

# INDIANA GAMING COMMISSION BUSINESS MEETING

May 28, 2008  
Hoosier Park, Anderson, Indiana

## **Call to Order and Roll Call:**

Chairman William Barrett called the meeting to order at approximately 1:01 p.m. local time. A quorum was present.

## **Present:**

Commission Members: William Barrett, Chairman, Tim Murphy, Tom Swihart, Secretary, Mary Shy, and Marc Fine. Commissioner Cummings was not present. Commission Staff: Ernest E. Yelton, Phil Sicuso, Jennifer Arnold, Chris Gray, Angie Bunton, Matthew Shouse, Adam Packer, Lea Ellingwood, Kesha Rich, Kyle Shapiro, Tami Timberman-Wright, Andy Means, Kenny Rowan, Helen Scott, Nicholas Johnston, Elizabeth Pinto and members of the public.

## **Approval of the Minutes:**

Upon motion by Tim Murphy, second by Tom Swihart, and the unanimous vote of those present, the Commissioners approved the proposed minutes of the March 31, 2008, business meeting.

## **Report of the Executive Director:**

The Executive Director gave a staff update. Nick Johnston and Elizabeth Pinto are with our office this summer participating in the Governor's Intern Program. Helen Scott is the secretary for the Enforcement division, and Kyle Shapiro, secretary for the legal division. Also, Mark Reder has passed the bar exam and is the newest member of our legal staff.

The Charity Gaming Division has processed over 430 application renewals. They have met with the Alcohol and Tobacco Commission in reference to rule writing for PPT and drawing licenses for taverns. They are also conducting a project to "grandfather" equipment used by organizations. After July 1, 2007, qualified organizations are required to purchase certain future equipment from licensed vendors, but pre-owned equipment is being exempted.

The Gaming Control Division has seized or caused the removal of 133 illegal gambling devices from 15 locations, along with 91 component parts. 400 illegal gambling devices were confirmed removed by distributors to avoid seizure, bringing the total number to 2000. One bookmaking operation was stopped and information was given to the local prosecutor for criminal charges. The Division has instituted 128 investigations, seized 728 illegal devices, 13 illegal pull tab machines, 306 component parts of illegal devices and other illegal gambling equipment in excess of \$65,000.

The Enforcement Division is advertising for the 7<sup>th</sup> Gaming Academy Class which is scheduled to begin in early September, 2008. There are presently 14 vacancies that will be filled by mid November.

Harrah's is nearing completion of their construction and re-branding project at Caesars Indiana. As of June 24, the property will be known as Horseshoe Southern Indiana, with a grand re-opening to take place on July 11.

**Waiver of Rules and Regulations:**

***Casino Association Members:***

Granted a waiver allowing the float lid key to be placed under the responsibility of the Table Games Department instead of the Security department.

Granted a waiver allowing up to five dollar chips to be placed in the toke tubes for a test period of one year.

***Blue Chip:***

Granted a waiver allowing the TITO tickets to be destroyed after 60 days.

With the implementation of new technology, approved request to take one photograph per patron per day for MTLs and CTRs.

***Caesars:***

Granted waiver for the addition of twenty-five cent and twenty-five thousand dollar chips. The twenty-five thousand dollar chips will be rectangular in shape.

Approved request to reduce the number of the secondary set of valued chips from 50% to 25% of the quantity of the primary set of value chips for each denomination.

***Horseshoe:***

Granted waiver for the addition of twenty thousand dollar chip.

Approved request to reduce the number of the secondary set of valued chips from 50% to 25% of the quantity of the primary set of value chips for each denomination.

***Indiana Live:***

Granted waiver to collect and count the cage tip boxes weekly.

Granted waiver allowing the transfer of funds from the soft count room to the main bank without a security escort and not forwarding a copy of the bill validator report to the main bank.

Granted relief from the drop team signing the meal book when entering the slot machine to perform the drop.

Granted the request for the main bank to have a floating balance and not an imprest amount.

Granted the request to prepare the deposit slips in the main bank instead of the count room.

Granted relief from surveillance noting the time and date on CTR photographs as well as signing them and forwarding them to the correct department. The surveillance department will also no longer have to inform the other departments that an acceptable photograph has been taken. The photograph will print in the main cage and the cage cashier will be noting the time and date, signing them and forwarding them to the requesting department. The main bank employee will notify surveillance if the photograph is not acceptable.

Granted waiver to allow Slot Operations tip boxes to be dropped weekly instead of daily.

Granted waiver allowing the forms for manually paid jackpots to be two part instead of three.

**Old Business:**

There was no old business.

**New Business:**

**Voluntary Exclusion Program:**

**Orders Concerning  
The Voluntary Exclusion Program**

- Order 2008-42**
- Order 2008-43**
- Order 2008-44**
- Order 2008-45**
- Order 2008-46**
- Order 2008-47**
- Order 2008-48**
- Order 2008-49**
- Order 2008-50**
- Order 2008-51**
- Order 2008-52**
- Order 2008-53**
- Order 2008-54**
- Order 2008-55**
- Order 2008-56**

Order 2008-42 approved the remittance of winnings by VEP participant John Doe #18 in the amount of \$2,326 as a fine. Argosy withheld the winnings as required by Commission regulations and will remit the fine on behalf of the patron.

Order 2008-43 approved the remittance of winnings by VEP participant John Doe #19 in the amount of \$88 as a fine. Argosy withheld the winnings as required by Commission regulations and will remit the fine on behalf of the patron.

Order 2008-44 approved the remittance of winnings by VEP participant John Doe #20 in the amount of \$161 as a fine. Argosy withheld the winnings as required by Commission regulations and will remit the fine on behalf of the patron.

Order 2008-45 approved the remittance of winnings by VEP participant John Doe #21 in the amount of \$6,000 as a fine. Belterra withheld the winnings as required by Commission regulations and will remit the fine on behalf of the patron.

Order 2008-46 approved the remittance of winnings by VEP participant John Doe #22 in the amount of \$278 as a fine. Belterra withheld the winnings as required by Commission regulations and will remit the fine on behalf of the patron.

Order 2008-47 approved the remittance of winnings by VEP participant John Doe #23 in the amount of \$2.50 as a fine. Belterra withheld the winnings as required by Commission regulations and will remit the fine on behalf of the patron.

Order 2008-48 approved the remittance of winnings by VEP participant John Doe #24 in the amount of \$890 as a fine. Blue Chip withheld the winnings as required by Commission regulations and will remit the fine on behalf of the patron.

Order 2008-49 approved the remittance of winnings by VEP participant John Doe #25 in the amount of \$38.45 as a fine. French Lick withheld the winnings as required by Commission regulations and will remit the fine on behalf of the patron.

Order 2008-50 approved the remittance of winnings by VEP participant John Doe #26 in the amount of \$50 as a fine. Grand Victoria Casino withheld the winnings as required by Commission regulations and will remit the fine on behalf of the patron.

Order 2008-51 approved the remittance of winnings by VEP participant John Doe #27 in the amount of \$2,706 as a fine. Grand Victoria withheld the winnings as required by Commission regulations and will remit the fine on behalf of the patron.

Order 2008-52 approved the remittance of winnings by VEP participant John Doe #28 in the amount of \$30 as a fine. Majestic Star withheld the winnings as required by Commission regulations and will remit the fine on behalf of the patron.

Order 2008-53 approved the remittance of winnings by VEP participant John Doe #29 in the amount of \$1,284 as a fine. Resorts withheld the winnings as required by Commission regulations and will remit the fine on behalf of the patron.

Order 2008-54 approved the remittance of winnings by VEP participant John Doe #30 in the amount of \$275 as a fine. Resorts withheld the winnings as required by Commission regulations and will remit the fine on behalf of the patron.

Order 2008-55 approved the remittance of winnings by VEP participant John Doe #31 in the amount of \$1,294 as a fine. Resorts withheld the winnings as required by Commission regulations and will remit the fine on behalf of the patron.

Order 2008-56 approved the remittance of winnings by VEP participant John Doe #32 in the amount of \$64,800 as a fine. Resorts withheld the winnings as required by Commission regulations and will remit the fine on behalf of the patron.

**Action:** Upon Motion by Tim Murphy, second by Mary Shy, and unanimous vote of those present, the Commission approved Orders 2008-42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55 and 56 as recommended by Commission staff.

### **Occupational License Matters:**

#### **Order 2008-57**

Order Denying the Application for Occupational License of Michael Stallworth. Mr. Stallworth was convicted on February 20, 2008, of Possession of a Controlled Substance, Class C Felony and informed the notice of his conviction to commission staff on March 31, 2008. Mr. Stallworth submitted a felony waiver application on April 2, 2008. Under Indiana Code 4-33-8-11(e), an individual cannot obtain a felony waiver involving a controlled substance until a period of ten years has elapsed since the discharge of his sentence. Commission staff recommended his license application be denied.

**Action:** Upon Motion by Tim Murphy, second by Tom Swihart, and unanimous vote of those present, the Commission denied the application for the occupational license of Michael Stallworth in Order 2008-57.

#### **Order 2008-58**

An Order of the Indiana Gaming Commission Concerning the Disciplinary Action against the Occupational License of Robert Higginbotham. On July 18, 2007, Mr. Higginbotham pled guilty to D Felony Domestic Battery. Commission staff initiated a disciplinary action against Mr. Higginbotham, and he voluntarily left the employ of Caesars Indiana. Administrative Law Judge White issued a Recommendation that the Commission dismiss the disciplinary action against Mr. Higginbotham.

**Action:** Upon Motion by Tom Swihart, second by Tim Murphy, and unanimous vote of those present, the Commission approved the Order affirming the ALJ's recommendation.

## **Supplier License Matters**

### **Order 2008-59**

An Order of the Indiana Gaming Commission Concerning the Renewal of Supplier's Licenses of Konami Gaming, Inc., Shuffle Master, Inc., Cummins-Allison Corp., Giesecke & Devrient American, Inc., and NRT Technology, Corp.

**Action:** Upon Motion by Tom Swihart, second by Mary Shy, and unanimous vote of those present, the Commission granted Supplier's License renewals to permanent supplier's license to Konami Gaming, Inc., Shuffle Master, Inc., Cummins-Allison Corp., Giesecke & Devrient American, Inc., and NRT Technology, Corp. These licenses will be good for a period of one year.

### **Order 2008-60**

An Order of the Indiana Gaming Commission Concerning Horseshoe's Request for Waiver of Supplier License Requirement.

**Action:** Upon Motion by Tim Murphy, second by Tom Swihart, and unanimous vote of those present, the Commission approved the request for a waiver of the requirement to obtain a supplier's license to Horseshoe and Biloxi Hammond, LLC, a division of Harrah's Operating Company, the parent company of both Horseshoe Hammond LLC and Biloxi Hammond.

## **Renewal of Riverboat Owner's Licenses**

### **Order 2008-61**

An Order of the Indiana Gaming Commission Renewing the Riverboat Owners License of RIH Acquisitions IN, LLC and Changing the Legal Name on the License to Ameristar Casino East Chicago, LLC.

**Action:** Upon Motion by Tom Swihart, second by Marc Fine, and unanimous vote of those present, the Commission granted the Renewal of the Riverboat Owner's License for a period of one year, and further granted the request to change the name to Ameristar Casino East Chicago, LLC.

### **Order 2008-62**

An Order of the Indiana Gaming Commission Renewing the Riverboat Owners License of Horseshoe Hammond, LLC.

**Action:** Upon Motion by Mary Shy, second by Tim Murphy, and unanimous vote of those present, the Commission granted the Renewal of the Riverboat Owner's License.

**Disciplinary Actions:**

**Settlement Agreement of  
Indiana Gaming Company, L.P.  
08-AR-02  
Order 2008-63**

A settlement agreement was reached regarding Ct. 1: Violation of drop rule and surveillance coverage of the soft count room; Ct. 2: Violation of rule to advise enforcement agents of occupational licensee employee termination; Ct. 3: Violation of rule requiring riverboat licensees to inform patrons of their right to file complaints with the Commission on disputes; Ct. 4: Violation of rule regarding bill testing EGD's; and Ct. 5: Violation of rule concerning underage patrons. Commission staff recommended and Indiana Gaming Company, L.P. agreed to pay a total fine in the amount of \$44,500.

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

**Settlement Agreement of  
Belterra Casino and Resort  
08-BT-02  
Order 2008-64**

A settlement agreement was reached regarding a violation of the sensitive key rule. Commission staff recommended and Belterra Casino and Resort agreed to pay a total fine in the amount of \$7,000.

**Action:** Upon Motion by Tim Murphy, second by Mary Shy, and unanimous vote of those present, the Commission approved the proposed terms of the agreement.

**Settlement Agreement of  
Blue Chip Casino, LLC  
08-BC-02  
Order 2008-65**

A settlement agreement was reached regarding Ct. 1: violation of rule requiring casinos to report to the Commission the removal of primary chips; Ct. 2: violation of rule regarding sensitive keys; requiring casinos to report any apparent criminal activity, and Ct. 3: violation of Voluntary Exclusion Program. Commission staff recommended and Blue Chip Casino, LLC agreed to pay a total fine in the amount of \$22,275.

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

**Settlement Agreement of  
RDI/Caesars Riverboat Casino, LLC  
08-CS-01  
Order 2008-66**

A settlement agreement was reached with Caesars regarding Ct. 1: violation of rule requiring the casino to verify the playglass installed on an electronic gaming device accurately reflects the payout; Ct. 2: the casino failed to timely report any criminal activity, and; Ct. 3: the casino allowed an underage patron to enter the casino. Commission staff recommended and Caesars agreed to pay a total fine in the amount of \$34,000.

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

**Settlement Agreement of  
Grand Victoria Casino and Resort LP  
08-GV-02  
Order 2008-67**

A settlement agreement was reached with Grand Victoria Casino and Resort regarding Ct. 1: violation of rule requiring the currency collection to wear clothing that is not conducive to the concealment of currency, and; Ct. 2: violation of rule to keep all playing cards not utilized at a live table in a locked compartment. Commission staff recommended and Grand Victoria Casino and Resort agreed to pay a total fine in the amount of \$7,500.

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

**Settlement Agreement of  
Majestic Star Casino, LLC  
08-MS-02  
Order 2008-68**

A settlement agreement was reached with Majestic Star Casino LLC regarding Ct. 1: violation of occupational licensee employment record, and; Ct. 2: underage patron allowed on the vessel. Majestic Star Casino agreed to a total fine of \$7,500 and Commission staff recommended the approval of this settlement.

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



**Settlement Agreement of  
Horseshoe Hammond, Inc.  
08-HH-02  
Order 2008-69**

A settlement agreement was reached with Horseshoe Hammond, Inc. regarding Ct. 1: violation of rule regarding the main bank cashier assuming responsibility of soft count inventory, and ; Ct. 2: violation of rule that occupational licenses must be renewed annually. Horseshoe agreed to a fine of \$21,000 and Commission staff recommended the approval of this settlement.

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

**Settlement Agreement of  
RIH Acquisitions, IN, LLC  
08-RS-01  
Order 2008-70**

A settlement agreement was reached with Resorts regarding Ct. 1: violation of rule that occupational licenses must be renewed annually, and; Ct. 2: violation of rule concerning underage patrons on the vessel, with gaming agents not being notified during one such incident. Resorts agreed to a fine of \$13,500 and Commission staff recommended the approval of this settlement.

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

**Charity Gaming:**

**Resolution 2008-72**

A Resolution Adopting An Emergency Rule Regarding the Conduct of Charity Gaming Under IC 4-32.2.

**Action:** Upon Motion by Tom Swihart, second by Mary Shy, and unanimous vote of those present, the Commission adopted Resolution 2008-72.

**Minority and Women Owned Businesses**

**Resolution 2008-73**

A Resolution Adopting LSA Document #08-75 as a Final rule.

**Action:** Upon Motion by Tom Swihart, second by Marc Fine, and unanimous vote of those present, the Commission approved the proposed Resolution.

**Executive Director Authority**

**Resolution 2008-74**

A Resolution Updating the Authority Previously Granted to the Executive Director to Waive Requirements and Procedures in 68 IAC 5-3-2, and Approve or Deny Debt Transactions Pending Ratification by the Full Commission.

**Action:** Upon Motion by Tim Murphy, second by Tom Swihart, and unanimous vote of those present, the Commission approved Resolution 74.

**Next Meeting:**

The next business meeting of the Commission will be June, 2008, at a yet to be determined location.

**Adjournment:**

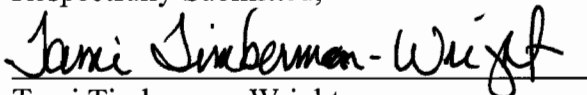
The meeting was adjourned at approximately 2:00 p.m.

**Minutes:**


Circle City Reporting, 135 North Pennsylvania, 2050 First Indiana Plaza, Indianapolis, IN 46204, transcribed the, business meeting. The transcript is a complete record of the meeting. Anyone wishing to see the transcript may review it at the Commission Office at 101 West Washington Street, East Tower, Suite 1600, Indianapolis, Indiana.


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

Respectfully Submitted,

  
Tami Timberman-Wright

THE INDIANA GAMING COMMISSION:

  
William Barrett, Chairman

  
Thomas Swihart, Secretary

Date

28 Aug 2008