

OHIO CASINO CONTROL COMMISSION

RESOLUTION 2020-42

CONSIDERATION OF 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 a key employee from conducting or participating in conducting casino gaming without first being licensed by the Commission;

WHEREAS, R.C. 3772.13(C) and (E) and Ohio Adm.Code 3772-5-02(A) require a 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 a key-employee license after the agency determines that an applicant is eligible for licensure and has paid all applicable fees;

WHEREAS, R.C. 3772.10(B) requires a key employee seeking licensure under R.C. Chapter 3772 to establish the employee’s suitability by clear and convincing evidence;

WHEREAS, a key employee 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 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 2 sets of fingerprints and a photograph, as required by R.C. 3772.07 and 3772.13(F);
- (D) Payment of the nonrefundable application fee of \$2,000, 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 R.C. 3772.10(C); and
- (G) Otherwise is suitable for licensure, as required by R.C. 3772.10(B) and (C);

WHEREAS, the 4 individuals listed on the attached Exhibit A (“Key Employees”) submitted their Applications to the Commission in accordance with R.C. 3772.13 and Ohio Adm.Code 3772-5-02;

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

WHEREAS, the Division has prepared a report to the members of the Commission, dated November 11, 2020, captioned *Investigative Report of Key-Employee License Applications* (“Report”);

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

WHEREAS, based on this conclusion, the Division recommends that the Commission grant the key-employee licenses; and

WHEREAS, the Commission has reviewed the Report and considered the matter at its public meeting held on November 18, 2020.

NOW, THEREFORE, BE IT RESOLVED by the Commission that the Key Employees are **SUITABLE** and **ELIGIBLE** for licensure.

BE IT FURTHER RESOLVED that the Applications are **APPROVED** and the Key Employees are **LICENSED** for a period not to exceed 3 years, subject to continued compliance with R.C. Chapter 3772 and the rules adopted thereunder, including payment of the following fees:

- (A) The cost of any background investigation that exceeded the application fee set forth by Ohio Adm.Code 3772-5-03(A), as required by R.C. 3772.17(E) and Ohio Adm.Code 3772-5-03(B); and
- (B) A nonrefundable license fee of \$500 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 2020-42 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 2020-42 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: November 18, 2020

Exhibit A

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Initial Key-Employee Licenses

Arnaud de Cartier de Marchienne – Cartamundi Group

Michael Eklund – Scientific Games Corporation

Kevin Goskowsky – Hard Rock Casino Cincinnati

Andrej Zupancic – Elektroncek Group BV