

## **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 MINUTES

Governmental Resources Conference Room March 2, 2011 4:30 P.M.

Commission Present: Jim Hummingbird, Scott Gregory, and Sam Hart

Staff Present: Sharon Swepston, Andy Quetone, Shelia Sawney, and Fonda Gritts

Visitors: Sara Hill - General Attorney's Office

Meeting was called to order at 4:30 p.m. Quorum established with Chairman Hummingbird, Commissioner's Gregory, and Hart.

The Commission began with agenda item #1 – Approval of Minutes – December 8, 2010. Commissioner Gregory made a motion to approve the minutes. Commissioner Hart seconded the motion. Motion carried.

Agenda #2 – Update on Sales Tax Compact Negotiations – Sara Hill reported that the Chief had an opportunity to speak with the Secretary of State, Glenn Coffee. He was very open and supportive to all of the ideas that the Chief had discussed with him pertaining to the Sales Tax Compact negotiations. There was a brief discussion on this subject.

Agenda #3 – Sale by and to Non-Profit Corporations – Sharon stated in our rules and regulations we didn't have any thing addressing the tax exempt for documentation and procedures pertaining to the rules and regulation for sales tax exemption for non-profit corporations and 100% veterans, schools, churches....etc.

We have not received any comments after placing this item on the web. It is ready for approval. There was a brief discussion.

Commissioner Hart made a motion to approve the addition to the rules and regulations. Commissioner Gregory seconded the motion. Motion carried.

Agenda #4 – Special Event Permits and Reporting – This allows Cherokee Nation Entertainment to be able to hold special events within the casino's, such as poker tournaments, art market, any other vendors that may want to set up within the casino.

This permit will allow us to collect the sales tax from the event. Cherokee Nation Entertainment will charge a fee on the event and in that fee our sales tax will be included. Due to the different activity of events, the Tax Administrator will determine the amount charged after each event. This is 6% on estimated sales, multiplied by number of days of the event, and the type of event. There was a brief discussion.

Commissioner Gregory made a motion to approve the special events addition to the rules and regulations. Commissioner Hart seconded the motion. Motion carried.

Agenda #5 – Alcohol Law - Sara Hill stated she had a comment from the Director of Gaming Commission, Jamie Hummingbird. He stated the definition of "Trust Land" will exclude Ramona Casino because it is not considered an Indian allotment.

Sara is requesting to change the term in the 3<sup>rd</sup> section, c and b, from "Trust Land" to "Indian Country". And to delete the definition of "Trust Land", and add the definition of "Indian Country".

Sharon, Jamie, and Commissioner Gregory had some comments. Sharon said, when she receives all the comments she will send those to Sara.

There was a brief discussion.

Agenda #6 – Cabin Creek Application for Retail Sales License- The roof at Catoosa Hard Rock collapsed last month during the snow storm. At this time the smoke shop is now considered in a separate facility of the Casino. They have named it Casino #4; this will be a temporary retail sales license for this smoke shop until the construction is completed. They are estimating a year to 18-months before it will be complete.

Commissioner Hart made a motion to approve the license for temporary license due to construction. Commissioner Gregory seconded the motion. Motion carried.

## Agenda #7- Monthly Reports

- *Motor Vehicle* For month-to-month in December we were up 7.21%. And year-to-date we have improved 11.95%.
- *Tobacco* Retail sales is broke out by each area (Cigarettes, Tobacco, Retail Sales and Alcohol) its half of percent increase. Most of the decrease is cigarette tax and that relates back to the compact.

Tobacco tax is up year-to-date, retail sales are up 28%, alcohol tax is up 21%.

Sharon received a request from a council member asking the amount we collect each month on hotel tax. Sharon stated that is considered part of our retail sales tax and that tax is 6%. They suggested we increase the hotel tax. Sharon stated we can not increase the hotel tax with out increasing all of the retail sales tax.

Sara Hill stated we would have to set up a tax specifically for hotel tax.

Sharon stated for the Catoosa facility in November the tax generated \$49,530.00, December \$46,541.00, and January it was \$50,377.00.

At West Siloam Springs facility in November the tax was \$9200.00, December \$9100.00, and January it was almost \$9700.00.

There were no public comments.

Next meeting date will be June 8, 2011.

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



Commissioner Approval