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CHEROKEE NATION GAMING COMMISSION

MEETING DATE / LOCATION:

16 August 2019
Hard Rock Casino & Resort
Golf Course August Room

COMMISSIONERS PRESENT:

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

COMMISSION STAFF:

Jamie Hummingbird, Director
Tammy Dry, Executive Assistant
Rhonda Trumbla, Special Projects Officer
Traci Asher, Internal Audit Manager
Kelly Myers, Licensing Manager
Tiffany Cochran, Compliance Manager
Jeannie Bunch, Compliance Officer

CHEROKEE NATION ENTERTAINMENT:

Mark Fulton, Operations
Monica Richards, Finance
Jennifer Watkins, Compliance
Jennifer Provence, Marketing
Angelia Jobe, IT
Kyle Culver, Marketing
David Ledford, IT
Reba Chambers, Compliance
Dena Geib, CNB Legal
Donald Childers, Surveillance & Loss Prevention
Dustin Dye, CNB Audit
Belinda Fuller, CNB Audit
Marinda Wacoche, Human Resources

VISITORS:

Janees Taylor, Tribal Council
Victoria Vasquez, Tribal Council
Chrissi Nimmo, Office of the Attorney General

CHEROKEE NATION GAMING COMMISSION MEETING MINUTES

16 August 2019

Hard Rock Casino & Resort

Golf Course August Room

CALL TO ORDER :

Chairman Sparks called the meeting to order at approximately 9:40 a.m.

ROLL CALL:

Present: Chairman Sparks
Vice Chairman Barrick
Commissioner Purcell
Commissioner Goins

Absent: None

A quorum was established.

APPROVAL OF AGENDA:

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

APPROVAL OF MINUTES:

Commissioner Goins motioned to approve the 19 July 2019 meeting minutes; seconded by Commissioner Barrick. 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 9:45 a.m. for the CNE reports. The motion was seconded by Chairman Goins. Motion carried.

CNE REPORTS:

A. FINANCIAL REPORT

B. FACILITIES REPORT

Commissioner Barrick motioned to exit executive session at 10:31 a.m. The motion was seconded by Commissioner Purcell. Motion carried.

Reports were received, no action taken.

A break was taken at this time.

The meeting resumed at 10:40 a.m.

OLD BUSINESS:

A. GAMING SYSTEMS ACTIVITY REGULATION-FINAL RULE – J. HUMMINGBIRD

Jamie reported that the deadline for comments under the Administrative Procedures Act (APA) was 24 July 2019 and no comments were received. Jamie verified with legal counsel that after a ten-day period, final rule could be issued by the Commission. The APA requires the submission of the reasons for a final rule to be adopted which were included in the packet. Jamie recommended that the Gaming Systems Activity as amended on 24 June 2019 be adopted as final. If passed, they will be published on the Cherokee Nation website.

Commissioner Goins motioned to adopt; seconded by Commissioner Barrick.

Chairman Sparks asked Dena Geib what her thoughts were on this. Dena verified that there were no comments and all are in agreement from the Compliance and Operations stand point to move forward.

No debate, motion passed.

B. AUDIT CHARTER PROPOSED REVISIONS-RESPONSES TO PUBLIC COMMENTS – T. ASHER

Traci reported that comments were received from CNE on 3 June 2019. She requested approval to post the CNGC responses. Traci added that some minor revisions were made based on CNE's comments.

Commissioner Goins motioned to post; seconded by Commissioner Barrick.

Dena stated that they had made substantial comments and if minor changes were made, they had not seen them. They had a concern within the Tribal Gaming Act 22C and wondered if the Commission would want a legal review conducted which could prevent a request for a hearing by CNE. Chrissi stated that a review and response could be done by the Office of the Attorney General (AG) and added other options. Commissioner Purcell stated that she would be more comfortable to have a review and response from the AG's office.

Jamie reminded the Commission that this is not a new regulation and one that has already been passed. The charter has been in place for at least eleven (11) years. Much like any other proposal, if the proposed responses are posted and more discussion is needed, they can have those discussions. There could be a halt for a legal review to be conducted but he prefers to keep the process moving rather than stall now and have to restart at a later date. It can always be halted as we go rather than restarting. The written responses are not shared unless the Commission authorizes it.

After discussions, Commissioner Goins motioned to table the publication of the responses until the October meeting and while waiting for an opinion from the AG's office; seconded by Commissioner Purcell. Motion carried.

C. PROPOSED TICS REVISIONS – J. HUMMINGBIRD

The comment period was extended to 1 September 2019 to get the comments on the proposed changes. Jamie explained that, due to the Labor Day holiday, the deadline for comments was set for Tuesday, 3 September 2019. The Chair had requested that this remain under old business pending updates through the time the comments are received.

Dena requested an extension from 1 September 2019 to 1 October 2019 to submit the comments. Jamie offered help to CNE on this should they need it.

Commissioner Goins motioned to extend the comment period to the 11 October 2019 Commission meeting date; seconded by Commissioner Purcell. Motion carried.

Chairman Sparks requested an update on this prior the October meeting.

NEW BUSINESS

A. PERMITS & LICENSES – K. MYERS

Kelly presented the following and requested approval.

1. Employees

- One hundred and eight (108) individual(s) for temporary permits
- One hundred and ten (110) individual(s) for suitability determination
- One hundred (100) Orders

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

Tiffany presented the following:

- Two hundred and thirty-three (233) renewals for 13 September 2019

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

2. Vendor & Vendor Representatives

- Two (2) new company orders for 16 August 2019
- Forty-three (43) individual orders for 16 August 2019
- Two (2) company renewals for 13 September 2019
- Thirty-five (35) individual renewals 13 September 2019

Commissioner Barrick motioned to approve as submitted; seconded by Commissioner Purcell. 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.

1. Electronic Game Themes

➤ Novomatic	2
➤ Everi	8
➤ IGT	1
➤ AGS	3
➤ Incredible Technologies	3
➤ Bally	4
➤ Ainsworth	4

Server Upgrade

➤ VGT	1
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New Main Program

➤ Novomatic	1
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Class III Gaming Cabinet

➤ Novomatic	1
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New Gaming Component

- Everi 1

Director Approved Items

- IGT 3
- Incredible Technologies 2
- Ainsworth 1

Tiffany added that a cabinet demo was conducted on the Novomatic game and CNGC requested that a cover or seal placed over the USB port prior to going live. She also made CNE aware that there are hard meters outside of the cabinet and the vendor said they could place a plate over those at CNE Operation's request.

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

2. Table & Card Games

Jamie provided a handout and reported that CNE has requested approval for minor changes to the manual fill and credit slips to be utilized at the Hard Rock, West Siloam Springs, and Roland properties. They are compliant with the TICS and Jamie recommended approval.

Commissioner Goins motioned to approve the request; seconded by Commissioner Barrick.

Jamie stated that under the changes are adding a \$1,000 chip and removing the \$2 and ante chips.

No debate, motion passed.

3. Systems

None to present

D. PROMOTIONS & CALENDAR OF EVENTS – J. BUNCH

Jeannie presented the report along with the addendum for Roland/Sallisaw and requested approval.

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

E. TOURNAMENTS – J. BUNCH

Jeannie made the presentation and requested approval.

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

G. CNGC FY 2019 AUDIT CYCLE UPDATE – T. ASHER

Traci reported that the Table Games & Tournaments final audit report is complete and in the packet. She requested approval to release the report.

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

Traci added that the Cage and Casino Instruments Review was completed by CNB and referred them to the CNB auditors for questions. There were no questions. This report was for informational purposes only, no action necessary. The report was submitted and received per Chairman Sparks.

Jamie requested a brief executive session after the Director's Report for personnel updates.

Commissioner Goins motioned to amend the agenda to add an executive session after the Director's Report; seconded by Commissioner Barrick. Motion carried.

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

Commissioner Purcell motioned to enter into executive session at 11:42 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.

A break was taken at this time.

The meeting resumed into executive session at 11:56 a.m.

Commissioner Goins motioned to exit executive session at 1:44 p.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 - Present

Action: Tabled – Pending final disposition to the commission

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

Tab 2 - Present

Action: License denial

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

Tab 3 - Present

Action: Two (2) year conditional license with no criminal activity

Commissioner Barrick motioned to approve; seconded by Chairman Sparks. Commissioners Goins and Purcell opposed. Motion is tied therefore motion failed.

Commissioner Purcell motioned for a license denial; seconded by Commissioner Goins. Commissioner Barrick opposed. Motion passed by the opinion of the Chair.

Tab 4 - Present

Action: License revocation

Commissioner Goins motioned to approve; seconded by Chairman Sparks. Motion passed. Commissioner Purcell abstained.

Jamie reported that changes will be made to the finger printing process and provided an informational handout to the commissioners. He added that CNGC will be getting with Chrissi regarding this change.

DIRECTORS REPORT - J. HUMMINGBIRD

Jamie let his report stand unless there were questions. There were no questions.

Commissioner Goins motioned to enter into executive session at 1:53 p.m. for the personnel update; seconded by Commissioner Barrick. Motion carried.

Commissioner Purcell motioned to exit executive session at 2:00; seconded by Commissioner Goins. Motion carried.

OPEN SESSION:



Kelly announced that CNGC is hosting the Oklahoma Tribal Gaming Regulation Association (OTGRA) conference at the Cherokee Hard Rock in October. Jamie will be the Awards Banquet keynote speaker and she asked the Commissioners to let her know if they had other speakers in mind and invited them to attend.

Chairman Sparks announced a reception for former CNGC Commissioners with coffee and doughnuts at the CNGC office on the morning of Saturday, August 31 before Cherokee Holiday parade.

ADJOURNMENT:

Commissioner Purcell motioned to adjourn at 2:14 p.m. The motion was seconded by Commissioner Goins. Motion carried.

Approval of Minutes:

	
CHAIRMAN SPARKS	DATE