

OHIO CASINO CONTROL COMMISSION

RESOLUTION 2012-66

CONSIDERATION OF THE APPLICATIONS OF TECH ART INC.'S KEY EMPLOYEES FOR LICENSURE

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 A.C. 3772-5-02(A) require any key employee seeking licensure to submit a Key Employee License Application;

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 A.C. 3772-6-02(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 A.C. 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 A.C. 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 A.C. 3772-5-02(A);

WHEREAS, the Key Employees received their provisional key employee licenses on May 9, 2012, pursuant to Resolution 2012-50;

WHEREAS, a provisional license shall be valid not longer than three months, pursuant to R.C. 3772.03(D)(15);

WHEREAS, Spectrum Gaming Group (“Spectrum”) has been appointed by the Commission as its agent to assist the Commission in the conduct of suitability investigations;

WHEREAS, Spectrum reviewed the submitted Key Employee License Applications, other materials and information, and conducted thorough suitability investigations of the Key Employees;

WHEREAS, Spectrum has filed investigative reports with the Commission, dated June, 19, 2012, concerning each of the Key Employees;

WHEREAS, Spectrum’s investigative reports conclude that based upon its investigation no derogatory information that adversely impacts upon the suitability of the Key Employees was uncovered and that they are qualified to be approved as key employees;

WHEREAS, the Commission’s Division of Licensing and Investigation has prepared a report to the members of the Commission, dated June 22, 2012, captioned *Report of the Division of Licensing and Investigation on the Applications of Tech Art Inc.’s Key Employees* (“Licensing Report”) recommending that the Commission grant key employee licenses to the Key Employees;

WHEREAS, the Commission has reviewed Spectrum’s investigative reports and the Licensing Report and considered the matter at its public meeting on July 18, 2012.

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** as key employees for a period not to exceed three years from May 9, 2012 (i.e., the date of provisional licensure), 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 A.C. 3772-5-03(C).

BE IT FURTHER RESOLVED, that Resolution 2012-66 does not in any way affect, negate, or otherwise absolve Key Employees of their duties to update information in accordance with A.C. 3772-5-04.

BE IT FURTHER RESOLVED, that Resolution 2012-66 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: July 18, 2012

Exhibit A
Resolution 2012-66

1. Robert F. Del Rossi, Director of Sales and Marketing
2. Bruce H. Kusens, Shareholder
3. Arthur C. Miller, Secretary/Director/Shareholder
4. Gary A. Miller, Secretary/Director/Shareholder
5. Joseph W. Miller, President/Director/Shareholder
6. Marsha S. Miller, Shareholder
7. Ronald L. Miller, Vice President/Director/Shareholder