



CWYAA DSR JONG&OY Dhooibh

CHEROKEE NATION GAMING COMMISSION

MEETING DATE / LOCATION:

19 July 2019
Cherokee Casino Tahlequah
Chota Center

COMMISSIONERS PRESENT:

John Sparks, Chairman
Jennifer Goins, Commissioner (Teleconference)
Janice Walters-Purcell, Commissioner

COMMISSION STAFF:

Jamie Hummingbird, Director
Rhonda Trumbla, Special Projects Officer
Debra Wilson, Administrative Officer
Tracy Christie, Gaming Systems Analyst
Traci Asher, Internal Audit Manager
Kelly Myers, Licensing Manager
Tiffany Cochran, Compliance Manager

CHEROKEE NATION ENTERTAINMENT: Bear Christensen, Compliance

Timothy Mannon, Gaming
Jennifer Watkins, Compliance
Gary Weddell, Gaming Operations
Jennifer Provence, Marketing
Angelia Jobe, IT
Tonnette Hummingbird, Human Resources
Kyle Culver, Marketing
David Ledford, IT
Reba Chambers, Compliance
Monica Richards, Finance
Dena Geib, CNB Legal
Donald Childers, Surveillance & Loss Prevention
Joshua Anderson, Surveillance
Jerry Keener, Loss Prevention
Dustin Dye, CNB Audit

VISITORS:

Todd Hembree, Office of the Attorney General
Chrissi Nimmo, Office of the Attorney General
David S. Rowley, Cherokee Phoenix

CHEROKEE NATION GAMING COMMISSION MEETING MINUTES

19 July 2019

Cherokee Casino Tahlequah

Chota Center

CALL TO ORDER:

Chairman Sparks called the meeting to order at approximately 9:43 a.m.

ROLL CALL:

Present: Chairman Sparks
 Commissioner Purcell
 Commissioner Goins

Absent: Vice Chairman Barrick

A quorum was established.

APPROVAL OF AGENDA:

Commissioner Purcell motioned to approve the agenda; seconded by Commissioner Sparks. Motion carried.

APPROVAL OF MINUTES:

After discussion a revision was requested with a motion to amend by Commissioner Purcell; copy paragraph in B under old business and duplicate to section A under old business; Commissioner Goins motioned to approve as amended; seconded by Commissioner Purcell. Motion passed.

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 9:50 a.m. The motion was seconded by Chairman Sparks. Motion carried.

CNE REPORTS:

A. FINANCIAL REPORT

B. FACILITIES REPORT

Chairman Sparks motioned to exit executive session at 10:21; seconded by Commissioner Purcell. Motion carried.

No action taken during executive session.

OLD BUSINESS:

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

Jamie reported that the deadline for comments was at the end of May and comments were received from CNE and proposed responses were presented at the June meeting. The responses were published on 24 June 2019. No request for a public hearing was received. Jamie recommended that the proposed GAT regulation be adopted as final in ten (10) days from today pursuant to the Administrative Procedures Act (APA).

Commissioner Purcell motioned to approve to adopt; seconded by Commissioner Goins.

Chairman Sparks asked if CNE had any objections. There were no objections. Chrissi added that she did not have time to review these prior to the meeting, she will review and provide a written response to ensure no substantive changes were made.

Jamie recommended a revised implementation effective 1 October 2019 adopted as final ten (10) days from today instead of 1 September 2019.

Commissioner Purcell motioned to amend the motion to adopt the proposed regulations effective 1 October 2019; seconded by Chairman Sparks. Motion carried.

NEW BUSINESS

A. PERMITS & LICENSES – K. MYERS

Kelly presented the following and requested approval.

1. Employees

- One hundred and six (106) individual(s) for temporary permits
- Eighty-eight (88) individual(s) for suitability determination
- Forty-four (44) Orders
- One hundred and eighteen (118) renewals for 16 August 2019

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

2. Vendor & Vendor Representatives

- Zero new company orders for 19 July 2019
- Zero individual orders for 19 July 2019
- Twelve (12) company renewals for 16 August 2019
- Seventy (70) individual renewals 16 August 2019

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

B. LICENSE CLASSIFICATIONS – K. MYERS

Kelly presented four (4) license classifications and requested approval.

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

C. GAME & SYSTEM APPROVALS – T. TRUMBLA

Presented by Tiffany Cochran.

1. Electronic Game Themes

➤ Ainsworth	1
➤ IGT	11
➤ Everi	17
➤ Bally	10
➤ VGT	9

Director Approved Items

➤ Bally	4
➤ Aristocrat	3
➤ VGT	3
➤ IGT	1

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

2. Table & Card Games

Tiffany reported that CNE requested a change to the West Siloam Springs (WSS) felts as stated on the memo and recommended approval.

CNE also requested approval for changes to the felts for the Hard Rock casino as described in the memo.

Commissioner Purcell motioned to approve the felts for WSS and the Hard Rock as recommended; seconded by Commissioner Goins. Motion carried.

3. Systems

None to present

D. PROMOTIONS & CALENDAR OF EVENTS – J. BUNCH

Tiffany presented the report and requested approval.

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

Addendum for Roland/Sallisaw

Tiffany presented the memo and requested approval.

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

E. TOURNAMENTS – J. BUNCH

Tiffany made the presentation and requested approval.

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

Tournaments Addendum

Tiffany made the presentation for the addendum and requested approval.

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

F. IN-HOUSE PROGRESSIVE TRANSFERS – J. BUNCH

Tiffany 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 Goins motioned to approve as submitted in detail in the memo; seconded by Commissioner Purcell. Motion carried.

G. CNGC 2019 AUDIT CYCLE UPDATE – T. ASHER

There were no audit reports to present.

Traci presented the audit plan for FY 2020 included in the packet and requested approval.

Commissioner Purcell motioned to approve the FY 2020 audit plan as submitted; seconded by Commissioner Goins. Motion carried.

H. CNE SYSTEM OF INTERNAL CONTROLS (SICS) MODIFICATIONS – J. HUMMINGBIRD

A motion was made by Commissioner Purcell to approve the proposed modifications; seconded by Commissioner Goins.

Jamie requested to include surveillance SICS (SUR311, SUR322, SUR228, SUR332, SUR342, SUR 346, SUR348, SUR350, SUR351, and SUR352). There will be more coming forward but Jamie requested the inclusion of these ten (10) with the recommended modifications contained in the packet.

Commissioner Purcell asked if CNE was in agreement. Chairman Sparks stated that they were getting the “thumbs up” from CNE. Jamie added that they were in line with the internal control requirements and Josh Anderson confirmed.

Commissioner Purcell amended her motion to include the additional ten (10) surveillance items recommended by the Director. Chairman Sparks seconded the motion and motion carried.

I. COMPACT PRIZE CLAIM REGULATION-PROPOSED MODIFICATION – J. HUMMINGBIRD

Jamie explained that there was a drafting error made in the compact gaming prize claim regulation. An additional appeal level was included that is not afforded to individuals under the Tribal-State Compact. Management makes decisions on a person’s prize claim under the compact and, if the person disagrees to the decision, an appeal goes directly to the Cherokee Nation District Court. In the compact gaming prize claim, the procedure affords a first management response to a second level of management response. To resolve the error, Jamie recommended striking subsection D which is the section affording the person to appeal to Senior Management. This will include cleaning up some other drafting and scriveners errors.

Jamie recommended the commission authorize this for the 30-day APA review and comment period with any proposed changes coming back to the Commission for finalization.

Commissioner Purcell motioned to publish the suggested revisions for comment; seconded by Commissioner Goins. Motion carried.

Chrissi asked if it will be posted as a redline version. Chairman Sparks requested that the redline version be published. Jamie verified.

Dena Geib had a question regarding the Tribal Internal Control Standards (TICS) and was asked to save it for open session.

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

Commissioner Purcell motioned to enter into executive session at 11:13 a.m. for briefings on the hearings and/or investigations and hear each individual as scheduled. The motion was seconded by Commissioner Goins. Motion carried.

Commissioner Goins motioned to exit executive session at 11:32 a.m. The motion was seconded by Commissioner Purcell. Motion carried.

No action was taken during executive session.

Kelly made the following recommendations and requested approval:

Tab 1

Action: Rescheduled to the August meeting.

Tab 2

Action: License denial.

Commissioner Purcell motioned to approve the recommendations; seconded by Commissioner Goins. Motion passed.

DIRECTORS REPORT - J. HUMMINGBIRD

Jamie will get the fee payments summary updated and sent out.

OPEN SESSION:

Dena Geib, CNB Legal, requested an extension to comment on the proposed changes to the Tribal Internal Control Standards.

Commissioner Purcell motioned to amend the agenda to discuss possible action to extend the comment period to 1 September 2019; seconded by Commissioner Goins. Motion carried.

Commissioner Purcell asked if the extension is for everyone or just CNE. Chrissi responded that it would be everyone and requested that Jamie publish an extension notice.

Commissioner Purcell motioned to extend the comment period to 1 September 2019; seconded by Commissioner Goins.

This item will be placed under old business until the proposed rule becomes final.

Jamie made two (2) points: 1) If it would help, CNGC would be happy to meet with CNE to discuss the proposed changes and the reasoning behind them; and, 2) the changes need to move as expeditiously as possible with coming into compliance in mind. Chrissi added that the same people having to gather recently requested information are the same people commenting and she feels this is fair due to the time it takes to review the proposed changes.

All were in favor of Commissioner Purcell's motion. Motion passed.

ADJOURNMENT:

Commissioner Purcell motioned to adjourn at 11:50 a.m. The motion was seconded by Commissioner Goins. Motion carried.

Approval of Minutes:


John H. Sparks
CHAIRMAN SPARKS
August 16, 2019
DATE