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CHEROKEE NATION GAMING COMMISSION

MEETING DATE / LOCATION:

01 April 2020
Video Conference Hosted:
CNGC Conference Room

COMMISSIONERS PRESENT:

John Sparks, Chairman
Steven Barrick, Vice Chairman
Jennifer Goins, Commissioner
Linda O’Leary, Commissioner
Shawna Baker, Commissioner

COMMISSION STAFF:

Janice Walters Purcell, Executive Director
Tiffany Cochran, Compliance Manager
Kristi Cole, Licensing Agent
Tracy Christie, Gaming Systems Analyst
Tammy Perry, Executive Assistant

CHEROKEE NATION ENTERTAINMENT:

Gary Weddell, Gaming Operations
Bear Christensen, Compliance
Monica Richards, Accounting
Todd Hembree, Legal

VISITORS:

John Young, Office of the Attorney General

CHEROKEE NATION GAMING COMMISSION MEETING MINUTES

01 April 2020

Video Conference Hosted:

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I. CALL TO ORDER:

Chairman Sparks called the meeting to order at approximately 9:37 a.m.

II. ROLL CALL:

Present: Chairman Sparks
Vice Chairman Barrick
Commissioner O'Leary
Commissioner Baker
Commissioner Goins

A quorum was established.

III. APPROVAL OF AGENDA:

Commissioner Goins motioned to approve the agenda; seconded by Commissioner Baker. Motion carried. Chairman Sparks stated may table the TICS when we get to that, and we don't have any licensing, investigations, or hearings requiring Executive Session, so hopefully we can move this along.

IV. APPROVAL OF MINUTES:

Commissioner O'Leary motioned to approve the 28 February 2020 meeting minutes; seconded by Commissioner Goins. Motion passed.

V. INTRODUCTION OF GUESTS:

Introductions were made by Chairman Sparks for the Cherokee Nation Gaming Commission (CNGC), Cherokee Nation Entertainment (CNE), Cherokee Nation Businesses (CNB), Cherokee Nation (CN), and guests. Tammy Perry was introduced as the new Executive Assistant for CNGC.

VI. CNE REPORTS:

Commissioner Barrick motioned to enter into executive session at 9:53 a.m. to discuss items VI. A-E. The motion was seconded by Commissioner O'Leary

A. FINANCIAL REPORT

B. FACILITIES REPORT

C. TRIBAL GAMING COMPACT

D. ARKANSAS GAMING

E. MARKETING SOFTWARE UPGRADE

Commissioner O'Leary motioned to exit the executive session at 10:33 a.m. The motion was seconded by Commissioner Baker. Motion carried.

Discussion after exit from Executive Session; Executive Director Purcell requested the Chair to recognize Tiffany Cochran and Chair recognized Tiffany Cochran, Compliance Manager. Ms. Cochran requested Affirmation of Approval by Executive Director Purcell on March 17, 2020 for Marketing Software Upgrade.

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

Chairman Sparks asked the Commission to table item VI. C. and D. until Open Session before Adjournment since Mr. Hembree was unable to provide reports to the Commission at this time.

Commissioner Goins motioned to approve: seconded by Commissioner O'Leary. Motion carried.

VII. OLD BUSINESS:

A. CNGC TRIBAL INTERNAL CONTROL STANDARDS-PROPOSED REVISIONS – J. WALTERS PURCELL

Executive Director Purcell requested a Motion to table the Proposed Revision discussion on the CNGC Tribal Internal Control Standards until the next meeting if the Casino properties are re-opened.

Chairman Sparks asked for confirmation from Executive Director Purcell if she was wanting to continue until the next meeting or until the Casino properties were open. Executive Director Purcell replied until the Casino Properties are open.

Chairman Sparks ask for a motion to table item VII until the first meeting after the casino properties re- opens.

Commissioner Baker motioned to approve; seconded by Commissioner Goins. Executive Director Purcell asked if all the Commissioners had CNE comments to the Proposed TICS Revisions.

Chairman Sparks stated if he could offer some debate he touched base with a few folk, because Closure of operations, we don't adversely think this will affect the business side to move forward giving us additional time to thoughtfully review this. Executive Director Purcell ask for any comments from Attorney Young? Attorney Young replied the more time the better for everyone to read them they were kind of lengthy, kind of technical. Chairman Sparks asked if Bear Christenson, CNE Compliance and Todd Hembree, Attorney, had anything to add or address this? Mr. Christenson replied no, sir and Mr. Hembree replied not at this time. Motion passes.

VIII. NEW BUSINESS

A. PERMITS & LICENSES – K. COLE

Kristi Cole presented the following and requested approval:

1. Employees Permits and Licenses

- One hundred and fifty-one (151) individual(s) for temporary permits
- Sixty-eight (68) individual(s) for suitability determinations
- Fifty-six (56) license orders
- Two hundred forty-four (244) renewals for April 24, 2020
(3 CNGC) – Jody Johnson, Brenda Mock, Shannon Vahdatipour

Commissioner Baker motioned to approve Employee Permits and Licenses; seconded by Commissioner O'Leary. Motion carried.

2. Vendor & Vendor Representatives

Kristi Cole presented the following and requested approval:

- Zero (0) new company orders for 01 April 2020
- Six (6) individual orders for 01 April 2020
- Three (3) company renewals for 24 April 2020
- Fifty-five (55) individual renewals 24 April 2020

Commissioner O’Leary motioned to approve Vendor and Vendor Representatives as presented; seconded by Commissioner Goins. Motion carried.

B. LICENSE CLASSIFICATIONS – K. COLE

Kristi Cole presented four new or updated license positions and requested approval for 2 new and 2 updated license classifications. Mrs. Cole is asking for a Safety Programs Manager for CNE, Budget Analyst for CNGC, and (2) Payroll Tax Analyst just changed in title for previously approved positions.

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

C. GAME & SYSTEM APPROVALS – T. COCHRAN

Tiffany Cochran presented the following:

1. Electronic Gaming Machines

Electronic Game Themes

- Aruze 9
- Ainsworth 2
- Bally 6
- Everi 11
- IGT 15
- Incredible Technologies 4
- VGT 1

New Main Program

- ARUZE 1

New Gaming Components

- Aruze 2
- Everi 3

Executive Director Approved Items

- Bally 3
- IGT 2
- VGT 1

Commissioner Goins motioned to approve CNGC request as listed for the Electronic Game Machines; seconded by Commissioner Barrick. Motion carried.

2. Tiffany Cochran reported that CNE submitted a formal request for Director's Approval to upgrade and implement version 7.7.0.67 to their Open Options / DNA Fusion Access Control System. The request for the upgrade was to address issues with dates reporting incorrectly due to Leap Year issues.

Executive Director Purcell granted approval on 11 February 2020 to allow the system upgrade to implement version 7.7.067 at the Casino properties.

Commissioner Baker motioned to approve the Affirmation of Executive Director's approval as listed; seconded by Commissioner Goins. Motion carried.

3. Tiffany Cochran reported that on 11 October 2019, Commission approved Cherokee Nation's Entertainment (CNE) request of delegation of authority be granted to Director for the approval of the Notice of Exception (NOE) application/database.

Commissioner Barrick motioned to approve the affirmation of NOE application and Database, Seconded by Commissioner O'Leary. Motion carried.

D. PROMOTIONS & CALENDAR OF EVENTS – T. COCHRAN

Tiffany Cochran presented the report for Jeannie Bunch, at this time CNE has requested to withdraw all promotions and tournaments until the reopening or closer to the re-opening of the casino. No action requested for Item VIII D or VIII E as promotions and tournaments have been recalled by CNE. Chairman Sparks asked did the Commission need to take affirmative Action for all the promotions and events have been cancelled and not going to happen? Were there no standing activities as they have been previously approved? Executive Director Purcell replied saying there were no previous activities approved, I think we are going to recall and suspend all promotions. Tiffany Cochran also added that Jeannie Bunch has been in contact with Corporate Gaming and will remain in contact with Jeannie Bunch until the re-opening of the Casinos. Communication is being kept between CNGC and CNE.

E. TOURNAMENTS – T. COCHRAN

Tiffany Cochran made request to cancel due to closure of casinos.

F. IN-HOUSE PROGRESSIVE TRANSFERS – T. COCHRAN

Tiffany Cochran presented a request by CNE for the transfer 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 Baker motioned to approve as listed; seconded by Commissioner Barrick. Motion carried.

G. CNGC 2020 AUDIT CYCLE UPDATE – J. WALTERS PURCELL

Executive Director Purcell is requesting no action at this time due to two audits pending and possibly to be submitted on the next meeting date. Chairman Sparks ask Executive Director Purcell was she requesting no action at this time. Executive Director replied yes, she was requesting no action at this time.

H. SICS MEMO – T. COCHRAN

Tiffany Cochran reported that CNGC is currently requesting approval for six (6) new SICS submission, one (1) new form, eleven (11) revised SICS submission and one (1) notification for a check buyback. CNE compliance on 31 March 2020 is waiting for a new rack card for TGM 140, we are still moving forward for approval for the TGM 140 policy, however CNE communicated that they will hold the policy and the game will not be implemented rack card can be reviewed by both CNE Compliance and CNGC Compliance and taken to the Commission for approval. It will not be implemented until the rack card can be provided and approved. Other than that they are requesting approval for the 6 new SICS submissions, 1 new form, 11 revised SICS Submissions, and 1 notification of a check buyback.

Commissioner Baker motioned to approve; seconded by Commissioner O’Leary. Motion carried

1. EZ Pay Configuration Change Request

Tiffany Cochran is requesting approval from the Commission an EZ Pay Configuration Change to be implemented at all CNE sites. This change will allow cashiers and lead cashiers to override pending timeout tickets within EZ Pay and will not override current ticket validation limits.

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

I. INVESTIGATIONS, LICENSE ACTIONS & HEARINGS – K. COLE

Nothing to take up at this time.

IX. EXECUTIVE DIRECTOR’S REPORT

Executive Director Purcell has 2 Affirmations of Approval for the Commission. Chairman Sparks asked the Commissioner if they had received the Affirmations of Approval via e-mail from Executive Director Purcell which all the Commissioner replied yes. Chairman Sparks stated that they could handle the 2 affirmations together.

Commissioner Barrick made the motion to approve handling the two affirmations together, seconded by Commissioner Baker. Motion carried.

A. UPGRADE GLOBAL KIOSKS SOFTWARE

Executive Director Purcell stated this affirmation had received the Executive Director's approval 2 March 2020. This is for an upgrade to CNE's Global Kiosk which will moving this system to Windows 10 and also a version upgrade with added functionality.

B. Controlled Inventory-

Executive Director Purcell stated that at the Closure of the Cherokee Nation Casino Properties, all Casino Properties assets were secured including the cage and vault inventories. On March 27, 2020 CNE requested to be allowed to suspend controlled document inventory counts until prior to the re-opening of the Cherokee Nation gaming facilities. Executive Director Approval was granted to suspend Section 21.10(A) of the CNGC TICS which requires a monthly count of all "controlled inventory, including, but not limited to, bingo cards, pull tabs, playing cards, keys, pre-numbered and/or multi-part forms." Executive Director Purcell is requesting that Section 21 10 A of the TICS be suspended due to the closure.

Commissioner Baker made the motion to approve the Executive Director's Affirmations; seconded by Commissioner O'Leary. Motion carried.

Executive Director Purcell stated that CNGC is following CDC guidelines and working from home. Tiffany Cochran, Compliance Manager, has been great in working with CNE on SICS and the Casino properties and CNGC is still working on pending and new regulations. CNGC staff have been requested to work from home so they can sanitize our building. Executive Director Purcell is requesting to postpone all Commission meeting or continue them out until employees are allowed to be back in the building. Chairman Sparks replied that to hold a Special Meeting to address the scheduling of Meetings for the remainder of the 2020 Calendar year would be necessary for compliance with the Open Meetings Act. . Chairman Sparks asked Executive Director to create and post agenda for the special meeting on Tuesday April 14, 2020 at 10:00 a.m. Chairman Sparks asked Mr. Young for his thoughts on the scheduling of the Special Meeting and Mr. Young replied that a Special Meeting is necessary to comply with the Open Meetings Act and yes the Chairman shall schedule a Special Meeting.

X. OPEN SESSION:

The Chairman recognized Bear Christensen who along with CNE expressed gratitude to the Commissioners. Chairman Sparks expressed the gratitude to Mr. Christensen and CNE.

Chairman Sparks requested to discuss items 6 C & D in Executive Session at this time due to Mr. Hembree being able to discuss items.

Commissioner Baker motioned to move into Executive Session; seconded by Commissioner O'Leary at 11:46 a.m.

Commissioner Goins motioned to exit Executive Session; seconded by Commissioner Baker at approximately 12:04 p.m.

Chairman Sparks ask for a motion to adjourn the meeting at approximately 12:04 p.m. Commissioner O'Leary motioned to adjourn; seconded by Commissioner Goins. Motion carried.

XI. ADJOURNMENT:

Commissioner O'Leary motioned to adjourn at 12:04 p.m. The motion was seconded by Commissioner Baker. Motion carried.

Approval of Minutes:



CHAIRMAN SPARKS

May 22, 2020

DATE