

INDIANA GAMING COMMISSION
BUSINESS MEETING
MAY 28, 2008

ORIGINAL

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6 The above-captioned business meeting was
7 stenographically taken down by me, Robin L. Helton,
8 a notary public in and for the County of Marion,
9 State of Indiana, at 1:00 p.m., on May 28, 2008, at
10 Hoosier Park, 4500 Dan Patch Circle, Anderson,
11 Indiana, and the following transcript is a true and
12 accurate transcript of the proceedings held.
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22 **CIRCLE CITY REPORTING**
23 135 North Pennsylvania
24 Suite 2050
25 Indianapolis, IN 46204
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A P P E A R A N C E S

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COMMISSION MEMBERS PRESENT:

William Barrett, Chairman

Tim Murphy, Commissioner

Tom Swihart, Commissioner

Mary Shy, Commissioner

Marc Fine, Commissioner

Ernest Yelton, Executive Director

Jennifer Arnold, Deputy Director

Phil Sicuso, General Counsel

Tamara Timberman-Wright, Secretary

1 CHAIRMAN BARRETT: Good afternoon, Ladies and
2 Gentlemen. We will now call the second quarter
3 regular business meeting of the Indiana Gaming
4 Commission to session.

5 The first item is to take roll call of the
6 commissioners. Commissioner Murphy?

7 COMMISSIONER MURPHY: Present.

8 CHAIRMAN BARRETT: Commissioner Swihart?

9 COMMISSIONER SWIHART: Present.

10 CHAIRMAN BARRETT: Commissioner Shy?

11 COMMISSIONER SHY: Here.

12 CHAIRMAN BARRETT: Commissioner Fine?

13 COMMISSIONER FINE: Present.

14 CHAIRMAN BARRETT: And the Chair is present.

15 You will notice that I omitted from that roll
16 call the name of Commissioner Walsh. Mr. Walsh has
17 resigned because he's taken the position as Chief
18 Investment Officer of the Indiana Teachers'
19 Retirement Fund. He will no longer be able to
20 serve. We wish him well, and we appreciate his
21 service. We will apprise you when a successor has
22 been chosen.

23 Commissioners, you have received your packets
24 and you have had a chance to review them. The first
25 item, then, after the roll, is the approval of the

1 minutes. Is there a motion?

2 COMMISSIONER SWIHART: Move to accept.

3 COMMISSIONER MURPHY: Second.

4 CHAIRMAN BARRETT: It's been moved and seconded
5 to approve the minutes as prepared. All in favor?
6 All opposed?

7 (COMMISSION MEMBERS VOTED AYE.)

8 CHAIRMAN BARRETT: Thank you.

9 Next is Executive Director Yelton.

10 EXECUTIVE DIRECTOR YELTON: Thank you,
11 Mr. Chair and Members of the Commission.

12 It is less than two months since we last met.
13 The Executive Director's report is far more brief
14 than normal.

15 First, it will be the staff. Once again, this
16 year we are participating in the governor's
17 internship program and we have three interns joining
18 us for the summer. First is Nick Johnson. Nick,
19 please stand, please. Nick is from Brownsburg,
20 Indiana. He's a junior at Indiana University, and
21 he's majoring in public finance and management
22 program.

23 Also, we have Elizabeth Pinto. Elizabeth hails
24 from Philadelphia. She is a junior at Notre Dame,
25 which makes Mr. Sicuso very pleased. She is

1 studying both political science and Arabic.

2 Also, since we last met, we have our first
3 secretary of the Enforcement Division, Helen Scott.
4 Helen, please stand and be recognized.

5 And also Kyle Shapiro, who I think we left off
6 the last time. Kyle is the secretary for the Legal
7 Division, replacing Matt Shouse.

8 I'm also pleased to announce that Mark Reder
9 has passed the bar examination and has been sworn
10 in. He has moved from the Gaming Control Division
11 and become a member of our legal staff.

12 The Gaming Control Division, since our last
13 Commission meeting, has seized or caused the removal
14 of 133 illegal gambling devices from 15 locations.
15 91 component parts have also been seized.
16 Additionally, 400 illegal gambling devices were
17 confirmed and removed from Indiana by distributors
18 to avoid seizure. This brings the total number of
19 illegal devices removed by distributors to avoid
20 seizure to a conservative estimate of 2,000. One
21 bookmaking operation was also stopped, and the
22 information was turned over to a local prosecutor
23 for criminal charges.

24 Since the beginning of the division in
25 September of 2007, they've instituted 128 criminal

1 investigations, seized 728 illegal devices, 13
2 illegal pull tab machines, 306 component parts of
3 illegal devices, other illegal gambling equipment
4 and gaming and in excess of \$65,000.

5 The Enforcement Division is in the process of
6 advertising for the seventh gaming academy class.
7 It is scheduled to begin in early September of this
8 year. There are presently 14 vacancies at the
9 various casinos throughout the State of Indiana that
10 will be filled at the conclusion of graduation by
11 mid-November.

12 Charity Gaming is entering its annual renewal
13 period, processing over 430 applications for annual
14 licenses. They have met with the Alcohol and
15 Tobacco Commission in regards to rule writing for
16 the PTT and drawing licenses for the taverns and
17 bars. They are also in the middle of the project,
18 grandfather equipment used by the qualified
19 organizations. After July 1st of last year, they
20 are required to purchase certain types of equipment
21 from only licensed vendors. We are, however,
22 exempting preowned equipment that will save the
23 non-profits literally thousands of dollars in the
24 process.

25 Harrah's is nearing completion of its

1 fifty-three million construction and rebanding
2 project at Creaser's Indiana. Beginning on June the
3 24th, the property will be known as Horseshoe
4 Southern Indiana with a grand reopening to occur on
5 July the 11th. This project was a total renovation
6 of the vessel and a partial renovation of the
7 pavilion that created over 300 construction jobs.
8 It involved 2,500 slot moves, 250 table game moves
9 and 1,300 surveillance camera changes.

10 On the vessels, all restrooms and bars were
11 renovated, and new item fixtures and signs were
12 installed. New carpeting and wallpaper were
13 installed on the vessel, boarding area and the
14 pavilion.

15 Harrah's believes the advanced gaming
16 experience, what the Horseshoe brand is known for,
17 will be a great fit for the Louisville market.
18 This project actually made national news when the
19 statue of Caesar himself was taken down from the
20 facility, and the County Commissioner Buck Matheson
21 announced that he would keep it safe in his barn
22 until someone came up with a better use for it.

23 We had several waivers that have been granted
24 by your staff since our last meeting. We will begin
25 with the waivers granted to the Casino Association

1 members. They were granted a waiver allowing the
2 float lid key to be placed under the responsibility
3 of the table games department instead of the
4 security department. They were also granted a
5 waiver allowing up to \$5 chips to be placed in the
6 token tubes for a test period of one year.

7 Blue Chip was granted a waiver allowing the
8 TITO tickets to be destroyed after 60 days. And
9 with the implementation of new technology we
10 approved its request to take one photograph per
11 patron per day for NTLs and CTRs.

12 Caesar's was granted a waiver for the addition
13 of a \$25,000 chip. The \$25,000 chip will be
14 rectangular in shape. It was also granted a request
15 to reduce the number of secondary sets of value
16 chips from 50 percent to 25 percent of the quantity
17 of the primary sets of value chips per each
18 denomination.

19 Caesar's was granted a waiver for the addition
20 of a \$20,000 chip, and the same waiver to reduce its
21 number of secondary sets of value chips from 50 to
22 25 percent.

23 Indiana Live was granted a large number of
24 waivers. It was allowed to collect and count the
25 cage tip boxes weekly. It was granted a waiver

1 allowing for the transfer of funds from the soft
2 count room to the main bank without a security
3 escort and not forwarding the copy of the bill
4 validator report to the named bank.

5 Indiana Live was granted relief from the drop
6 team signing the meal book when entering the slot
7 machine for the drop. It was granted a request for
8 the main bank to have a floating balance, and not an
9 impressioned amount. A waiver was granted to
10 prepare the deposit slips in the main bank instead
11 of the count room.

12 And it was granted relief from surveillance,
13 noting the time and date on the CTR photographs, as
14 well as signing them and forwarding them to the
15 correct department. Their surveillance department
16 will also no longer have to inform the other
17 departments that an unacceptable photograph has been
18 taken. The photograph will print in the main cage
19 and the cage cashier will be noting the time, date,
20 signing them and forwarding them to the requesting
21 department. The main bank employee will notice five
22 surveillance to the photograph, if the photograph is
23 not acceptable.

24 Indiana Live has granted a waiver to allow the
25 slot operation tip boxes to be dropped weekly

1 instead of daily. And finally, it was granted a
2 waiver allowing the forms for mainly paid jackpots
3 to be in two parts rather than in three.

4 That, Mr. Chair and Members of the Commission,
5 constitutes the Executive Director's report for this
6 meeting.

7 CHAIRMAN BARRETT: Thank you, Executive
8 Director.

9 Do the Commission Members have any questions to
10 discuss with the Executive Director?

11 Then we will move on to the voluntary
12 exclusions. Mr. Shouse.

13 MR. SHOUSE: Good afternoon.

14 CHAIRMAN BARRETT: Good afternoon.

15 MR. SHOUSE: You have before you 15 orders
16 regarding the voluntary exclusion program. Pursuant
17 to the rules of the program, the participants of the
18 voluntary exclusion program must remain
19 confidential.

20 Pursuant to 68 IAC 6-3-2(g), participants of
21 the program agrees that if he or she violates and
22 terms of the program and enters the gaming area of
23 the facility, under the jurisdiction of the
24 Commission, they will forfeit any jackpot or
25 anything of value won as a result of a wager.

1 Under Orders 2008-42, a total sum of \$80,222.95
2 was forfeited by John Doe 18 through 32. These
3 winnings were collected at Argosy, Belterra, Blue
4 Chip, French Lick, Grand Victoria, Majestic Star and
5 Resorts. These winnings were withheld as required
6 by Commission regulations.

7 Commission staff recommends that you approve
8 the remittance of these winnings as fines levied
9 against Joe Doe 18 through 32.

10 CHAIRMAN BARRETT: Thank you.

11 Do the Commission Members have any questions
12 for the staff? If not, the chair will call for a
13 motion in Case Number VEP-08-18 through VEP-08-32
14 inclusive.

15 COMMISSIONER MURPHY: I move we approve the
16 order.

17 COMMISSIONER SHY: I second.

18 CHAIRMAN BARRETT: It's been moved and seconded
19 to approve the proposed orders. All in favor? All
20 opposed?

21 (COMMISSION MEMBERS VOTED AYE.)

22 CHAIRMAN BARRETT: Approved. Thank you.

23 Mr. Packer, occupational matters.

24 MR. PACKER: Thank you, Mr. Chairman and
25 Members of the Commission.

1 Before you is occupational license matters is a
2 denial Order 2008-57 regarding Michael Stallworth.
3 Mr. Stallworth was a temporary licensee. During the
4 pendency of his application for permanent licensure,
5 he was convicted of a felony, a Class C Felony,
6 possession of controlled substance within a thousand
7 feet of a public park. The conviction of a felony
8 by an occupational licensee results in a temporary
9 license being rerevoked. And the Commission staff
10 is recommending to the Commission that the
11 individual's application for permanent license be
12 denied. That is the order that is before you
13 today. And Commission staff recommends denial of
14 Mr. Stallworth's application for permanent
15 occupational license.

16 CHAIRMAN BARRETT: Thank you.

17 Any questions by the Commission Members? If
18 not, the Chair will call for a motion in Case Number
19 MS-DEN-08-02.

20 COMMISSIONER MURPHY: I move we approve the
21 denial.

22 COMMISSIONER SWIHART: Second.

23 CHAIRMAN BARRETT: Moved and seconded. All in
24 favor? All opposed?

25 (COMMISSION MEMBERS VOTED AYE.)

1 MR. PACKER: Order 2008-58. Mr. Higginbotham
2 had a level three permanent occupational license
3 that was given to him April 3rd of 2007. July 18,
4 2007, he was convicted of a Class D Felony, domestic
5 battery. Commission staff initiated a disciplinary
6 action against his license on August 9, 2007.
7 During the process for the disciplinary action with
8 the Administrative Law Judge, Gordon White, from
9 the Attorney General's office, the licensee,
10 Mr Higginbotham, quit his job at Caesar's.

11 This presents the interesting situation where
12 we have an active and pending disciplinary action
13 against a licensee whose license technically no
14 longer exists because he has quit his job and
15 surrendered his license as a function of quitting
16 his licensed position.

17 However, under the Administrative Orders and
18 Procedures Act, it is the Commission staff's opinion
19 that the disciplinary action must be continued and
20 followed to some logical end. In this case, I filed
21 a motion to dismiss the disciplinary action for the
22 reason that the disciplinary action had been
23 frustrated because the license no longer existed.

24 ALJ White agreed with my motion and recommended
25 that the Commission dismiss the disciplinary action

1 against Mr. Higginbotham's license. By operation of
2 AOPA, if the target of the disciplinary action does
3 not object to the Administrative Law Judge's
4 recommendation within 15 days, then the Commission
5 must affirm the recommendation. In this case, the
6 recommendation is to dismiss the disciplinary action
7 against Mr. Higginbotham's license.

8 I will remind you and assure you that
9 Mr. Higginbotham's license is gone, he's been red
10 flagged in the system, and as a result of his felony
11 he will not have any chance of getting an
12 occupational license in Indiana for the foreseeable
13 future. So the motion before you is to affirm the
14 ALJ's recommendation.

15 CHAIRMAN BARRETT: Thank you, Mr. Packer.

16 Do the Commission Members have any questions?

17 MR. PACKER: I apologize for the long winded
18 explanation; but this was a -- procedurally
19 complicated to a factually simple case.

20 CHAIRMAN BARRETT: I have a procedural
21 question. Not about this matter, but in the future.
22 In an attorney disciplinary proceeding, the attorney
23 cannot escape the disciplinary commission's actions
24 by tendering his or her license and resigning. So
25 that even if they attempt to do that, if it does not

1 result in a dismissal, it will result in a ruling
2 one way or the other. Is that something that could
3 be done under AOPA, or is dismissal the only option?

4 MR. PACKER: My recollection of how the license
5 itself exists is that once your job terminates, then
6 in the occupational licensing system, the license
7 terminates also. So there is no longer a license to
8 discipline, unfortunately.

9 The staff can consider some kind of motion to
10 put a stain on this guy's file or on his record, but
11 we have already done that as a matter of policy
12 because he has the felony conviction. So I think --
13 I see your point, but I don't think with the way the
14 licensing scheme is currently set up, that that's a
15 viable option.

16 CHAIRMAN BARRETT: Different beast?

17 MR. PACKER: Yes.

18 EXECUTIVE DIRECTOR YELTON: I think I'm also
19 correct, if I'm not, please correct me. When this
20 happened or similar things happen in our system
21 these people are flagged?

22 MR. PACKER: Absolutely.

23 EXECUTIVE DIRECTOR YELTON: So if anyone comes
24 back wanting to have a job at a different venue or
25 different jurisdiction and they apply for the

1 license, we immediately see that person and we know
2 their history.

3 MR. PACKER: The Indianapolis staff would be
4 notified within an hour or two of that person coming
5 in and applying. The way it works is when a red
6 flag is put on a person's occupational license, the
7 processing staff at the casino cannot issue a
8 temporary license, it's locked out, without someone
9 from Indianapolis turning off the red flag. So that
10 individual has to contact Kesha or contact me or
11 contact another member of the legal staff to turn
12 off the red flag.

13 At that point, we would remember the guy's
14 name, or at least see his history in the file, and
15 send word that this person is not eligible for a
16 license. So there are protections.

17 COMMISSIONER FINE: I'm curious, is it
18 something that you can -- dismissal with prejudice
19 seems like the right way to do it. But the
20 prejudice is against the applicant as opposed to the
21 Commission itself. It seems that would be a simple
22 entry you can make. And one step further, I'm
23 concerned if he applies for a job in the future that
24 it's just reflected on the records that he resigned
25 his job and resigned his license, and it doesn't in

1 any way attach the prejudice that should be
2 attached.

3 MR. PACKER: The fact that he resigned
4 voluntarily is noted in his occupational licensing
5 page; but also this D felony is noted on the page
6 also. So there is at least a notation of that.

7 As to your first question, I think that falls
8 under the same paradigm as the conversation that the
9 Chairman and I were having. The way our licensing
10 scheme works doesn't really permit us to attach any
11 prejudice to the individual's license because the
12 license has been withdrawn and inactive and
13 non-existent since February. So there is nothing we
14 can really do to that license anymore. We can just
15 make notes in the file to prevent him from getting a
16 license in the foreseeable future. At some point he
17 will be eligible for felony waiver, but that's not
18 for several years down the road. Does that help,
19 Marc?

20 MR. FINE: It does. I appreciate it. It would
21 be nice to have something changed there.

22 MR. PACKER: Okay. Well, we will see what we
23 can do.

24 CHAIRMAN BARRETT: Any other questions for the
25 staff? If not, the Chair will call for a motion in

1 Mr. Higginbotham's case.

2 MR. MURPHY: Move to affirm the ALJ's
3 recommendation.

4 MR. SWIHART: Second.

5 CHAIRMAN BARRETT: Moved and seconded. All in
6 favor? All opposed?

7 (COMMISSION MEMBERS VOTED AYE.)

8 CHAIRMAN BARRETT: Thank you.

9 Ms. Rich, supplier license matters. Good
10 afternoon.

11 MS. RICH: Good afternoon.

12 You have before you Order 2008-59 concerning
13 the renewal of suppliers' license. Pursuant to
14 Indiana Code 4-33 and 68 IAC 2-2, the Commission
15 previously approved a permanent supplier's license
16 for the following five companies: Konami Gaming,
17 Inc., Shuffle Master, Inc., Cummins-Allison,
18 Giesecke & Devrient America, Inc., and NRT
19 Technology Corp. A supplier's license is valid for
20 a period of one year.

21 Pursuant to IC 4-33-7-8 and 68 IAC 2-2-8, a
22 supplier's license must be renewed annually, along
23 with the payment of \$5,000 for the annual renewal
24 fee must be remitted. Each of these licensees has
25 requested renewal of their license and has paid the

1 appropriate renewal fees. The Commission staff
2 recommends you approve the renewal of the license
3 for the suppliers.

4 CHAIRMAN BARRETT: Thank you.

5 Do the Commission Members have any questions?
6 If not, we will call for a motion.

7 COMMISSIONER SWIHART: Move to approve.

8 COMMISSIONER SHY: Second.

9 CHAIRMAN BARRETT: Moved and seconded to
10 approve the license as stated in Order 2008-59. All
11 in favor? All opposed?

12 (COMMISSION MEMBERS VOTED AYE.)

13 CHAIRMAN BARRETT: Thank you, ma'am.

14 Ms. Ellingwood?

15 MS. ELLINGWOOD: Thank you. You have before
16 you Order 2008-60 regarding a waiver request
17 submitted by Harrah's operating company. To take
18 advantage of favorable tax treatment available to
19 Harrah's operating company as a result of Hurricane
20 Katrina, Harrah's created Biloxi Hammond, a
21 subsidiary wholly-owned by Harrah's. Harrah's
22 transferred ownership of the vessel and gaming and
23 related equipment from Horseshoe Hammond to Biloxi
24 Hammond. Horseshoe will lease those assets from
25 Biloxi. Harrah's estimates this exchange will

1 result in a Federal tax gain of approximately five
2 hundred million dollars.

3 A technical requirement in our regulations
4 requires anybody who leases a riverboat to obtain a
5 supplier's license, unless the leaser is a county
6 municipality or political subdivision. Because
7 Harrah's will technically be leasing the riverboat
8 from Biloxi, Biloxi would normally be required to
9 obtain a supplier's license. Harrah's has asked for
10 waiver of this provision.

11 It appears that the provision in the
12 regulations was not meant to address a situation
13 like this, but rather a situation where an unrelated
14 third party is going to lease the riverboat.
15 Additionally, there are no new people to investigate
16 or license, all of the relevant personnel related to
17 Biloxi have already been licensed -- have already
18 been investigated and are currently licensed by the
19 Commission.

20 Accordingly, Commission staff recommends the
21 Commission approve Order 2008-60 waiving the
22 requirement that Biloxi Hammond obtain a supplier's
23 license.

24 CHAIRMAN BARRETT: Thank you.

25 Do the Commission Members have any questions?

1 COMMISSIONER MURPHY: Do you know what the
2 favorable principle -- tax principle is the
3 favorable treatment based on; do you know?

4 MS. ELLINGWOOD: I'm not exactly sure how it
5 works, but we've been provided with the Internal
6 Revenue Code site. And the Commission staff checked
7 on the transfer and was able to verify that it's a
8 standard procedure.

9 GENERAL COUNSEL SICUSO: Harrah submitted a
10 substantial justification for what they were doing.
11 We had our Financial Investigation Division look
12 over it as if they were doing a regular
13 investigation for any other entity. They verified
14 that it is something that would be generally
15 acceptable and authorized it.

16 COMMISSIONER MURPHY: I guess the point I was
17 trying to get at is whether or not the physical
18 movement of assets to another subsidiary which is
19 out of state, is that going to have any adverse
20 impact on Indiana tax revenue?

21 MS. ELLINGWOOD: I'm not sure how it affects
22 the Indiana tax revenue.

23 GENERAL COUNSEL SICUSO: In terms of the gaming
24 tax, absolutely not. I'm not sure of any other
25 taxes they might have to pay.

1 COMMISSIONER SWIHART: Property tax could be an
2 issue?

3 GENERAL COUNSEL SICUSO: Possibly.

4 COMMISSIONER MURPHY: Is that something that we
5 can learn?

6 GENERAL COUNSEL SICUSO: We can look into it.
7 We did not analyze it for that purpose. The
8 analysis that was done by the investigation division
9 was purely Federal tax code, is this an acceptable
10 practice they are allowed to do, under the Internal
11 Revenue Code, and they did verify that.

12 CHAIRMAN BARRETT: From the perspective of this
13 body, it's a commission and wagering tax control?

14 MS. ELLINGWOOD: Right. And the purpose of
15 this waiver, again, was not to have to go through
16 the process of obtaining a supplier's license when
17 those investigations and appropriate licensing are
18 already done.

19 GENERAL COUNSEL SICUSO: It does not prohibit
20 another entity from holding the riverboat as an
21 asset.
22 It would just require us, under the normal course of
23 business, to give them a supplier's license. Even
24 if it did have some other effect, I'm not sure we
25 can say no. All we can say is, you need to be

1 investigated for a supplier's license.

2 CHAIRMAN BARRETT: And we've already exceeded
3 that standard for a licensee.

4 GENERAL COUNSEL SICUSO: Right.

5 CHAIRMAN BARRETT: Does anyone else have any
6 questions? If not, I will call for a motion as to
7 the requested waiver.

8 COMMISSIONER MURPHY: I move we approve the
9 waiver.

10 COMMISSIONER SWIHART: Second.

11 CHAIRMAN BARRETT: Moved and seconded. All in
12 favor? All opposed?

13 (COMMISSION MEMBERS VOTED AYE.)

14 CHAIRMAN BARRETT: Thank you.

15 Mr. Packer again.

16 MR. PACKER: Thank you, again, Mr. Chairman.

17 The first matter I have for you this time is
18 2008-61, concerning the renewal of the riverboat
19 owner's license for RIH Acquisitions, LLC, which is
20 the Resorts East Chicago property.

21 Pursuant to Indiana Code 4-33-6-12, an owner's
22 license must be renewed yearly. The most recent
23 renewal for the Resorts property was granted on June
24 7, 2007, which renewed the owner's license effective
25 through April 14, 2008. That date has passed.

1 However, the Executive Director has issued what
2 has become common practice, is to extend the owner's
3 license until the next available Commission meeting
4 where the renewal of the license can be voted on by
5 the full Commission. That extension was awarded on
6 April 1, 2008, prior to the expiration of the 2007
7 renewal.

8 Additionally, for this license -- as a result
9 of the purchase of Resorts East Chicago by Ameristar
10 Casino, this license will have a name change to
11 Ameristar Casino East Chicago, LLC.

12 The Commission staff recommends that the
13 Commission grant both the renewal of Resorts'
14 owner's license and the name change to reflect the
15 Ameristar ownership and the rebranding thereof.

16 CHAIRMAN BARRETT: Thank you, Mr. Packer.

17 Any questions? If not, then the Chair will
18 call for a motion on draft Order 2008-61 renewing
19 the owner's license.

20 COMMISSIONER SWIHART: Move to approve.

21 COMMISSIONER FINE: Second.

22 CHAIRMAN BARRETT: Moved and seconded. All in
23 favor? All opposed?

24 (COMMISSIONER MEMBERS VOTED AYE.)

25 CHAIRMAN BARRETT: Approved.

1 Now as to Horseshoe.

2 MR. PACKER: The next renewal before you is
3 2008-62. The same principles of the Riverboat
4 Gambling Act apply. In this case, Horseshoe
5 Hammond's license renewal was granted on June 7,
6 2007, extending the license through June 19, 2008.
7 So this renewal would not actually be effective
8 until June 20 of 2008. After the fact renewal we
9 are doing -- before the fact renewal there is no
10 name change in this case so it's a simple renewal,
11 but a basic yearly renewal. Horseshoe Hammond has
12 paid all of their applicable fees and has remained
13 in compliance.

14 Therefore, the Commission staff recommends the
15 Commission grant the renewal of Horseshoe Hammond,
16 LLC, riverboat owner's license through June 19,
17 2009.

18 CHAIRMAN BARRETT: Thank you.

19 Any questions for Mr. Packer? If not, the
20 Chair will call for a motion whether to approve
21 draft Order 2008-62.

22 COMMISSIONER SHY: I move to approve.

23 COMMISSIONER SWIHART: Second.

24 CHAIRMAN BARRETT: Moved and seconded. All in
25 favor? All opposed?

1 (COMMISSION MEMBERS VOTED AYE.)

2 CHAIRMAN BARRETT: Thank you, Mr. Packer.

3 Ms. Gray, disciplinary actions.

4 MS. GRAY: Good afternoon, Commissioners. You
5 have before you eight settlement agreements
6 concerning disciplinary action. The first
7 settlement is with Argosy Casino, Order 2008-63, and
8 includes five counts.

9 The first count violated the drop rule and
10 surveillance coverage of the soft count room.

11 In the second count, Argosy violated the rule
12 to advise the enforcement agents on a form
13 prescribed or approved by the Commission when an
14 occupational licensee's employment with the
15 riverboat has terminated for any reason, and that
16 the form must be submitted to the agent within 15
17 days of the occurrence.

18 The third count violated the rule requiring the
19 riverboat licensee to inform a patron of their right
20 to file a complaint with the Commission if the
21 riverboat licensee and patron cannot resolve the
22 dispute.

23 The fourth count violated the rule regarding
24 bill testing electronic gaming devices before they
25 are placed into service.

1 In the fifth count, four underage persons were
2 allowed to board the casino.

3 Argosy has agreed to a total monetary
4 settlement of \$44,500 in lieu of a disciplinary
5 action. The Commission staff recommends approval of
6 this settlement agreement.

7 CHAIRMAN BARRETT: Do the Commission members
8 have any questions? I have one. As to count three,
9 was there any indication that there was willfulness
10 on the part of the licensee.

11 MS. GRAY: I don't know that I would say
12 "willfulness". I think at the time, the casino
13 employees felt that the issue was not something that
14 the Commission needed to be called on, but the fact
15 remained that the patron did ask for an IGA agent.

16 CHAIRMAN BARRETT: I assume those employees now
17 understand that is not really an option?

18 MS. GRAY: Sure.

19 CHAIRMAN BARRETT: If there are no other
20 questions, the Chair will call for a motion in Case
21 Number 08-AG-02.

22 COMMISSIONER SWIHART: Move to approve.

23 COMMISSIONER MURPHY: Second.

24 CHAIRMAN BARRETT: Moved and seconded. All in
25 favor. All opposed?

1 (COMMISSION MEMBERS VOTED AYE.)

2 CHAIRMAN BARRETT: Approved.

3 Belterra.

4 MS. GRAY: The second Order, 2008-64, a
5 settlement agreement with Belterra, wherein the
6 casino violated the sensitive key rule. Belterra
7 has agreed to a monetary settlement of \$7,000 in
8 lieu of disciplinary action. The Commission staff
9 recommends that you approve the settlement
10 agreement.

11 CHAIRMAN BARRETT: Do the Commission members
12 have any questions? If not, the Chair will call for
13 a motion in Case Number 08-BT-02.

14 MR. MURPHY I move that we approve the
15 settlement agreement.

16 COMMISSIONER SHY: Second.

17 CHAIRMAN BARRETT: It's been moved and
18 seconded. All in favor? All opposed?

19 (COMMISSION MEMBERS VOTED AYE.)

20 CHAIRMAN BARRETT: Approved.

21 As to Blue Chip.

22 MS. GRAY: Order 2008-65 is a settlement with
23 Blue Chip and includes three counts. The first
24 count violated the rule requiring casinos to report
25 to the Commission the removal of primary chips. In

1 the second count, the casino violated the rule
2 regarding sensitive keys. In the third count, the
3 VEP rule was violated.

4 Blue Chip has agreed to a total monetary
5 settlement of \$22,275 in lieu of disciplinary
6 action. The Commission staff recommends you approve
7 the settlement agreement.

8 CHAIRMAN BARRETT: Thank you.

9 Do the Commission members have any questions?

10 COMMISSIONER SWIHART: These are separate
11 individuals?

12 MS. GRAY: Do you mean different employees?

13 COMMISSIONER SWIHART: Yes.

14 MS. GRAY: Yes.

15 CHAIRMAN BARRETT: Okay. Any further
16 questions? The Chair will call for a motion in Case
17 Number 08-BC-02.

18 COMMISSIONER SWIHART: Move to approve.

19 COMMISSIONER SHY: Second.

20 CHAIRMAN BARRETT: Moved and seconded. All in
21 favor? All opposed?

22 (COMMISSION MEMBERS VOTED AYE.)

23 CHAIRMAN BARRETT: Approved.

24 Caesar's.

25 MS. GRAY: The fourth, Order 2008-66, is a

1 settlement agreement with Caesars and includes three
2 counts.

3 The first count violated the rule requiring the
4 casino to verify that the plate glass installed on
5 an electronic gaming device accurately reflects the
6 payout.

7 In the second count, the casino failed to
8 timely report any apparent criminal activity.

9 In the third count, the casino allowed two
10 underage persons to enter the casino.

11 Caesars has agreed to a total monetary
12 settlement of \$34,000 in lieu of disciplinary
13 action. The Commission staff recommends that you
14 approve the settlement agreement.

15 CHAIRMAN BARRETT: Do the Commission members
16 have any questions?

17 COMMISSIONER FINE: It's two separate minors,
18 but one count each.

19 MS. GRAY: We put them together, but yes, it
20 was two different incidences.

21 COMMISSIONER FINE: Is that the way you
22 normally do it?

23 MS. GRAY: Sometimes it will be two at the same
24 time, but most of the time it is separate
25 incidences.

1 CHAIRMAN BARRETT: Any further questions? If
2 not, the Chair will call for a motion in Case Number
3 08-GV-01.

4 COMMISSIONER SWIHART: Move to approve.

5 COMMISSIONER MURPHY: Second.

6 CHAIRMAN BARRETT: Moved and seconded. All in
7 favor? All opposed?

8 (COMMISSION MEMBERS VOTED AYE.)

9 CHAIRMAN BARRETT: Approved.
10 Grand Victoria.

11 MS. GRAY: The fifth Order, 2008-67, is a
12 settlement agreement with Grand Victoria involving
13 two counts. The first count violated the rule
14 requiring the current collection team to wear
15 clothing that is not conducive to the concealment of
16 currently when a count team member wore coveralls
17 with a slit in the lower inseam.

18 In the second count, the casino violated the
19 rule to keep all playing cards not utilized at a
20 live table to be in a locked compartment.

21 Grand Victoria has agreed to a total monetary
22 settlement of \$7,500 in lieu of disciplinary action.
23 The Commission staff recommends approval of this
24 settlement agreement.

25 CHAIRMAN BARRETT: Thank you.

1 Any questions? If not, the Chair will call for
2 a motion in Case Number 08-GV-02.

3 COMMISSIONER SWIHART: Move to approve.

4 COMMISSIONER SHY: Second.

5 CHAIRMAN BARRETT: Moved and second to approve.

6 All in favor? All opposed?

7 (COMMISSIONER MEMBERS VOTED AYE.)

8 CHAIRMAN BARRETT: Approved.

9 Majestic Star.

10 MS. GRAY: Majestic Star, Order 2008-68, is a
11 settlement agreement involving two counts. The
12 first count violated the rules requiring an
13 occupational license to be renewed annually when an
14 occupational licensee's employment is terminated.
15 The riverboat licensee will submit it on the form
16 approved by the Commission within 15 days of the
17 occurrence.

18 In the second count, an underage person was
19 allowed on the casino floor.

20 Majestic Star has agreed to pay a total
21 monetary settlement of \$7,500 in lieu of
22 disciplinary action. The Commission staff
23 recommends that you approve the settlement
24 agreement.

25 CHAIRMAN BARRETT: Any questions? If not, the

1 Chair will call for a motion on Case Number
2 08-MS-02.

3 COMMISSIONER SWIHART: Move to approve.

4 COMMISSIONER SHY: Second.

5 CHAIRMAN BARRETT: Moved and seconded. All in
6 favor? All opposed?

7 (COMMISSION MEMBERS VOTED AYE.)

8 CHAIRMAN BARRETT: Approved.

9 Horseshoe Hammond.

10 MS. GRAY: Order 2008-69 is a settlement
11 agreement with Horseshoe and includes two counts.
12 The first count violated the rule regarding the main
13 cashier to assume responsibility of the soft count
14 inventory.

15 The second count violated the rule that an
16 occupational license must be renewed annually.

17 Horseshoe has agreed to a total monetary
18 settlement of \$21,000 in lieu of disciplinary
19 action. The Commission staff recommends approval of
20 this settlement agreement.

21 CHAIRMAN BARRETT: Any questions? If not, the
22 Chair will call for a motion in 08-HH-02.

23 COMMISSIONER MURPHY: I move we approve the
24 settlement agreement.

25 COMMISSIONER SWIHART: Second.

1 CHAIRMAN BARRETT: Moved and seconded. All in
2 favor? All opposed?

3 (COMMISSION MEMBERS VOTED AYE.)

4 CHAIRMAN BARRETT: Approved.

5 Resorts.

6 MS. GRAY: The final Order, 2008-70, is a
7 settlement agreement with Resorts involving two
8 counts.

9 The first count violated the rule that an
10 occupational license must be renewed annually.

11 In the second count, three underage persons
12 were allowed to enter the casino and, in one
13 incident, gaming enforcement was not notified.

14 Resorts has agreed to a total monetary
15 settlement of \$13,500 in lieu of disciplinary
16 action.

17 The Commission staff recommends approval of
18 this settlement agreement.

19 CHAIRMAN BARRETT: Any questions? If not, the
20 Chair will call for a motion in Case Number
21 08-RS-01.

22 COMMISSIONER FINE: Move to approve.

23 COMMISSIONER SHY: Second.

24 CHAIRMAN BARRETT: Moved and seconded. All in
25 favor? All opposed?

1 (COMMISSION MEMBERS VOTED AYE.)

2 CHAIRMAN BARRETT: Approved.

3 Thank you, Ms. Gray.

4 MS. GRAY: Thank you.

5 CHAIRMAN BARRETT: Mr. Sicuso, Majestic Star.

6 GENERAL COUNSEL SICUSO: Thank you, Mr. Chair.

7 A few days ago, we received a request from
8 Majestic Star to release them from the surety bonds
9 that the Majestic Star wanted to have held for a
10 number of years in various approved amounts.
11 Pursuant to Indiana Code which requires these
12 infrastructure bonds to be in placed for a new
13 riverboat licensee.

14 Not sure whether that matter needed to be taken
15 to the full Commission for action, we replaced it on
16 the agenda initially and then proceeded to do some
17 further analysis on the statute and realized this is
18 something that the staff can do without the full
19 Commission. In fact, it's more efficient to do it
20 in that manner.

21 Under the applicable code, it's evident that
22 all that needs to occur is a period of five years
23 needs to elapse where the licensee is operating a
24 casino at that location, and then the licensee needs
25 to make a formal request for releasing the bond, at

1 which time, by effective statute, those bonds should
2 be released.

3 What I would like to do at this point is
4 withdraw Order 2008-71 from the agenda, and take
5 this opportunity to inform you that the staff tends
6 to receive these types of requests from all of the
7 licensees, analyze them, make sure they satisfy the
8 statutory requirements, and if so, Executive
9 Director Yelton will acknowledge in a written
10 statement the release of those bonds and to proceed
11 in that way in between quarterly Commission
12 meetings.

13 Once those things occur, Ernie will then report
14 and release at the next Commission meeting to the
15 public. If that is an acceptable framework for the
16 Commission, that's how we would like to proceed
17 today.

18 CHAIRMAN BARRETT: Thank you, Mr. Sicuso.
19 Any discussions by Commission members on staff's
20 analysis, both in this case and the statutory scheme
21 in general?

22 COMMISSIONER MURPHY: Is the request that Phil
23 is making specifically related to surety bonds or
24 other types of activity?

25 GENERAL COUNSEL SICUSO: There is one type of

1 bond that is required under Indiana Code 4-33-6-9,
2 which has been the subject of a lot of
3 interpretation over the years through
4 administrations; but we have done analysis on it and
5 we are comfortable that this is something that was
6 intended for initial licensees for a period of five
7 years, to make sure that the localities were made
8 whole for infrastructure of losses that were
9 occurred if the casinos did not fulfill their
10 obligations in its initial licensure period.

11 EXECUTIVE DIRECTOR YELTON: I might also add,
12 we have hired outside bond counsel who has given us
13 the advice.

14 COMMISSIONER FINE: What is the dollar amount
15 of the surety bond?

16 GENERAL COUNSEL SICUSO: They have ranged over
17 the years, and we've tried to look back -- right
18 now, most licensees holds about a million dollar
19 bond. They started much higher when the projects
20 were being constructed. We aren't quite sure -- we
21 haven't been able to recreate the records as to how
22 those numbers were reached, but that was prior to
23 our administration. Right now, they hold about a
24 million dollars.

25 MR. MURPHY: Is the request of the license

1 holder being driven by an expense?

2 GENERAL COUNSEL SICUSO: I believe in this case
3 they are up for renewal. They need to pay their
4 annual fee to keep the bonds in place, and they have
5 made a request in advance of that payment.

6 EXECUTIVE DIRECTOR YELTON: But we will get a
7 request from all of the licensees.

8 Blue Chip is up real quick. June, I think.

9 CHAIRMAN BARRETT: Any further questions or
10 discussions? Thank you, Mr. Sicuso.

11 Show that withdrawn.

12 An update on Tropicana then.

13 GENERAL COUNSEL SICUSO: On May 5, 2008,
14 Tropicana Entertainment, LLC, which is a parent of
15 the Indiana Gaming Company, LLC, Aztar Indiana
16 Gaming Company, LLC, the Indiana licensee, they
17 filed for bankruptcy in Delaware Court. The Indiana
18 licensees are included in these proceedings as a
19 debtor as well as dozens of others of Tropicana's
20 subsidiaries.

21 On May 6th, the Bankruptcy Court issued an
22 order which allowed and authorized Tropicana to
23 fulfill it's obligations under the power-of-attorney
24 that was signed by President Bill Yung on March 29,
25 2008, and was approved by this Commission in a

1 public meeting on March 31st. As a result of that
2 order, Tom Dingman is still in charge of all
3 operations at the Evansville property.

4 In the coming days, the staff expects to
5 receive a request from Tropicana to approve our
6 debtor-in-possession financing which the company
7 will need to operate during the pendency of the
8 bankruptcy proceeding. We expect that Executive
9 Director Yelton and the Commission and Chair will
10 need to analyze this pursuant to an order that we're
11 going to bring before you later in the meeting, and
12 you will approve or deny that request in between
13 Commission meetings.

14 The bankruptcy proceedings may possibly delay
15 the planned sell of the property to Eldorado, or the
16 identification of another suitable buyer. The staff
17 has been in continued communications with Eldorado,
18 however, does expect to receive a transfer of
19 ownership application in the near future.

20 The staff has retained Mike Kyle of the
21 Indianapolis law firm of Katz & Corn to help the
22 Gaming Commission monitor the bankruptcy
23 proceedings, and protect our interest throughout the
24 pendency of the case. We are not a party or nor is
25 the State of Indiana.

1 That's a quick update, in a nutshell, of the
2 bankruptcy.

3 CHAIRMAN BARRETT: Any discussions or questions
4 for Mr. Sicuso? Well, then, thank you. We will
5 wait for the next update.

6 Now we have a report from French Lick, which
7 will be by Brian Marsh, Vice President of Casino
8 Operations.

9 MR. MARSH: Good afternoon, Mr. Chairman and
10 Vice Chairman and Executive Director Yelton and
11 Members of the Board and staff.

12 Today, we want to thank you for allowing us a
13 few minutes just to share an update on a redesigned
14 project that we are working on now.

15 What we have done is prepared the presentation
16 with a few of the specifics of the gaming area, as
17 well as before and after of what the property will
18 look like, from the exterior perspective through our
19 high limit redo and so forth.

20 So if you would turn to page one. What we have
21 is a chart depicting our current specifics for the
22 property as it stands. We currently have 1,238 slot
23 units and 34 table games. We expect to go to 1,370
24 units and approximately 40 table games. As you
25 probably are aware, we are also working on a

1 non-smoking area which will include approximately
2 300 slot machines and 6 table games. Our current
3 high limit area is 54 units with 6 table games. We
4 are looking actually to go to 80 units, and with the
5 ability to go up to 12 table games.

6 The square footage that we currently have under
7 roof is 42,000 square feet. The project itself will
8 bring on another 7,800 square feet of gaming space,
9 which brings the total up to approximately 50,000
10 feet. The high limit area itself will grow to over
11 8,000 square feet. Our non-smoking area will bring
12 on another 3,000 square feet of actual gaming space.

13 Another addition that we are doing is our HVAC
14 system itself. We have installed two new units on
15 the roof to increase the capacity from an airflow
16 standpoint. We have taken our cubic feet per
17 minute, I guess is the engineer term, from 160,000
18 to close to 250,000 from a standpoint of outside air
19 into the building.

20 The last piece on this page talks about
21 converting our live poker area into an automated
22 poker operation, which will commence at the point
23 when our non-smoking room actually opens.

24 The following page gives you an idea of the
25 construction timeline that we are involved in. We

1 are looking to have the non-smoking area complete by
2 September. We hope to have the exterior work
3 completed by October of this year. That exterior
4 work includes an exterior facelift, which you will
5 see in the preceding slides, a new dome, as well as
6 a barrier on top of the casino to hide all of the
7 mechanical HVAC equipment. Then the last piece is
8 the interior, which we hope to be complete with in
9 January of 2009.

10 The approximate capital investment at this
11 point is around 8.3 million, with 4.3 million
12 involved in the actual building enhancements and
13 structural perspective. The interior finish work
14 will come in about a million dollars, and three
15 million in new gaming equipment and associated
16 equipment there.

17 If you go to page 4, this is an aerial view of
18 what the property looks like now. The following
19 slide depicts what the outside will look like. Page
20 7 is a closer-in view of the same angle. And as you
21 can see on page 8, that's the area coming out on the
22 side of the casino, is the high limit and VIP
23 expansion that comes out into the lake.

24 The following slides will show you, if you are
25 not familiar with the property, what our current

1 high limit and VIP lounge looks like today. The
2 first slide being an entrance into the VIP lounge
3 and high limit area.

4 The next slide is from the table games
5 perspective, looking back into the slide area. You
6 are now in high limit itself.

7 The following slide kind of showing the
8 narrowness of our current high limit slot area,
9 which is what we want to change. You notice also
10 the lower ceilings. We want to take this
11 environment and make it a lot nicer than what it is.

12 The last two slides are our current VIP lounge.
13 Not a big area, but something we want to create a
14 better experience for.

15 Which leads us into what we are pretty excited
16 about, which leads us into our next series of
17 slides. The first one there on page 16, as you will
18 see, the first attribute is that -- the main
19 entrance to create the sense of excitement and
20 arrival is actually higher than the rest of the
21 gaming floor. So we are attempting to create a
22 greater sense of arrival as you enter into the area.
23 You will see the glasswork.

24 As you flip through the slides, you will see
25 the second perspective. When you look in, you can

1 see from the front of the room all the way into the
2 back. If you remember the aerial shot from the
3 previous slides, that back wall is the actual
4 portion that comes out into the lake area.

5 One of the things that we are attempting to do
6 is to integrate the whole area from the slot and
7 table games perspective, similar to what you see in
8 Las Vegas in some of the higher-end parlors and so
9 forth. We feel that this will allow us to go after
10 and actually have a nicer area for this segment of
11 player in years to come.

12 In this, you will see high ceilings. There is
13 a -- actually a bar in the rear side of the pit
14 area. And a nice seated lounge in the back.

15 Then the final slide is just an overall
16 perspective of the room itself. Just an update for
17 us.

18 Are there any questions on the project itself?

19 CHAIRMAN BARRETT: Thank you, Mr. Marsh. It
20 looks very handsome. I appreciate the update.
21 Thank you.

22 Ms. Ellingwood, we have some rules, I think.

23 MS. ELLINGWOOD: You have before you two
24 resolutions. The first, 2008-72, regarding adoption
25 of emergency rules concerning charity gaming.

1 On March 19th of this year, House Enrolled Act
2 1153 was signed into law. And House Enrolled Act
3 1153 makes some changes to existing charity gaming
4 licenses, as well as creates an exception to the
5 requirement that workers and operators who conduct
6 euchre games -- that the people who conduct euchre
7 games actually will be workers or operators.

8 House Enrolled Act 1153 will go into effect on
9 July 1st of this year. The current rules don't
10 provide adequate oversight to address the changes
11 that were made in House Enrolled Act 1153.
12 Additionally, the regular rule promulgation process
13 will take so long that House Enrolled Act will
14 actually go into effect before the rules would.

15 Accordingly, the Commission staff respectfully
16 requests that you adopt the emergency rule before
17 you. Once the rule becomes effective, the
18 Commission staff will begin the regular rule
19 adoption process for this rule.

20 CHAIRMAN BARRETT: Thank you, Ms. Ellingwood.

21 Do the Commissioners have any questions? If
22 not, the Chair will call for a motion on draft
23 Resolution 2008-72.

24 COMMISSIONER FINE: Move to approve.

25 COMMISSIONER SHY: Second.

1 CHAIRMAN BARRETT: Move to approve and second
2 to approve and thereby adopt the emergency rules
3 regarding charity gaming. All in favor? All
4 opposed?

5 (COMMISSIONER MEMBERS VOTED AYE.)

6 CHAIRMAN BARRETT: Okay. 2008-73.

7 MS. ELLINGWOOD: The second Resolution,
8 2008-73, which is a resolution concerning the
9 adoption of final administrative rules for minority
10 and women business enterprise utilization standards.

11 Late last year, the Commission adopted
12 emergency rules regarding minority and women
13 business utilization standards. Those rules which
14 became effective on January 1st set the standard of
15 enforcement for those goals.

16 The Commission staff began the formal
17 rulemaking process after adoption of the emergency
18 rules, and these rules are those same rules for the
19 most part.

20 As part of the process, Commission staff held a
21 public hearing to receive comments on the rules, and
22 the Commission staff considered the comments
23 received and made the appropriate changes. The
24 hearing transcript and written comments have been
25 provided to you. The two most substantive changes

1 made include the extension of the January 1, 2009
2 deadline regarding credit that's given for
3 expenditures made to out-of-state vendors. The
4 second change is a clarification regarding a
5 contractor's failure to comply with the
6 participation plan.

7 The staff respectfully asks you to adopt the
8 minority and women enterprise rule before you. The
9 rule will become final upon approval by the Attorney
10 General's office and the Governor's office.

11 CHAIRMAN BARRETT: Thank you, Ms. Ellingwood.

12 Do the Commission Members have any questions?
13 If not, the Chair will call for a motion on proposed
14 Resolution 2008-73.

15 COMMISSIONER SWIHART: Move to adopt.

16 COMMISSIONER FINE: Second.

17 CHAIRMAN BARRETT: Moved and seconded. All in
18 favor? All opposed?

19 (COMMISSION MEMBERS VOTED AYE.)

20 CHAIRMAN BARRETT: Mr. Sicuso.

21 GENERAL COUNSEL SICUSO: Thank you, Mr. Chair.
22 As proposed, Resolution 2008-74 is really just an
23 update which continues a longstanding practice
24 whereby the Executive Director, when he's in
25 agreement with the Commission chair, can conduct

1 interim financing review and approval or denials in
2 between Commission meetings.

3 The procedure for doing so was last addressed
4 in early 2006 in Resolution 2006-10. That
5 resolution actually named a particular person as the
6 Commission's outside financial expert who, when
7 appropriate and necessary, will assist in some of
8 these reviews. The purpose for this resolution is
9 really just to remove that name and put in some more
10 generic terms. We recently conducted an RFP process
11 whereby we selected two outside financial experts to
12 assist us and we can select. And we will be
13 contracting with both of them. So we will be able
14 to select between the two of them when we need their
15 help.

16 So the wording of this resolution really
17 doesn't change the process at all. It will still
18 require consultation and agreement between the
19 Executive Director and Commission Chair to do an
20 interim approval or denial. Once that action is
21 taken, we can take it to the Commission for
22 ratification at the next business meeting. So this
23 is really just to update and make a more generic
24 language in that prior resolution. So the
25 Commission staff recommends that you approve

1 Resolution 2008-74.

2 CHAIRMAN BARRETT: Thank you.

3 Do the Commission members have any questions?

4 If not, then the Chair will call for a motion in
5 proposed Resolution 2008-74.

6 COMMISSIONER MURPHY: I move we approve the
7 resolution.

8 MR. SWIHART: Second.

9 CHAIRMAN BARRETT: It's been moved and
10 seconded. All in favor? All opposed?

11 (COMMISSION MEMBERS VOTED AYE.)

12 CHAIRMAN BARRETT: Ladies and Gentlemen, that
13 concludes today's business meeting. Our next
14 meeting is tentatively scheduled for August 28th.
15 We will let you know more as we get closer.

16 For today, I would like to thank our host here
17 at Hoosier Park, and Mr. Brown who is with us. We
18 appreciate your hospitality in setting the room up
19 and providing space for us to have an executive
20 session earlier today. And appreciate the chance to
21 get a look at the facility. So thank you, again.

22 There is no further business, we're adjourned.

23

24 (This concludes the Indiana Gaming Commission
25 Business Meeting.)

