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CHEROKEE NATION GAMING COMMISSION

MEETING DATE / LOCATION: 16 December 2022
Conference Hosted:
Chota Center, Cherokee Casino, Tahlequah
3307 Seven Clans Ave
Tahlequah, OK 74464

COMMISSIONERS PRESENT: John Sparks, Chairman
Richard Hull, Commissioner
Frank DeLozier, Commissioner

COMMISSIONERS ABSENT: Kendra McGeady, Vice-Chairwoman
Linda O'Leary, Commissioner

COMMISSION STAFF: Janice Walters Purcell, Executive Director
Audra Imhoff, Audit Manager
Mikal Yahola, Executive Assistant
Chelsea Collins, Special Projects Analyst
Tristan Trumbla, Gaming System Analyst

CHEROKEE NATION ENTERTAINMENT: Bear Christensen, Director of Compliance

VISITORS: Greg Calvert, Office of the Attorney General

CHEROKEE NATION GAMING COMMISSION
MEETING MINUTES

16 DECEMBER 2022

Chota Center, Cherokee Casino Tahlequah
3307 Seven Clans Ave
Tahlequah, OK 74464

I. CALL TO ORDER:

Chairman Sparks called the meeting to order at 9:53 AM.

II. ROLL CALL:

Mikal Yahola called Roll.

Present: Chairman Sparks
Commissioner Hull
Commissioner DeLozier

Not Present: Vice-Chairwoman McGeady
Commissioner O'Leary

Three (3) commissioners were present and a quorum was established.

III. APPROVAL OF AGENDA:

Chairman Sparks, the next item on the agenda is the approval of the Agenda. The Chair entertained a Motion to approve the Agenda. Commissioner Hull made the Motion to approve the Agenda; Seconded by Commissioner DeLozier. The Motion carried.

IV. APPROVAL OF MINUTES:

Chairman Sparks, next item is the approval of the Minutes. The Chair entertained a Motion to approve the Minutes. Commissioner DeLozier made the Motion to approve the Minutes; Seconded by Commissioner Hull. The Motion carried.

V. INTRODUCTION OF GUESTS:

Chairman Sparks, next item is the introduction of guests. The Chair then 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. The Chair entertained a Motion to enter into Executive Session for the purpose of receiving the CNE Reports. Commissioner Hull Motioned to enter into Executive Session; Seconded by Commissioner DeLozier. The Motion carried and the Commission entered into Executive Session at approximately 9:58 AM.

- A. FINANCIAL REPORT
- B. FACILITIES REPORT
- C. LITIGATION
- D. COMPACTS
- E. NIGC
- F. EXECUTIVE DIRECTOR'S REPORT

The reports under item VI. A., B., C., D., E. and F. were received in Executive Session and no action was taken. Commissioner Hull Motioned to exit Executive Session; Seconded by Commissioner DeLozier. The Motion carried and the Commission exited Executive Session at approximately 10:35 AM.

VII. OLD BUSINESS

None.

VIII. NEW BUSINESS

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

A. PERMITS & LICENSES – J. PURCELL

Executive Director Purcell presented the Permits & Licenses to the Commission. The following are the Individual Temporary Permits, Individual Suitability Determinations, Orders, and Renewals recommended for approval:

1. EMPLOYEES

- Sixty-four (64) Individual Temporary Permits; including one CNGC individual – Bobby Gassaway.
- Sixty (60) Individual Suitability Determinations.
- Thirty-seven (37) Orders.
- Eighty-three (83) Renewals.

The Chair entertained a Motion to approve the staff recommendations on the sixty-four (64) Temporary Permits, sixty (60) Suitability Determinations, thirty-seven (37) Orders, and eighty-three (83) Renewals. Executive Director Purcell asked to speak and was recognized by the Chair.

Executive Director Purcell noted on the list of Suitability Determinations there were two individuals that were scheduled for a hearing and were not eligible for approval until hearing decision.

The Chair then entertained a Motion to adopt the staff recommendations with the exception of the two stated individuals. Commissioner DeLozier made the Motion to approve the amended Motion which included fifty-eight (58) Individual Suitability Determinations; Seconded by Commissioner Hull. The Motion carried.

2. VENDOR AND VENDOR REPRESENTATIVES

Executive Director Purcell presented the Vendor and Vendor Representatives and recommended approval. The following are the Individual Orders, Company Renewals, and Individual Renewals as recommended for approval.

- Zero (0) Company Orders

- Twenty-nine (29) Individual Orders.
- Three (3) Company Renewals.
- Forty-nine (49) Individual Renewals.

The Chair entertained a Motion to approve the staff recommendations on the twenty-nine (29) Individual Orders, three (3) Company Renewals, and forty-nine (49) Individual Renewals dated December 16, 2022. Commissioner Hull made the Motion to approve the staff recommendations; Seconded by Commissioner DeLozier. The Motion carried.

B. GAME & SYSTEM APPROVALS – T. TRUMBLA

Chairman Sparks recognized Mr. Trumbula to present the EGM Memo.

1. EGM MEMO

T. Trumbula presented the EGM Memo to the Commission and recommended approval as submitted; fifty-five (55) new electronic game themes, six (6) new main programs/OS, two (2) new gaming cabinets, and affirmation of three (3) Executive Director approved items.

New Electronic Game Themes

- 3 Empire
- 4 Ainsworth
- 4 Konami
- 7 AGS
- 16 SG Gaming
- 18 IGT
- 2 Aruze
- 1 Novomatic

New Main Program/OS

- 1 Incredible Technologies
- 1 VGT
- 1 Novomatic
- 3 IGT

New Gaming Cabinets

- 2 Aruze

Executive Director Approved

- 2 Castle Hill Gaming
- 1 Ainsworth

The Chair entertained a Motion to approve the fifty-five (55) new electronic game themes, six (6) new main program/OS, two (2) new gaming cabinets, and affirm the three (3) Executive Director approvals. Commissioner DeLozier made the Motion to approve; Seconded by Commissioner Hull. The Motion carried.

2. ROLAND TRI LUX FELT MEMO

The Chair entertained a Motion to approve the Tri Lux Table Game Felt. Commissioner Hull made the Motion; Seconded by Commissioner DeLozier. The Motion carried.

3. SECONDARY CHIPS – CATOOSA AND ROLAND AFFIRMATION OF APPROVAL

The Chair entertained a Motion to approve the secondary chips for Catoosa and Roland. Commissioner DeLozier made the Motion to approve; Seconded by Commissioner Hull. Mr. Trumbla requested to be recognized to speak. The Chair recognized Mr. Trumbla. He made a clarification that the order had received Executive Director's approval on November 23, 2022 and that the staff is requesting Affirmation of the Approval.

The Chair entertained a Motion to amend the original Motion from a Motion to Approve to a Motion to Affirm the Executive Directors approval. Commissioner Hull made the Motion to amend the original Motion; Seconded by Commissioner DeLozier.

The Commission returned to the amended Motion. The Motion as amended carried.

4. PRIMARY CHIPS – CATOOSA, WEST SILOAM SPRINGS, AND ROLAND AFFIRMATION OF APPROVAL

Mr. Trumbla presented the memo to the Commission and requested affirmation of the Executive Director's approval of the Primary Chips for Catoosa, West Siloam Springs, and Roland. The Chair entertained a Motion

to affirm the Executive Director's prior approval. Commissioner Hull made the Motion; Seconded by Commissioner DeLozier. The Motion carried.

C. SICs MEMO – C. COLLINS

Ms. Collins presented the SICs memo to the Commission. The Chair entertained a Motion to approve the revision to one (1) SICs presented to the Commission. Commissioner DeLozier made the Motion to approve; Seconded by Commissioner Hull. The Motion carried.

D. PROMOTIONS – C. COLLINS

The Chair entertained a Motion to affirm the Executive Director's prior approval of two (2) Catoosa promotions. Commissioner Hull made the Motion to affirm the Executive Director's prior approval; Seconded by Commissioner DeLozier. The Motion carried.

E. TOURNAMENTS – C. COLLINS

Chairman Sparks, moving on to VIII.E. Tournaments. The Chair entertained a Motion to affirm the Executive Director's prior approval for three (3) Catoosa tournaments. Commissioner DeLozier made the Motion to affirm the Executive Director's approval; Seconded by Commissioner Hull. The Motion carried.

F. IHP TRANSFER REQUEST MEMO – J. PURCELL

Chairman Sparks, moving on to item VIII.F. IHP Transfer Request Memo. The Chair entertained a Motion to approve the request to transfer the retired In-House Progressive funds in the amount of \$29,246.42 to promotional funds for the direct benefit of CNE patrons. Commissioner Hull made the Motion; Seconded by Commissioner DeLozier. The Motion carried.

G. BI-ANNUAL GAMING FUNDS VERIFICATION – INFORMATION ONLY – A. IMHOFF

The Chair recognized Ms. Imhoff to present item VIII.G.. The information was presented to and received by the Commission. No action was taken.

H. 23-02 AP PARI-MUTUEL WAGERING FAR – A. IMHOFF

The Chair recognized Ms. Imhoff to present item VIII.H. to the Commission. The Chair entertained a Motion to approve the release of the Pari-Mutuel Wagering FAR dated December 16, 2022. Commissioner Hull made the Motion; Seconded by Commissioner DeLozier. The Motion carried.

I. FACILITIES LICENSE RENEWALS – J. PURCELL

Chairman Sparks, moving on to 8.I. Facilities License Renewals. The Chair entertained a Motion to approve the signature of the Commissioners for the Facilities License Renewal Certificates. Commissioner Hull made the Motion to approve; Seconded by Commissioner DeLozier. The Motion carried.

J. INVESTIGATIONS, LICENSES, & HEARINGS – J. PURCELL

The Chair entertained a Motion to enter into Executive Session. Commissioner Hull made the Motion; Seconded by Commissioner DeLozier. The Motion carried and the Commission entered Executive Session at 11:27 AM.

Commissioner Hull made the Motion to exit Executive Session; Seconded by Commissioner DeLozier. The Commission exited Executive Session at 3:15 PM.

The Chair recognized Executive Director Purcell to read the recommendations on the tabs. They are as follows:

Tab one (1): Stricken by agreement.

Tab two (2): License is granted and any suspension is vacated.

Tab three (3): License is denied provided additional information is given within six months which clears any Felony from criminal history.

Tab four (4): Conditional license is granted, pending the resolution of current charges with an update hearing scheduled March 1, 2023.

Tab five (5): License is denied, based on information provided on the Arizona charges and the adverse licensure action.

Tab six (6): License is denied, based on information on criminal charges out of Tennessee and Arkansas.

As for the individuals that were scheduled for a hearing and did not attend, the action recommended by the professional staff has been adopted and their licenses are denied by default.

The Chair entertained a Motion to adopt the action as stated by the

Executive Director. Commissioner Hull made the Motion to adopt; Seconded by Commissioner DeLozier.

IX. Open Session:

None.

X. Adjournment:

Commissioner DeLozier made the Motion to adjourn; seconded by Commissioner Hull. The Motion carried and the Commission adjourned the meeting at 3:25 PM.

Approval of Minutes:



CHAIRMAN SPARKS

01/13/2023

DATE