

**OHIO CASINO CONTROL COMMISSION
RESOLUTION 2015-44**

CONSIDERATION OF KEY-EMPLOYEE LICENSE RENEWAL APPLICATIONS

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(C) and Ohio Adm. Code 3772-5-02(A) require any key employee seeking licensure to submit a Key Employee License Application (“Application”);

WHEREAS, R.C. 3772.13 and Ohio Adm. Code Chapter 3772-5 authorize the Commission to issue key-employee licenses to applicants, including renewal 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 renewal upon meeting the following criteria:

- (A) Being at least 21 years of age, as required by R.C. 3772.13(D);
- (B) Submission of a true and complete Key Employee Application, as required by R.C. 3772.10(C) and 3772.13(E) and Ohio Adm. 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(F);
- (D) Payment of the nonrefundable renewal application fee of \$2,000.00, as required by R.C. 3772.13(F) and 3772.17(E) and Ohio Adm. 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 Adm. Code 3772-5-03(A), if any, as permitted by Ohio Adm. Code 3772-5-03(B);
- (E) Reimbursement of the costs for the background check, including the criminal records check, as required by R.C. 3772.07 and 3772.13(F);
- (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, R.C. 3772.15(B) and Ohio Adm. Code 3772-5-02(D) require that key-employee licensees undergo a complete investigation at least once every three years to ensure continued eligibility for licensure;

WHEREAS, the key-employee renewal applicants listed on the attached Exhibit A (“Key Employees”) submitted their applications to renew their key-employee licenses to the Commission in accordance with R.C. 3772.13(C) and 3772.15(B) and Ohio Adm. Code 3772-5-02(C);

WHEREAS, the Commission’s Division of Licensing and Investigations reviewed the submitted 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 December 7, 2015, captioned *Recommendation to Grant Renewal Key Employee Licenses at December 16, 2015 Commission Meeting* (“Licensing Report”) recommending that the Commission renew the Key Employees’ licenses;

WHEREAS, the Licensing Report concludes that based upon the investigations, no criminal history or derogatory information that adversely impacts the suitability of the Key Employees was uncovered and that they are qualified to be renewed as key-employee licensees, subject to certain conditions; and

WHEREAS, the Commission has reviewed the Licensing Report and considered the matter at its public meeting held on December 16, 2015.

NOW, THEREFORE, BE IT RESOLVED, by the Commission that the Key Employees’ Applications are **APPROVED** and their key-employee licenses are **RENEWED** for a period not to exceed three years, effective upon expiration of their previous licenses, 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(E) and Ohio Adm. Code 3772-5-03(C).

BE IT FURTHER RESOLVED, that Resolution 2015-44 does not in any way affect, negate, or otherwise absolve the Key Employees of their duties to update information in accordance with Ohio Adm. Code 3772-5-04.

BE IT FURTHER RESOLVED, that Resolution 2015-44 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 the Key Employees under R.C. Chapter 3772 and the rules adopted thereunder.

Adopted: December 16, 2015

Exhibit A

RESOLUTION 2015-44

**Horseshoe Casino Cincinnati
Property Key Employees**

1. Jay Bean
2. Herman Campuzano
3. Derek Dishman
4. Richard Janke
5. David Smart

Miscellaneous Key Employees

6. Leonard Ainsworth, Ainsworth Game Technology, Inc.
7. Kyle Martin, Penn National Gaming, Inc.