

OHIO CASINO CONTROL COMMISSION

RESOLUTION 2016-03

CONSIDERATION OF INITIAL KEY-EMPLOYEE LICENSE 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 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 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 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(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 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**, the key-employee applicants 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(C) and Ohio Adm. Code 3772-5-02(A);

WHEREAS, the Commission’s Division of Licensing and Investigations (“Division”) reviewed the submitted Applications, other materials and information, and has conducted thorough suitability investigations of the Key Employees;

WHEREAS, the Division has prepared a report to the members of the Commission dated January 13, 2016, captioned *Recommendation to Grant Initial Key Employee Licenses at the January 20, 2016 Commission Meeting* (“Licensing Report”) recommending that the Commission grant key-employee licenses to the Key Employees;

WHEREAS, the Licensing Report concludes that based upon the investigations, the Division did not uncover any material derogatory information that adversely impacts the suitability of the Key Employees and that the Key Employees are eligible for licensure; and

WHEREAS, the Commission has reviewed the Licensing Report and considered the matter at its public meeting held on January 20, 2016.

NOW, THEREFORE, BE IT RESOLVED, by the Commission that the Key Employees’ Applications are **APPROVED** and they are **LICENSED** as key employees for a period not to exceed three years, 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 2016-03 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 2016-03 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: January 20, 2016

Exhibit A

RESOLUTION 2016-03

Rock Gaming, LLC
Management Company Key Employees

1. Mark Miller
2. Ryan Sullivan

Horseshoe Casino Cleveland
Property Key Employees

3. Jeffrey Cutri
4. Mahlet Ketema
5. Lisa Powers
6. Gabriel Santacreu