

OHIO CASINO CONTROL COMMISSION

RESOLUTION 2013-32

**CONSIDERATION OF A REQUEST FOR PROVISIONAL KEY EMPLOYEE LICENSES
FOR TWO INDIVIDUALS**

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, key employees from conducting or participating in conducting casino gaming without first being licensed by the Commission;

WHEREAS, R.C. 3772.03(D)(15) mandates that the Commission establish standards for provisional key employee licenses for persons who are required to be licensed as key employees and where exigent circumstances exist;

WHEREAS, R.C. 3772.03(D)(15) and A.C. 3772-5-02(F) require any key employee seeking provisional licensure to:

- (A) Be at least 21 years of age, as required by R.C. 3772.13(C);
- (B) Submit a true and complete Key Employee License Application, as required by R.C. 3772.03(D)(15), 3772.10(C), and 3772.131(D) and A.C. 3772-5-02(F);
- (C) Be compliant under an instant background check, as required by R.C. 3772.03(D)(15);
- (D) Payment of the nonrefundable application fee of \$2,000.00, as required by R.C. 3772.03(D)(15), 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), as required by R.C. 3772.17(D) and A.C. 3772-5-03(B), if any;
- (E) Demonstrate the existence of exigent circumstances, as required by R.C. 3772.03(D)(15) and A.C. 3772-5-02(F); and
- (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;

WHEREAS, Timothy Wilbur and Jamie Brown submitted applications for licensure as a key employee to the Commission, in accordance with R.C. 3772.03(D)(15) and 3772.13(B) and A.C. 3772-5-02(F), and complied with the requisite background check;

WHEREAS, the nonrefundable application fee for the Key Employee license applications has been paid, as required by R.C. 3772.13(E) and 3772.17(D) and A.C. 3772-5-02(F) and 3772-5-03(A);

WHEREAS, the Commission has considered the matter at its public meeting on December 11, 2013.

NOW, THEREFORE, BE IT RESOLVED, by the Commission that the Key Employee License Applications of Timothy Wilbur and Jamie Brown are **PROVISIONALLY APPROVED** and that Timothy Wilbur and Jamie Brown are hereby **PROVISIONALLY LICENSED** for a period not to exceed 90 days, effective today, as a key employee, subject to continued compliance with R.C. Chapter 3772 and the rules adopted thereunder and the payment of all fees required by the Commission, including the following:

- (A) The cost of any key employee background investigation that exceeded the application fee set forth by A.C. 3772-5-03(A), as required by R.C. 3772.17(D) and A.C. 3772-5-03(B); and
- (B) A 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, in accordance with R.C. 3772.03(D)(15), the Key Employee provisional licenses may be renewed one time for a period not to exceed 3 months.

BE IT FURTHER RESOLVED, that Resolution 2013-32 does not in any way guarantee that the Key Employees will be granted plenary licensure as a key employee or that the right to operate in a key employee capacity will extend beyond the time permitted herein or under R.C. Chapter 3772 and the rules adopted thereunder.

BE IT FURTHER RESOLVED, that Resolution 2013-32 does not in any way affect, negate, or otherwise absolve the Key Employees from the duty to update information in accordance with A.C. 3772-5-04.

BE IT FURTHER RESOLVED, that Resolution 2013-32 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 11, 2013