

**OHIO CASINO CONTROL COMMISSION  
MEETING MINUTES**

**10 A.M. – July 6, 2011  
RIFFE CENTER, 77 SOUTH HIGH STREET  
31st FLOOR, SOUTH B AND C  
COLUMBUS, OH 43215**

The meeting was called to order at 10:10 a.m. by Chairman Jo Ann Davidson. Commissioners McKinley Brown, Martin Hoke, Peter Silverman, Ranjan Manoranjan, John Steinhauer and June Taylor were in attendance. The minutes of the June 15, 2011 meeting were approved.

The Commission approved a contract extension to September 30, 2011 for John Williams upon a motion made by Commissioner Manoranjan and seconded by Commissioner Taylor. The Commission also approved Resolution 2011-5, upon a motion made by Commissioner Silverman and seconded by Commissioner Steinhauer, to make technical changes on references to the Ohio Revised Code statutes on public meetings on Rule 4-1 filed with the Joint Committee on Agency Rule Review (JCARR) to expedite the rule filing process.

Chairman Davidson welcomed Ameet Patel, the new General Manager of Hollywood Casino's Columbus facility. Mr. Patel spoke briefly to the Commission and shared information on his professional background.

Fredrick Gushin, Managing Director, and John Bowman, Associate/Timeline, from Spectrum Gaming Group, reviewed a Timeline document prepared as a tool for completing necessary actions associated with regulating and licensing Ohio's four casino facilities. When it was noted that the date on the submission of blueprints from the Cleveland and Toledo properties has passed, Mr. Gushin stressed that while some dates are subject to change, some are hard and fast. It was pointed out that a two-week delay between casino openings would be optimal to allow for proper staff training. In discussions regarding the Social Impact of Gaming entry, it was requested that this report be completed prior to the opening of any casino properties. Chairman Davidson indicated that she would share her notes with Commission members from a recent conversation with Eric Rademacher of the Ohio Poll regarding content, timing, etc. and that she would invite him to attend an upcoming meeting to share his expertise on this issue. It was requested that other components be pursued, such as discussions with law enforcement and court personnel, to gauge the effects of gambling. Additional suggestions are that information on economic impact data be added to the Timeline, tracking on the total investment of casino operators be required, the definition of facility/operator be clarified and a Gantt chart be used to track progress on meeting the Timeline requirements.

It was noted that no assumptions can be made about licensing approval. Mr. Gushin pointed out that Penn National and Caesars have a track record in other states and are known entities, while this will be the first casino licensing process for Rock Ventures. The risk is on the applicants who have chosen to build the casinos prior to licensing. The Attorney General's staff noted that third-party engineering and accounting firms need to be approved by the Casino Control Commission to certify expenses of the initial investment of a casino operator.

Revisions to the Application for a Casino Operator, Management Company, or Holding Company License dated 7-1-2011 were reviewed. It was noted that based upon Spectrum's Timeline, the

review of the application needs to be completed so that approval can be scheduled for the July 20 meeting. Clarification needs to be made on the definition of "applicant". John Oberle, from Schottenstein, Zox and Dunn representing Penn National, asked the Commission to reconsider asking for direct or indirect ownership interest of more than five percent instead of one percent as this percentage changes daily in a publicly-traded company and is not required by statute. This recommendation was accepted. There was also discussion regarding language on expunged or sealed court records and it was agreed that language would be used to include both procedures used by Ohio and other states. There was also discussion about adding language to require an aggregate of \$50,000 under the Antitrust Violation Section. Chairman Davidson asked that any suggested changes from those in the audience be submitted as soon as possible so that the final review could occur on July 20.

The Surveillance Standards draft dated 6-28-2011 was reviewed by Sam Kirk of the Ohio Attorney General's Office. Comments were received from John Oberle and John Galle, Assistant General Manager of the Toledo casino. In addition, Spectrum Gaming Group will review and comment on the proposed standards.

Susan Choe from the Ohio Attorney General's Office reviewed the working draft of the Debt Transaction rule dated 7-5-2011. It was agreed that more detailed language will be inserted concerning documents to be included in the request for a debt transaction review. Michael Cohen and Lynn Kauffman, representing Rock Ohio Caesars, commented on the draft and pointed out the interest rate is not known in advance and not available until the time of the transaction. They suggested that an on-going dialogue would be helpful to allow the process to move forward as transaction details change. He commented that clarity is important as lenders need details in order to finance projects. The definition of casino operator will be clarified in case of default. The Commission members delegated to Chairman Davidson the option of asking for an Attorney General's opinion in the event it would be helpful to the casino operators in obtaining financing following a motion made by Commissioner Hoke and seconded by Commissioner Steinhauer. The question to be submitted is: "Can a debt-holding entity with a security interest in a casino facility as defined in ORC Section 3772.01 (G) enforce that security interest, and as a consequence, become a casino operator as defined in ORC Section 3772.01 (F)."

Chairman Davidson indicated that the review of the Code of Conduct draft would be moved to the first item of business at the July 20<sup>th</sup> meeting. She made the members of the Commission aware of a public records request and asked them to respond as to whether or not they have any communications that need to be disclosed. She reviewed the schedule and indicated that blueprints and surveillance issues would be discussed as soon as possible. The Chairman reported that Spectrum would be working on the analysis of law enforcement issues. She also asked Commission members to be thinking about who to select to verify information provided on applications so that a decision could be reached by the first meeting in August. The Commission approved authorizing Spectrum Gaming Group to review the blueprints for both the Toledo and Cleveland casinos.

Following a roll call vote, members of the Commission went into Executive Session to consider the appointment of a public employee. At the conclusion of the Executive Session, the meeting reconvened and by a motion made and seconded, the meeting was adjourned at 5:00 p.m.