



# CHEROKEE NATION GAMING COMMISSION MEETING MINUTES

8 June 2018

Cherokee Nation Gaming Commission-Conference Room

## CALL TO ORDER :

Chairman Sparks called the meeting to order at approximately 9:39 a.m.

## ROLL CALL:

Present: Chairman Sparks  
Vice-Chairman Barrick  
Commissioner Jordan

Absent: Commissioner Goins  
Commissioner Purcell

A quorum was established.

## APPROVAL OF AGENDA:

Commissioner Barrick motioned to approve the agenda; seconded by Commissioner Jordan. Motion carried.

Commissioner Purcell arrived at 9:41 a.m.

## APPROVAL OF MINUTES:

Commissioner Purcell motioned to approve the 27 April 2018 meeting minutes as amended; seconded by Commissioner Jordan. Motion carried. Chairman Sparks abstained.

Commissioner Barrick motioned to approve the 18 May 2018 meeting minutes; seconded by Commissioner Purcell. Motion carried. Chairman Sparks abstained.

## INTRODUCTION OF GUESTS:

Introductions were made by attendees from the Cherokee Nation Gaming Commission (CNGC), Cherokee Nation Entertainment (CNE), Cherokee Nation Businesses (CNB), Cherokee Nation (CN), and guests.

Commissioner Purcell motioned to enter into executive session at 9:46 a.m. for the CNE reports and the old business items. The motion was seconded by Commissioner Jordan. Motion carried.

**CNE REPORTS:**

A. FINANCIAL REPORT

B. FACILITIES REPORT

**OLD BUSINESS:**

A. PERSONNEL DISCUSSION – J. HUMMINGBIRD

B. USE OF RECORDING DEVICES – DRAFT POLICY – J. HUMMINGBIRD

Commissioner Jordan motioned to exit executive session at 11:28 a.m. The motion was seconded by Commissioner Purcell. Motion carried. No action was taken during executive session.

Commissioner Goins arrived at 10:03 a.m.

Chairman Sparks suggested New Business items VIII. A through VIII. H be moved to the conclusion of Item VIII. I at 11:29 a.m. Commissioner Goins made the suggestion in the form of a motion; seconded by Commissioner Purcell. Motion carried.

*Item I was covered at this time. See respective line item below.*

**NEW BUSINESS**

A. PERMITS & LICENSES – K. MYERS

Kelly presented the following and requested approval.

1. Employees

- Fifty-five (55) individual(s) for temporary permits
- Fifty-two (52) individual(s) for suitability determination
- Eighty (80) orders
- July renewals will be presented at the 29 June 2018 meeting

Commissioner Jordan motioned to approve; seconded by Commissioner Barrick. Motion carried.

## 2. Vendor & Vendor Representatives

None

### B. LICENSE CLASSIFICATIONS – K. MYERS

Kelly presented eleven (11) new license classifications and requested approval.

Commissioner Goins motioned to approve; seconded by Commissioner Jordan. Motion carried.

### C. GAME & SYSTEM APPROVALS – G. CAVINESS

Gena presented the following and requested approval.

#### 1. Electronic Game Themes

➤ Everi	24
➤ Ainsworth	1
➤ Konami	4
➤ IGT	2
➤ VGT	17
➤ Aristocrat	4
➤ AGS	7

#### New Game Clients

➤ VGT	3
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#### OS/Main Programs

➤ AGS	2
➤ IGT	1

#### New Cabinets

➤ Everi	1
➤ AGS	1
➤ Aristocrat	1

#### Director Approved Item(s)

➤ IGT	3
➤ VGT	5

Commissioner Barrick motioned to approve as listed; seconded by Commissioner Goins. Motion carried.

## 2. Table & Card Games

There were no table and card games to present. Gena provided a memo displaying the status on a review they are conducting.

## 3. Systems

There were no systems to present.

Commissioner Jordan inquired if the table and card games would get in on a timely basis. Jamie reported that CNGC has been working with card games management on the Tri-Lux and Fortune 7 Baccarat games. CNGC has notified CNE as to what needs to be provided and CNGC is waiting for them to gather the information and submit.

Jamie communicated with them the day before and CNE realizes where they are in the process and are going to hold off on these until they get the ball and dice ready and rolled out. CNE will get back to preparing this and submit to CNGC once the ball and dice is rolled out. CNE knows the ball rests with them.

## D. PROMOTIONS & CALENDAR OF EVENTS – J. BUNCH

Jeannie made the presentation and recommended approval as listed.

Commissioner Purcell motioned to approve; seconded by Commissioner Goins. Motion carried.

Jeannie provided a confidential addendum for Catoosa. One new promotion received Director's approval. Jeannie requested approval for the addendum.

Commissioner Goins motioned to approve; seconded by Commissioner Purcell. Motion carried.

## E. TOURNAMENTS – J. BUNCH

Jeannie presented the tournaments and calendar of events and requested approval.

Commissioner Purcell motioned to approve; seconded by Commissioner Jordan. Motion carried.

## F. IN-HOUSE PROGRESSIVE TRANSFERS – J. BUNCH

Jeannie presented and recommended approval for the transfer of retired in-house progressive (IHP) funds to promotional funds for the direct benefit of e-games patrons.

Commissioner Barrick motioned to approve; seconded by Commissioner Goins. Motion carried.

#### G. CNGC 2018 AUDIT CYCLE UPDATE – T. ASHER

Traci touched on two reports in the packet. She provided the quarter two (2) Implementation Review. She reported that twelve (12) items on their list had been completed. There were no questions.

#### H. INDIVIDUAL GAMING LICENSE FEE SCHEDULE–PROPOSED AMENDMENT – J. HUMMINGBIRD

Jamie reported that this had been revisited since the information sharing began with CNE. CNGC can reduce the fee schedule for an individual license by \$50 per person because CNE is doing the preliminary check and providing the information to CNGC. The new proposed fees are \$150.00 for key employees and \$175.00 for primary management officials.

Commissioner Jordan asked if they had discussed with CNE about CNE increasing their fee. Commissioner Goins and Jamie explained that it would be at the discretion of CNE.

Jamie requested approval for the license fee change effective 1 July 2018.

Commissioner Goins motioned to approve; seconded by Commissioner Barrick. Motion carried.

*The meeting moved to the Director's Report at this time. See respective report below.*

#### I. INVESTIGATIONS, LICENSE ACTIONS & HEARINGS – MEYERS/CAVINESS

Commissioner Goins motioned to enter into executive session at 11:30 a.m. for briefings on the hearings and/or investigations and hear each individual as scheduled; seconded by Commissioner Purcell. Motion carried.

Commissioner Goins motioned to exit executive session and return to regular session at 12:32 a.m. The motion was seconded by Commissioner Purcell. Motion carried.

Kelly made the following recommendations and requested approval.

##### **Tab 1**

Action: License Denial

Commissioners Barrick, Goins, and Purcell verbally approved with an “aye.” Commissioner Jordan opposed. Motion carried.

## **Tabs 2 - Present**

Action: License Denial

Commissioners Goins, Jordan, and Purcell verbally approved with an “aye.” Commissioner Barrick abstained. Motion carried.

## **Tabs 3-7**

Action: License Revocation

All verbally approved by saying “aye.” Motion carried.

Commissioner Jordan began a discussion to conduct the hearings on a day other than commission meeting days. Jamie and Kelly will look into this and present all options to the commissioners.

*Items A through H under new business was taken up at this time. See respective line items above.*

## **DIRECTORS REPORT - J. HUMMINGBIRD**

Chairman Sparks inquired on the implementation of the new ball & dice regulations and procedures. Jamie did a recap on the procedures. Discussions with CNE continue on a weekly basis regarding potential regulation changes. He added that a walk-through was made with Operations management and staff the day before at the Hard Rock property. Some comments have been received and addressed. CNE recently received the replies to their comments. He believes they are up to par and will be completed by 29 July 2018. The effective date of the law is 2 August 2018. Jargon and formatting issues are being addressed and the process is going well. CNE agreed with Jamie’s report.

Commissioner Jordan asked how many meetings were left. Jamie answered that there were three (3) and plenty of time to act. CNE agreed that all is coming along well.

Sports Betting – There are no real or firm developments at this time as a lot is still up in the air. It may be a while. More than likely, it will go into effect by football season.

Texas Supreme Court-Choctaw Case – Chrissi will prepare an update memo to present at the next meeting.

Changes by the National Indian Gaming Commission (NIGC) – NIGC published some changes with the new Internal Control Standards on this day. Changes were made to the Minimum Internal Control Standards (MICS) but when it was published, some areas regarding kiosks published alone rather than an addition to the existing standards. NIGC is

now placing the key control standards back in. NIGC set a deadline of 9 July 2018 for comments. There are plans to discuss this with CNE.

New Test Lab – A handout was provided on a test lab called Slovenian Institute of Quality and Metrology (SIQ) and has been in operation overseas. They have opened up an office in Reno Nevada. SIQ formally requested to be recognized by Cherokee Nation. Jamie requested information on any jurisdictions they may be recognized by in particular, any inside the United States. There are no regulations on ITL's. NIGC's section 547 reference two (2) other sections of NIGC regulations that deal with the review and approval of management contracts. They would be taken through the same process as management contracts.

Commissioner Jordan asked why they are being considered if CNE already has testing labs.

Kelly added that the company works with skilled based games and new games coming out. CNGC is taking into account that this may be the only testing lab for a product that Operations want to use in the future. Bear added that it would be a good idea on a regulatory perspective in case it happens.

Commissioner Jordan requested a projection of how much time and staff this will affect.

Jamie provided a Environmental Public Health & Safety (EPH&S) memorandum report and made himself available for questions. He will keep the commissioners updated.

Commissioners Jordan and Purcell requested that the commissioners and Tribal Council be made aware promptly on facility issues so they can be ready for the media if needed. Bear said that this was being addressed by Mark Fulton.

OPEN SESSION:

None

ADJOURNMENT:

Commissioner Goins motioned to adjourn at 1:32 p.m. The motion was seconded by Commissioner Barrick. Motion carried.

Approval of Minutes:

  
CHAIRMAN SPARKS

  
DATE