

STATE OF INDIANA)
) SS:
COUNTY OF LAKE)

BEFORE THE INDIANA GAMING COMMISSION
PRESENTATION BY STATE AND FEDERAL AGENCIES
REGARDING HAMMOND LICENSES

October 19, 1995
Commencing at 1:15 p.m.

BE IT REMEMBERED that the following proceedings
were had before me, RUTH GRISSMAN, Court Reporter, on
Thursday, October 19, 1995, at the Inter-Generational
Center, 1402 E. Chicago Avenue, East Chicago, Indiana.

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APPEARANCES:On Behalf of the Indiana Gaming Commission:

ALAN I. KLINEMAN, Chairman

ANN MARIE BOCHNOWSKI, Vice-Chairperson

DONALD VOWELS, Secretary

THOMAS F. MILCAREK

ROBERT W. SUNDWICK

ROBERT SWAN

DAVID E. ROSS, JR., M.D.

JOHN J. THAR, Executive Director

1 MR. KLINEMAN: If we could come back to order.
2 We're a little early, but we're going to try to get out of
3 Lake County as soon as we can. We are going to abide by
4 the Court Order and not hear anything further on the East
5 Chicago application. We are, for a few minutes, going to
6 hear some information on the Hammond application. We have
7 somebody here from the Corp of Engineers?

8 MR. THAR: Yes.

9 MR. KLINEMAN: -- from the Corp of Engineers,
10 so --

11 MR. THAR: I don't know what -- is the Coast
12 Guard here?

13 MR. KLINEMAN: The Coast Guard is here, but I was
14 informed by one of the officers that they really didn't
15 have anything to say, other than if there were some
16 questions that somebody wanted to ask of them.

17 MR. THAR: That is true with regard to the Corp
18 of Engineers, also. Walter Land from the Indiana
19 Department of Transportation was supposed to be here around
20 2:30. None of the agencies have prepared presentations.
21 All of the agencies have made themselves available for
22 questions from the Commission; but as the Chair has
23 indicated, it can only be with regard to Hammond.

24 MR. KLINEMAN: Well, do any of the Commissioners
25 or does the staff have anything that they wish to inquire?

1 MR. THAR: I would start, if you don't mind, with
2 the Corp of Engineers. Charlie Simon?

3 (Mr. Simon with the Corp of
4 Engineers took the podium.)

5 MR. KLINEMAN: For the information of those who
6 might be here in the scheduled public session, we will have
7 to reschedule that when we are no longer restrained, and we
8 might be doing that by way of videotaping the comments up
9 here rather than have them -- rather than the Commission
10 coming back. We just don't know what we're going to do.
11 It's obviously something we hadn't anticipated, so we don't
12 have a ready made plan for it. Anyway, we will not be
13 conducting even the public comment section of our hearings
14 because we are restrained.

15 MR. THAR: Charlie, just for the purpose of the
16 court reporter, could you give her your full name and spell
17 it.

18 MR. SIMON: My name is Charles M. Simon,
19 S-I-M-O-N. And I am a project manager with the Corp of
20 Engineers in the Detroit district.

21 MR. THAR: Charlie, are you familiar with the
22 applications presently pending before the Corp of Engineers
23 with regard to the Hammond Marina?

24 MR. SIMON: Yes, I am the project manager for
25 those applications. And like I said, I don't have a

1 prepared statement, but I am willing to answer any
2 questions that you might have about the process. The Corp
3 is still in the process -- still very much in the decision
4 process at this point for Hammond, so the outcome is just
5 speculative at this point. But I'm willing to answer any
6 questions you have about the process or issues.

7 MR. THAR: There's an issue that came to light as
8 a result of the presentations in Hammond the last two days,
9 being that one of the applicants, Bally's, proposed a plan
10 that the Commission had not seen until just a few weeks
11 ago. One of the questions to them was whether or not the
12 plan they now propose would require a new application for
13 that harbor if the Commission chose this plan. I will show
14 to you or give to you a picture that they have provided to
15 the Commission of what this looks like. And the simple
16 question, after you've had a chance to look at it, is:
17 Understanding it is not a definitive statement, would this
18 plan fit into the present application or would it require a
19 new application? Let me bring it over to you.

20 (Mr. Thar took document over
21 to Mr. Simon for his review.)

22 MR. THAR: Let me point out a few of the things
23 that they have in that plan. There is a hotel which would
24 be on the lakefront in that peninsula area that abuts the
25 water treatment facilities; and then along the roadway,

1 parallel with the railroad tracks, they've proposed to put
2 a three- to four-story parking garage. The question is:
3 Would a plan like this require an amendment to the present
4 application, does it fit into the present application, or
5 would it require a new application?

6 MR. SIMON: I'm just trying to take a look at the
7 plan right now to see what's here within the Corp's
8 jurisdiction, which is essentially anywhere within the
9 lake, in, on, or over the lake. And from the schematic
10 nature of it, it's a little bit difficult to tell, but
11 there are some features that are not part of their current
12 proposal.

13 MR. THAR: Let's start at that point. Has this
14 plan been presented to the Corp of Engineers?

15 MR. SIMON: No, I haven't seen this at all
16 before.

17 MR. THAR: And you would be the person who would
18 see it if it was presented?

19 MR. SIMON: Yes. At this point, I would
20 certainly say that it's something that we would probably
21 want to put out a public notice for.

22 MR. THAR: Would that be a public notice in the
23 form of an amendment to the present application or would it
24 take the form of a new application?

25 MR. SIMON: It could potentially be either one.

1 We'd probably want to give the public a chance to provide
2 written comments on this proposal.

3 MR. THAR: Based on where the Corp is presently
4 in reviewing the Hammond application, would a new public
5 comment period slow down the process?

6 MR. SIMON: It's certainly going to add another
7 15 to 30 days just for the comment period, outside of any
8 additional time to prepare the plans, submit them to the
9 Corp, you know, as well as any issues which might come up
10 during that public notice period.

11 MR. THAR: Can you give the Commission an
12 overview as to where the Corp is right now -- I know you
13 did at the beginning -- in terms of processing the present
14 Hammond application?

15 MR. SIMON: Sure. The Corp put out a public
16 notice in February, I believe, for Hammond. We did get
17 some comments. We forwarded those comments to the City
18 with some of our own issues that we thought were important
19 that they address. They responded to those. We thought
20 there were still some things that they needed to focus on.
21 The last official comments that the Corp provided was the
22 end of August, and the applicant there asked for an
23 extension of time to respond to the issues that the Corp
24 wanted them to address. Essentially, the issues that we
25 asked them to address that we still thought needed their

1 input were some of the navigation and safety concerns
2 resolved in the central conflict between a gaming boat and
3 the existing recreational traffic within the marina.

4 MR. THAR: Would that be in terms of when the
5 gaming boat set sail from the dock, what issues that
6 creates in navigating out of the harbor?

7 MR. SIMON: Exactly.

8 MR. THAR: Is it within the Corp's jurisdiction
9 to weigh the number of slips that may be removed from this
10 existing marina, in looking at the overall Corp
11 application?

12 MR. SIMON: Yes, certainly, if that's going to
13 address some of those safety issues, that would be
14 something that the Corp would consider.

15 MR. THAR: Does the Corp have any limitation --
16 there was a discussion about whether or not there was a
17 maximum number of slips that could be removed before some
18 issues with regard to a bond might arise. Does the Corp
19 have any similar issues that they'll only allow a reduction
20 of existing slips by a certain percentage or certain
21 number, or is that not the way the Corp formulates the
22 issue?

23 MR. SIMON: No. You know, As far as the Corp is
24 concerned, they could propose to remove as many slips as
25 they wanted to.

1 MR. THAR: That would be the questions I have.
2 Would the other Commission --

3 MR. KLINEMAN: I guess along the same lines, does
4 the Corp have any interest in the aquatic school that they
5 have that they operate at the marina? Is that something
6 that's in your jurisdiction, also?

7 MR. SIMON: Essentially, no. Although
8 apparently, they do use some of that as a dive center, and
9 some issues have been raised regarding some of the safety
10 of the -- they have an existing dive area, and their
11 current proposal is going to remove or limit that dive area
12 somewhat.

13 MR. KLINEMAN: I was sort of left with the
14 impression that you actually had some jurisdiction in the
15 sense that -- along the same lines of how many slips might
16 be removed, that you would resist the dive school being
17 changed in some fashion. Would that be within your
18 jurisdiction?

19 MR. SIMON: No; I would say no, not at all.

20 MR. KLINEMAN: Anybody else have any questions?

21 MR. THAR: There's been two issues raised with
22 regard to certain -- number one, the water company inlet,
23 and I forget what the name is of the corporation that has
24 an outlet that goes through that marina. Are those issues
25 the Corp takes up in looking at revisions to the marina as

1 it presently exists?

2 MR. SIMON: We are certainly aware of the intake
3 pipe concerns. There's an on-shore company there, Lever
4 Brothers, I believe. That issue did come up during the
5 initial public notice, and that's certainly something that
6 the Corp is going to address when we put our review
7 together.

8 MR. THAR: In terms of the locations of public
9 access ramps at that marina, is that a Corp issue or is
10 that only a Corp issue brought up by the public, or is that
11 more of an issue raised by the Coast Guard for the safety
12 of those?

13 MR. SIMON: That's an issue that the Corp has
14 actually raised with the applicants, especially in regard
15 to the same issue of navigational safety of existing
16 recreational traffic in conjunction with operation of a
17 gaming vessel.

18 MR. THAR: Do you raise that based upon comments
19 made by the Coast Guard or do you raise that on your own
20 initiative?

21 MR. SIMON: I believe we actually raised that on
22 our own as part of the overall recreational navigational
23 safety issue.

24 MS. BOCHNOWSKI: I do have one more question.
25 With regard to the Milwaukee Clipper, if somebody wanted to

1 remove that, would they have to get permission from you?
2 Would that be an issue? I guess it's kind of locked into
3 the harbor there, having been there so long. Would they
4 have to get permission from you? There might be some
5 dredging involved.

6 MR. SIMON: Yes, that would be true. To
7 backtrack a little bit, actually the Milwaukee Clipper was
8 placed there, as we say, without Corp authorization.

9 MS. BOCHNOWSKI: Oh, is that right?

10 MR. SIMON: So that is actually part of our
11 current -- we discovered this as part of their application
12 for the work associated with the gaming.

13 MR. THAR: They kicked a sleeping dog.

14 MR. SIMON: So we actually included that as part
15 of their overall application. So right now, that is part
16 of the Corp's review is whether or not we want to authorize
17 that, because you do need authorization for a vessel that
18 is what we call permanently moored.

19 MS. BOCHNOWSKI: Well, that's interesting.

20 MR. KLINEMAN: Along the same lines --

21 MR. SIMON: So along the same lines, you know, if
22 they wanted to remove it, if it is authorized, if they
23 would do any dredging or work along those lines to remove
24 it, they would need some kind of authorization for that.

25 MS. BOCHNOWSKI: So what if you don't approve the

1 Milwaukee Clipper being there?

2 MR. KLINEMAN: It's going to be gone.

3 MS. BOCHNOWSKI: No, I mean really, what if you
4 don't? I'm not trying to be funny. I'm serious. What if
5 you don't approve it?

6 MR. SIMON: If the Corp does not authorize it as
7 part of the permit, we would take whatever avenues we feel
8 necessary to enforce that.

9 MR. KLINEMAN: Would you tell us where you live,
10 because we may want to deliver it to you. One other
11 question on this intake, the filtration intake, we're told
12 that that's right in the mouth of the breakwater, is that
13 right, where you go in and out?

14 MR. SIMON: I believe the Lever Brothers intake
15 is actually right underneath the main pier. It is parallel
16 with and right underneath the main pier.

17 MR. KLINEMAN: But the filtration --

18 MR. SIMON: The filtration plant intake, the
19 location of it?

20 MR. KLINEMAN: Right.

21 MR. SIMON: I can't say.

22 MR. KLINEMAN: Okay. For some reason, we were
23 talking about moving the Clipper and somebody said we
24 couldn't probably move it through the inlet or through
25 the -- what do you call it?

1 MR. SIMON: The mouth?

2 MR. KLINEMAN: The opening.

3 MR. SIMON: Mouth of the harbor.

4 MR. KLINEMAN: -- because the filtration plant
5 intake was right there.

6 MR. SUNDWICK: They got it in.

7 MR. KLINEMAN: But they got it in, that's right,
8 as Commissioner Sundwick just said. It didn't just appear
9 there, although you probably think it did. Anybody else
10 got any questions?

11 (No response.)

12 MR. KLINEMAN: We certainly appreciate your
13 coming, and I'm sorry we've had this on-again off-again
14 situation. Thank you very much. On behalf of the
15 Commission, we of course encourage you to go ahead and
16 approve something so when we grant a license, we can
17 actually see it operational. Thank you.

18 (Mr. Simon stepped away from
19 the podium at this time.)

20 MR. KLINEMAN: Does anybody have any questions of
21 the Coast Guard? They didn't make a real presentation, but
22 they are here.

23 MS. BOCHNOWSKI: Yes. Where are they?

24 MR. KLINEMAN: Right there (gesturing).

25 MS. BOCHNOWSKI: Oh, there you are. I should

1 have known.

2 (Mr. Hassler from the United
3 States Coast Guard took the
4 podium.)

5 MS. BOCHNOWSKI: Have you looked at the safety of
6 the harbor? I've been concerned about the public ramp and
7 then all the little boats coming in there with the big boat
8 operating. And I just wanted to see what your impressions
9 are of what they're presenting.

10 MR. HASSLER: For the record, I'm Lieutenant
11 Commander Ronald Hassler for the U.S. Coast Guard Marine
12 Safety Office in Chicago. And the harbor in Hammond is
13 under our jurisdiction with regard to vessel navigation.
14 And yes, we are concerned with the safe navigation of not
15 only the casino vessel that will tie up there with its
16 passengers and crew, but also with the other water users
17 that are operating in a very close proximity, and that
18 would be all the small personal water craft, the yachts and
19 the motorboats that are coming in and out of Hammond
20 harbor.

21 MS. BOCHNOWSKI: Have you looked at that
22 carefully yet? I mean, do you have concerns about the
23 location of that public ramp?

24 MR. HASSLER: Yes, we have. We've taken a good
25 look at that, and we agree with the Corp that perhaps it

1 should be moved and that it creates a pathway for small
2 craft going by where the casino vessel will moor. So as
3 the casino vessel is mooring or docking and undocking,
4 there would be some competition for the waterway right
5 there by recreational boaters.

6 MS. BOCHNOWSKI: Okay. Thank you.

7 MR. KLINEMAN: Anything?

8 MR. SUNDWICK: I have just one question. We had
9 an opportunity yesterday in Hammond to see the Lake County
10 Sheriff's Department safety launch, I guess you might call
11 it. It appears that they're responsible for some of the
12 safety, water safety involved with the gaming vessels; is
13 that correct?

14 MR. HASSLER: I'm not familiar with that.

15 MR. SUNDWICK: Would their responsibility be that
16 it's a pretty good part of the lake or not; would they have
17 any jurisdiction?

18 MR. HASSLER: I don't know what their
19 jurisdiction is.

20 MR. KLINEMAN: I think what Mr. Sundwick is
21 trying to get at is that you basically have to approve some
22 sort of a disaster program, don't you?

23 MR. HASSLER: Oh, good question, Commissioner.
24 With any of the boats coming to the southern shores of Lake
25 Michigan and northern Indiana, these are subchapter H --

1 regulated by 46 CFR, Subchapter H. The regulations call
2 for lifeboats like the cruise ships have that sail out of
3 Miami. Most of the plans that I have seen so far coming
4 across my desk do not include lifeboats. The builders of
5 these vessels are providing an equivalency, and that
6 equivalency would be inflatable life rafts or inflatable
7 buoy apparatus. In doing so, it makes the vessel a little
8 less self-sufficient with regard to providing its own
9 rescue vessels. So therefore, if the gaming companies
10 reduce from lifeboats to life rafts, then they have to show
11 us an equivalency of some kind of shore side support in
12 their emergency response plan, which will have to be
13 submitted to the Commission for review. And the Commission
14 will have us look at it, and we will either accept it or
15 not. Regardless if we accept it, it's still under the
16 Commission's authority to enforce it. If we find that
17 there is not enough support from the local communities to
18 provide emergency response equipment and people for fire
19 and lifesaving, we would probably not accept such a plan
20 unless the boat had lifeboats, the kind of boats that carry
21 40 or 50 people and are lowered by davits into the water,
22 versus an inflatable life raft.

23 MR. SUNDWICK: So it's safe to say that the boats
24 that will be sailing in Indiana waters, gaming vessels,
25 should probably get together and have an appropriate plan

1 with the Lake County Sheriff's Department for on-shore
2 adequate safety?

3 MR. HASSLER: Yes, sir; yes.

4 MR. SUNDWICK: So we could encourage all the
5 companies that they ought to get together with the
6 Sheriff's Department and have a plan?

7 MR. HASSLER: Right, for both firefighting and
8 for rescuing the people off the boat. Some of these
9 vessels may have 3,000, 4,000 people on board. If they go
10 out during their cruise, and they're out a mile or two or
11 up to three miles, and they have a fire on board or the
12 vessel gets disabled, who's going to go get them? Because
13 they won't have lifeboats. Lifeboats are motorized. All
14 they will have are inflatable life rafts or buoy apparatus,
15 and they're not self-propelled. So if we could get all
16 these thousands of people into these inflatable life rafts,
17 somebody's got to go out and get them.

18 MR. SUNDWICK: Well, they had a 36-foot boat that
19 they showed us yesterday for the Lake County Sheriff's
20 Department, which probably doesn't seem like it would be
21 adequate.

22 MR. HASSLER: How many people does it hold?

23 MR. SUNDWICK: What do you think?

24 MR. KLINEMAN: Maybe ten or twelve.

25 MR. HASSLER: You could subtract that from a few

1 thousand.

2 (Discussion was held off the
3 record.)

4 MR. SUNDWICK: The sheriff needs some more boats.
5 Anybody who is in the business here probably ought to pay a
6 little attention to that or they might have a real problem,
7 those here who are involved.

8 MS. BOCHNOWSKI: Not only with a plan but maybe
9 with some money.

10 MR. SUNDWICK: Well, they're going to have to
11 have -- you know, if the County doesn't have the money to
12 do it, they can have all the great boats you want; but
13 without a plan, you won't go anyplace. I guess that's what
14 I'm hearing.

15 MR. HASSLER: Unfortunately, a lot of people look
16 to the Coast Guard to rescue them because that's where our
17 meat and potatoes are at. But with all of our budget
18 cutbacks, we've lost -- we used to have two helicopters in
19 Chicago. We've lost one of those, and now the remaining
20 one only operates in the summertime. And then Station Cal
21 Harbor has only two boats.

22 MR. SUNDWICK: If they have more helicopters --
23 you might just switch. They need boats maybe more than
24 they need their helicopters.

25 MR. HASSLER: Yes, they do. Actually, they could

1 use a barge, a couple of big barges to go out and rescue
2 people.

3 MR. SUNDWICK: Good idea. Thank you, sir.

4 MR. KLINEMAN: Mr. Thar?

5 MR. THAR: I have two questions, one along the
6 same lines as Commissioner Sundwick's. And that's that one
7 of the proposals in Hammond, or all of the proposals, at
8 least from the City's viewpoint, is that part of the safety
9 in maneuvering the boat away from the dock and out of the
10 harbor into the lake would include an escort by a Lake
11 County Sheriff's boat with lights and other things which
12 would basically, I guess, warn small craft not to try to
13 enter the harbor. Is that a procedure that would be
14 approved by the Coast Guard?

15 MR. HASSLER: They intend to do this for every
16 trip that the boat makes?

17 MR. THAR: That's the impression we were left
18 with, yes.

19 MR. HASSLER: Okay. I've seen this done before.
20 When organizations make application for regattas and marine
21 events, they will provide sponsor boats to control local
22 traffic. And we receive it in writing from the applicant.
23 But usually they're just for a few days; and once the event
24 is over, those resources go away. We would certainly
25 entertain that if it was a permanent thing.

1 MR. THAR: The second issue that was brought up
2 during the course of the hearings in Hammond was the
3 prospect of the boat being built in place, potentially in
4 the Indiana harbor. Could you explain whether or not the
5 Coast Guard would be in a position to monitor the building
6 of the boat so that this Commission would be satisfied that
7 the boat met all the certification requirements for a lake
8 cruising vessel during the course of that construction,
9 much as I understand the Coast Guard does at other boat
10 yards?

11 MR. HASSLER: Yes, sir, we would be required by
12 law to inspect the vessel while it was being built. We
13 don't really have all those resources right now, but we'll
14 have to either do more or come up with some more.

15 MR. THAR: In other words, if somebody -- if they
16 planned to build the boat in place in northern Indiana
17 currently, we could have a high degree of comfort in the
18 idea that the Coast Guard would be monitoring that
19 construction?

20 MR. HASSLER: Yes, sir; yes.

21 MR. KLINEMAN: Anybody else have anything further
22 of the Coast Guard?

23 (No response.)

24 MR. KLINEMAN: We thank you very much for coming.
25 We appreciate it.

1 (Mr. Hassler stepped down
2 from the podium.)

3 MR. KLINEMAN: And the gentleman from --

4 MR. THAR: Walter Land.

5 MR. KLINEMAN: Mr. Land is here. He arrived
6 early. Thank you for arriving early. We've got a small
7 problem here, so we're ready for you a little earlier than
8 we ordinarily thought we would be, so if you'd come
9 forward.

10 (Mr. Land with the Indiana
11 Department of Transportation
12 took the podium.)

13 MR. KLINEMAN: This is Walter Land from INDOT.

14 MR. LAND: Yes, sir, Mr. Chairman.

15 MR. KLINEMAN: And do you have any presentation
16 or you're just here to answer any questions?

17 MR. LAND: I'm just here to answer your
18 questions. We have reviewed the plans and the traffic
19 study for Hammond and found them satisfactory and been in
20 contact with the consulting engineers as well as the City
21 officials on that.

22 MR. KLINEMAN: And that's the 112th Street
23 overpass; is that what you're speaking to?

24 MR. LAND: Yes.

25 MR. THAR: Yes. Walter, in your review of the

1 plans, is that ready to be constructed or there's certainly
2 preliminary actions that need to be completed such as land
3 acquisition, air rights, things like that?

4 MR. LAND: There was still one air right as of
5 last Friday to be secured from CSX.

6 MR. THAR: So that would be over the railroad?

7 MR. LAND: Yes. Other than that, things are a
8 go.

9 MR. THAR: Is that necessary for any construction
10 on that overpass?

11 MR. LAND: Yes, sir, it is.

12 MR. THAR: Have you had an opportunity to look at
13 the proposed construction for that overpass?

14 MR. LAND: Yes, I have.

15 MR. THAR: And based upon your preliminary review
16 of it, does it seem to meet the requirements that INDOT
17 would impose upon an overpass like that from a construction
18 standpoint?

19 MR. LAND: Yes, it does.

20 MR. THAR: And from a traffic flow view, does
21 that seem to alleviate some of the traffic congestion in
22 the area or is it going to add to traffic?

23 MR. LAND: No, it should alleviate some of it.
24 The traffic study we finished just this morning, and there
25 are certain considerations in there that the consultants

1 pointed out that we will have to coordinate with the
2 developer, whomever that might be, to make sure that those
3 requirements are met; and it will be more than adequate.

4 MR. THAR: One of the proposals, or maybe more
5 than one proposed, is the closing or limiting the access to
6 the present Hammond Marina via Calumet Avenue. Does INDOT
7 have a feeling as to whether or not access to Calumet
8 Avenue could be eliminated or closed down?

9 MR. LAND: I couldn't answer that, Jack.

10 MR. SWAN: Mr. Land?

11 MR. LAND: Yes, sir.

12 MR. SWAN: Did you look specifically at the
13 traffic congestion opportunity at the parking garage itself
14 or is that inside of your jurisdiction here?

15 MR. LAND: No, it's not.

16 MR. SWAN: But the road leading to it is?

17 MR. LAND: Yes.

18 MR. SWAN: And you don't see any problems with
19 that?

20 MR. LAND: No, sir.

21 MR. SWAN: If we had an eight- or nine-story
22 parking garage there and all the cars leading to it, you
23 don't see a traffic problem?

24 MR. LAND: No, sir.

25 MR. KLINEMAN: I wondered, are people done with

1 Hammond? Does anybody have anything further on Hammond? I
2 just want to switch to Lawrenceburg. How are things going
3 down in Lawrenceburg these days?

4 MR. LAND: Well, I'm going back there tomorrow,
5 Mr. Chairman, and I was there two days ago.

6 MR. KLINEMAN: And you're still working on it?

7 MR. LAND: Still working on it, and we are making
8 progress.

9 MR. THAR: Can you just give the Commission an
10 update in terms of the Greendale/Lawrenceburg issues, the
11 levy issues, where people are in those discussions in
12 relationship to INDOT?

13 MR. LAND: Well, I'd say, Mr. Thar, that the
14 situation is fluid. We are continually negotiating. I met
15 with the developer there until 7 o'clock the night before.

16 MR. KLINEMAN: If you can get it done, you'll do
17 it.

18 MR. LAND: We seem to be in agreement. We are
19 moving parallel with development of the highways as well as
20 the other consideration with the local communities. And
21 hopefully they will merge and we will proceed with the
22 construction. I think we will.

23 MR. KLINEMAN: This Commission is very happy that
24 you are assigned and the developers should be very happy
25 that you are the gentleman that INDOT chose to be the

1 gaming czar, because you are really very capable, and we
2 appreciate your services.

3 MR. LAND: Thank you very much.

4 MR. KLINEMAN: Well, thank you very much for
5 coming up here. I'm sorry we don't have any more for you.

6 (Discussion was held off the
7 record and Mr. Land stepped
8 down from the podium.)

9 MR. KLINEMAN: We passed a resolution saying,
10 "Whatever Walter wants, give it to him. That's what we
11 want." Remember the last resolution? I guess all we --
12 we're getting settled on a time. We have a date, but are
13 we settled on a time or should we just leave the time open?

14 MR. THAR: I think because of the uncertainty of
15 the situation, we weren't able to settle on a time. It
16 would be no earlier than 9:00 and no later than 11:00.
17 That's about the best we can say right now.

18 MR. KLINEMAN: Okay. We are going to announce
19 that the next business meeting of the Indiana Gaming
20 Commission will be November 17, 1995, in Indianapolis -- at
21 the auditorium?

22 MR. THAR: Yes.

23 MR. KLINEMAN: -- at the auditorium in the
24 conference center. At that time, we will make a decision
25 on Hammond. And if things are proper, we might be in a

1 position to conclude hearings on EC, the name of which I
2 cannot say. But we don't know for sure what will happen,
3 so we'll have to wait for further court proceedings. But
4 you are notified that we will be meeting on November 17,
5 sometime that morning, to have a business meeting and to
6 make a decision on Hammond and to consider what further
7 actions we can take in regards to East Chicago. Okay?
8 With that, we will adjourn.

9 (The proceedings were
10 adjourned at 1:45 p.m.)

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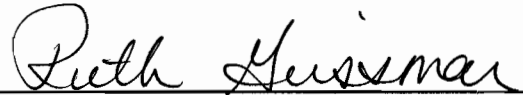
STATE OF INDIANA)
) SS:
COUNTY OF PORTER)

REPORTER'S CERTIFICATE

I, RUTH GRISSMAN, a duly qualified stenotype reporter and duly authorized to administer said oath, do hereby certify that the foregoing proceedings were had before me on Thursday, October 19, 1995, at the Inter-Generational Center, 1402 E. Chicago Avenue, East Chicago, Indiana.

I further certify that I then and there reported in machine shorthand the proceedings so given at said time and place, reduced the same to typewriting from my original shorthand notes, and that the foregoing is a true, correct, and complete transcript of said proceedings.

IN WITNESS WHEREOF, I hereby affix my name and seal this 22nd day of November, 1995.



Ruth Grissman,
Shorthand Reporter
My Commission Expires 4-30-99