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CHEROKEE NATION GAMING COMMISSION

MEETING DATE / LOCATION:

November 17, 2023
Chota Center, Cherokee Casino
3307 Seven Clans Ave
Tahlequah, Ok, 74464

COMMISSIONERS PRESENT:

John Sparks, Chairman
Richard Hull, Commissioner
Linda O’Leary, Commissioner
Frank DeLozier, Commissioner

COMMISSION STAFF:

Janice Walters Purcell, Executive Director
Tristan Trumbla, Gaming System Analyst
Audra Imhoff, Gaming Audit Manager
Indy Hicks, CNGC IT
Kelsey Vann, Compliance Officer
Amy Calico, Executive Assistant
Kandance Willyard, Gaming Licensing Agent

CHEROKEE NATION ENTERTAINMENT:

Monica Richards, Finance
Angelica Jobe, CNE IT
Jennifer Province, CNE Marketing
Reba Chambers, CNE Compliance
Erica Martindale, CNB Audit
Kyle Culver, CNE Marketing
Tim Branham, CNE – IT
Jason Barnes, CNE – IT
Jennifer Province, CNE Marketing
Todd Hembree, CNB Legal
Gary Weddell, CNE Operations

VISITORS:

Melvina Shotpouch, Cherokee Nation Tribal
Council
Greg Calvert, CN Office of the Attorney General
Paiten Qualls, CN Office of the Attorney General

**CHEROKEE GAMING COMMISSION
MEETING MINUTES
17 November, 2023**

I. CALL TO ORDER:

Chairman Sparks called the meeting to order at 9:32 am.

II. ROLL CALL:

Amy Calico called Roll.

Present: Commissioner Sparks
Commissioner Hull
Commissioner O’Leary
Commission DeLozier

Absent: None

Four (4) Commissioners were present and a quorum was established.

III. APPROVAL OF AGENDA:

The Chair entertained the Motion to approve the Agenda. Commissioner O’Leary made the motion to approve the Agenda; Seconded by Commissioner DeLozier. The motion carried and the Agenda was approved.

IV. APPROVAL OF MINUTES:

The Chair entertained the Motion to approve the October 27, 2023 Minutes. Commissioner Hull made the Motion to approve the Minutes; Seconded by O’Leary. The Chair stated he would like to abstain as he was absent.

V. INTRODUCTION OF GUESTS:

The Chair requested introduction of guests.

VI. CNE REPORTS:

The Chair, next item is the CNE Reports. The Chair entertained the motion to enter into Executive Session for the purpose of receiving the CNE Reports and Executive Director's report. Commissioner O'Leary made the motion to enter into Executive Session; Seconded by Commissioner Hull. The motion carried and the Commission entered into Executive Session to discuss items VI.A-E and VII at 9:45 am.

- A. Financial
- B. Facilities
- C. Litigation
- D. Compacts
- E. NIGC

VII. EXECUTIVE DIRECTOR'S REPORT:

The reports under item VI.A. B., C., D., and E. were received in Executive Session and no action was taken. The Chair entertains the Motion to exit Executive Session. Commissioner Hull made the Motion; Seconded by Commissioner O'Leary. The motion passes to exit Executive Session and Enter Open Session at 11:03am.

The Chair stated Commissioner DeLozier had to leave due to an emergency situation and confirmed the meeting will continue based on the present quorum still established.

VIII. OLD BUSINESS:

Executive Director stated due to The Chair's absence in the last Meeting, he received the 2024 Proposed Meeting Schedule via email. Action will be taken on next meeting and the information had been received.

IX. NEW BUSINESS:

A. Permits & Licenses

1. Employees:

The Chair asked Executive Director if she would like to delegate the questions. Executive Director asked for Kandance Willyard to come forth. Kandance Willyard stepped forward and handed out the Hearing folders. Executive Director stated there were edits that need to be corrected. The Chair asked that all amendments be addressed after the first motion. The Chair entertained the Motion to approve the Twenty-Six (26) Temporary Permits, Thirty-One (31) Suitability Determinations, and Thirty-Five (35)

Orders, and One Hundred and Seventy-Nine (179) Renewals. Commissioner Hull made the motion to approve; Seconded by Commissioner O'Leary.

The Chair asked Executive Director if she would like to amend the Motion. Executive Director replied yes and stated that Shandie Hughes is a Gaming Agent and be stricken from the Primary Management category under Suitability Determination. It should be corrected to CNGC Suitability Determination. The Chair asked for a Motion to amend the designation of Shandie Hughes. Commissioner Hulls made the Motion to approve; Seconded by O'Leary.

The Chair asked Executive Director if that covered her concerns and Executive Director stated there was one more correction to amend. The Chair asked for the Motion to be amended and asked all in favor, to which the Commissioners approved. The Motion was amended. Executive Director requested that James Hilderbrand be stricken from the Primary Management category under Renewals and be corrected to CNGC Employee Renewal. The Chair asked Executive Director if James Hilderbrand will need to be moved to Orders, and she stated the employee will remain under the Renewal Category. The Chair entertains the Motion to amend (1) CNGC Primary Management Official Renewal to (1) CNGC Employee Renewal. Commissioner Hull made the motion to approve the amendment; Seconded by Commissioner O'Leary. The Motion passes.

2. Vendor & Vendor Representatives

The Chair entertained the Motion to approve Zero (0) Company Orders for November 17, 2023, Twelve (12) Individual Orders for November 17, 2023, Four (4) Company Renewals for December 15, 2023, and Forty-Three (43) Individual Orders for December 15, 2023. Commissioner Hull made the Motion; Seconded by Commissioner O'Leary. The Motion passes.

3. License Classifications

The Chair entertains the motion to approve the Affirmation of Approval by the Executive Director for a job description. Commissioner O'Leary made the Motion; Seconded by Commissioner Hull. The Chair asked for any questions, no questions; the Motion passes.

- End User Computing Engineer (IT1906) for CNE

B. Game & System Approvals

1. EGM Memo – T. Trumbla

The Chair entertains the Motion to approve the following items as listed in EGM Memo:

- 29 new electronic game themes (2 Incredible Technologies, 6 VGT, 1 Velvix, 1 Bluberi, and 19 AGS)
- 1 new gaming cabinet
- 5 new OS/main programs (2 VGT, 1 Velvix, and 2 AGS)
- 1 Executive Director approved item (1 LNW).

Commissioner O’Leary made the Motion; Seconded by Commissioner Hull. The Motion passes, the items are approved.

The Chair entertained Second Motion to affirm the One (1) Executive Director’s Memo approvals previously granted. Commissioner Hull made the Motion; Seconded by Commissioner O’Leary. The Chair asked for any question, no questions. The motion passed, the approvals were affirmed.

2. Pavilion Payments Kiosk Hotfix

The Chair entertained the Motion to approve the request from the Executive Director for the Pavilion Payments Kiosk Hotfix Affirmation of Approval. Commissioner Hull made the Motion; Seconded by O’Leary. The Chair asked for any question; no questions; the Motion passes.

C. Promotions – K. Vann

The Chair entertains a Motion for Affirmation of Approval of the Two (2) dates that were previously approved on October 16 and October 26, 2023. Commissioner Hull makes the Motion; Seconded by Commissioner O’Leary. The Motion passes.

D. Request to Transfer Retired Progressive Funds – K. Vann

The Chair will entertain a Motion to approve the request to transfer in retired in-house progressive (IHP) funds to promotional funds. Commissioner O’Leary made the Motion; Seconded by Hull. The Motion passes.

E. SICS Memo – K. Vann

The Chair entertains a Motion to approve the new revised SICS Memo as recommended by the staff. Commissioner O’Leary makes the Motion; Seconded by Commissioner Hull. The Chair asked for any question, no questions. The Motion passes.

- MK011 Coupons
- OP006 Employee Family Member Gaming Promotions

Executive Director made an announcement that Kelsey J Vann was promoted to Compliance Manager. The Chair and Commissioners all unanimously congratulated the promotion.

F. TICS Accounting Review – Information Only - A. Imhoff

The Chair recognized A. Imhoff. Ms. Imhoff states the technology review is for informational purposes only since this audit is to be conducted by CNB Internal Audit. Fieldwork started November 1, 2023 with estimated completion by January 5, 2023. No action taken and the information had been received.

G. TICS Auditing Review – Information Only - A. Imhoff

The Chair recognized A. Imhoff. Ms. Imhoff states the technology review is for informational purposes only since this audit is to be conducted by CNB Internal Audit. Fieldwork started November 1, 2023 with estimated completion by January 19, 2023. The Chair asked for questions, no further questions; no action taken and the information had been received.

H. Bi-Annual Gaming Funds – Information Only – A. Imhoff

The Chair recognized A. Imhoff. Ms. Imhoff states the technology review is for informational purposes only. Each scope and assessment showed that the effective controls are in place and that management’s controls were satisfactory to aid in compliance with regulatory requirements. No action taken and the information had been received.

I. CNE Quarterly Cash and Gaming Review – Information Only - A. Imhoff

The Chair recognized A. Imhoff. Ms. Imhoff states the technology review is for informational purposes only. CNE properties will periodically undergo unannounced inspections and other operational review activities. Fieldwork began October 15, 2023 and will continue through September 15, 2024. No action taken and the information had been received.

J. Investigations, License Actions & Hearings

The Chair, next item is the Investigation, License, & Hearing. The Chair entertained a Motion to enter into Executive Session for the purpose of Individual Licenses hearing. Commissioner Hull made the Motion; Seconded by Commissioner O’Leary. The Motion carried and the Commission entered into Executive Session at 11:29am.

Motion to exit Executive Session and return to regular session resumes at 12:17pm.

The Chair states the Commission will grant motion to grant conditional license for #1051091. Commissioner Hull made the Motion; Seconded by Commissioner O’Leary.

X. OPEN SESSION

The Chair asks if any statements or discussions in open session.

XI. ADJOURNMENT

The Chair entertains the motion to adjourn. Commissioner O’Leary makes the Motion; Seconded by Commissioner Hull. The Motion carried and the Commission adjourned the meeting at 12:24pm.

Approval of Minutes:

Chairman Sparks

Date