

**INDIANA GAMING COMMISSION
TELEPHONIC BUSINESS MEETING**

**10:00 a.m., June 12, 1998
Indiana Gaming Commission Office
115 W. Washington Street, South Tower, Ste. 950
Indianapolis, IN 46204**

PRESENT: Participating by phone – Donald R. Vowels, Chair; Ann Bochnowski, Vice-Chair; Thomas Milcarek, Secretary; Richard Darko, Robert Swan, David Ross, Jr., M.D., and Robert Sundwick. Staff: Jack Thar, Kay Fleming, Jennifer Byrd, Rhonda Dalton and members of the public.

Call to Order and Roll Call

Chairman Donald Vowels called the meeting to order at approximately 10:15 a.m. (local time). A quorum was present.

Approval of the Minutes

Upon motion by Robert Swan, second by Ann Bochnowski, the minutes of the May 6, 1998 business meeting were unanimously approved.

Report of the Executive Director

Jack Thar, Executive Director, gave a report to the Commission on the activities of the riverboats.

New Business

Resolution 1998-18

A Resolution Granting Temporary Supplier's License to Silicon Gaming, Inc.

Action: Upon motion by Richard Darko, second by Ann Bochnowski, and unanimous vote of those present, the Commission granted the Temporary Supplier's License to the above mentioned supplier.

Resolution 1998-19

A Resolution Granting Permanent Supplier's License to Casino Data Systems, Logical Solutions International, Inc., Sigma Game, Inc. and Shuffle Master, Inc.

Action: Upon motion by Dr. Ross, second by Ann Bochnowski, and unanimous vote of those present, the Commission granted Permanent Supplier's Licenses to the above mentioned suppliers.

Resolution 1998-20

A Resolution Granting Permanent Occupational Licenses to Employees at the Casino Aztar in Evansville.

Action: Upon motion by Robert Swan, second by Ann Bochnowski, and unanimous vote of those present, the Commission granted Permanent Occupational Licenses to those employees listed in the attachment to Resolution 1998-20 at the Casino Aztar in Evansville.

Denial of Occupational License

Donald Pappalardo SB-DEN-98-7

Donald Pappalardo applied for an Occupational License, Level 2 for employment with Showboat as a slot attendant. During his employment with Showboat, it was discovered that Mr. Pappalardo stole \$480 on or about April 14, 1998. Restitution was subsequently made to Showboat. The matter was not referred to the Lake County Prosecutor for the filing of criminal charges. Mr. Pappalardo's employment with Showboat was terminated.

Action: Upon motion by Ann Bochnowski, second by Richard Darko, and unanimous vote of those present, the Commission denies the application for Occupational License, Level 2 submitted by Donald Pappalardo.

Tommie R. Noble TR-DEN-98-10

Tommie M. Noble applied for an Occupational License, Level 2 for employment with Trump as a Hard Count Attendant. During his employment with Trump, it was discovered that Mr. Noble stole \$220. Mr. Noble was arrested and has been charged with the offense of Theft. Trump has terminated Mr. Noble's employment.

Action: Upon motion by Ann Bochnowski, second by Robert Swan, and unanimous vote of those present, the Commission denies the application for Occupational License, Level 2 submitted by Tommie M. Noble.

Rudy Pacheco SB-DEN-98-6

Rudy Pacheco applied for an Occupational License, Level 2 for employment with Showboat as a Floor Person. It was revealed by Mr. Pacheco on his application that he had been convicted of the offense of Promoting Gambling in Queens County, New York. Once this information was reviewed by the Commission staff, Mr. Pacheco's temporary Occupational License was revoked and his application for a permanent license was denied.

Action: Upon motion by Robert Swan, second by Ann Bochnowski, and unanimous vote of those present, the Commission denies the application for Occupational License, Level 2 submitted by Rudy Pacheco.

Disciplinary Action

Complaint No. 98-OL-AR-1

On or about November 14, 1996 Timothy Borrowdale submitted an application for an Occupational License, Level 2 to work as a dealer for the Argosy. He was issued a temporary Occupational License. Mr. Borrowdale was charged with the offense of conversion as a result of an incident that occurred while he was working at Argosy. He plead guilty, was placed on probation for one year, paid a fine and costs and was ordered to have no contact with Argosy. On or about March 24, 1998, the Commission initiated a disciplinary action against Timothy Borrowdale in Complaint No. 98-OL-AR-1. The actions of Mr. Borrowdale constitute a violation of the Riverboat Gambling Act and rules promulgated thereunder. Upon approval of the Commission, the Commission staff and Mr. Borrowdale agree that Mr. Borrowdale will pay a fine of \$150.

Action: Upon motion by Thomas Milcarek, second by Robert Swan, and unanimous vote of those present, the Commission approves the proposed terms of the settlement agreement and fines Mr. Borrowdale \$150.

Complaint No. 98-OL-TR-1

On or about February 28, 1996, Emmett Willis applied for an Occupational License, Level 2 to work as a slot technician for Trump. Mr. Willis was subsequently granted a temporary Occupational License. Subsequently, it was revealed Mr. Willis did not make full disclosure on his application. The Commission staff placed his temporary occupational license on probation for those matters. Mr. Willis provided information to the Commission staff with regard to why he did not reveal those items. A further background investigation was conducted and additional matters were discovered that Mr. Willis did not reveal. Due to his probationary status, the Commission staff initiated the disciplinary action. Upon approval of the Commission, the Commission staff and Mr. Willis agree that Mr. Willis will pay a fine in the amount of \$200.

Action: Upon motion by Robert Swan, second by Richard Darko, and unanimous vote of those present, the Commission approves the proposed terms of the settlement agreement and fines Mr. Willis \$200.

Request for Bond Reduction Casino Aztar

On March 30 and April 29, 1998 Casino Aztar made payments to the City of Evansville pursuant to the Development Agreement between Casino Aztar and the City of Evansville and as a condition of the Riverboat Owner's License issued to Casino Aztar. As a result of these payments, the Indiana Gaming Commission authorizes the National

City Bank to reduce the Letter of Credit 101 and Letter of Credit 102 posted by Casino Aztar, beginning with Letter of Credit 101, in the total amount of \$208,333.34.

Action: Upon motion by Robert Swan, second by Thomas Milcarek, and unanimous vote of those present, the Commission authorized the National City Bank to reduce the Letters of Credit posted by Casino Aztar, beginning with Letter of Credit, 101 in a total of \$208,333.34.

Disciplinary Action

Complaint No. 98-EM-1

On or about April 17, 1998, the Commission initiated a disciplinary action against Empress Casino Hammond Corp. The allegations are that Empress violated sensitive key internal control procedures and rules. After initiation of the disciplinary action, commission agents continued to monitor the situation and noted there were continuing violations. The Commission Staff and Empress have reached a settlement agreement in this matter and a fine of \$9,000 is recommended.

Action: Upon motion by Dr. Ross, second by Ann Bochnowski, and unanimous vote of those present, the Commission approves the proposed terms of the settlement agreement and fines Empress Hammond \$9,000. Other conditions of the settlement are outlined in the settlement agreement.

Next Meeting

The next meeting of the Indiana Gaming Commission will be announced at a later date.

Adjourn

The meeting was adjourned at approximately 10:53 a.m. by unanimous Commission vote upon motion by Robert Swan, second by Dr. Ross.


Minutes

The June 12, 1998 minutes were prepared by Rhonda Dalton, Executive Secretary, of the Indiana Gaming Commission staff. A transcript is not available.

Respectfully submitted,


Rhonda K. Dalton

THE INDIANA GAMING COMMISSION:


Donald Vowels, Chair


Thomas Milcarek, Secretary