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CHEROKEE NATION GAMING COMMISSION

6 November 2020

MEETING DATE / LOCATION:

Cherokee Nation Gaming Commission - Tahlequah
Conference Room- Web Ex

COMMISSIONERS PRESENT:

John Sparks, Chairman
Steven Barrick, Vice Chairman
Linda O'Leary, Commissioner

**COMMISSIONERS NOT
PRESENT:**

Jennifer Goins, Commissioner
Kendra McGeady, Commissioner

COMMISSION STAFF:

Janice Walters Purcell, Executive Director
Tiffany Cochran, Compliance Manager
Kelly Myers, Licensing Manager
Ernestine Pumpkin, Special Projects Analyst
Jeannie Bunch, Compliance Officer
Sydney Kimble, Auditor III
Tammy Perry, Executive Assistant

CHEROKEE NATION ENTERTAINMENT:

Gary Weddell, Gaming Operations
Angelia Jobe, Information Technology
Michael Ward, Corporate Gaming
Bear Christensen, Compliance
Monica Richards, Accounting
Mitch Moren
Reba Chambers
Jennifer Provence
Kyle Culver
Dena Geib, Legal
Tim Mannon
Todd Hembree, Legal

VISITORS:

John Young, Office of the Attorney General

CHEROKEE NATION GAMING COMMISSION MEETING MINUTES

06 November 2020

CNGC Conference Room -
Tahlequah Conference Room

I. CALL TO ORDER:

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

II. ROLL CALL:

Present: Chairman Sparks
Vice Chairman Barrick
Commissioner O'Leary

Not Present: Commissioner Goins
Commissioner McGeady

A quorum was established.

III. APPROVAL OF AGENDA:

Commissioner Barrick motioned to approve the November 06, 2020 Agenda, seconded by Commissioner O'Leary. Motion passes.

IV. APPROVAL OF MINUTES:

Commissioner Barrick motioned to approve the October 9, 2020 meeting minutes, seconded by Commissioner O'Leary. Motion passes.

V. 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.

VI. CNE REPORTS:

Commissioner Barrick motioned to enter Executive Session at 9:49 a.m. to discuss items VI. A. and B. on the Agenda. Seconded by Commissioner O'Leary. Motion passes.

A. Financial Report (Executive Session Requested – 67 CNCA §105), Monica Richards

B. Facilities Report (Executive Session Requested – 67 CNCA §105), Gary Weddell

Commissioner O’Leary motioned to exit Executive Session at 10:05 a.m., seconded by Commissioner Barrick. Motion passes.

VII. OLD BUSINESS:

A. CNGC Tribal Internal Control Standards TICS Proposed Revisions - Update on APA Posting - J. Walters Purcell Executive Director deferred to Mr. Young for an update. Due to technical difficulties Mr. Young’s comments were obstructed and not clear.

VIII. NEW BUSINESS

A. Permits & Licenses–

Kelly Myers presented the following and requested approval:

1. Employees

- Twenty-one (21 Temporary Permits
- Thirteen (13) Suitability Determinations (1-Sherri Combs)
- Nineteen (19) Orders (1- Sherri Combs)

Commissioner Barrick made the motion to approve the staff recommendations for Temporary Permits, Suitability Determinations and Orders, seconded by Commissioner O’Leary. Motion is passed.

- 221 Renewals for December 4, 2020 (7 CNGC Employees- Johnny Dority, James Hilderbrand, Jamie Marshall, Haley Noe, Kyle Sourjohn, Rebecca Smythe, Bess Wiginton and 1 Commissioner- Steven Barrick)

Commissioner O’Leary made the motion to approve the staff recommendations Renewals, seconded by Chairman Sparks. Motion passed. Commissioner Barrick abstained.

2. Vendor & Vendor Representatives

Kelly Myers presented the following vendor and vendor representatives and requested approval:

- Four (4) Individual Orders
- Two (2) Company Renewals
- Thirty-five (35) Individual Renewals

Commissioner O’Leary motioned to approve as requested by staff, seconded by Commissioner Barrick. Motion is passed.

B. Game and System Approval

1. Electronic Gaming Machines

Electronic Game Themes

- Eclipse 9
- Konami 1

New Game Server

- Eclipse 1

New Main/OS Programs

- Eclipse 1
- Konami 1

New Gaming Cabinet

- Aristocrat

Executive Director Approval

- Scientific Games 1
- Aristocrat 1
- IGT 2

Tiffany Cochran stated that the Executive Director Approval Items were highlighted in yellow. The cabinet Compliance requested approval for was previously approved as a Class III cabinet and now Compliance is requesting to use the same cabinet, but as a Class II platform, Compliance is recommending Affirmation of Executive Director Approval. Commissioner Barrick motioned to approve the staff recommendations, seconded by Commissioner O’Leary. Motion passes.

C. Promotions and Calendar of Events

Jeannie Bunch presented and requested Affirmation of Approval for the following Executive Director Approval GCR's

CAT

Halloween CAT2010HALLOWEEN	(Date/New)	10/31/20
Red Spin CAT2011REDSPIN	(Promotional/New)	11/1/20

WSS

Halloween CAT2010HALLOWEEN	(Date/New)	10/31/20
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WSS/ROL/RAM/SCC/TAH/FTG/GRO

\$500,000 COR2011PRESS	(Date/New)	11/1/20
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COR -- REVISION

Customer Reactivation	COR2009REACTIVATION (Standard Revision)	12/28/20
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Commissioner O'Leary motioned to approve, seconded by Commissioner Barrick. Motion passes.

D. IHP Transfer Request

Jeannie Bunch recommended and requested approval for the transfer of the \$107,821.83 In House Progressive Funds to promotional funds for the direct benefit of the e-games patrons. Commissioner Barrick motioned to approve, seconded by Commissioner O'Leary. Motion passes.

E. 20-04AP Complimentaries FAR

Sydney Kimble presented for the Audit Department, The Audit Department is requesting approval to release the Complimentaries Audit to the NIGC and appropriate parties. Commissioner Barrick motioned to approve the staff recommendation, seconded by Commissioner O'Leary. Motion passes.

F. 2020 TICS Information Technology Review Report

Sydney Kimble presented the report to the commission as informational purposes, no action was necessary.

G. Q4-2020 CNE Quarterly Activities

Sydney Kimble presented the report to the commission as informational purposes only, as it was completed by CNB, no action was necessary.

H. License Actions & Hearings

Commissioner Barrick motioned to enter Executive Session @ 10:33 a.m., seconded by Commissioner O'Leary. Motion passes.

Commissioner O'Leary motioned to exit Executive Session @ 10:40 a.m., seconded by Commissioner Barrick. Motion passes.

Commissioner Barrick motioned to adopt staff recommendation on Licensing, seconded by Commissioner O'Leary. Motion passes.

IX. EXECUTIVE DIRECTOR'S REPORT

Chairman Sparks recognized Executive Director Purcell, who stated, "Chairman, the first item I have is a vendor request for a fee waiver of a vendor license fee. I have attached their request and our response that it's required under statute and we have to abide by that statute authority." Executive Director Purcell asked Counsel John Young if he had any recommendations for the vendor fee waiver. John Young stated, "He didn't have any recommendations." According to the statute, it appears the fee is mandatory. Chairman Sparks asked John Young, if he seen any authorization for a waiver even if we wanted to do so. John Young replied that we have reviewed the statute and there is nothing which allows CNGC to waive this vendor fee, there was no discretion in the statute itself. Chairman Sparks asked the Commissioners I would request a motion to notify the vendor that their request has been denied. Commissioner Barrick motioned, seconded by Commissioner O'Leary. Chairman Sparks stated if a vendor provides some authority for the regulatory approval for the Commission to engage in a discretionary analysis were happy too, otherwise, the reasons for making the request appear no authority to do so. Motion to Decline Request. Motion to Decline Request is passed.

Executive Director Purcell stated that no action was needed, the NIGC has contacted CNE to request Financials from CNE on Gross Gaming Revenue. I just wanted the Commissioners to be aware of that, so that is just an FYI. I also included the expanded operation hours that facilities.

Executive Director Purcell stated that CNGC needs new dates for the year 2021 Commission Meeting Dates. Our next meeting is December 4, 2020, CNGC will need to schedule or discuss a Special Meeting for approval of the Facility Licenses. Chairman Sparks asked Executive Director Purcell, if CNGC has the meeting on December 4th CNGC will still need to meet before the end of the year. Executive Director Purcell replied, yes, because the inspections will not be completed by Dec. 4, 2020. Chairman Sparks stated let's have the meeting on December 4, 2020

and if we need to rally the troops for a meeting before January 1, 2021, we will schedule a Special Meeting.

Executive Director Purcell asked for dates on December 4, 2020 submitted for the 2021 Commission meetings. Chairman Sparks replied yes, let's work on that. Executive Director Purcell asked if the meetings still needed to be scheduled on Friday. Chairman Sparks replied sure, we can discuss that with the next agenda packet.

X. Open Session

No new items.

XI. Adjournment

Commissioner Barrick motioned to adjourn at 10:51 a.m., seconded by Commissioner O'Leary. Motion passes

Approval of Minutes:


CHAIRMAN SPARKS

December 4, 2020

DATE