

# OHIO CASINO CONTROL COMMISSION

## RESOLUTION 2013-23

### CONSIDERATION OF THE APPLICATIONS OF 2 INDIVIDUALS FOR KEY EMPLOYEE LICENSES

**WHEREAS**, Article XV, Section 6 (C)(4) of the Ohio Constitution created the Ohio Casino Control Commission (“Commission”) to ensure the integrity of casino gaming by, among other things, licensing and regulating all gaming authorized by Article XV, Section 6 (C) of the Ohio Constitution;

**WHEREAS**, R.C. 3772.09(A) prohibits, among others, any key employee from conducting or participating in conducting casino gaming without first being licensed by the Commission;

**WHEREAS**, R.C. 3772.10(B) requires, among others, key employees seeking licensure under R.C. Chapter 3772 to establish their suitability by clear and convincing evidence;

**WHEREAS**, R.C. 3772.13(B) and Ohio Administrative Code 3772-5-02(A) require any key employee seeking licensure to submit a Key Employee License Application;

**WHEREAS**, R.C. 3772.13 and Ohio Administrative Code Chapter 3772-5 authorize the Commission to issue key employee licenses to applicants after the Commission determines that the applicants are eligible for licensure and have paid all applicable fees;

**WHEREAS**, a key employee license applicant is eligible for licensure upon meeting the following criteria:

- (A) Being at least 21 years of age, as required by R.C. 3772.13(C);
- (B) Submission of a true and complete Key Employee License Application, as required by R.C. 3772.10(C) and 3772.131(D) and Ohio Administrative Code 3772-5-02(A);
- (C) Submission, on a form provided by the Commission, of two sets of the applicant’s fingerprints and a photograph, as required by R.C. 3772.13(E);
- (D) Payment of the nonrefundable application fee of \$2,000.00, as required by R.C. 3772.13(E) and 3772.17(D) and Ohio Administrative Code 3772-5-03(A), and all fees necessary to cover the cost of the background investigation in excess of the application fee set forth by Ohio Administrative Code 3772-5-03(A), if any;
- (E) Reimbursement of the costs for the background check, including the criminal records check, as required by R.C. 3772.07 and 3772.13(E);
- (F) Not having been convicted of or pled guilty or no contest to a disqualifying offense, as defined and required by R.C. 3772.07; and

(G) Otherwise is suitable for licensure, as required by R.C. 3772.10(B) and (C);

**WHEREAS**, the key employees listed on the attached Exhibit A (“Key Employees”) submitted their applications for licensure as key employees to the Commission in accordance with R.C. 3772.13(B) and Ohio Administrative Code 3772-5-02(A);

**WHEREAS**, the Commission’s Division of Licensing and Investigation reviewed the submitted Key Employee License Applications, other materials and information, and has conducted thorough suitability investigations of the Key Employees;

**WHEREAS**, the Commission’s Division of Licensing and Investigations has prepared a report to the members of the Commission dated September 12, 2013, captioned *Recommendation to Grant a Key Employee License to Two (2) Individuals* (“Licensing Report”) recommending that the Commission grant key employee licenses to the Key Employees;

**WHEREAS**, the Licensing Report concludes that based upon the investigations no derogatory information that adversely impacts upon the suitability of the Key Employees was uncovered and that the Key Employees are qualified to be approved as key employees; and

**WHEREAS**, the Commission has reviewed the Licensing Report and considered the matter at its public meeting on September 18, 2013.

**NOW, THEREFORE, BE IT RESOLVED**, by the Commission that the Key Employee License Applications of the natural persons contained on Exhibit A are **APPROVED** and those persons are hereby **LICENSED** for a period not to exceed three years, effective today, as key employees, subject to continued compliance with R.C. Chapter 3772 and the rules adopted thereunder, including payment of the nonrefundable license fee of \$500.00 per key employee license as required by R.C. 3772.17(D) and Ohio Administrative Code 3772-5-03(C), and with specified conditions contained in the Licensing Report.

**BE IT FURTHER RESOLVED**, that Resolution 2013-23 does not in any way affect, negate, or otherwise absolve Key Employees of their duties to update information in accordance with Ohio Administrative Code 3772-5-04.

**BE IT FURTHER RESOLVED**, that Resolution 2013-23 does not restrict or limit the Commission’s future exercise of authority and discretion with respect to imposing additional conditions or taking further action upon Key Employees under R.C. Chapter 3772 and the rules adopted thereunder.

Adopted: September 18, 2013

**Exhibit A**

**RESOLUTION 2013-23**

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| 1. Ronald Naples | Director, Penn National Gaming, Inc.                                      |
| 2. Eric Poulton  | Financial Director, Treasurer, Secretary,<br>TCS John Huxley Europe, Ltd. |