Cherokee Nation Tax Commission

P.O. Box 948 Tahlequah, OK 74465

Jim Hummingbird,
Tax Commissioner

Sam Hart,
Tax Commissioner

Scott Gregory,
Tax Commissioner

CHEROKEE NATION TAX COMMISSION MEETING
Governmental Resources Conference Room
June 8, 2011
4:44 p.m.

Commission Present: Jim Hummingbird, and Scott Gregory

Staff Present: Sharon Swepston (Conference Call), Andy Quetone, Shelia Sawney, Karen Walls, and Rachel Mouse

Visitors: Nason Morton – Attorney General Office

Meeting was called to order at 4:44 p.m. Quorum established with Chairman Hummingbird, and Commissioner Gregory.

The Commission began with agenda item#1 – Approval of Minutes of March 2, 2011– Commissioner Gregory made a motion to approve the minutes. Chairman Hummingbird seconded the motion. Motion carried.

Agenda #2 – Update on Sales Tax Compact Negotiations – Nason Morton represented Diane Hammons. He stated he did not have any information for the issue. Nason said if we had a special meeting he could come back and report at that time.

Agenda #3 – Alcohol Law – Andy stated they have met with Sara Hill with Attorney General office. And they have worked together on the Alcohol Law. The Attorney General office would like to postpone this agenda item to finalize this until after the June 25th Cherokee Nation election. The purpose would be not to go back and start over on this law. Andy stated we would like to recommend scheduling a special meeting in July to complete

this law. We are also working with the Gaming Commission; the Director is going make some recommendations on the law. We will incorporate those into the law. The special meeting is scheduled for July 27, 2011.

Agenda #4 – Approval of Ramona Casino Special Event Alcohol License- Sharon reported Ramona Casino will be having an anniversary celebration on July 1st. They are requesting to be able to sell beer outside.

Sharon has not approved this request due to requirements they will need to complete to be able to have the event. They will need to set up barriers for age limit customers of 21 years of age or older. And will have security placed where they will be entering that area. They will have to stay in the designated area while drinking. There will be only one way in and out of that area. Security will have to be place at both entrance and exit areas. They can not place security just out on the property, due to not being able to ensure the customers will not walk out and leave the premises. If that would happen that would make us liable. Sharon stated with those requirements in place her suggestion is to issue a one time license for that outside event. Our staff will be there to make sure it is enforced. Sharon told them if someone walks out of the designated area with a alcohol beverage it will be shut down. Cherokee Nation Entertainment has agreed to those conditions.

The Gaming Commission is waiting on our decision because this will fall into some of their gaming rules. Andy stated that he and Shelia met with Dena Geib and Christopher the manager, they will have bicycle barriers up all the way around and there will be a security camera. He stated they also contracted with an outside vendor. They will be selling hotdogs, hamburgers, nachos, soda. That is a one time only event permit for that vendor. The whole special event permit is going to only be approved after the department of OES food handling inspector inspects the outside vendor.

Commissioner Gregory asks about the 150 footage are area, he asked if that was 150 square foot. There was a short discussion on the footage of the tent that will be set up for the event.

Commissioner Gregory made a motion to approve the special event alcohol license, with the exception of the health consideration for the food vendor. Chairman Hummingbird seconded the motion. Motion carried.

Agenda item #5 – Prevention Medical Services – Shelia Sawney stated they have applied for a retail sales license to set up in the casino to give massages

during the poker tournament. She states all paperwork is in order. The owner is 51 percent owner and is a tribal member. Shelia recommends approval for this license.

Commissioner Gregory made a motion to approve the retail sales license. Chairman Hummingbird seconded the motion. Motion carried.

Agenda item #6 – JJ & L Jewels Retail Sales License - Shelia stated they are requesting to set up within the Casino occasionally. All the paperwork is in order. Shelia recommends approval for this license.

Commissioner Gregory made a motion to approve the retail sales license. Chairman Hummingbird seconded the motion. Motion carried.

Agenda item #7 – Cabin Creek Application for Retail Sales License – Deleted no action.

Agenda item #8 –Little Deer Smoke Shop Retail Sales License – Shelia stated this smoke shop is located in Bartlesville it closed down last December. They are requesting to re-open with new ownership. She said all paperwork is in order. She recommends approval for this license.

Commissioner Gregory made a motion to approve the retail sales license. Chairman Hummingbird seconded the motion. Motion carried.

Agenda item #9 – Cherokee Tobacco Sales I – New Ownership – Shelia stated this smoke shop has been reopened under new ownership. All paperwork is in order. Shelia recommends approval for this license.

Commissioner Gregory made a motion to approve the retail sales license. Chairman Hummingbird seconded the motion. Motion carried.

Agenda item #10- Annual Renewal License – Shelia states this is the annual renewal license for everyone that is licensed with Cherokee Nation Tax Commission.

Commissioner Gregory made a motion to approve the annual renewal license. Chairman Hummingbird seconded the motion. Motion carried.

Agenda item #11 – Tax Commission Confidentiality Law – Agenda item tabled. It needs additional wording. It will be placed on the agenda for July 27th special meeting. There was a brief discussion on this item.

Agenda item #12 – CNE Bartenders Serving Minors – Sharon stated there were four bartenders caught serving minors. They have been suspended through the Cherokee Nation Entertainment Human Resources Department. With this suspension the Gaming Commission is looking at revoking their gaming license and has asked support from the Tax Commission. Sharon's recommendations are to revoke their gaming license. At this time that is the only license they have. Because our alcohol law is not in place so that we are licensing the individuals at this time. And that will cause ABLES to take action. The individuals will probably lose their license through ABLES.

Andy stated there were four bartenders serving minors on March 11th, and one that did not check for ID and was suspended as of Friday April 1st.

Sharon stated that Cherokee Nation Marshal was planning on attending the meeting today. He would like to set up some type of program between, Tax Commission, Gaming Commission and the Marshal Service so they can go patrol the casino in those areas. That way bartenders know they will be watched and make sure they go by all rules.

Nason stated he would come over when the new law is in place and he will look at it before the special meeting in July. They will meet and discuss the situation and see what needs to be done to work towards this activity to stop.

Sharon stated there needs a recommendation to be made to the Gaming Commission that their license be revoked to the individuals. Nason suggested going with a Show Cause hearing at the same time of the Special meeting on July 27th.

Commissioner Gregory made a motion that we send communication to Gaming Commission stating we are supporting their decision in revoking the gaming license of these individuals who were suspended serving liquor to under age drinkers. Chairman Hummingbird seconded the motion. Motion carried.

Agenda item # 13 – Monthly Reports- Sharon had printed out a chart for Motor Vehicle and Tobacco monthly reports. The Commission reviewed the charts. There were no questions from the Commission.

Sharon request permission to the Commission, to add an agenda item to set up a trial run for a Farmers Market.

Agenda item #14 – Farmers Market Discussion –Anna Knight with the Commerce department is requesting to set up a Farmers Market at the west end of the complex. They are requesting to do a one time permit for a trial run and invite the Tahlequah vendors to participate. They are requesting the tax and license fees to be waved. There was a brief discussion on this item.

Commissioner Gregory made a motion to approve the trial run for the Farmers Market and to wave the tax and license fees for this one time permit. Chairman Hummingbird seconded the motion. Motion carried.

There were no public comments.

Next meeting date will be for a special meeting on July 27, 2011.

Commissioner Gregory made a motion to adjourn. Chairman Hummingbird seconded the motion. Motion carried.

Adjournment 5:45p.m.

Jim Hummingbird
Commission Approval