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## CHEROKEE NATION GAMING COMMISSION

### MEETING DATE / LOCATION:

21 June 2019  
Hard Rock Casino & Resort  
7<sup>th</sup> Floor Board Room

### COMMISSIONERS PRESENT:

John Sparks, Chairman  
Steven Barrick, Vice Chairman  
Jennifer Goins, Commissioner  
Janice Walters-Purcell, Commissioner

### COMMISSION STAFF:

Jamie Hummingbird, Director  
Tammy Dry, Executive Assistant  
Rhonda Trumbla, Special Projects Officer  
Tracy Christie, Gaming Systems Analyst  
Traci Asher, Internal Audit Manager  
DeJuna McDonald, Gaming Agent Supervisor  
Jeannie Bunch, Compliance Officer  
Karridean Anquoe, Licensing Clerk  
Tristan Trumbla, Gaming Systems Analyst

### CHEROKEE NATION ENTERTAINMENT:

Bear Christensen, Compliance  
Timothy Mannon, Gaming  
Jennifer Watkins, Compliance  
Belinda Fuller, Audit  
Gary Weddell, Gaming Operations  
Jennifer Provence, Marketing  
Ben Blosch, Accounting  
Katlin Bowers, Compliance Intern  
Marinda Wacoche, Human Resources Manager  
Angelia Jobe, IT

### VISITORS:

Chrissi Nimmo, Office of the Attorney General

CHEROKEE NATION GAMING COMMISSION MEETING MINUTES

21 June 2019

Hard Rock Casino & Resort

7<sup>th</sup> Floor Board Room

**CALL TO ORDER:**

Vice Chairman Barrick called the meeting to order at approximately 9:58 a.m.

**ROLL CALL:**

Present: Chairman Sparks (Teleconference)  
Vice Chairman Barrick  
Commissioner Purcell

Absent: Commissioner Goins

A quorum was established.

**APPROVAL OF AGENDA:**

Commissioner Purcell motioned to approve the agenda; seconded by Commissioner Barrick.

In the interest of time for the hearings individuals, Jamie requested to move Item VIII-I (Hearings) up to take place after the approval of the minutes. Commissioner Purcell motioned to approve the request; seconded by Commissioner Barrick. Motion carried.

**APPROVAL OF MINUTES:**

Commissioner Purcell motioned to approve the 31 May 2019 meeting minutes as amended; seconded by Commissioner Barrick.

Jamie brought a typo to the attention of the Commissioners on the second sentence of page 6.

Commissioner Barrick entertained for approval of the minutes as corrected. All were in favor with the exception of Chairman Sparks abstaining. Motion carried.

*The meeting moved to Item VIII-I (Hearings) at this time. See respective line item below.*

**INTRODUCTION OF GUESTS:**

The commissioners agreed to Jamie's recommendation to forego the introductions.

After returning from lunch recess, Commissioner Goins motioned to enter into executive session at 1:42 p.m. for the CNE Reports. The motion was seconded by Commissioner Purcell. Motion carried

**CNE REPORTS:**

**A. FINANCIAL REPORT**

**B. FACILITIES REPORT**

Commissioner Purcell motioned to exit executive session at 2:17 p.m. The motion was seconded by Commissioner Barrick. Motion carried.

No action taken

**OLD BUSINESS:**

**A. TRIBAL INTERNAL CONTROL STANDARDS – PROPOSED REVISIONS – J. HUMMINGBIRD**

Jamie reminded the commissioners that this item had been tabled to complete some background work. The work is complete and Jamie recommended a set of changes that are based on different actions. The National Indian Gaming Commission (NIGC) published a rule in August of 2018 where they suspended the effectiveness of Section 542. They have issued a guidance bulletin intended to supplement this section and to update as technology and as the industry changes. CNGC tried to get all of the affected standards assessed and getting the final rule of December for kiosk standings incorporated as well as some of the issues that had been identified in previous audits issued during 2018.

Jamie requested authorization to publish this set of modifications for the APA thirty (30) day comment period. In addition, CNGC staff would like to meet with CNE during the time to provide a copy of the proposed revisions and give a better understanding of the revisions, which may help CNE formulate comments. Jamie requested approval for the proposed modifications be posted under the APA.

A discussion was held on the proper procedure for adopting the draft regulation as final. Chrissi Nimmo recommended the Commission publish the responses to public comments for 15 days to afford the public an opportunity to request a hearing on the regulation and the responses.

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

B. GAME AUTHENTICATION TERMINAL (GAT) PROTOCOL—PROPOSED REGULATION – J. HUMMINGBIRD

Jamie reminded the commission that this was approved for publishing under the APA at the April meeting. Comments were received from CNE. Bear stated that most were comments for clarifications with the language of the regulation. Jamie added that the current platform is not mandated to be replaced by a certain time but CNE is encouraged to use (GAT) due to the benefits of this protocol, which will minimize the time it takes for software testing, installation, and verification. Getting this in place will start the ball rolling in figuring out how GAT compatible and non-compatible machines will be treated so that no negative impact will be made on the floor.

Jamie recommended that the regulation as amended be adopted with a 1 September effective date as well as the pursuit of the implementation plan outlined this day.

A discussion was held on the proper procedure for adopting the draft regulation as final. Chrissi Nimmo recommended the Commission publish the responses to public comments for 15 days to afford the public an opportunity to request a hearing on the regulation and the responses.

Commissioner Goins motioned to approve the responses to public comments for publishing pursuant to the APA; seconded by Commissioner Barrick. Motion carried.

**NEW BUSINESS**

A. PERMITS & LICENSES – K. MYERS

Jamie presented the following and requested approval.

1. Employees

- Thirty-eight (38) individual(s) for temporary permits
- Thirty-five (35) individual(s) for suitability determination
- One hundred and forty-six (146) Orders
- One hundred and seventy-six (175) renewals for 19 July 2019

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

- One (1) renewal for 19 July 2019 (Jennifer Goins)

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

## 2. Vendor & Vendor Representatives

- Three (3) new company orders for 21 June 2019
- Thirty (30) individual orders for 21 June 2019
- Eight (8) company renewals for 19 July 2019
- Seventy-six (76) individual renewals 19 July 2019

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

## B. LICENSE CLASSIFICATIONS – K. MYERS

Jamie presented three (3) license classifications and requested approval. One (1) of those received Director's approval in May.

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

## C. GAME & SYSTEM APPROVALS – T. TRUMBLA

Jamie handed out an updated memo and presented the following for approval.

### 1. Electronic Game Themes

➤ Everi	10
➤ IGT	1
➤ Eclipse	1
➤ Ainsworth	2
➤ Bally	4
➤ Aruze	10
➤ Konami	3

### Updated OS/Main Programs

➤ IGT	1
➤ Bally	1
➤ Aristocrat	2

### New Gaming Components

➤ IGT	1
➤ Eclipse	1
➤ Bally	2
➤ Aruze	1

### New Game Cabinet

➤ Eclipse	1
➤ Konami	1

**Director Approved Items**

➤ IGT

1

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

**2. Table & Card Games**

None to present

**3. Systems**

None to present

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

Jeannie presented the report and requested approval for the calendars as well.

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

**Catoosa**

Jeannie presented the memo in the packet for the Catoosa promotions and requested approval.

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

**Roland/Sallisaw**

Jeannie presented the Roland and Sallisaw promotions included in the packet and requested approval.

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

**West Siloam Springs (WSS)**

Jeannie handed out an addendum for the WSS property. She presented the addendum and requested approval.

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

#### E. TOURNAMENTS – J. BUNCH

Jeannie made the presentation and requested approval.

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

Jeannie presented the memo for Roland included in the packet and requested approval.

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

#### G. CNGC 2018 & 2019 AUDIT CYCLE UPDATE – T. ASHER

Traci presented the Revenue Audit in the packet and requested permission to release the report.

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

#### H. GAMING SYSTEMS ACTIVITY REGULATION-PROPOSED MODIFICATION – J. HUMMINGBIRD

Jamie recommended authorization to publish the proposed change to Chapter 7-B Gaming Systems Activity under the APA for comment. This change would allow for GAT capable software and hardware to be shipped with the machines rather than separately. This change would be implemented simultaneously with the GAT regulation.

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

*The meeting moved to the Director's Report since Item I was completed earlier in the meeting.*

#### I. INVESTIGATIONS, LICENSE ACTIONS & HEARINGS (EXECUTIVE SESSION REQUESTED) – K. MYERS

Commissioner Purcell motioned to enter into executive session at 10:02 a.m. for briefings on the hearings and/or investigations and hear each individual as scheduled. The motion was seconded by Commissioner Barrick. Motion carried.

Commissioner Goins motioned to exit executive session at 12:39 p.m. The motion was seconded by Commissioner Purcell. Motion carried.

No action was taken during executive session.

Commissioner Goins arrived at 10:37 a.m.

Commissioner Purcell motioned to vote on the licensing recommendations for the hearings; seconded by Commissioner Goins. All agreed.

Jamie made the following recommendations and requested approval:

**Tab 1 - Present**

Action: License denial

All commissioners were in favor of the recommendation. Passed.

**Tab 2 - Present**

Action: Conditional license for 2 years with no criminal activity if proof can be provided that felony was reduced to a misdemeanor. If no proof then it will be taken to commission next month for a final decision.

Commissioners Barrick and Goins were in favor of the recommendation. Commissioner Purcell opposed. Passed

**Tab 3 - Present**

Action: Two (2) year conditional license and no criminal activity, pending completion of court ordered stipulations of community service and fines.

Commissioner Barrick favored the recommendation. Commissioners Goins and Purcell opposed.

Upon discussion, Commissioner Purcell motioned for license revocation; seconded by Commissioner Goins. Motion passed.

**Tab 4 - Present**

Action: License denial

Commissioners Barrick and Goins were in favor of the recommendation. Commissioner Purcell opposed. Motion passed.

**Tabs 5-8**

Action: Revocation

All commissioners were in favor of the recommendation. Motion passed.

At 12:47 p.m. Commissioner Goins motioned to recess for lunch until 1:30 p.m. The motion was seconded by Commissioner Purcell. Motion carried.

The meeting reconvened in regular session at 1:41 p.m.

*The meeting returned to the order of agenda and began at the CNE Reports. See respective line item above.*

## DIRECTORS REPORT - J. HUMMINGBIRD

Jamie let his report stand and offered to answer any questions. There were no questions.

## **OPEN SESSION:**

None

**ADJOURNMENT:**

Commissioner Purcell motioned to adjourn at 3:10 p.m. The motion was seconded by Commissioner Goins. Motion carried.

### Approval of Minutes:

## CHAIRMAN SPARKS

## DATA