

COPY

BUSINESS MEETING OF THE
INDIANA GAMING COMMISSION

Transcript of the business meeting of
the Indiana Gaming Commission held on August
14, 1998, in the auditorium of the Indiana
Government Center South, 402 West Washington
Street, Indianapolis, Indiana, at 9:30 a.m.

BAYNES & SHIREY REPORTING SERVICE
BANK ONE CENTER/CIRCLE CENTER
111 MONUMENT CIRCLE
SUITE 582
INDIANAPOLIS, INDIANA 46204-5105
(317) 231-9004

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

COMMISSIONERS PRESENT:

- Donald Vowels, Chairman
- Ann Bochnowski
- Thomas Micarek
- Robert Swan
- Richard Darko

1 Call to Order at 9:30 a.m.

2 CHAIRMAN VOWELS: Good morning, we'll
3 call the meeting to order. We have all
4 commissioners with the exception of
5 Commissioner Sundwick and Commissioner Ross.

6 And as soon as I get a real
7 microphone I'll be with you. Does this one
8 work?

9 So therefore we have a quorum. So
10 we'll call the meeting to order. And the
11 first order on the agenda are the approval
12 of the minutes from our telephone conference
13 of July 27th, 1998. I believe we've all had
14 an opportunity to review those minutes.
15 Does anyone have a motion in reference to
16 those minutes?

17 COMMISSIONER MILCAREK: I would so
18 motion.

19 CHAIRMAN VOWELS: All right. Okay.
20 Motion to approve and a second. And all
21 those in favor say aye. (Group approved.)
22 Those are approved.

23 And then the report of the executive
24 director, Mr. Thar. Share my microphone.

25 MR. THAR: Thank you, and good

1 morning. I'd like to start out with some
2 personnel changes. I'd like to introduce
3 our newest addition to the legal division,
4 John Crouse. He has taken the position that
5 was vacated by Deana Garner. John comes to
6 us from the Criminal Justice Institute where
7 he had a distinguishing employment and he
8 now has a second distinguishing career
9 achievement, that is, he is the first male
10 attorney that's ever worked in our legal
11 department. So anyway, we welcome John.
12 And he's very capable. So thank you, John.

13 MR. CROUSE: Thank you.

14 MR. THAR: Major Richard Shelton of
15 the Indiana State police who has been
16 assigned to the gaming commission of the
17 Indiana State police has announced his
18 retirement. I believe his last day is -- is
19 it next Thursday? Next Wednesday. Major
20 Shelton couldn't be here today. He is on
21 leave practicing for his retirement. But he
22 did want everyone to know that it has been a
23 pleasure working with the commission and
24 with the staff and he has greatly enjoyed
25 it, and we all wish him well in his

1 retirement.

2 Indiana Gaming Association has hired
3 a new, if not its first, executive director.
4 Her name is Ms. Jennifer Simmons, and we
5 welcome her. Jennifer are you here? There.
6 And the association represents the
7 riverboats. And we wish Jennifer well in
8 that endeavor.

9 With regard to the riverboats, folks,
10 first on the Lake Michigan boats. Last week
11 Floyd and I visited the five riverboats in
12 northern Indiana to see some changes and
13 some -- the proposed changes in the various
14 vessel and operations. A brief rundown of
15 what is going on would be as following:
16 Empress has opened its fourth deck. The
17 deck that was open is now enclosed. They
18 have turned it into an additional gaming
19 area. They have also isolated space for a
20 poker room which they intend to open once
21 the staff has finished going over and
22 finally approving their internal controls
23 for poker.

24 As you're all aware Showboat has been
25 purchased by Harrah's. And at some point in

1 time that property will be renamed a
2 Harrah's property. So we've been led to
3 believe. Most likely after the first of the
4 year. The new general manager is an
5 individual by the name of John Diminico --
6 Joe Diminico, I'm sorry, who comes from
7 Harrah's Atlantic City property.

8 Trump has also finished off its
9 fourth deck that used to be open, and they
10 use it -- and it's been completed for some
11 time. They use it primarily for promotional
12 events. Also their hotel construction is
13 progressing nicely. And they began -- they
14 intend to begin opening the hotel this fall
15 in phases.

16 Majestic Star has opened its poker
17 room. There are now two boats up on the
18 lake which offer poker.

19 With regard to Blue Chip, Blue Chip
20 has provided the commission with copies of
21 some renderings with regard to their hotel
22 construction. They intend to break ground
23 this fall. And have it completed within a
24 year. Those renderings will be available
25 for anyone in the public that wishes to view

1 those also.

2 With regard to the Ohio riverboat.
3 Aztar provided us with some information
4 that, as to what they were doing for
5 responsible gaming education week, which was
6 the week of August 3 through 7.

7 Grand Victory has a new general
8 manager. His name is John Spina. And
9 Argosy just seems to be moving along setting
10 new highs each month with the amount of
11 revenues they're generating from people who
12 are visiting.

13 With regard to the fifth Ohio river
14 license. As you are all aware Casino
15 America advised the commission on Monday
16 that they regretfully determined that the
17 numbers and some other items did not justify
18 their continuing as an applicant in Crawford
19 County. They were very grateful for the
20 help received from the citizens of both
21 Levenworth and Crawford County and would
22 some day still like to do business in
23 Indiana. This is, of course, an agenda item
24 that will receive more attention later.

25 Finally, to again bring up part of

1 what was discussed in the executive session
2 this morning. We have been advised by IGT,
3 International Game Technology, that was a
4 licensed supplier of electronic gaming
5 devices in this jurisdiction, that they had
6 uncovered through an internal investigation
7 some problems that occurred for an 18-month
8 period during 1992 and 1993.

9 Those problems involved their
10 European affiliate and the use of false
11 invoices in shipping machines, and in one
12 instance, parts to the country of Turkey.
13 At the time Turkey had a very high tax on
14 import, particularly gaming machines, and
15 the false invoices were utilized to help
16 defeat that tax.

17 When, in 1993 the report goes on to
18 explain, the person in the shipping
19 department reported that he believed that
20 there were irregularities in these invoices
21 and accused the person who was running the
22 operation of doing that. The company did an
23 internal investigation. The person who blew
24 the whistle was one deemed to not have much
25 credibility in the company; the one who he

1 blew the whistle against was highly
2 regarded. The general counsel at the time
3 issued some very explicit directives, that
4 this was illegal activity, this could not be
5 occurring, should not be occurring, must
6 stop if it ever has, but the investigation
7 didn't go too far.

8 Subsequently, IGT began it's own
9 investigation within the last 12 months and
10 uncovered that this has occurred and then
11 has advised the Indiana Gaming Commission,
12 as well as the other jurisdictions they do
13 business with.

14 The person who was in the shipping
15 department is no longer with IGT, as well as
16 the person who ran the operation in Europe
17 at the time and the person responsible are
18 both gone. From the staff point of view in
19 reviewing it, there is no one in the company
20 now that was directly involved in that type
21 of activity. It is clearly illegal. We did
22 not discover it in our background
23 investigation, nor did any other
24 jurisdiction. IGT has self reported it and
25 the question is what more, if anything, does

1 this commission desire to look into with
2 regard to IGT. Staff's recommendation is we
3 are going to order the full report and take
4 a look at it. But based upon the facts as
5 we know them now, our recommendation would
6 be that no further action be taken because
7 it appears they have cleaned house
8 themselves on something that happened the
9 better part of five years ago.

10 Any discussion on that?

11 CHAIRMAN VOWELS: Anyone have any
12 questions for Mr. Thar?

13 I would recommend that we follow
14 Mr. Thar's suggestion. Anybody have any
15 opposition to that? I believe we can give
16 you the go ahead then.

17 MR. THAR: That would conclude my
18 report. Are there any questions?

19 CHAIRMAN VOWELS: Any questions for
20 Mr. Thar? All right.

21 Anything under the old business
22 category?

23 MR. THAR: No, not that we're aware
24 of.

25 CHAIRMAN VOWELS: Okay. Then under

1 new business the first matter on the agenda
2 is occupational license matters/disciplinary
3 actions. And that would bring us to
4 Ms. Fleming.

5 MS. FLEMING: Thank you. The first
6 five that we will be dealing with all arose
7 out of the arrests in East Chicago of some
8 dealers who were at a location on Columbus
9 Drive and were rest arrested for visiting or
10 maintaining a common nuisance. We revoked
11 several licenses out of that action and five
12 of those individuals appealed.

13 The hearing was held before the
14 Administrative Law Judge Bernard Pilot on
15 June 17th and he has filed his recommended
16 findings of fact, conclusions of law and his
17 recommendation.

18 With respect to Robert Rigoni, the
19 administrative law judge has recommended
20 that his license be reinstated on a
21 probationary basis for a period of six
22 months subject to any conditions or
23 restrictions the commission deems
24 appropriate. The commission staff would
25 recommend that during that six-month period

1 Mr. Rigoni be restricted from gaming on any
2 of the vessels in Indiana, and that a
3 monetary fine not to exceed \$250 be imposed,
4 and that that be paid within a period of
5 three months.

6 With respect to Jeannie David, the
7 administrative law judge has recommended
8 that her license be reinstated and be placed
9 on a probationary status for a period of one
10 year, pursuant to conditions the commission
11 deems appropriate. The staff would
12 recommend that she also be ordered not to
13 game on any Indiana vessels and that she pay
14 a fine not to exceed \$500 within the first
15 six months of her probationary period.

16 With respect to Shane Brogan, the
17 administrative law judge has recommended
18 that his license be reinstated on a
19 probationary status for a period of one
20 year, and that subject to the conditions the
21 commission deems appropriate, the staff
22 would recommend that he be ordered not to
23 game on Indiana vessels, and that he be
24 fined, not to exceed \$500, be imposed to be
25 paid within the first six months of

1 probation.

2 With respect to Jason Gentry, due to
3 various other suitability issues that arose
4 during the hearing the administrative law
5 judge has recommended that the revocation of
6 his temporary occupational license and the
7 denial of his application for a permanent
8 license be upheld. Therefore, Mr. Gentry
9 would not be able to be licensed in the
10 State of Indiana if the administrative law
11 judge's recommendation is accepted.

12 With respect to Cynthia Langley on
13 her again failure to disclose certain items
14 on her application and some items that arose
15 during the hearing, the administrative law
16 judge has recommended that her occupational
17 license be -- her revocation of her
18 temporary occupational license and the
19 denial of her application for a permanent
20 license be upheld. If the recommendation is
21 accepted, she will not be licensed in the
22 State of Indiana.

23 With respect to those five are there
24 any questions?

25 CHAIRMAN VOWELS: Anybody have any

1 questions for Ms. Fleming? Doesn't appear
2 to be.

3 How about if we go ahead and take
4 action on -- Ms. Fleming, we go ahead and
5 take action on these before we get to the
6 next set?

7 MS. FLEMING: Yes.

8 CHAIRMAN VOWELS: Okay. All right.
9 Let's look at these. The first one, in the
10 order that she presented those, is Robert
11 Rigoni. The recommendation is probationary
12 status for a period of six months. And the
13 conditions, or restrictions requested, are
14 self eviction, which is essentially no
15 gaming on an Indiana boat. And if that's
16 violated, that would subject that person to
17 a criminal prosecution for trespass. And
18 under Mr. Rigoni, the request is a fine up
19 to \$250, payable within three months.

20 So we need to make a decision whether
21 to -- and you see on Page 2 there the
22 following actions, the six different
23 variations that we can do here. One thing
24 specifically, if we decide to adopt the
25 recommendation, then we've got to decide

1 what type of fine, and the request is not to
2 exceed \$250. Anyone have any thoughts on
3 this?

4 COMMISSIONER SWAN: I move to accept
5 the recommendation and set the fine at \$100.

6 CHAIRMAN VOWELS: All right. Any
7 seconds?

8 COMMISSIONER DARKO: Second.

9 CHAIRMAN VOWELS: Any further
10 discussion? All in favor say aye.

11 (MOTION PASSED)

12 Show Mr. Rigoni's fine as \$100,
13 payable within three months, self eviction
14 and a probationary status for six months.

15 The next was Jeannie David's appeal.
16 The request -- the recommendation of the
17 staff, or the ALJ recommendation is
18 probationary status for one year subject to
19 the conditions, and those conditions are
20 self eviction, no gaming on an Indiana boat.
21 Fine up to \$500, payable within six months.
22 Any discussion there? Any motions?

23 COMMISSIONER MILCAREK: Well, I make
24 a motion to accept the recommendation, and
25 impose a \$250 fine.

1 CHAIRMAN VOWELS: Any second to that
2 motion?

3 COMMISSIONER SWAN: Second.

4 CHAIRMAN VOWELS: Any further
5 discussion? All in favor say aye.

6 (MOTION PASSED)

7 CHAIRMAN VOWELS: \$250 fine.

8 And Shane Brogan is the next. That's
9 a recommendation by the ALJ of a
10 probationary status for a period of up to
11 one year with a restriction of self
12 eviction. Fine up to \$500, payable in six
13 months. We have all of the options there on
14 Page 2.

15 Does anyone have a motion in
16 reference to one of those options?

17 COMMISSIONER DARKO: I'll move to
18 adopt the ALJ's recommendation.

19 CHAIRMAN VOWELS: And in reference to
20 the fine?

21 COMMISSIONER DARKO: 500.

22 CHAIRMAN VOWELS: Any second?

23 COMMISSIONER SWAN: Can I discuss
24 that?

25 CHAIRMAN VOWELS: Okay.

1 COMMISSIONER SWAN: Just a matter of
2 clarification. We had \$250 on the last one,
3 why would we make this one 500?

4 COMMISSIONER DARKO: Were these two
5 people who were both visiting?

6 MS. FLEMING: Yes.

7 COMMISSIONER DARKO: Let me change my
8 recommendation to \$250.

9 CHAIRMAN VOWELS: With that motion is
10 there a second?

11 COMMISSIONER SWAN: I'll second it.

12 CHAIRMAN VOWELS: Any further
13 discussion? All in favor say aye.

14 (MOTION PASSED)

15 CHAIRMAN VOWELS: Show a probationary
16 status of one year, self eviction condition,
17 fine of \$250 payable in six months.

18 And then the next is Jason Gentry.
19 The recommendation there is the revocation
20 of the temporary occupational license and
21 denial of Mr. Gentry's application for a
22 permanent occupational license. Is there
23 any discussion in reference to that? Is
24 there any motion?

25 COMMISSIONER BOCHNOWSKI: I move that

1 we accept the ALJ's recommendation.

2 CHAIRMAN VOWELS: Is there a second?

3 COMMISSIONER SWAN: Second.

4 CHAIRMAN VOWELS: Any further
5 discussion? All those in favor say aye.

6 (MOTION PASSED.)

7 CHAIRMAN VOWELS: Show his
8 application is denied.

9 And then, in reference to Cynthia
10 Langley's recommendation by the ALJ, they
11 recommended a denial of her application for
12 permanent occupational license. The
13 revocation is a temporary. Is there any
14 discussion in reference to that? Is there
15 any motion?

16 COMMISSIONER SWAN: Move to accept
17 the ALJ's recommendation.

18 CHAIRMAN VOWELS: Any second?

19 COMMISSIONER BOCHNOWSKI: I'll second
20 it.

21 CHAIRMAN VOWELS: Any further
22 discussion? All those in favor say aye.

23 (MOTION PASSED.)

24 CHAIRMAN VOWELS: Ms. Fleming, I
25 guess that was all clear to you as far as --

1 MS. FLEMING: Yes.

2 CHAIRMAN VOWELS: All right.

3 MS. FLEMING: The next one is Johnny
4 Rodriguez. Mr. Rodriguez' license was
5 revoked due to the fact that he and another
6 individual who was also part of the marine
7 crew working at Showboat were moving the
8 chairs from slot machines and after the drop
9 process, going through with wire hangers and
10 trying to scoop any loose tokens from under
11 the slot machines. Their actions to testify
12 secured in surveillance, we revoked the
13 license. Mr. Rodriguez appealed the
14 discussion.

15 Bernard Pilot was again was appointed
16 the administrative law judge. Mr. Rodriguez
17 did not appear at his hearing and the
18 commission went forth and presented the
19 evidence that they had. The administrative
20 lay judge has recommended that
21 Mr. Rodriguez' license, the revocation of
22 his temporary occupational license and the
23 denial for his application for a permanent
24 license be upheld. Are there any questions?

25 CHAIRMAN VOWELS: Does anyone have

1 any questions? Essentially, a default
2 against him at the ALJ hearing. All right.
3 In reference to the recommendation, the
4 ALJ's recommendation is that the
5 occupational license, application for the
6 permanent license be denied. And of course
7 the revocation of the temporary.

8 Is there any discussion in reference
9 to that then? Is there any motion?

10 MR. MILCAREK: I would motion to
11 accept the recommendation.

12 CHAIRMAN VOWELS: Any second?

13 COMMISSIONER BOCHNOWSKI: I'll second
14 it.

15 CHAIRMAN VOWELS: Any further
16 discussion? All those in favor say aye.

17 (MOTION PASSED.)

18 CHAIRMAN VOWELS: Ms. Fleming, got
19 something?

20 MS. FLEMING: The next two I will
21 deal with together. This is Matthew Warner
22 and Lisa Negro. These two individuals are
23 both licensed as poker dealers at the
24 Showboat Mardi Gras Casino. They were on
25 May 28th playing poker at the Hollywood

1 Casino in Aurora, Illinois. They were
2 detected by surveillance, and this is on
3 video that they were exchanging signals
4 underneath the poker table indicating to the
5 other if one had a good hand. Based on that
6 information, the other would then decide
7 whether or not to fold his or her hand.

8 Once we received that information,
9 reviewed it, the commission staff has
10 revoked their temporary licenses and denied
11 their application for a permanent license.
12 The commission will then need to vote to
13 approve or deny the action of the commission
14 staff. If you do uphold the revocation,
15 their temporary license and the denial of
16 their permanent license, each will have the
17 opportunity to appeal that matter to an
18 administrative law judge. Are there any
19 questions?

20 CHAIRMAN VOWELS: Any questions of
21 Ms. Fleming then? Do you want to take both
22 of these together?

23 COMMISSIONER BOCHNOWSKI: Same issue.

24 CHAIRMAN VOWELS: About as close as
25 it could be. All right. Any discussion,

1 any motion in reference to these two
2 requests for denial?

3 COMMISSIONER BOCHNOWSKI: I move -- I
4 never quite know how to word this. I move
5 that we accept the action of the commission
6 staff in denying their permanent
7 applications and revoking their temporary
8 licenses.

9 How do I need to say this? I'll say
10 it.

11 MS. FLEMING: Denies the application.

12 COMMISSIONER BOCHNOWSKI: We deny the
13 application. Sometimes it's approve your
14 action.

15 CHAIRMAN VOWELS: In other words, do
16 whatever Kay wants.

17 COMMISSIONER BOCHNOWSKI: Exactly.

18 MS. FLEMING: I don't have a problem
19 with that.

20 COMMISSIONER MILCAREK: I will second
21 that.

22 CHAIRMAN VOWELS: To do whatever Kay
23 wants?

24 Actually we have a motion and a
25 second to deny the application and revoke

1 the temporary license of both Mr. Warner and
2 Ms. Negro. And any further discussion on
3 that? All those in favor say aye.

4 (MOTION PASSED.)

5 CHAIRMAN VOWELS: All right. And
6 Ms. Fleming, anything else for us?

7 MS. FLEMING: The next matter is
8 Ronald Jacobson. This was a disciplinary
9 action that was initiated by the commission
10 against this licensee. Mr. Jacobson is a
11 dealer at the Majestic Star. He was on
12 board the Blue Chip Casino, got into an
13 altercation with another passenger and ended
14 up striking that passenger twice. The
15 commission staff initiated the disciplinary
16 action against him, entered into settlement
17 of brief negotiations with him and have a
18 signed agreement with him that Mr. Jacobson
19 will be placed on state's exclusion list for
20 a period of one year, which means that he
21 cannot gamble in the State of Indiana for
22 that period of time. The commission will
23 need to vote to approve or disprove the
24 proposed terms of the settlement agreement.
25 Are there any questions?

1 CHAIRMAN VOWELS: Any questions? All
2 right. Do I hear a motion in approving
3 those terms of the settlement agreement;
4 approving or disapproving?

5 COMMISSIONER BOCHNOWSKI: This time I
6 move to approve the settlement agreement.

7 CHAIRMAN VOWELS: Is there a second?

8 COMMISSIONER DARKO: Second.

9 CHAIRMAN VOWELS: Any further
10 discussion? All in favor of that motion say
11 aye.

12 (MOTION PASSED.)

13 CHAIRMAN VOWELS: Show it's approved.
14 And, Ms. Fleming, anything further?

15 MS. FLEMING: Yes. The next matter
16 is Nelson Tinsely. Mr. Tinsely had a felony
17 conviction. He was working at the Trump
18 Casino. Once -- he did reveal on his
19 application the conviction, but it was not
20 indicated whether or not that was a felony
21 conviction. During the course of the
22 background investigation, due to the length
23 of time of the sentence and pulling the
24 docket sheets, we determined that was a
25 felony. We revoked his license because he

1 was statutorily not eligible to hold a
2 license. He applied for a waiver of the
3 felony conviction. However, it is a felony
4 conviction in violation of a federal law,
5 therefore rendering him statutorily
6 ineligible for life.

7 In addition, the conviction was for
8 insurance or mail fraud. The statute also
9 bars the issuance of a felony waiver.
10 Anyone convicted of a felony confronting
11 fraud, deceit or misrepresentation. As a
12 result the commission staff advised
13 Mr. Tinsely that he was statutorily
14 ineligible.

15 He appealed that decision to an
16 administrative law judge and the commission
17 moved for summary judgment. The
18 administrative law judge has filed a
19 recommendation that the summary judgment be
20 granted in favor of the commission due to
21 the fact that Mr. Tinsely is statutorily
22 ineligible to receive a waiver due to his
23 felony disqualifications.

24 CHAIRMAN VOWELS: All right. Any
25 questions for Ms. Fleming?

1 As we all understand, we wouldn't
2 have the discretion, even if we wish to,
3 with the statute to allow Mr. Tinsely to
4 have what he would request anyway. With all
5 of that in mind, is there a motion to uphold
6 the revocation of the temporary occupational
7 license and deny application for permanent?

8 COMMISSIONER MILCAREK: Motion.

9 CHAIRMAN VOWELS: To accept the ALJ's
10 recommendation?

11 COMMISSIONER MILCAREK: Accept.

12 CHAIRMAN VOWELS: Is there a second?

13 COMMISSIONER BOCHNOWSKI: Second it.

14 CHAIRMAN VOWELS: Any further
15 discussion? All those in favor say aye.

16 (MOTION PASSED.)

17 CHAIRMAN VOWELS: Ms. Fleming, do you
18 have anything else?

19 MS. FLEMING: Yes, one more. This is
20 a disciplinary action that the commission
21 initiated against Trump Casino. There were
22 three counts covered in the disciplinary
23 action, all relating to problems with their
24 internal control procedures. After the
25 complaint was filed the commission did enter

1 into settlement negotiations with Trump
2 Casino and have agreed with Trump that Trump
3 will pay a fine in the amount of eight
4 thousand dollars for each count for a total
5 amount of \$24,000. Both the commission, by
6 Mr. Thar, and Trump, by Mr. Demote, to have
7 signed that settlement agreement. The
8 action is now before the commission to
9 approve or disapprove the proposed terms of
10 the settlement agreement.

11 CHAIRMAN VOWELS: Okay. Any
12 questions then for Ms. Fleming? All right.

13 We have before us this, to approve or
14 disapprove the terms of the settlement
15 agreement. Does anyone have a motion?

16 COMMISSIONER BOCHNOWSKI: I move that
17 we approve.

18 CHAIRMAN VOWELS: Any second?

19 COMMISSIONER SWAN: Second.

20 CHAIRMAN VOWELS: Any further
21 discussion? All those in favor say aye.

22 (MOTION PASSED.)

23 CHAIRMAN VOWELS: Ms. Fleming, in our
24 packet is in reference to the administrative
25 law judge down south. Do you need to make

1 any statement in regard to that? Or do we
2 need to do anything here about that?

3 MS. FLEMING: No. It's just that
4 Robert Dodson -- or Jeff Dodson -- Robert
5 Jeff Dodson from Evansville had been
6 previously appointed as an administrative
7 law judge to handle hearings in the southern
8 part of state. The document of his
9 appointment has been misplaced. This makes
10 it retroactive to the date that his contract
11 was signed. We have had a contract with
12 Mr. Dodson for some time. We just need the
13 additional signatures making it retroactive
14 to 12/06/96.

15 CHAIRMAN VOWELS: Okay. And everyone
16 understands that? There's no problem with
17 Mr. Milcarek and myself signing off on that
18 document.

19 Okay. And that leads us to the
20 occupational license matter, disciplinary
21 actions -- and thank you, Ms. Fleming.

22 Supplier license issues, that take us
23 to Mr. Hannon.

24 MR HANNON: There are two companies
25 for, on the docket for temporary license,

1 one is PDS Financial Corporation. PDS
2 Financial Corporation is a publicly traded
3 corporation with 33 percent of the stock
4 controlled by Johann Findley and his wife
5 who are also the president and treasurer of
6 the company. The company has its offices in
7 Minnesota but is moving to Las Vegas within
8 this year. The company provides financing
9 for electronic gaming devices; they also
10 operate a slot business by taking in used
11 machines and reselling them after some
12 modification and maintenance. We will limit
13 the license to include the ability to
14 finance machines and the ability to obtain
15 slot machines, but only to transport them to
16 states where PDS Financial is licensed to
17 possess them. This will not allow them to
18 purchase used slots and send them directly
19 to another market.

20 The company and key persons are
21 licensed in five jurisdictions. The staff
22 recommend the company be awarded a temporary
23 suppliers license pending the completion of
24 a full investigation.

25 The second one is Advanced Casino

1 Systems Corporation. This is a subsidiary
2 of the Great Bay Casino Corporation
3 operating out of Ann Arbor, New Jersey. The
4 company has developed casino slot and
5 marketing system software. The company's
6 system has been used by Caesar's and is
7 currently in use in three casinos owned by
8 the parent company and 57 other casinos
9 around the world.

10 The ACSC, or the Advanced Casino
11 Systems Corporation, is publicly traded.
12 The parent company has 17 subsidiaries and
13 is currently reorganizing due to bankruptcy
14 that affects several of those subsidiaries.
15 Ultimately Advanced Casino System
16 Corporation will become the sole subsidiary
17 of Great Bay Casino Corporation. And will
18 in turn become a subsidiary of Hollywood
19 Casino Corporation. Currently there is very
20 limited adverse financial exposure to
21 Advance Casino Corporation due to the
22 bankruptcy. The reorganization will not
23 affect the ownership or key persons that are
24 in place now.

25 The company is licensed to do

1 business in four other jurisdictions and
2 does business in several others that do not
3 require this type of a company to be
4 licensed. The staff recommends the company
5 be awarded a temporary license pending a
6 complete investigation that would include
7 the following, the bankruptcy action.

8 CHAIRMAN VOWELS: All right. Any
9 questions for Mr. Hannon?

10 COMMISSIONER BOCHNOWSKI: Is it your
11 feeling that even if this bankruptcy occurs,
12 worst case scenario the company ceases to
13 exist, do you think that by our licensing
14 them and allowing them to do business in
15 Indiana, would that adversely affect our
16 operations?

17 MR HANNON: No, they just provide the
18 software for the equipment. And the
19 company's exposure is probably less than
20 \$200,000 due to that bankruptcy.

21 COMMISSIONER BOCHNOWSKI: Thank you.

22 CHAIRMAN VOWELS: Any other
23 questions?

24 We have in front of us resolution
25 1998-21, which is a resolution granting the

1 temporary suppliers license to Advanced
2 Casino Systems Corp. and PDS Financial Corp.
3 The recommendations of the staff is that we
4 grant those temporary suppliers license. Is
5 there a motion one way or the other in
6 reference to resolution 1998-21?

7 COMMISSIONER DARKO: Move to adopt
8 the recommendation.

9 CHAIRMAN VOWELS: Any second?

10 COMMISSIONER MILCAREK: I'll second
11 it.

12 CHAIRMAN VOWELS: Any further
13 discussion? All those in favor to adopt the
14 resolution 1998-21 say aye.

15 (MOTION PASSED.)

16 CHAIRMAN VOWELS: And Mr. Hannon,
17 anything?

18 MR HANNON: Yes. For the first time
19 we have five companies up for renewal of
20 their permanent suppliers license, that
21 being GEMACO Playing Card Company, Mikohn
22 Gaming Corporation, Paul-Son Gaming
23 Supplies, Bud Jones Company and Osborn
24 Coinage Company. These are five companies
25 that have held licenses for one year and are

1 due for renewal. None of the companies have
2 been subject to any disciplinary action by
3 the commission and all have paid renewal
4 fees. Under our rules we will do a complete
5 reinvestigation every three years. The
6 companies -- well, for this first one we'll
7 renew their license permanently on August 19
8 of 1997.

9 CHAIRMAN VOWELS: All right. Any
10 questions for Mr. Hannon?

11 We have a resolution 1998-22, which
12 concerns renewal of the suppliers license of
13 these five companies that we have there in
14 front of us. Any motion in reference to
15 that resolution?

16 COMMISSIONER SWAN: Move to approve.

17 CHAIRMAN VOWELS: Any second?

18 COMMISSIONER BOCHNOWSKI: Second it.

19 CHAIRMAN VOWELS: Any further
20 discussion? All right, all those in favor
21 of approving resolution 1998-22 say aye.

22 (MOTION PASSED.)

23 Mr. Hannon, that does it for you.

24 MR HANNON: That's it.

25 CHAIRMAN VOWELS: All right. Next

1 item on the agenda is the fifth Ohio River
2 license. There will be a hearing on
3 September 14th, or a commission meeting on
4 September 14th, where we will deal with
5 that.

6 Mr. Thar, has there been any thought
7 given as to any presentation at that time,
8 or do you have any suggestions of how that
9 will proceed?

10 MR. THAR: Yes. The -- obviously
11 Sun's Casino America has withdrawn and takes
12 us back to the situation I believe we had in
13 May when we set the September 14th date. An
14 that was that we were going to request that
15 the applicant and the county to give us a
16 brief update to refresh us as to what the
17 project involved, advise us of any changes
18 in the project or any changes that the
19 county may have made with regard to their
20 revenue sharing.

21 Both the county and the company have
22 advised us of the changes that they have
23 made. The county has advised us that they
24 have increased the amount of revenue sharing
25 that they intend to do with Crawford County,

1 should Switzerland County get the license,
2 by approximately one half million dollars,
3 which would bring, I think, the total to
4 approximately one million dollars of revenue
5 sharing which Switzerland County would do
6 with Crawford County should Switzerland
7 County get the license.

8 In addition I was advised in a fax
9 yesterday from Hollywood Boomtown, that they
10 in addition to participating in that
11 increase of revenue sharing to Crawford
12 County is also going to increase the
13 percentage that it's going to share with
14 Switzerland County, that is, the voluntary
15 contribution that Hollywood Boomtown intends
16 to make above that which is required by
17 statute. In one instance it would be
18 approximately .425 percent. And then
19 depending on how business goes, it could go
20 up as high as, I think, it's either .8 or
21 .85 percent. 85 -- thank you, Jerry. So
22 almost another full percent that the company
23 is going to pass on to Switzerland County.
24 And Switzerland County will then in turn
25 have the ability to do with that money what

1 they choose to.

2 I have advised the applicant in the
3 county that today the commission would
4 decide what type of presentation it would
5 like, so that they would have approximately
6 a month to get it together. Staff's
7 recommendation would be that we keep it, not
8 as flamboyant as some of the ones have been
9 in the past, I don't think there's a need
10 for movies, or any of that type of stuff.

11 Our recommendation would be we ask
12 the applicant to be prepared to explain to
13 us in 20 minutes or less the changes in
14 their project and, the change in the look of
15 their project which they have filed with us,
16 and also give the county five to ten minutes
17 to explain to us any changes that they have
18 in their revenue sharing. And then proceed
19 from there.

20 At this time, there is no other
21 applicant. And I do see that there are
22 people from Crawford County here. I don't
23 know if they wish to address the commission
24 at all on this issue. Mr. Chairman, Doug
25 Floyd has indicated he would like to address

1 the commission.

2 CHAIRMAN VOWELS: Okay, why don't we
3 allow Mr. Floyd to do that now, and then
4 we'll make a decision on what the
5 presentation time will be on September 14th.

6 Mr. Floyd. If you'll state your name
7 for the recorder, please.

8 MR. FLOYD: My name is Doug Floyd.
9 I'm counsel to Crawford County Casino
10 Corporation. My purpose in addressing you
11 this morning is to first thank you at your
12 last meeting and telephone conference, you
13 allowed a 30-day extension of time for
14 amendments to the application in Crawford
15 County. It gave us the opportunity to
16 explore with Casino America a substantially
17 revised project. Unfortunately they made a
18 decision that they could not proceed with a
19 considerably scaled down version, and have
20 something that they believed would be
21 successful or attractive from the
22 commission's point of view.

23 Since that telephone conference, and
24 your giving us that opportunity, we have no
25 further amendments at this date to the

1 application. And, as you know, the
2 application amendment deadline passed
3 yesterday.

4 Secondly, I want to let the
5 commission know that we are, even though the
6 deadline has expired, we are actively
7 pursuing gaming operators. I think you may
8 have reached some sort of milestone here.
9 Crawford County Casino Corporation may be
10 your first applicant that is not a gaming
11 company, at least all of its stock is held
12 by a company that is not a gaming company.

13 I want to get those details before
14 you, because I'm not sure they were clearly
15 expressed during your telephone conference.
16 Horseshoe Bend, LLC is an Indiana entity
17 that has been created to hold the license.
18 But if you remember, Crawford County Casino
19 Corporation, your applicant, was an Indiana
20 corporation created by Casino Magic. Casino
21 Magic has, since your telephone conference,
22 transferred all of the stock of that entity
23 to Horseshoe Bend, LLC.

24 Horseshoe Bend, LLC consists of
25 members who are citizens of Crawford County,

1 and volunteers to take advantage of whatever
2 opportunity there is in the county to pursue
3 the application filed with Crawford County
4 Casino Corporation. It is Horseshoe Bend
5 LLC who is pursuing other gaming companies.

6 The time between now and your
7 September hearing will be used by us to
8 hopefully find an operator that makes some
9 sense to you. And we will apprise you of
10 any opportunities that we have as soon as
11 those opportunities present themselves. In
12 the meantime, we believe we still have, not
13 only a good site for your consideration, and
14 an opportunity for an alternative for your
15 decision-making process, but we also believe
16 that we have a group of people in Crawford
17 County who, with some considerable hard work
18 and dedication, that are deserving of
19 whatever opportunity there remains. We're
20 glad that there are 30 more days. If I've
21 learned anything I guess it is that time's
22 an eternity in this business.

23 I remember auditoriums like this in
24 Gary, Evansville, over the last few years
25 where I've seen a lot of surprises and

1 changes. We will not present you with any
2 surprises. We will afford you all
3 information through your staff of any
4 changes that we are aware of. But we did
5 want you to understand this morning what the
6 current status is, and we thank you for the
7 opportunity you've given us to this point.
8 We hope we can return with some new
9 opportunity for you. Thank you.

10 CHAIRMAN VOWELS: Thank you,
11 Mr. Floyd. So that would lead us, the
12 commissioners to the discussion of whether
13 this process remains open to a possible
14 other gaming company coming into Crawford
15 County. Any thoughts on that?

16 COMMISSIONER BOCHNOWSKI: Well, I
17 would think that the way it would have to
18 come, another gaming company, the only way
19 it could come in at this point would be as a
20 lender in the sense that, the same way we've
21 seen that before. And then it would still
22 be the same applicant. It couldn't be an
23 actual -- a gaming company could not be a
24 applicant at this point.

25 CHAIRMAN VOWELS: Well, there has to

1 be a vessel and people to work on the vessel
2 and people to be the key employees of the
3 vessel. What I see is part of the problem
4 is what Mr. Hannon would have to go through
5 as far as investigation. Do any of the rest
6 of you have any thoughts on that?

7 COMMISSIONER BOCHNOWSKI: Well, that,
8 employees wouldn't be a problem so much,
9 because that always comes later. I mean, it
10 could only be the same applicants that we
11 have on file now, but we have accepted
12 gaming companies coming in as, not as an
13 applicant but as a source of financing.

14 A Yes.

15 COMMISSIONER BOCHNOWSKI: Okay. That
16 would be the only way I could see that this
17 would work.

18 MR. THAR: I think we have to look at
19 this a little bit more realistically, and
20 that is, there really isn't an applicant.
21 We have an application. We have an
22 application that shows Casino Magic as the
23 gaming company that is going to put forth a
24 particular project with these particular
25 numbers in this particular dollar amount.

1 With these types of people.

2 In order for the staff or this
3 commission to make any sense out of any kind
4 of presentation there would have to be
5 amendments to that application by someone
6 that would say, this is what the project's
7 going to be, this is where the money's
8 coming from, this is how much it's going to
9 cost. The deadline for that has passed.

10 If I understood you correctly, Doug,
11 while Crawford County Casino Corporation
12 would and intends to pursue other gaming
13 companies to step in and maybe back up the
14 application, there is no gaming company as
15 we sit here today?

16 MR. FLOYD: That is accurate.

17 MR. THAR: Yeah. Which has kind of
18 been the situation for the last 12 months or
19 more. With the on-again off-again role of
20 Casino Magic as well as the in and out of
21 Harrah's, so to speak.

22 So the question becomes, is the
23 commission going to allow a gaming company
24 to step in sometime between now and
25 September 14th? And as tough a decision as

1 it is, I would suggest that the answer
2 should be no. It's been a long time.
3 Crawford County's had the ability to go out
4 and look for an applicant. And in truth you
5 can't put it together in 30 days. At least
6 can't even amend an application, I don't
7 think in 30 days, and do it well. And I
8 don't want to be one to dash hopes, but I am
9 one who kind of wants to look at realities
10 in a situation.

11 I don't see it coming together. Why
12 pretend that it would, I guess. So that's
13 one person's thoughts. Doug, if you have
14 some response to that, please.

15 MR. FLOYD: No, I think those are --
16 well, first a fair observation. The 12
17 months while both Harrah's and Casino
18 America have expressed some interest in the
19 opportunity that we have in the county. I
20 do see no particular reason why the
21 commission needs to place a finality today
22 when there is another hearing scheduled in
23 September anyway.

24 As I observed a while ago, things
25 have changed considerably for you all

1 before. And I don't know if a, an agreement
2 presented to you at your September meeting
3 or submitted to the staff between now and
4 the September meeting, that an operating
5 company wished to undertake an operation up
6 in Crawford County license through a
7 management agreement as opposed to ownership
8 of Crawford County Casino Corporation would
9 be something that you might perceive as
10 feasible. But we have invited gaming
11 companies, since Tuesday, when we received
12 the Casino America letter, to provide us
13 their thoughts on the fact that we now own
14 the Crawford County Casino Corporation
15 license and we would like to submit a
16 proposal.

17 We have not received responses to the
18 request that we put out on Tuesday. If
19 rather than closing the door on whatever
20 response those might bring, you simply take
21 no action today, that does not put you in, I
22 think, any disadvantaged position. Come
23 September 14th, it does leave the door open
24 for some change, whatever this might be.

25 I don't disagree with Jack. I'm not

1 trying to be unrealistic telling you we are
2 doing our level best. And we think for the
3 benefit of the state there's no reason to
4 shut the opportunity for our efforts to
5 deliver something that's beneficial to you.

6 CHAIRMAN VOWELS: When did the
7 referendum pass there in Crawford County?

8 MR. FLOYD: In '94. '94, '95. It
9 was '94.

10 CHAIRMAN VOWELS: November of '94?

11 MR. FLOYD: Yes.

12 COMMISSIONER DARKO: John, I think
13 this discussion has been helpful. But when
14 you get down to it we're not being asked to
15 do anything, so let's not do anything.
16 Let's go ahead on the 14th, based upon what
17 we know today, which is that there's one
18 applicant. We'll expect a complete but
19 abbreviated presentation from that
20 applicant. If things change between now and
21 then and somebody asks us to do something,
22 we can deal with it then.

23 CHAIRMAN VOWELS: Any thoughts on
24 that?

25 MR. THAR: No, that's a fair way to

1 approach it.

2 CHAIRMAN VOWELS: Okay. I don't know
3 that we really need to do anything other
4 than to have the staff keep us apprised if
5 something comes up then.

6 MR. FLOYD: Thank you. Thank you
7 very much.

8 CHAIRMAN VOWELS: Okay. Okay. As it
9 stands right now, there is one application
10 that we have in front of us, which is the
11 Switzerland County application. Assuming
12 that's what we will have on September 14th,
13 we need to make some sort of definitive
14 decision about how the presentation will be
15 handled. Most of us have been through this
16 numerous times, and the State has got their
17 \$50 a day out of us in a lot of those
18 hearings where we have sat there for eight
19 or nine hours.

20 The bottom line is we have seen all
21 the dog and pony shows and bells and
22 whistles that any commission would ever have
23 to see. I think from what Mr. Thar
24 suggested of a 20-minute presentation, which
25 would basically be a summary and an update

1 from the applicant in Switzerland County,
2 along with an additional five to ten minutes
3 from Switzerland County official or
4 officials to update us on what their
5 thoughts, or the incentives that they are to
6 receive. I think that 20-minute summary and
7 the additional five to ten minutes for the
8 county officials, or the city officials,
9 whatever, however they want to designate it
10 to us, would really be all that we would
11 need. Does anybody else have anything to
12 say about that?

13 COMMISSIONER BOCHNOWSKI: You're
14 saying 20 minutes for the company and
15 then --

16 CHAIRMAN VOWELS: Another five or ten
17 minutes, whatever the staff would deem
18 necessary, for then to be able to tell us
19 what they need to tell us. But it would
20 just be a meat and potatoes meeting.

21 COMMISSIONER BOCHNOWSKI: It would
22 end up being about a half hour.

23 CHAIRMAN VOWELS: Presentation. Of
24 course, questions could be asked. We can
25 drag that out as long as we want. So,

1 Mr. Thar, you think that's fair enough?

2 MR. THAR: I do. I've discussed it,
3 kind of those time limits with the company
4 and with the county and they seem to be
5 agreeable with that. Obviously, that would
6 not have been the suggestion of the
7 discussion if there was an applicant that
8 was asking for an hour to give a
9 presentation, the other applicant would have
10 asked for the same amount of time. But the
11 way things looks right now both the county
12 and the company are unhappy with those types
13 of time.

14 CHAIRMAN VOWELS: Okay. And as I've
15 said, I mean if the company people sit here
16 and listen, you, this is the tenth
17 license -- or the ninth license -- no, the
18 tenth license, and you know what we need to
19 hear. It is meat and potatoes at this point
20 in time. And you don't have to go through
21 much in the way of fluff. We just want to
22 know the numbers and how they're crunching
23 and what the reality of the anticipated
24 projections are.

25 So with that in mind, it will be a

1 meat and potatoes hearing on that day.

2 COMMISSIONER BOCHNOWSKI: I would be
3 real interested to make sure that the
4 applicant, you know, has the financing in
5 place, has everything ready to go,
6 financially capable of doing what they say
7 they're going to do.

8 COMMISSIONER SWAN: And we have the
9 people here so we can get yes or no answers.

10 COMMISSIONER BOCHNOWSKI: Right.

11 COMMISSIONER SWAN: And not long
12 monologues.

13 CHAIRMAN VOWELS: Okay. Anything
14 further in reference to that? I see we have
15 Floyd Coats on the agenda. Before we get to
16 Mr. Coats is there anything further?

17 MR. THAR: Not on this issue. There
18 may be something after Mr. Coats.

19 COMMISSIONER DARKO: I was going to
20 ask one question about Mr. Thar's indication
21 of Hollywood Boomtown had increased its
22 revenue sharing to Switzerland County at a
23 minimum of 4.25 percent.

24 MR. THAR: .4.

25 COMMISSIONER DARKO: That money is at

1 the discretion of Switzerland County at this
2 point?

3 MR. THAR: Yes.

4 COMMISSIONER DARKO: So some of that
5 could be used for additional revenue sharing
6 to some of the other counties, Ripley,
7 Jeffersonville and Crawford County.

8 MR. THAR: If Switzerland County
9 chose to. Yeah.

10 COMMISSIONER DARKO: It would be
11 helpful for me to know at the time of the
12 hearing what Switzerland County intending to
13 do with that new money that's been
14 available.

15 MR. THAR: Since they just got the
16 fax yesterday also, my guess is they haven't
17 had time to think about it.

18 COMMISSIONER DARKO: They're still
19 counting it. Thank you.

20 CHAIRMAN VOWELS: Okay. If there's
21 nothing further then, I believe Floyd Coats
22 is here. A gentleman that would like to
23 address the commission. Mr. Coats.

24 MR. THAR: Mr. Coats had also
25 indicated there were a couple of other

1 people that may want to address the
2 commission also. But I'll leave that up to,
3 Mr. Vowels. Mr. Chairman, that's your call.

4 CHAIRMAN VOWELS: We'll see how long
5 Mr. Coats goes here and then we'll figure
6 that out from there.

7 A Ladies and Gentlemen of the Commission, I
8 want to lead off by saying please do not
9 award anymore boat licenses. We don't need
10 it. We don't want it. And we've got to
11 find, we've got to allow the governor's
12 commission time to determine and to tell us
13 what the real impact has been of riverboat
14 gambling.

15 I'm Floyd Coats, Chairman of the
16 Citizens Against Gambling Expansion. As
17 father, grandfather and church going
18 citizen, I'm concerned about the failing
19 morality in America. And right here in
20 Indiana. As a child, children were taught
21 the timeless principles of hard work,
22 frugality and perseverance. Now folks are
23 pinning their hopes on winning the lottery
24 or hitting a big one in one of Indiana's new
25 riverboat casinos. The message being sent

1 to our young people is clear. You don't
2 have to work hard to strike it rich, all you
3 have to do is be lucky. Nothing could be
4 farther from the truth.

5 Indiana legislature voted to remove
6 the State's defensive barrier to riverboat
7 gambling forcing each Ohio River County to
8 muster its own defense against the
9 overwhelmingly well funded, well organized
10 campaigns of out of state casino
11 corporations. In Switzerland County, the
12 opponents in that quiet rural area spent
13 under \$100 while the out of state supporters
14 of gambling investigated about \$50,000 in
15 that campaign. The issue passed by 167
16 votes. The gambling interests spent
17 approximately \$18 and twenty cents per vote
18 cast. That was overwhelming, and unfair.
19 31 percent of the registered voters in that
20 county voted to approve gambling.

21 Switzerland County currently has an
22 employment rate of only four percent. It
23 does not need an additional employer. I was
24 grateful for the folks who worked so hard in
25 Jefferson County to defeat the gambling

1 referendum. They did the right thing.
2 61 percent of the Jefferson County citizens
3 voted against the boat. We do not want a
4 riverboat casino parked within a few short
5 minutes of most of the Jefferson County
6 residents.

7 I have here petitions, signed by some
8 800 people in just the last few days. This
9 petition reads as follows: Whereas the law
10 does not require the Indiana gaming
11 commission to award the fifth riverboat
12 license, whereas there are already four
13 casino riverboats on the Ohio River
14 bordering Indiana. Whereas two-thirds of
15 Indiana's out of Jefferson County residents
16 voted overwhelmingly against riverboat
17 casinos, it is unfair to put a boat within a
18 few minutes of our county. Whereas there is
19 growing evidence that gambling is having a
20 negative effect on families and crime, a
21 license in Switzerland County will have a
22 negative impact on the quality of life in
23 Switzerland and Jefferson Counties.
24 Therefore, the citizens against gambling
25 expansion hereby request that the Indiana

1 gaming commission make the decision not to
2 award anymore riverboat licenses on the Ohio
3 river.

4 I have also here, a letter from
5 Mr. Schultz, Chairman of Indiana, Southern
6 Indiana Citizens Against Gambling. And it
7 reads in part: Clark and Floyd County
8 citizens have twice defeated the riverboat
9 casino's efforts to locate their gambling
10 expansion in their counties. Harrison
11 County citizens passed the legislation --
12 the referendum -- by only a slim margin, 200
13 votes. It is very clear that the vast
14 majority of citizens in this part of
15 southern Indiana do not want riverboat
16 gambling.

17 We think it is not good government
18 policy to locate a riverboat gambling
19 enterprise adjacent to counties who have
20 expressed such overwhelming opposition to
21 those enterprises. The net effect of
22 riverboat gambling in Indiana has never been
23 determined. The current gambling study on
24 the national scope and the current gambling
25 study proposed by the governor must be

1 completed and analyzed before we put another
2 boat on the river. The current legal
3 challenges to the Indiana 1993 gambling law
4 casts very significant doubt on the future
5 longevity of riverboat gambling in Indiana.
6 We urge you not to award the fifth license.
7 Thank you very much.

8 CHAIRMAN VOWELS: Thank you,
9 Mr. Coats. I think we'll stick strictly to
10 the agenda. Mr. Coats was listed on the
11 agenda. So we won't be hearing from anyone
12 else here today. If you would like to
13 submit those petitions, I'll see that all
14 the other commissioners receive their
15 copies. Thank you.

16 Then the next matter on the agenda is
17 Other Business.

18 MR. THAR: Before we get to other
19 business, with regard to the fifth license,
20 probably one would anticipate that we're
21 going to get requests to address the
22 commission at the September 14th meeting
23 that for one reason or another the
24 commission should not give out that license.
25 What's the commission's pleasure on that?

1 CHAIRMAN VOWELS: It's -- I mean my
2 thoughts on it are, you know, I'm not
3 interested in that at that point. We're
4 going to decide on September 14th whether
5 that applicant in Switzerland County's going
6 to get a license or not. And, like I said,
7 it's going to be a meat and potatoes
8 hearing. And I'm not interested in hearing
9 the opposition to that. We've heard from
10 Switzerland County, we were there in Vevay
11 and heard from the citizens there. And
12 we've had numerous hearings on this, and
13 we're aware that there's opposition within
14 that county. Just as Mr. Coats' outlined,
15 there's at least 800 people in petitions
16 here.

17 I'll do whatever the other
18 commissioners would like to do, but my
19 thought is no, let's get down to it.

20 COMMISSIONER BOCHNOWSKI: Well, I
21 think we're pretty aware of the arguments
22 against another license or gambling in
23 general. And I wouldn't be opposed to
24 reading any letters that might come in, you
25 know, I'm happy to read them. I think we've

1 heard a lot of these arguments and they're
2 intelligent arguments and they're well
3 founded. And we take them seriously.

4 CHAIRMAN VOWELS: And those letters
5 always get forwarded to us. I've read every
6 one that's ever been sent.

7 COMMISSIONER BOCHNOWSKI: I have too.

8 CHAIRMAN VOWELS: And it's a lot more
9 interesting than the things I normally read
10 during the course of the day, so I look
11 forward to them.

12 Anybody else have any thoughts?

13 MR. THAR: Then the staff will take
14 the position that it will pass on to the
15 commissioners all written material we've got
16 concerning the issuance of the fifth
17 license, but will not put anyone on the
18 agenda that wishes to speak beyond the
19 applicant and the county. Is that the
20 commission's desire?

21 CHAIRMAN VOWELS: I think so.

22 COMMISSIONER MILCAREK: Yes.

23 CHAIRMAN VOWELS: Okay. If our
24 counsel has another opinion, and that's
25 brought to our attention, of course, we will

1 probably listen to her as we always do. So
2 anything else under other business?

3 MR. THAR: No.

4 CHAIRMAN VOWELS: Okay. We have the
5 next meeting scheduled for September 14th.

6 Mr. Coats has a question.

7 MR. COATS: Does this mean that the
8 commission will no longer entertain any
9 opposition to riverboat gambling?

10 CHAIRMAN VOWELS: No.

11 COMMISSIONER BOCHNOWSKI: No, that's
12 not what it means.

13 CHAIRMAN VOWELS: The next meeting
14 will be September 14th. We haven't decided
15 on just what time yet, have we?

16 MR. THAR: That's correct. And it
17 will be here.

18 CHAIRMAN VOWELS: It will be in this
19 room. Okay. There's nothing else --

20 COMMISSIONER SWAN: Wait, there's
21 one. Just as Other Business, Jack, it
22 occurred to me that these riverboats are
23 using a lot of computers in their business,
24 and I wonder if we've done anything to ask
25 them to affirmatively let us know that they

1 have all systems year 2000 compliant.
2 Because that can seriously affect their
3 reporting to us and even their own
4 operations. I would suggest that we ask
5 them to make a statement like that to the
6 commission.

7 MR. THAR: We will get our MIS
8 department on that right away. And they
9 have them provide us with that statement on
10 September 14th meeting.

11 MR. COATS: Mr. Chairman?

12 CHAIRMAN VOWELS: You've rested.

13 Mr. Swan, is there anything further?

14 COMMISSIONER SWAN: No -- they may
15 not be able to do that by September 14th.
16 They have to get a series of tests to be
17 able to prove themselves. But get the
18 request out to the licensee, I think will be
19 appropriate.

20 MR. THAR: I think for all practical
21 purposes they all are. And already know
22 that. But getting an affirmative statement
23 is a good idea.

24 COMMISSIONER BOCHNOWSKI: Is our
25 department, or is our staff up to date on

1 that?

2 MR. THAR: Yes.

3 COMMISSIONER BOCHNOWSKI: Be
4 compliant?

5 CHAIRMAN VOWELS: All right. The
6 next thing on the agenda is to adjourn the
7 meeting. Is there a motion to adjourn?

8 COMMISSIONER SWAN: So move.

9 CHAIRMAN VOWELS: Second?

10 COMMISSIONER DARKO: Second it.

11 CHAIRMAN VOWELS: All those in favor
12 say aye.

13 (MOTION PASSED)

14 MEETING ADJOURNED.

15

16

17

18

19

20

21

22

23

24

25