

INDIANA GAMING COMMISSION BUSINESS MEETING

September 16, 2010
Indiana State Library
Indianapolis, Indiana

Call to Order and Roll Call:

Chairman Timothy Murphy called the meeting to order at approximately 1:10 p.m. local time. A quorum was present.

Present:

Commission Members: Tim Murphy, Chairman, Tom Swihart, Vice Chairman Robert Morgan, Mary Shy and Marc Fine. Commissioner Sue Shields was not present. Commission Staff: Ernest E. Yelton, Phil Sicuso, Jennifer Reske, Chris Gray, Adam Packer, Lea Ellingwood, Kesha Rich, Jeff Neuenschwander, Joe Hoage, Sherry Green, Kenny Rowan, Larry Rollins, Larry Delaney, Diane Freeman, Andy Means, Garth Brown, Danielle Leek, Mike Hathaway, Dave Charlesworth, Nicholas Moline, Angela Bunton, Ericka Plummer, Ron McClain, Tami Timberman-Wright, and members of the public.

Approval of the Minutes:

Upon motion by Tom Swihart, second by Mary Shy, and unanimous vote of those present, the Commission approved the proposed minutes of the June 17, 2010, business meeting.

Report of the Executive Director:

The Executive Director gave the following staff report: Alberto Hidalgo resigned and Danielle Leek has been appointed as Director of Financial Investigations. Nicholas Moline has replaced John Hoenstine as a background investigator. Ericka Plummer has been promoted from Receptionist to Problem Gaming Coordinator. Justin Armstrong is the new Assistant Director of the Athletic Division.

Since the June commission meeting, IGC staff has added 30 individuals to the Exclusion List, which effectively and permanently bars those patrons from entering any casino in Indiana. The following individuals were observed either past-posting or pinching their bets while at an Indiana casino: David D. Wilson, Alberta Howard, Rolando Almenares-Imbert, Christopher Lovell, Dontay Smith, Victor L. Cousins, Jr., John Branum, and James A. Chambers. The following individuals were observed taking illegal possession of a TITO, casino chips, or U.S. Currency in excess of \$500 while at an Indiana casino: Aimie Crowder, Anthony D. Williams, Billy Tidwell, Beverly Ryan, Pamela Wynn, Deborah E. Moore, Tiffany Kirksey, and Kathy Bruggeman. Yue Yun Wu was observed illegally resetting her tiles while playing "Pai Gow Tiles" at Horseshoe Southern Indiana. She was charged with Cheating at a Gambling Game, as a D-Felony, which is still pending. Keith D. Acus made a fraudulent claim for winnings on a slot machine while at

Hollywood. The Dearborn Prosecutor's Office has informed IGC that charges will be filed in this matter. Keith Alexander, Bukkiah Chodosh, Laniqua Gaines and Patricia Davis conspired to make fraudulent withdrawals from the casino cage at Horseshoe Hammond. All four were charged with Theft, as a D-Felony; Alexander has pled guilty to Conversion as an A-Misdemeanor, and the other three cases are still pending. Randi Wagner and Jason Green; Wagner, a dealer at Majestic Star, was observed taking possession of casino chips while working and passing them to Green, who would redeem the chips. Both were charged with Theft. Majestic Star terminated Wagner's employment. Leon Jackson and Kimberly Mondary; Jackson, while employed as a Floor Supervisor at Grand Victoria, was observed taking illegal possession of casino chips. Mondary was observed cashing in high denomination chips and placing the proceeds in Jackson's vehicle, while parked at the Grand Victoria garage. Both were charged with Theft and Receiving Stolen Property. Larry Green, Roderick Dee, and Daniel Jones were observed at Casino Aztar, Belterra Casino, and Grand Victoria manipulating or conspiring to manipulate the bill validator at various slot machines in an attempt to gain extra credits. Green and Jones were charged with multiple counts of theft in both Ohio and Switzerland County Circuit Courts. William L. Sagester was observed placing magnets in and around different slot machines at Hollywood in an effort to manipulate the machine to gain a greater payout. He pled guilty to one count of Cheating at a Gambling Game, a D-Felony. So far in 2010, IGC staff has placed 53 patrons on the Exclusion List, which now contains 189 individuals who are barred from Indiana casinos and racinos.

Waiver of Rules and Regulations:

Casino Association

Granted a waiver to all Casino Association members allowing two Security Officer to complete the process of witnessing, escorting, and signing the appropriate documentation to verify manually paid jackpots. The Association members must submit and receive approval of internal controls describing the procedures that will be followed before implementing.

French Lick

Approved request to place dedicated coverage on progressive displays showing incrementation when the display reads a minimum of \$40,000. The revenue audit department will be responsible for daily verification of the incremented amounts.

Horseshoe Hammond

Granted a waiver allowing the bill validator count process to proceed before the transference of the table drop to the main bank. The waiver also allows the transfer of the table and bill validator drops to the main bank without a security escort due to the direct access to the main bank from an adjoining, interior door.

Junketeer/Junket Operator Report

Pursuant to 68 IAC 2-3.5, the Commission issues Certificates of Registration to junketeer and junket operator applicants who meet the criteria established in the Commission's administrative

rules. A Certificate of Registration may be renewed annually if the junketeer or junket operator submits the appropriate payment not fewer than thirty (30) days before the Certificate expires.

Since the Commission meeting held on June 17, 2010, the Commission has renewed four (r) junketeer Certificates of Registration and three (3) junket operator Certificates of Registration. No new junketeer or junket operator Certificates of Registration have been issued since June 17th. Currently nineteen (19) junketeers and eighteen (18) junket operators are authorized to conduct business in Indiana.

Old Business:

There was no old business.

New Business:

Voluntary Exclusion Program:

**Orders Concerning
The Voluntary Exclusion Program**

2010-128	2010-141
2010-129	2010-142
2010-130	2010-143
2010-131	2010-144
2010-132	2010-145
2010-133	2010-146
2010-134	2010-147
2010-135	2010-148
2010-136	2010-149
2010-137	2010-150
2010-138	2010-151
2010-139	2010-152
2010-140	

Order 2010-128 approved the remittance of winnings by VEP participant John Doe #69 in the amount of \$3,192. Aztar withheld the winnings as required by Commission regulations and will remit the winnings on behalf of the patron.

Order 2010-129 approved the remittance of winnings by VEP participant John Doe #70 in the amount of \$1,602. Grand Victoria withheld the winnings as required by Commission regulations and will remit the winnings on behalf of the patron.

Order 2010-130 approved the remittance of winnings by VEP participant John Doe #71 in the amount of \$30. Grand Victoria withheld the winnings as required by Commission regulations and will remit the winnings on behalf of the patron.

Order 2010-131 approved the remittance of winnings by VEP participant John Doe #72 in the amount of \$45. Grand Victoria withheld the winnings as required by Commission regulations and will remit the winnings on behalf of the patron.

Order 2010-132 approved the remittance of winnings by VEP participant John Doe #73 in the amount of \$105. Hollywood Casino withheld the winnings as required by Commission regulations and will remit the winnings on behalf of the patron.

Order 2010-133 approved the remittance of winnings by VEP participant John Doe #74 in the amount of \$1,065.90. Hollywood Casino withheld the winnings as required by Commission regulations and will remit the winnings on behalf of the patron.

Order 2010-134 approved the remittance of winnings by VEP participant John Doe #75 in the amount of \$8,000. Hollywood Casino withheld the winnings as required by Commission regulations and will remit the winnings on behalf of the patron.

Order 2010-135 approved the remittance of winnings by VEP participant John Doe #76 in the amount of \$450. Hollywood Casino withheld the winnings as required by Commission regulations and will remit the winnings on behalf of the patron.

Order 2010-136 approved the remittance of winnings by VEP participant John Doe #77 in the amount of \$1,515. Hollywood Casino withheld the winnings as required by Commission regulations and will remit the winnings on behalf of the patron.

Order 2010-137 approved the remittance of winnings by VEP participant John Doe #78 in the amount of \$330. Hollywood Casino withheld the winnings as required by Commission regulations and will remit the winnings on behalf of the patron.

Order 2010-138 approved the remittance of winnings by VEP participant John Doe #79 in the amount of \$13.62. Hoosier Park withheld the winnings as required by Commission regulations and will remit the winnings on behalf of the patron.

Order 2010-139 approved the remittance of winnings by VEP participant John Doe #80 in the amount of \$50. Hoosier Park withheld the winnings as required by Commission regulations and will remit the winnings on behalf of the patron.

Order 2010-140 approved the remittance of winnings by VEP participant John Doe #81 in the amount of \$35.04. Hoosier Park withheld the winnings as required by Commission regulations and will remit the winnings on behalf of the patron.

Order 2010-141 approved the remittance of winnings by VEP participant John Doe #82 in the amount of \$1,874. Horseshoe Casino Hotel Southern Indiana withheld the winnings as required by Commission regulations and will remit the winnings on behalf of the patron.

Order 2010-142 approved the remittance of winnings by VEP participant John Doe #83 in the amount of \$1,500. Horseshoe Casino Hotel Southern Indiana withheld the winnings as required by Commission regulations and will remit the winnings on behalf of the patron.

Order 2010-143 approved the remittance of winnings by VEP participant John Doe #84 in the amount of \$2,000. Horseshoe Casino Hotel Southern Indiana withheld the winnings as required by Commission regulations and will remit the winnings on behalf of the patron.

Order 2010-144 approved the remittance of winnings by VEP participant John Doe #85 in the amount of \$24. Indiana Live withheld the winnings as required by Commission regulations and will remit the winnings on behalf of the patron.

Order 2010-145 approved the remittance of winnings by VEP participant John Doe #86 in the amount of \$962.90. Indiana Live withheld the winnings as required by Commission regulations and will remit the winnings on behalf of the patron.

Order 2010-146 approved the remittance of winnings by VEP participant John Doe #87 in the amount of \$2,330. Indiana Live withheld the winnings as required by Commission regulations and will remit the winnings on behalf of the patron.

Order 2010-147 approved the remittance of winnings by VEP participant John Doe #88 in the amount of \$1,200. Indiana Live withheld the winnings as required by Commission regulations and will remit the winnings on behalf of the patron.

Order 2010-148 approved the remittance of winnings by VEP participant John Doe #89 in the amount of \$3,250. Indiana Live withheld the winnings as required by Commission regulations and will remit the winnings on behalf of the patron.

Order 2010-149 approved the remittance of winnings by VEP participant John Doe #90 in the amount of \$2,525. Majestic Star Casino withheld the winnings as required by Commission regulations and will remit the winnings on behalf of the patron.

Order 2010-150 approved the remittance of winnings by VEP participant John Doe #91 in the amount of \$105. Majestic Star withheld the winnings as required by Commission regulations and will remit the winnings on behalf of the patron.

Order 2010-151 approved the remittance of winnings by VEP participant John Doe #92 in the amount of \$2,128. Majestic Star withheld the winnings as required by Commission regulations and will remit the winnings on behalf of the patron.

Action: Upon Motion by Marc Fine, second by Mary Shy, and unanimous vote of those present, the Commission approved Orders 2010-128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150 & 151 as recommended by Commission staff.

Voluntary Exclusion Program Appeals

Order 2010-152

An Order Denying the Appeal of Voluntary Exclusion Remittance of John Doe #36 (VEP 10-70)

Action: Upon Motion by Robert Morgan, second by Tom Swihart, and unanimous vote of those present, the Commission approves Order 2010-152 denying the appeal of John Doe #36.

Exclusion List

Order 2010-153

An Order Affirming Kyle Pharm's Placement on the Exclusion List.

Action: Upon Motion by Robert Morgan, second by Tom Swihart, and unanimous vote of those present, the Commission approves Order 2010-153 affirming the Administrative Law Judge's Order.

Occupational License Matters

Order 2010-154

An Order Approving Settlement Agreement Between the Indiana Gaming Commission and William E. Ponsock.

Action: Upon Motion by Robert Morgan, second by Tom Swihart, and unanimous vote of those present, the Commission approves Order 2010-154 approving the terms of the settlement agreement.

Suppliers Matters

Order 2010-155

An Order Waving the Application of 68 IAC 5-2 to the Transfer of Ownership in Electroncek d.d.

Action: Upon Motion by Tom Swihart, second by Mary Shy, and unanimous vote of those present, the Commission approved the waiver of 68 IAC 5-2 for purposes of Electroncek Group B.V. acquiring Aristocrat's 50% of the shares of Electroncek d.d.

Order 2010-156

Order of the Indiana Gaming Commission Concerning the Renewal of Supplier's Licenses.

Action: Upon Motion by Robert Morgan, second by Mary Shy, and unanimous vote of those present, the Commission grants the renewal of the licenses for Gaming Partner International

USA, Inc., GEMACO, Inc., Global Surveillance Associates, Inc., NRT Technology Corp., PokerTek, Inc., and Western Money Systems.

Order 2010-157

In Re: Settlement Agreement Bally Technologies, Inc. (10-Bally-01).

Action: Upon Motion by Tom Swihart, second by Marc Fine, and unanimous vote of those present, the Commission approves Order 2010-156 approving the terms of the settlement agreement.

Financial Matters

Order 2010-158

An Order of the Indiana Gaming Commission Concerning the Total Reclassification of Equity in Harrah's Entertainment, Inc.

Action: Upon Motion by Tom Swihart, second by Robert Morgan, and unanimous vote of those present, the Commission approves Order 2010-158 approving the proposed equity reclassification.

Riverboat Owners License Renewals

Order 2010-159

An Order of the Indiana Gaming Commission Renewing the Riverboat Owner's License of Blue Chip Casino, Inc. Their license had been extended until a date when the Commission could consider their request.

Action: Upon Motion by Mary Shy, second by Marc Fine, and unanimous vote of those present, the Commission grants the renewal of Blue Chip's license for a period of one year; from August 18, 2010 through August 17, 2011.

Order 2010-160

An Order of the Indiana Gaming Commission Renewing the Riverboat Owner's license of Grand Victoria Casino and Resort, LP.

Action: Upon Motion by Mary Shy, second by Marc Fine, and unanimous vote of those present, the Commission renewed the Riverboat Owner's License of Grand Victoria Casino and Resort, LP for a period of one year effective September 16, 2010, through September 15, 2011.

Order 2010-161

An Order of the Indiana Gaming Commission Renewing the Riverboat Owner's license of Majestic Star Casino, LLC. This license was due to expire on June 2, 2010. On May 27, 2010,

pursuant to a delegation of authority granted by the Commission, the Executive Director extended this riverboat license until such time as the Commission could consider Majestic Star's request.

Action: Upon Motion by Tom Swihart, second by Marc Fine, and unanimous vote of those present, the Commission renewed the Riverboat Owner's License of Majestic Star Casino LLC, for a period of one year effective June 3, 2010, through June 2, 2011.

Order 2010-162

An Order of the Indiana Gaming Commission Renewing the Riverboat Owner's license of Majestic Star Casino II, Inc. This license was due to expire on June 2, 2010. On May 27, 2010, pursuant to a delegation of authority granted by the Commission, the Executive Director extended this riverboat license until such time as the Commission could consider Majestic Star's request.

Action: Upon Motion by Tom Swihart, second by Marc Fine, and unanimous vote of those present, the Commission renewed the Riverboat Owner's License of Majestic Star Casino II, Inc. for a period of one year effective June 3, 2010, through June 2, 2011.

Disciplinary Actions:

**Settlement Agreement of
Ameristar East Chicago
10-AS-02
Order 2010-163**

A settlement agreement was reached regarding an underage patron was allowed on the gaming floor. Commission staff recommended and Ameristar agreed to pay a total fine in the amount of \$1,500.

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

**Settlement Agreement of
Casino Aztar
10-AZ-02
Order 2010-164**

A settlement agreement was reached regarding Ct. 1: the casino failed to cancel two decks of playing cards, and Ct. 2: the casino failed to remove the tens from a game of Spanish 21. Commission staff recommended and Casino Aztar agreed to pay a total fine in the amount of \$4,000.

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

**Settlement Agreement of
Belterra Casino and Resort
10-BT-03
Order 2010-165**

A settlement agreement was reached regarding Ct. 1: the casino failed to coin test machines on three different occasions before the machines were put into service, and Ct. 2: the casino failed to timely replace the tables in the count room. Commission staff recommended and Belterra agreed to pay a total fine in the amount of \$4,000.

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

**Settlement Agreement of
French Lick Resort•Casino
10-FL-02
Order 2010-166**

A settlement agreement was reached concerning an underage person that was allowed on the casino floor. Commission staff recommended and French Lick agreed to pay a total fine in the amount of \$1,500.

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

**Settlement Agreement of
Grand Victoria Casino & Resort LP
10-GV-01
Order 2010-167**

A settlement agreement was reached concerning Grand Victoria's failure to timely replace tables in the soft count room. Commission staff recommended and Grand Victoria agreed to pay a total fine in the amount of \$1,500.

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

**Settlement Agreement of
Indiana Gaming Company, L.P.
10-HW-03
Order 2010-168**

A settlement agreement was reached with Indiana Gaming Company, L.P. regarding Ct. 1: the casino placed a slot machine in service before it was properly coin tested, Ct. 2: the casino failed to timely submit termination paperwork for five employees, Ct. 3: violation of the rule requiring

employees to wear their gaming badges, Ct. 4: violation of the rule regarding the storing of cards that are not being utilized at a live gaming table, Ct. 5: the casino did not follow the procedures regarding found chips, tokens or cash, Ct. 6: the casino failed to follow their internal control procedures for even exchanges between the poker tables and the cage, and Ct. 7: violation of the procedures for timely verifying funds. Commission staff recommended and Indiana Gaming Company, L.P. agreed to pay a total fine in the amount of \$31,500.

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

**Settlement Agreement of
Horseshoe Hammond, LLC
10-HH-03
Order 2010-169**

A settlement agreement was reached with Horseshoe Hammond, LLC concerning an underage patron being allowed onto the casino floor. Commission staff recommended and Horseshoe Hammond, LLC agreed to pay a total fine in the amount of \$1,500.

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

Rules

Resolution 2010-170

A Resolution Adopting an Emergency Rule Regarding Server-Based Gaming. This Rule authorizes two categories of server-powered gaming.

Action: Upon Motion by Mary Shy, second by Marc Fine, and unanimous vote of those present, the Commission approved Resolution 2010-170 and adopted the Rule as an Emergency Rule for an initial period of ninety days as well as for an optional ninety day extension period. This Emergency Rule becomes effective upon filing with the Publisher.

Resolution 2010-171

A Resolution Assigning to the Executive Director the Authority to Exercise Powers and Duties in the Regulation of Professional Boxing, Sparring and Unarmed Combat. This Resolution is necessary for a rule addressing HEA 1086 and IAC 4-33-22.

Action: Upon Motion by Tom Swihart, second by Marc Fine, and unanimous vote of those present, the Commission approved Resolution 2010-171 and adopted the Rule as an Emergency Rule for an initial period of ninety days as well as for an optional ninety day extension period. This Emergency Rule becomes effective upon filing with the Publisher.

Resolution 2010-172

A Resolution Assigning to the Executive Director the Authority to Exercise Powers and Duties in the Regulation of Amateur Unarmed Combat.

Action: Upon Motion by Tom Swihart, second by Marc Fine, and unanimous vote of those present, the Commission approved Resolution 2010-172 and adopted the Rule as an Emergency Rule for an initial period of ninety days as well as for an optional ninety day extension period. This Emergency Rule becomes effective upon filing with the Publisher.

Resolution 2010-173

A Resolution Adopting LSA Document #10-360 as a Final Rule.

Action: Upon Motion by Robert Morgan, second by Mary Shy, and unanimous vote of those present, the Commission approved Resolution 2010-173, readopting LSA Document #10-360 as a Final Rule.

MBE/WBE

Resolution 2010-174

Findings of Good Faith Effort in Meeting Women Business Enterprise Expenditure Goals.

Action: Upon Motion by Tom Swihart, second by Mary Shy, and unanimous vote of those present, the Commission approved Resolution 2010-174, which found that while Ameristar, Blue Chip and Horseshoe Southern Indiana failed to reach the expenditure goals, they exhibited a good faith effort to reach it.

Next Meeting:

The next business meeting of the Commission will be November 10, 2010, at a yet to be determined location.

Adjournment:

Action: The meeting was adjourned by Chairman Murphy at approximately 2:40 p.m.

Minutes:

Associated Reporting, Two Market Square Center, Suite 940, 251 East Ohio Street, Indianapolis, Indiana 46204. 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.

Respectfully Submitted,

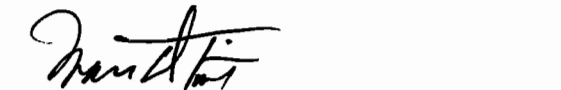


Tami Timberman-Wright

THE INDIANA GAMING COMMISSION:



Tim Murphy, Chairman



Marc Fine, Secretary

11-10-2010

Date