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## CHEROKEE NATION GAMING COMMISSION

**MEETING DATE / LOCATION:** 9 November 2017  
Cherokee Nation Gaming Commission  
Conference Room

**COMMISSIONERS PRESENT:** John Sparks, Chairman  
Steven Barrick, Vice Chairman  
Jennifer Goins, Commissioner  
Tina Glory-Jordan, Commissioner  
Janice Walters-Purcell, Commissioner

**COMMISSIONERS ABSENT:** None

**COMMISSION STAFF:** Jamie Hummingbird, Director  
Tammy Dry, Executive Assistant  
Rhonda Trumbla, Special Projects Officer  
Traci Asher, Internal Audit Manager  
Gena Caviness, Compliance Manager  
Kyle Sourjohn, Compliance Officer  
Bess Warren, Sr. Auditor  
Kristi Cole, Licensing Agent  
Meagan Thompson, Licensing Agent

**CHEROKEE NATION ENTERTAINMENT:** Gary Weddell, Operations  
Monica Richards, Finance  
Bear Christensen, Compliance  
Tim Baker, CNB Legal  
Melody Cable, CNB Audit  
Jennifer Watkins, Compliance Manager  
Joshua Anderson, Surveillance  
Kevin Scrapper, Marketing  
Reba Chambers, Compliance  
April Alley, Loss Prevention  
Mickey Ward, Operations  
Jonathon Henson, Security  
Samantha Hendricks, Human Resources

**VISITORS:** Courtney Jordan, CN Office of the Attorney General

# CHEROKEE NATION GAMING COMMISSION MEETING MINUTES

9 November 17

Cherokee Nation Gaming Commission  
Conference Room

## CALL TO ORDER :

Chairman Sparks called the meeting to order at approximately 9:31 a.m.

## ROLL CALL:

Present: Chairman Sparks  
Vice-Chairman Barrick  
Commissioner Jordan

Absent: Commissioner Goins  
Commissioner Purcell

A quorum was established with three (3) members present

## APPROVAL OF AGENDA:

Commissioner Jordan asked a question regarding amending the agenda prior to the meeting. Chairman Sparks explained the difference between the posting of an agenda and its adoption. Commissioner Jordan asked Courtney Jordan if the Attorney General's office agreed with the Chairman's explanation, to which she responded in the affirmative. Commissioner Jordan motioned to approve the agenda as amended; seconded by Commissioner Barrick. Motion carried.

## APPROVAL OF MINUTES:

Commissioner Jordan stated that Commissioner Purcell had some concerns and motioned to table the 20 October 2017 minutes until she arrived; seconded by Commissioner Barrick. Motion carried.

Commissioner Goins arrived at 9:35 a.m. and Commissioner Purcell arrived at 9:37 a.m.

## Returning to the minutes after Commissioner Purcell's arrival

Commissioner Barrick motioned to approve the 20 October 2017 minutes; seconded by Commissioner Goins.

Commissioner Purcell stated that the motion she made on item C – Game & System Approvals did not reflect her intentions. She motioned to amend to state the following:

Commissioner Purcell motioned to approve the games for play at all facilities upon verification of the game documentations by CNE and CNGC to quickly facilitate the process.

This amendment was verified by Commissioner Purcell after it was read by Tammy.

The motion to amend was seconded by Commissioner Jordan.

Chairman Sparks entertained a motion to approve the minutes as amended. Commissioner Purcell inquired on some timing concerns reflected in the minutes. After deliberations, it was decided to address her concerns under Item VIII A – Delegations of Authority line item.

Chairman Sparks asked the commissioners to signify the approval of the minutes as amended by saying “Aye.” None opposed. Motion carried.

*The meeting returned to the original order of the agenda and began on Item A under Old Business. See respected line item below.*

#### 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 Barrick motioned to enter into executive session at 9:39 a.m. for the CNE September financial and facilities reports; seconded by Commissioner Goins. Motion carried.

#### CNE REPORTS:

Commissioner Jordan motioned to exit executive session at 9:58 a.m. The motion was seconded by Commissioner Purcell. Motion carried.

No action taken.

*The meeting reverted to Item IV- 20 October 2017 Minutes to hear Commissioner Purcell. See respective item above.*

**OLD BUSINESS:**

**A. BACKGROUND INVESTIGATION SHARING-UPDATE (NO ACTION) – J. HUMMINGBIRD**

Jamie reported that they have yet to meet with AmericanChecked but have been corresponding via email with the president of the company to set a date to discuss the logistics of making this transition. While waiting on a meeting date, CNGC is amending the regulation on the licensing of individuals as well as licensing of individual vendor representatives. He anticipates proposing changes to the regulation in December after passing through the Attorney General's office for review.

Tim reported that the process was slower than anticipated but going along.

Courtney reported that she initially researched the possibility of sharing the information between the two (2) agreements, and be in compliance. She added that she has been in touch with the individual managing the Cherokee Nation account. She passed that information on to Jamie in hopes that it gets expedited quicker.

Commissioner Jordan inquired on a date of implementation. Jamie reported that if they could set a date to meet the following week with AmericanChecked, it could be the first part of December. Commissioner Jordan asked for a weekly report from Courtney, Jamie, and Tim on the status of this issue until 15 December.

**B. SICS REVIEW AND APPROVAL – J. HUMMINGBIRD**

Jamie reported that the memo in the packet lists a number of policies received from Operations. Those policies have been submitted in response to NIGC's Internal Control Assessment Report. CNGC will be reviewing these but need more time than planned due to the volume of policies. CNGC also received the updated policies for all games that were approved the previous month. Those will be reviewed and rolled out. CNGC is looking to bring recommendations to the Commission on the other SICS in December.

Tim asked if NIGC has agreed to allow CNGC more time to review. Jamie reported that the thirty (30) days to review the revised polices was CNGC's target and not a hard deadline. There was verbiage included in the response to allow more time so all remains in compliance. Commissioner Jordan asked what date the review will be completed. Jamie reported that there are meetings that need to take place for discussions. If all goes according to plan, he will present the remaining SICS at the December meeting. Chairman Sparks asked if a January deadline would be more realistic and added that he would like the review to be completed quickly but wants it to be correct as well. Jamie

stated that January was good due to the Roland Travel Plaza and the holidays coming up. He will provide a progress report at the December meeting and this item will remain on the agenda. Commissioner Jordan requested brief status reports via email after each meeting with CNE.

No action taken.

## **NEW BUSINESS**

### **A. DELEGATIONS OF AUTHORITY – J. HUMMINGBIRD**

Tim reported that Jamie sent Bear correspondence proposing a delegation of authority. CNE agreed to the delegation for approving job classifications by CNGC. Tim reported that the language Jamie proposed worked for CNE and met their needs. He added that this type of authority has been granted in the past so that operations can flow in a more fluid manner.

Another delegation of authority to approve game upgrades, service packs, and hot fixes was also presented.

Commissioner Barrick motioned to approve this verbiage for the delegation; seconded by Commissioner Goins.

Commissioner Jordan verified with Courtney that through Courtney's research, she had found that this delegation of authority can be delegated through the Chairman and on to the Director. She also verified that any delegations of authority will pass through the Commission for ratification at the following commission meeting.

None opposed the motion. Motion carried.

Chairman Sparks motioned to skip to Item VIII – J to keep the hearings individuals from waiting any longer; seconded by Commissioner Purcell. Motion carried.

*The meeting moved to Item VIII – J at this time. See respective line item below.*

### **B. PERMITS & LICENSES – K. MYERS**

#### **1. Employees**

Gena presented the following and recommended approval.

- Forty (40) individual(s) for temporary permits

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

- Fifty-four (54) individual(s) for suitability determination

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

- One hundred and ten (110) orders, including Janice-Walters Purcell

Commissioner Barrick motioned to approve; seconded by Commissioner Jordan. Motion carried. Commissioner Purcell abstained.

- Two hundred twenty-seven (227) renewals, including Steven Barrick for 7 December 2017

Commissioner Jordan motioned to approve; seconded by Commissioner Purcell. Motion carried. Commissioner Barrick abstained.

## **2. Vendor & Vendor Representatives**

- Zero (0) Class A Company Order(s) for 9 November 2017
- Zero (0) Class A Individual Order(s) for 9 November 2017
- Four (4) Class A Company Renewal(s) for 7 December 2017
- Thirty-six (36) Class A Individual Renewals for 7 December 2017

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

## **C. LICENSE CLASSIFICATIONS – K. MYERS**

Gena presented two (2) updated license classifications for approval.

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

## **D. GAME & SYSTEM APPROVALS – G. CAVINESS**

### **1. Electronic Game Themes**

- Everi 16
- IGT 12
- AGS 9

- Bally 19
- Ainsworth 2
- Rocket Gaming 11
- Aristocrat 1
- Konami 6
- VGT 3

**Operating System Upgrades**

- Everi 1
- IGT 1
- VGT 1
- IGT 1 (listed on a separate memo)

**Game Theme Upgrade**

- IGT 1 (listed on a separate memo)

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

**2. Table & Card Games**

There were none submitted for this month.

**3. System**

CNE requested a delegation of authority be granted to the Director of the Gaming Commission for a Global Payments Kiosk. This has been tested and all documentation has been received with updated System of Control Standards (SICS) for CNGC's review. The review of the documentation is nearing completion and CNGC is beginning a second review of the SICS that accompanies this kiosk. CNE made the request so that this kiosk can be used at the Roland Travel Plaza for the December opening.

Since this did not fall under the previous delegations of authority, Commissioner Jordan requested that one be prepared and signed. Jamie will draft one up for signatures this day.

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

**MGT Kiosk Upgrade**

CNE requested that this upgrade be removed from the agenda and not be considered. This would keep from presenting every month with no action.

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

**Revisit on this item**

Commissioner Jordan inquired on the delegation of authority granted for the Global Payments kiosk was for the purpose of Jamie approving the system and for CNE to implement the system in between meetings. Jamie explained that the goal is to obtain approval for implementation on the first part of December so that the system can be rolled at all the locations, particularly the Roland Travel Plaza. Everything is going well and should be completed in a timely manner.

Commissioner Purcell questioned the broadness of authority that the verbiage reflected on number three (3). Jamie inadvertently missed it and will amend to specify the kiosk system.

*The meeting moved to the Director's report after this revisit of Item D. See respected line item below.*

**E. PROMOTIONS & CALENDAR OF EVENTS – J. BUNCH**

Gena presented the promotions and calendar of events and requested approval.

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

Gena provided a confidential memo for Catoosa and reported that they had been reviewed. She recommended approval as listed.

Commissioner Barrick motioned to approve as presented; seconded by Commissioner Jordan.

Commissioner Jordan asked if CNGC is still working on the statement regarding beverages. Gena explained that it is a caveat for them to understand that they would need to receive approval from the tax commission if needed and that this does not apply at all times.

None opposed. Motion carried.



#### F. TOURNAMENTS – J. BUNCH

Gena presented the tournaments and calendar of events and recommended approval as listed.

Commissioner Purcell motioned to approve as presented; seconded by Commissioner Jordan. Motion carried.

#### G. IN-HOUSE PROGRESSIVE TRANSFER REQUEST – J. BUNCH

Gena reported that CNE requested approval to transfer \$33,404.19 in retired in-house progressive funds to promotional funds for the direct benefit of e-games patrons. They have been reviewed by CNGC and Gena requested approval.

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

#### H. CNGC 2017 AUDIT CYCLE UPDATE – J. HUMMINGBIRD

Traci reported that there was nothing new in the packets. The packet contained the audit that was completed and distributed at the last meeting. There is one audit in the management detail report phase. CNGC will be meeting with CNE to finalize that report and will conclude the compliance cycle for 2017. She included additional information with an overall review of how CNGC conducts the audits. Traci requested approval to release the four (4) audits contained in the packets to management.

Commissioner Purcell motioned to approve the request to release the audit information to management; seconded by Commissioner Barrick. Motion carried.

Traci added that the audit charter is also included in the packet to be approved by the Commission. She asked that the commissioners let her know if they have any recommended changes. The plan is to make the changes and present at the February meeting. This was for information purposes and no action is necessary.

#### I. 2018 MEETING SCHEDULE – J. HUMMINGBIRD

Jamie presented the schedule included in the packets and requested approval unless there were any changes.

Commissioner Jordan motioned to approve; seconded by Commissioner Barrick.

Commissioner Jordan inquired on the December 2018 meeting scheduled on a Thursday and suggested to amend the schedule to reflect the December meeting on Friday 14

December 2018. She put her suggestion in the form of a motion; seconded by Commissioner Purcell. Motion carried.

None opposed the adoption of the meeting schedule as amended. Motion carried.

Commissioner Jordan suggested having lunch brought up at the December meeting.

*The meeting moved to Item VIII – D at the request of Commissioner Jordan. See respective line item above.*

#### J. INVESTIGATIONS, LICENSE ACTIONS & HEARINGS – MYERS/CAVINNESS

Commissioner Barrick motioned to enter into executive session at 10:46 a.m. for briefings on the hearings and/or investigations and hear each individual as scheduled; seconded by Commissioner Goins. Motion carried.

Commissioner Barrick motioned to exit executive session and return to regular session at 11:47 a.m. The motion was seconded by Commissioner Purcell. Motion carried.

Kristi made the following recommendations and requested approval.

**Tab 1**

Action: Reschedule to the December commission meeting.

**Tab 2**

Action: Reschedule to the December commission meeting.

**Tab 3 - Present**

Action: Reprimand for failure to list information. Grant a twelve (12) month conditional license with stipulations of no new criminal charges. The individual must redo the criminal portion of the application.

**Tab 4**

Action: License denial for failure to disclose information.

**Tab 5**

Action: Grant a sixty (60) day continuance to appear at the January meeting.

**Tab 6**

Action: Reschedule to the December meeting. Individual is requested to provide a written request for a telephone hearing.

**Tab 7**

Action: Revocation of gaming license for twelve (12) months.

**Tab 8 - Present**

Action: Revocation of gaming license for twelve (12) months.

Commissioner Goins motioned to approve as presented; seconded by Commissioner Jordan  
Motion carried.

*The meeting returned to the order of agenda beginning on Item V III – B. See respective line item above.*

DIRECTORS REPORT - J. HUMMINGBIRD

Jamie let the report stand as submitted unless there were any questions.

Chairman Sparks asked Courtney to speak to an issue on the supplemental report regarding prize claims. After a review of the Director's concerns, Courtney found that the CNE letter is consistent with the regulations but the regulations seem to be inconsistent with the gaming compact. Jamie reported that there was one portion of the regulation left in when it should have been stricken. CNGC will present this at the December meeting and request that the old language be removed. Courtney added that the old language creates an additional review process that should not be in there.

Commissioner Purcell asked if the Occupational Safety & Health Administration (OSHA) had to be contacted on the gas incident. Jamie stated that OSHA has no presence in the facilities but Cherokee Nation Risk Management and Environmental Health were notified. This issue has been addressed and the necessary steps have been taken to make sure it does not happen again.

OPEN SESSION:

Jamie announced that the CNGC staff meeting will take place at the armory on 13 December and the Cherokee Nation Christmas gathering will be on 8 December.

Cherokee Nation will be closed on 23-24 November for Thanksgiving and on 25-26 December for Christmas.

Commissioner Jordan requested that a list of events, including the before mentioned be sent out to the Commissioners.

ADJOURNMENT:

Commissioner Purcell motioned to adjourn at 12:26 p.m. The motion was seconded by Commissioner Goins. Motion carried.

Approval of Minutes:

  
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CHAIRMAN SPARKS

  
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DATE