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CHEROKEE NATION GAMING COMMISSION

MEETING DATE / LOCATION:

11 February 2022
Conference Hosted:
Multi-Purpose Room, Hard Rock Hotel and
Casino, Catoosa, OK

COMMISSIONERS PRESENT:

John Sparks, Chairman
Richard Hull, Commissioner
Kendra McGeady, Commissioner
Linda O'Leary, Commissioner
Frank DeLozier, Commissioner

COMMISSION STAFF:

Janice Walters Purcell, Executive Director
Tiffany Cochran, Compliance Manager
Audra Imhoff, Audit Manager
Samantha Phillips, Gaming Systems Analyst
Heather Cain, Licensing Agent
Mikal Yahola, Clerk
Kyle Sourjohn, Compliance Agent
Florence Northington, Licensing Agent

CHEROKEE NATION ENTERTAINMENT:

Gary Weddell, Casino Operations
Bear Christensen, Sr. Director of Compliance
Todd Hembree, CNB Legal
Mark Fulton, Pres. and Chief Operating Officer, CNE
Kimberly Pool, HR Director

VISITORS:

Greg Calvert, Office of the Attorney General
John Young, Office of the Attorney General

CHEROKEE NATION GAMING COMMISSION
MEETING MINUTES
11 February 2022

I. CALL TO ORDER:

Chairman Sparks called the meeting to order at approximately 9:54 a.m.

II. ROLL CALL:

Mikal Yahola called Roll

Present: Chairman Sparks
Vice-Chairwoman McGeady
Commissioner Hull
Commissioner O'Leary
Commissioner DeLozier

All commissioners were present and a quorum was established.

III. APPROVAL OF AGENDA:

Chairman Sparks, first item on the agenda is the approval of the agenda.
Commissioner Hull motions to approve the agenda; seconded by
Commissioner O'Leary. Motion carried.

IV. APPROVAL OF MINUTES

Chairman Sparks, the next item is the approval of the minutes of the last meeting.
Vice Chair McGeady motions to approve the minutes; Seconded by
Commissioner DeLozier. Motion carried.

V. INTRODUCTION OF GUESTS:

Chairman Sparks, next item is the introduction of guests.
Chairman Sparks asked all guests to stand and introduce themselves.
Introductions were made by attendees from Cherokee Nation Gaming
Commission (CNGC), Cherokee Nation Entertainment (CNE), Cherokee

Nation Business (CNB), Cherokee Nation (CN), and guests.

VI. CNE REPORTS:

Chairman Sparks, next item is the CNE Reports. Commissioner Hull motions to enter into Executive Session; Seconded by Vice-Chairwoman McGeady. The motion carried and the Commission entered into Executive Session at approximately 10:05 a.m.

- A. FINANCIAL REPORT
- B. FACILITIES REPORT
- C. LITIGATION
- D. REGULATORY
 - 1. NIGC
 - 2. Executive Director's Report

The reports under item VI. A., B., C., and D. were received in Executive Session and no action was taken. Commissioner O'Leary motioned to exit Executive Session; Seconded by Commissioner Hull. Motion carried and the Commission exited Executive Session at approximately 10:49 a.m.

Chairman Sparks, Prior to VII. Old Business, I would entertain a motion to amend the agenda for approval of transmission of correspondence to the NIGC in response to their request for information in their communication dated December 10, 2021.

Motion to amend the agenda and add item, K to item VIII for approval of transmission of Correspondence to NIGC in response to December 2021 correspondence under New Business, was made by Vice-Chair McGeady; Seconded by Commissioner Hull. Motion carried

VII. OLD BUSINESS

Chairman Sparks, We are now back on item seven (VII.) of the amended agenda.

The Chair recognized Executive Director Janice Purcell to present. Executive Director Purcell stated there were no comments on the items that were posted under the APA process and so by operation of law, those regulations are now in effect. One of the items now in effect is the repeal of the Audit Charter. Therefore, no Audit Charter is operational at CNGC. Following the update from the Executive Director, there was no action taken.

VIII. NEW BUSINESS

Chairman Sparks, Moving on to item VIII. A. Permits and Licenses.

A. PERMITS & LICENSES – F. Northington

Florence Northington presented the Permits & Licenses and recommended approval.

1. Employees

- Thirty-two (32) Individual Temporary Permits
- Fifty-two (52) Individual Suitability Determinations
- Fourteen (14) Orders
- One hundred twenty-five (125) Renewals; included five (5) CNGC individuals – Toshera Darrell, Abigail Hamilton, Jonathan Hanna, Natisha Turner, and James Whisenhunt.

Commissioner Hull made a motion to approve the thirty-two (32) individual temporary permits, fifty-two (52) suitability determinations, fourteen (14) orders, and one hundred twenty-five (125) renewals as submitted; seconded by Commissioner O’Leary. Motion Carried.

2. Vendor & Vendor Representatives

Florence Northington presented the Vendor and Vendor Representatives and recommended approval. The following are the individual vendor orders, company renewals, and individual renewals.

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- One (1) Individual Orders
 - Eight (8) Company Renewals
 - Twenty-Four (24) Individual Renewals

Vice-Chair McGeady motioned to approve the one (1) individual order, eight (8) company renewals, and twenty-four (24) individual renewals; Seconded by Commissioner O'Leary. Motion carried.

B. GAME & SYSTEM APPROVALS – T. COCHRAN

Chairman Sparks, next item is VIII. B. Game & System Approvals, in particular the EGM Memo. The chair recognized Tiffany Cochran to present the EGM Memo.

1. EGM Memo – T. Cochran

Tiffany Cochran presented the EGM Memo and recommended approval as submitted; thirty-seven (37) new electronic game themes, one (1) new main program, one (1) new gaming component, two (2) new gaming cabinets, and nine (9) Executive Director approved items for affirmation of Executive Director's approval.

Electronic Game Themes

- 5 Ainsworth
- 5 Sega Sammy Creation
- 9 IGT
- 4 Gaming Arts
- 8 Konami
- 5 AGS
- 1 Aristocrat

New Main Program/OS

- 1 Sega Sammy Creation

New Gaming Component

- 1 Gaming Arts

New Gaming Cabinet

- 1 Ainsworth
 - 1 Sega Sammy Creations
-

Executive Director Approvals

- 3 IGT
- 3 Aristocrat
- 3 AGS

Commissioner DeLozier motioned to approve the thirty-seven (37) new electronic game themes, one (1) new main program, one (1) new gaming component, two (2) new gaming cabinets, and affirmation of nine (9) Executive Director approved items; Seconded by Commissioner Hull. The motion carried.

C. SICS Memo – T. Cochran

Chairman Sparks, moving on the C. SICS Memo.

Based upon CNGC review, CNGC Compliance recommended approval for two (2) new SICS and one (1) revised SICS as listed in the memo. Vice-Chair McGeady made the motion to approve the SICS Memo; Seconded by Commissioner O’Leary. Motion carried.

D. Promotions Memo – T. Cochran

Chairman Sparks, moving on to D. Promotions Memo.

Tiffany Cochran presented the Promotions Memo. CNGC recommended approval of four (4) new Catoosa promotions, one (1) renewal, and affirmation of five (5) new promotions as previously approved by the Executive Director.

Motion to approve the recommended promotions was made by Commissioner Hull; Seconded by Commissioner DeLozier. Motion carried.

E. IHP Transfer Request Memo – T. Cochran

Chairman Sparks, next is E. IHP Transfer Request Memo.

Ms. Cochran 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 O'Leary made the motion to approve the transfer of IHP funds; Seconded by Vice-Chair McGeady. Motion carried.

F. 2022 TICS Accounting Report – A. Imhoff

G. 2022 TICS Auditing Report – A. Imhoff

Chairman Sparks, Next item is F. 2022 TICS Accounting Report as well as item G. 2022 TICS Auditing Report. The chair recognize Audra Imhoff to present both points to the commission. The information was provided to the commission and received. No action was taken in regards to points F. and G.

H. Variance Request – Affirmation of Approval – J. Purcell

Chairman Sparks, Moving on now to item H. Variance Request.

Executive Director Purcell presented the Variance Request.

Chairman Sparks, It's my understanding that we need a motion to affirm the approval of the variance previously approved by the Executive Director.

The chair asked for clarification on the point and recognized Tiffany Cochran to reply.

Ms. Cochran, CNE had submitted an Executive Director Approval request. This request was to deviate from the CNGC TICS 12.2B1, which states that during the drop of the count, you have to have a minimum of three people at the Tier C facility. Due to COVID, and also having a lot of absences, being short-staffed, and having staff be absent from work for five to ten days at a time, it became harder for (drop count teams) to be able to perform their jobs on time because they were having to wait for a third person to perform the drop. According to NIGC NICS 54317E2, it states that at least two (2) agents must be present for player interface storage removal. So it is the minimum requirement. There is not a prohibition in the NIGC MICS for the variance since NIGC MICS requirement is for two agents. CNGC is only deviating from the TICS for the short-term period until COVID has subsided and CNGC and CNE staffing back where it needs to be.

Executive Director Purcell, Audit Manager Imhoff, and Ms. Cochran worked alongside CNE Legal to ensure there were no conflicting issues. Executive Director Approval was granted on January 13th, 2022, to move forward with the variance request. CNE was asked to fill out a variance request form, report drop and count times to be reviewed by surveillance and for the variance to be included in CNE's policy, DAC601. Drop Team Process.

Commission O'Leary motioned to affirm the approval of the variance; Seconded by Commissioner Hull. Motion carried.

Chairman Sparks, Next item on the agenda is I. Investigations, Licenses, & Hearings.

The chair entertained a motion to enter into Executive Session for the purpose of considering both items I. and J.

Commissioner O'Leary motioned to move into Executive Session; Seconded by Vice-Chair McGeady. Motion carried. The commission entered into Executive Session at approximately 11:26 a.m.

Vice-Chair McGeady made a motion to end the Executive Session; Seconded by Commissioner Hull. The motion carried and the Commission exited Executive Session at approximately 12:45 p.m.

I. Investigations, Licenses, & Hearings – F. Northington

Chairman Sparks, The next item is the action on the items listed in section eight (VIII.) I. Investigations, Licenses, & Hearings.

The chair entertained a motion to approve staff recommendation in regards to the individual in Tab number one.

Vice-Chair McGeady motioned to approve the denial of the application for licensure by staff recommendation; Seconded by Commissioner Hull. Motion carried.

The chair also entertained a motion to approve staff recommendations regarding the individual on Tab number two, which was also a denial.

Vice-Chair McGeady motioned to approve the denial of application for licensure by staff recommendation; Seconded by Commissioner Hull. Motion carried.

J. Prize Claim Investigation – K. Sourjohn

Chairman Sparks, Moving on to J. Prize Claim Investigation.

The chair entertained a motion for the hearing to be continued at the next meeting, with direction to provide notice of an opportunity to appear to the individual who filed the underlying action.

Commissioner DeLozier motioned to continue the hearing until the next meeting on March 11th, 2022; Seconded by Commissioner Hull. Motion carried.

K. Approval of Transmission of Correspondence

Chairman Sparks, Moving on to item K.

The chair entertained a motion to approve the transmission of the correspondence to the NIGC in response to their request in their communication dated December 10, 2021.

Commissioner DeLozier made the motion; Seconded by Commissioner Hull
Motion carried.

IX. Open Session:

None

X. Adjournment:

Commissioner DeLozier motioned to adjourn at 1:00 p.m.; seconded by Commissioner Hull Motion carried.

Approval of Minutes:


CHAIRMAN SPARKE


DATE