

OHIO CASINO CONTROL COMMISSION

RESOLUTION 2021-22

CONSIDERATION OF KEY-EMPLOYEE LICENSE APPLICATIONS

WHEREAS, Article XV, Section 6(C) of the Ohio Constitution created the Ohio Casino Control Commission (“Commission”) to ensure the integrity of casino gaming;

WHEREAS, R.C. 3772.09 prohibits any key employee from conducting or participating in conducting casino gaming without being licensed by the Commission;

WHEREAS, R.C. 3772.13 and Ohio Adm.Code 3772-5-02 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 or renew 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 requires any key employee seeking licensure under R.C. Chapter 3772 to establish the employee’s suitability by clear and convincing evidence;

WHEREAS, R.C. 3772.15 and Ohio Adm.Code 3772-5-02 require each key-employee licensee to undergo a complete investigation at least once every three years to ensure continued eligibility for licensure;

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;
- (B) Submission of a true and complete Application, as required by R.C. 3772.10 and 3772.13 and Ohio Adm.Code 3772-5-02;
- (C) Submission, on a form provided by the Commission, of two sets of fingerprints and a photograph, as required by R.C. 3772.07 and 3772.13;
- (D) Payment of the nonrefundable application fee of \$2,000 and all fees necessary to cover the cost of the background investigation in excess of the application fee, if any, as required by R.C. 3772.13 and 3772.17 and Ohio Adm.Code 3772-5-03;
- (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) Not having been convicted of or pled guilty or no contest to a disqualifying offense, as defined and prohibited by R.C. 3772.07 and R.C. 3772.10; and
- (G) Otherwise being suitable for licensure, as required by R.C. 3772.10;

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

WHEREAS, each Key Employee’s nonrefundable application and criminal-background fees have been paid, as required by R.C. 3772.07, 3772.13, 3772.17, and Ohio Adm.Code 3772-5-02 and 3772-5-03;

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 June 9, 2021, 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 or renew the key-employee licenses, as applicable; and

WHEREAS, the Commission has reviewed the Report and considered the matter at its public meeting held on June 16, 2021.

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 for initial licensure are **APPROVED** and the Key Employees are **LICENSED** 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 following fees, which are required by R.C. 3772.17 and Ohio Adm.Code 3772-5-03, for each of them:

- (A) The cost of any background investigation that exceeded the application and criminal-background fees; and
- (B) A nonrefundable license fee of \$500.

BE IT FURTHER RESOLVED that the Applications for renewal are **APPROVED** and the Key Employees’ 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 following fees, which are required by R.C. 3772.17 and Ohio Adm.Code 3772-5-03, for each of them:

- (A) The cost of any background investigation that exceeded the application and criminal-background fees; and
- (B) A nonrefundable license fee of \$500.

BE IT FURTHER RESOLVED that Resolution 2021-22 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 2021-22 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: June 16, 2021

Exhibit A

RESOLUTION 2021-22

Initial Key-Employee Licenses

Shawn Drummond – Hollywood Casino Toledo

Wade Howk – Hard Rock Casino Cincinnati

Jonathan Leemaster – Penn National Gaming, Inc.

Norihito Nakatani – Japan Cash Machine Co., Ltd.

Mitsuhiro Ueno – Japan Cash Machine Co., Ltd.

Renewal Key-Employee Licenses

Jason Birney – Hollywood Casino Columbus

Briceson Kahler – JACK Cleveland Casino

Harper Ko – Penn National Gaming, Inc.

Perry Montesi – JACK Cleveland Casino