleague Ryan
12 Jordan now, but we'll be happy to answer any
13 questions that you have.

14 MR. JORDAN: Thank you, Jason.

15 Mr. Chairman, Commissioners, staff, as Jason
16 said, I'm Ryan Jordan, senior vice president of
17 real estate development for Churchill Downs.

18 The next slide that I'll bring your
19 attention to is the site plan that we filed with
20 the local officials in Terre Haute. This shows
21 the facility built on our new 50-acre site in
22 east Terre Haute.

23 Just to orient you, I-70 runs east and west
24 just south of this site as shown on the slide,
25 Exit 11 just to the east is where guests would

1 access the facility. They'll enter the property
2 via a roadway which is already existing, Margaret
3 Drive. There are two -- two entrances shown off
4 of Margaret Drive highlighted towards the bottom
5 of the page. Guests could enter one of those
6 entrances into the parking lot and park their
7 vehicle around the property on three sides; on
8 the east, west and south of the facility. The
9 north portion of the parking lot will be reserved
10 for team members and employees accessing the
11 facility.

12 We'll have three main building entrances for
13 guests into the property: One on the east side,
14 which will also serve as a hotel entrance, and
15 then two other additional entrances located on
16 the southeast and southwest corner. As guests
17 enter from those points, they'll have two
18 entrances onto the gaming floor from there.

19 The hotel tower, as you can see highlighted
20 in blue, will rise above the facility on the east
21 side shaded in the blue dashed line. And then
22 additionally you'll see other amenities as Jason
23 was talking about on the site. We have
24 several -- several parcels, two, one to the east
25 and one to the north, which is just identified

1 for future potential opportunities, should those
2 exist.

3 We also are accommodating all of the
4 stormwater retention and runoff from the parking
5 lot with two different ponds located on the
6 facility.

7 Toward the top of the page you'll see a
8 roadway with future parking entrances. The City
9 of Terre Haute has planned to construct a new
10 roadway to the north of this property called New
11 Margaret Avenue, and they also plan to construct
12 a road to the west called Rockwood Drive. Those
13 roads were planned before we selected this site
14 and it's part of their plan long-term, but our
15 facility will work very well, as Jason mentioned,
16 with the existing improvements that they have
17 planned.

18 The next slide just updates you on where we
19 are with the planning and zoning process. In
20 order to build on this site, there were four
21 approvals we needed to seek locally. The first
22 is to combine the two different parcels into one
23 new subdivision plat. The second was to rezone
24 the property from agricultural use into a
25 commercial or C3 zoning. The third approval,

1 given our proximity to the airport, was to file
2 an approval with the FAA and seek their approval
3 and clearance. And the fourth is a local
4 Terre Haute code where any building over 125 feet
5 in height has to receive a variance.

6 So the text highlighted in green are steps
7 we've already taken and already received approval
8 on.

9 In early February we filed the rezoning and
10 height variance applications, as well as
11 submitted our application with the FAA.

12 On March 3rd we received unanimous approval
13 from the city council to rezone the land, which
14 was a big step moving forward on this site.

15 March 17th we go back to Terre Haute to hear
16 and receive approval for the height variance.

17 On April 6th we expect approval for the
18 subdivision plat.

19 And then the FAA approval is a 90-day
20 window. That application was filed on
21 February 9th, so that approval could come
22 earlier, but the outside range would be May 9th.

23 If all of those approvals are received by
24 the dates that we've identified here, we expect
25 to close on the property after receiving all of

1 those approvals and hope to break ground shortly
2 thereafter, as early as late May.

3 With that, be happy to take any questions,
4 or any of our colleagues would as well. Thank
5 you.

6 CHAIRMAN McMAINS: Mr. Jordan, I have a
7 couple questions. Do you anticipate any problems
8 with these three pending approvals that you need?

9 MR. JORDAN: We do not. We have been --
10 been several times in Terre Haute and talked to a
11 lot of officials. We don't anticipate any
12 issues.

13 The FAA has already -- the local Terre Haute
14 airport has already reviewed our plan and
15 signaled favorably that we're okay. We looked at
16 the location of the hotel tower specifically.
17 It's outside of the departure path for the
18 airport. It's just a formal process to receive
19 that approval is the only outstanding piece from
20 them.

21 CHAIRMAN McMAINS: You said late May you're
22 planning to break ground. That's the goal if
23 these approvals all come through in a timely
24 manner?

25 MR. JORDAN: That's correct. It's really

1 contingent upon the FAA approval to be kind of
2 driving that, but that's what we're anticipating.

3 CHAIRMAN McMAINS: So I guess the secondary
4 question is this move, how long will it delay the
5 project from what we talked about two months ago?

6 MR. JORDAN: We're -- you have a three-month
7 approval process here which started in early
8 February. We still are anticipating opening in
9 late 2023. We were projecting a 14-month
10 construction window, and we're still working
11 through that with our construction partners, F.A.
12 Wilhelm and Harmon Construction. We're working
13 through on our other projects things we're seeing
14 with the supply chain due to COVID with roofing
15 insulation materials, electrical distribution
16 equipment. Some of those things are just taking
17 longer to get. Because we haven't put this out
18 to bid yet to the contractors, we don't have
19 those definitive dates, but we're still
20 projecting late 2023 to actually open the
21 facility.

22 CHAIRMAN McMAINS: Thank you. Any other
23 questions?

24 COMMISSIONER WILLIAMS: I'm trying to
25 remember what your original proposal was, but it

1 appears that you're going to use the lion's share
2 of this extra property that you've got for
3 surface parking, and it also appears from your
4 site plan that all of your parking is surface
5 parking; is that correct?

6 MR. JORDAN: Yes, all parking on the site
7 will be surface parking.

8 COMMISSIONER WILLIAMS: And that was not the
9 case in the previous plan, I don't think, was it?
10 Did you have a parking garage in there somewhere?

11 MR. SAUER: It wasn't, Commissioner. There
12 was no parking garage contemplated in the
13 original plan. It was just significantly -- it
14 was going to be rather parking constrained at the
15 original site.

16 COMMISSIONER WILLIAMS: Okay. Well, again,
17 I was trying to remember because we were working
18 on a lot of stuff back then.

19 That looks like a lot of surface parking and
20 some runoff problems. I see that you have a
21 stormwater pond. Hopefully you'll put some trees
22 and be environmentally friendly with all of that
23 sea of cars.

24 MR. JORDAN: Yes, absolutely. Our
25 landscaping -- there is no local landscaping code

1 in the City of Terre Haute, but we plan to
2 install lots of landscaping around the facility,
3 obviously to make the site attractive.

4 A comment on the stormwater retention ponds.
5 Because we're close to the airport, they prefer
6 to not have water in the ponds which would
7 attract birds. They don't like that close to the
8 airport. So that's why they're larger so that
9 the water would drain quicker than it would in
10 the other pond.

11 CHAIRMAN McMAINS: Commissioners.

12 COMMISSIONER DUDICH: Two questions
13 following up on Chairman McMains' question. On
14 the three remaining items, are those scheduled,
15 has there been any delays on those meetings just
16 to try to make sure that those are the meetings
17 that were scheduled, or has any of the -- any of
18 the Board of Zoning or area plan been delayed at
19 all?

20 MR. JORDAN: So the height variance, the
21 local Terre Haute code meeting is scheduled for
22 March 17th. That was supposed to occur on March
23 2nd, but there were five people that vote in that
24 meeting, and three people were not able to --
25 three of the voting members were not able to

1 attend, but they were able to call a special
2 meeting to hear the height variance on March 17th
3 so that that wouldn't push our overall schedule
4 out any.

5 COMMISSIONER DUDICH: Okay. The second
6 question is you mentioned that the City of
7 Terre Haute is planning on extending Margaret
8 Drive and adding to the West Rockwood Lane.

9 Is that in conjunction with building the
10 facility or will that be after the facility is
11 built?

12 MR. JORDAN: They haven't given us a date on
13 when they would actually be constructed. Our
14 traffic studies and everything we've looked at,
15 we don't need it for the facility. All the
16 traffic will come from the south via East
17 Margaret Drive, but they had planned to add those
18 roads to help with the overall district and
19 traffic, you know, coming to the facility from
20 the north or from elsewhere, so they haven't
21 given us a date. They had planned to do it once
22 someone, whether it was us or someone else,
23 planned a development on the site that we've
24 selected. But they have to re-engage those
25 discussions with their budget and with

1 contractors and determine the schedule from
2 there.

3 COMMISSIONER DUDICH: And because those are
4 to the west and to the north of the site, it has
5 very little impact on your traffic flow because
6 they're entering from the south part, so as long
7 as the construction is mostly in areas that is
8 not impeding on your flow of traffic, it should
9 be okay if they decide to construct after you're
10 done.

11 MR. JORDAN: That's correct. They've
12 already acquired the rights-of-way to build those
13 roads, so that already exists. They don't have
14 to acquire any land for them. They just have to
15 work with the contractors to figure out a
16 construction schedule.

17 COMMISSIONER DUDICH: Got you. Thank you
18 very much. Thank you, Mr. Chairman.

19 COMMISSIONER COHEN: Mr. Chairman, one
20 question.

21 CHAIRMAN McMANS: Yes, sir.

22 COMMISSIONER COHEN: You've mentioned some
23 noteworthy public support.

24 Any noteworthy opposition to the new
25 location?

1 MR. JORDAN: No one has spoke at either of
2 the meetings in opposition to our plan. We -- we
3 heard from neighbors. They had some questions
4 around specifically landscaping and how we were
5 going to integrate with the rest of the -- the
6 rest of the facility, so we're working with them.
7 We will probably plan to install a berm along the
8 north side of the property, some landscaping as
9 well, just to kind of buffer our facility from
10 that new road once it's constructed. But, again,
11 no one spoke in opposition at any of the public
12 meetings we've had to date.

13 COMMISSIONER COHEN: Thank you.

14 COMMISSIONER WILLIAMS: I have one more
15 question.

16 CHAIRMAN McMAINS: Yes, Commissioner
17 Williams.

18 COMMISSIONER WILLIAMS: Sorry, I have one
19 more question. The -- you mentioned supply chain
20 issues that were going to delay you. I just was
21 involved in a project not nearly this size, and
22 what we found were price increases that were
23 staggering and it caused us to have to do some
24 value engineering. I would hope that in the
25 event that you see the same things we saw, that

1 if there are going to be any substantial changes
2 in the architecture than what we see here in the
3 rendering, that you would come back and talk to
4 us about that.

5 MR. JORDAN: Absolutely. We're certainly
6 seeing those price increases in our other
7 projects elsewhere. We have not had any value
8 engineering discussions with this project. If
9 anything, we're seeing some price increases. I
10 think we said \$240,000,000 to start. We've
11 recently updated a range that said it could be up
12 to 260, and those -- that has to do with supply
13 chain increases that we're seeing on other
14 projects that we're building around the country.

15 CHAIRMAN McMANS: Commissioner Dudich.

16 COMMISSIONER DUDICH: I'm always the guy
17 that has the last question. Just as soon as I'm
18 done, I think of another one.

19 Maybe a question, but more of a statement.
20 Obviously we've been through a lot, both the
21 State of Indiana, City of Terre Haute, Vigo
22 County, Churchill Downs, getting to this point.
23 We want to have a casino there as quickly as
24 possible. I'm understanding the supply chain, I
25 understand other things. And it sounds like

1 three things are left to kind of get that shovel
2 in the ground.

3 What I would appreciate is -- and I think
4 the Commission might as well, but I don't want to
5 speak for the Commission, is as you go through
6 that process, if there are things that become
7 impediments, either publicly or as you talk to
8 others, I think it'd be helpful for the
9 Commission and the Commission staff to understand
10 that.

11 We're almost there, and as I always say in
12 my previous jobs, it's that last ten yards that
13 ends up fouling you up and something might
14 happen, so if you're hearing things, if you're
15 noticing things that may or may not -- may become
16 impediments in the future, I think it's helpful
17 for us to understand that, because it's very
18 important for the State of Indiana and the
19 Commission as we grant these licenses and -- and
20 understanding the value that these facilities
21 have in Indiana, that we understand those
22 impediments and see what solution we can come up
23 with as the Commission, as Churchill Downs, the
24 county, the city, whatnot, so if there are things
25 that crop up, I think it'll be helpful for the

1 staff to know and understand what that is and how
2 we can be helpful as the Commission.

3 Thank you.

4 CHAIRMAN McMANS: Commissioners, any other
5 questions or comments?

6 Commissioners Root or Fine, do you have any
7 questions or comments?

8 COMMISSIONER FINE: None by me.

9 CHAIRMAN McMANS: All right. Thank you.
10 Thank you, sir.

11 MR. JORDAN: Thank you very much.

12 CHAIRMAN McMANS: So any closing thoughts,
13 Greg? Anything you want to sum up here?

14 EXECUTIVE DIRECTOR SMALL: Looking at a June
15 meeting, Commissioners. We will circulate
16 calendars very shortly so we can get that out to
17 you guys and to the public, but we'll be
18 targeting an early June meeting.

19 CHAIRMAN McMANS: Thank you.

20 Folks, that concludes our business today.

21 Is there a motion to adjourn?

22 COMMISSIONER WILLIAMS: So moved.

23 CHAIRMAN McMANS: Second?

24 COMMISSIONER COHEN: Second.

25 CHAIRMAN McMANS: It's been properly moved

1 and seconded to adjourn this meeting.

2 All in favor, please signify by saying aye.

3 (Chorus of ayes.)

4 Opposed.

5 The motion carries unanimously. Thank you
6 very much.

7 (At 3:07 p.m., March 8, 2022, this meeting
8 of the Indiana Gaming Commission was adjourned.)

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

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 8, 2022, commencing at 2:04 p.m. in the
9 Auditorium of the Indiana Government Center South,
10 302 West Washington Street, Indianapolis, Indiana,
11 was taken down in stenograph notes and afterwards
12 reduced to typewriting under my direction, and that
13 the typewritten transcript is a true record of the
14 proceedings had.

15 IN WITNESS WHEREOF, I have hereunto set my hand
16 and affixed my notarial seal this _____ day of
17 March, 2022.

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

21 My Commission Expires:
22 June 4, 2023

23 County of Residence:
24 Marion County
25

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