



Little River Band of Ottawa Indians Gaming Commission

2840 Orchard Highway, Suite A

Manistee, MI 49660

Tel: (231) 723-7755 • Fax: (231) 723-7788

Report to Tribal Council for the Month of August 2019

I. Purpose, Officers.

This is the monthly report of the Gaming Commission. The purpose of the Commission is to ensure the integrity, honesty and fairness of all gaming activities conducted on the Tribe's Reservation and that such gaming activities be conducted in conformance with the Gaming Ordinance #10-400-01, Rules and Regulations promulgated by the Gaming Commission, the Indian Gaming Regulatory Act, and any applicable Class III gaming compact or Class III gaming rules.

Bill Willis, Chairperson
Debra Davis, Secretary
Mark Jespersen, Commissioner
Steve Parsons, Commissioner
Alyce Giltz, Commissioner

II. Activities during the Past Month:

During the month of August the Gaming Commission:

- held four regular meetings
- held one special meeting

III. Concerns/Requests:

IV. Attachments. The following documents are attached to this report.

Minutes:

1. July 19, 2019
2. July 23, 2019
3. August 6, 2019
4. August 13, 2019
5. August 20, 2019

Resolutions:

1. Gaming Commission Resolution #GC19-0827-15 Approval of Contract for 2020-2021 with the Law Office of Richard G. McGee, LLC

Commission Orders:

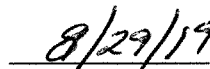
1. Gaming Commission Order #GC19-0820-04 Prohibiting Little River Casino Resort from Conducting Business with Midax, Inc.

Other:

Reports:

1. Administrative, Licensing, and Background Investigations
2. Compliance Department
3. Surveillance Department


Chairperson


Date

**LITTLE RIVER BAND OF OTTAWA INDIANS
GAMING COMMISSION MEETING
OPEN SESSION MEETING**

July 23, 2019

Gaming Commission Conference Room
2840 Orchard Highway, Suite A
Manistee, MI 49660

Meeting called to order at 5:30 p.m. by Chairperson, Bill Willis

Present:

Commissioners: Alyce Giltz, Bill Willis, Mark Jespersen (absent), Debra Davis, Steve Parsons
Commission Staff: Lani Millsap
Others: Lee Iverson

Approval of Open Session Agenda:

a) **July 23, 2019**

Action: B. Willis made a motion to approve the Open Session Meeting Agenda for July 23, 2019. **Seconded by D. Davis**

Roll Call: M. Jespersen – Absent / S. Parsons – Yes / A. Giltz – Yes / D. Davis – Yes / B. Willis – Yes / 4-Yes, 0-No, 0-Abstain, 1-Absent. **MOTION CARRIED**

Approval of Open Session Minutes:

a) **July 16, 2019**

Action: D. Davis made a motion to approve the Open Session Minutes for July 16, 2019. **Seconded by B. Willis**

Roll Call: B. Willis – Yes / A. Giltz – Yes / M. Jespersen – Absent / S. Parsons – Yes / D. Davis – Yes / 4-Yes, 0-No, 0-Abstain, 1-Absent. **MOTION CARRIED**

Old Business:

None

New Business:

None

Discussion Period:

Lee - Attended training and was very refreshing to see Compliance Officers there.

Lee - Housekeeping safety. Crisis system to increase safety for housekeeping staff by push of a button.

Lee - Shanty Creek will be hosting Emergency Response Meeting.

Lee - Thank you Kelly and Lani for helping with 7's program.

Next Gaming Commission Meeting

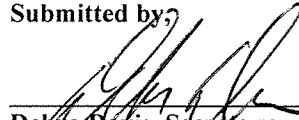
a) **August 6, 2019 at 5:30 p.m.**

Adjournment of Open Session:

Action: B. Willis made a motion to adjourn the Open Session at 5:40 p.m. **Seconded by D. Davis**

Roll Call: S. Parsons – Yes / D. Davis – Yes / B. Willis – Yes / M. Jespersen – Absent / A. Giltz – Yes / 4-Yes, 0-No, 0-Abstain, 1-Absent. **MOTION CARRIED**

Submitted by:


Debra Davis, Secretary

8-6-19

Date

Items moved to Open Session:

a) Approval of Vendor License – SMP Communications Corporation

Action: B. Willis made a motion to approve the Gaming Renewal Application for SMP Communications

Corporation license effective date July 23, 2019 – license expiration date July 23, 2020. **Seconded by D. Davis**

Roll Call: B. Willis – Yes / D. Davis – Yes / M. Jespersen – Absent / S. Parsons – Yes / A. Giltz – Yes / 4-Yes, 0-No, 0-Abstain, 1-Absent. **MOTION CARRIED**

b) Approval of Vendor License – IGT

Action: B. Willis made a motion to approve the Gaming Renewal Application for IGT – license effective date

August 25, 2019 – license expiration date August 25, 2020. **Seconded by S. Parsons**

Roll Call: M. Jespersen – Absent / A. Giltz – Yes / B. Willis – Yes / D. Davis – Yes / S. Parsons – Yes / 4-Yes, 0-No, 0-Abstain, 1-Absent. **MOTION CARRIED**

c) Approval of Vendor License – Sysco Grand Rapids, LLC

Action: B. Willis made a motion to approve the Non-Gaming Renewal Application for Sysco Grand Rapids, LLC

license effective date October 4, 2019 – license expiration date October 4, 2020. **Seconded by D. Davis**

Roll Call: M. Jespersen – Absent / S. Parsons – Yes / B. Willis – Yes / A. Giltz – Yes / D. Davis – Yes / 4-Yes, 0-No, 0-Abstain, 1-Absent. **MOTION CARRIED**

d) Approval of Temporary Vendor License – Trace3, LLC

Action: B. Willis made a motion to approve the Temporary Vendor License for Trace3, LLC Non-Gaming Vendor

license effective date July 23, 2019 – license expiration date August 22, 2019. **Seconded by D. Davis**

Roll Call: M. Jespersen – Absent / S. Parsons – Yes / B. Willis – Yes / A. Giltz – Yes / D. Davis – Yes / 4-Yes, 0-No, 0-Abstain, 1-Absent. **MOTION CARRIED**



**LITTLE RIVER BAND OF OTTAWA INDIANS
GAMING COMMISSION MEETING
OPEN SESSION MEETING**

August 6, 2019

Gaming Commission Conference Room
2840 Orchard Highway, Suite A
Manistee, MI 49660

Meeting called to order at 5:32 p.m. by Chairperson, Bill Willis

Present:

Commissioners: Alyce Giltz, Bill Willis, Mark Jespersen, Debra Davis, Steve Parsons

Commission Staff: Kelly Maser

Others: Rebecca Liebing, Lee Ivinson

Approval of Open Session Agenda:

a) August 6, 2019

Action: B. Willis made a motion to approve the Open Session Meeting Agenda as presented. **Seconded by D. Davis**

Roll Call: M. Jespersen – Yes / S. Parsons – Yes / A. Giltz – Yes / D. Davis – Yes / B. Willis – Yes / 5-Yes, 0-No, 0-Abstain, 0-Absent. **MOTION CARRIED**

Approval of Open Session Minutes:

a) July 23, 2019

Action: D. Davis made a motion to approve Open Session Meeting Minutes for July 23, 2019. **Seconded by S. Parsons**

Roll Call: B. Willis – Yes / A. Giltz – Yes / M. Jespersen – Yes / S. Parsons – Yes / D. Davis – Yes / 5-Yes, 0-No, 0-Abstain, 0-Absent. **MOTION CARRIED**

Old Business:

None

New Business:

None

Discussion Period:

HR working on positions in FB (dual-rate) – Lee
LRER ERT update (Gaming Commission needs)

Next Gaming Commission Meeting:

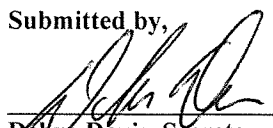
a) August 13, 2019 at 5:30 p.m.

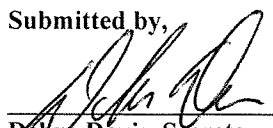
Adjournment of Open Session:

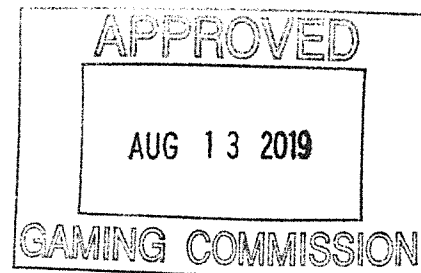
Action: B. Willis made a motion to adjourn the Open Session at 5:40 p.m. **Seconded by M. Jespersen**

Roll Call: S. Parsons – Yes / D. Davis – Yes / B. Willis – Yes / M. Jespersen – Yes / A. Giltz – Yes / 5-Yes, 0-No, 0-Abstain, 0-Absent. **MOTION CARRIED**

Submitted by,


Debra Davis, Secretary


Date



Items moved to Open Session:

None

**LITTLE RIVER BAND OF OTTAWA INDIANS
GAMING COMMISSION MEETING
OPEN SESSION MEETING**

August 13, 2019

Gaming Commission Conference Room
2840 Orchard Highway, Suite A
Manistee, MI 49660

Meeting called to order at 5:38 p.m. by Chairperson, Bill Willis

Present:

Commissioners: Alyce Giltz, Bill Willis, Mark Jespersen (absent), Debra Davis (absent), Steve Parsons
Commission Staff: Kelly Maser
Others: Lee Iverson, Rebecca Liebing

Approval of Open Session Agenda:

a) **August 13, 2019**

Action: B. Willis made a motion to approve the Open Session Meeting Agenda for August 13, 2019. **Seconded by S. Parsons**

Roll Call: M. Jespersen – Absent / S. Parsons – Yes / A. Giltz – Yes / D. Davis – Absent / B. Willis – Yes / 3-Yes, 0-No, 0-Abstain, 2-Absent. **MOTION CARRIED**

Approval of Open Session Minutes:

a) **August 6, 2019**

Action: S. Parsons made a motion to approve the August 6, 2019 Open Session Minutes. **Seconded by B. Willis**

Roll Call: B. Willis – Yes / A. Giltz – Yes / M. Jespersen – Absent / S. Parsons – Yes / D. Davis – Absent / 3-Yes, 0-No, 0-Abstain, 2-Absent. **MOTION CARRIED**

Old Business:

None

New Business:

None

Discussion Period:

Special and Emergency Drops (Kelly)

Next Gaming Commission Meeting

a) **August 20, 2019 at 5:30 p.m.**

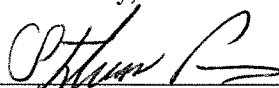
Adjournment of Open Session:

Action: B. Willis made a motion to adjourn the Open Session at 5:46 p.m. **Seconded by S. Parsons**

Roll Call: S. Parsons – Yes / B. Willis – Yes / D. Davis – Absent / M. Jespersen – Absent / A. Giltz – Yes / 3-Yes, 0-No, 0-Abstain, 2-Absent. **MOTION CARRIED**



Submitted by,


Steve Parsons, Acting Secretary


Date

Items moved to Open Session:

a) Approval of Vendor License – Trace 3, LLC

Action: B. Willis made a motion to approve the initial Non-Gaming Application for Trace3, LLC license effective date July 23, 2019 – license expiration date July 23, 2020. **Seconded by S. Parsons**

Roll Call: B. Willis – Yes / D. Davis – Absent / M. Jespersen – Absent / S. Parsons – Yes / A. Giltz – Yes / 3-Yes, 0-No, 0-Abstain, 2-Absent. **MOTION CARRIED**

a) Approval of Vendor License – Bay Supply & Marketing, Inc.

Action: B. Willis made a motion to approve the renewal application for Non-Gaming Vendor Bay Supply & Marketing, Inc. – license effective date August 13, 2019 – license expiration date August 13, 2020. **Seconded by S. Parsons**

Roll Call: D. Davis – Absent / A. Giltz – Yes / M. Jespersen – Absent / S. Parsons – Yes / B. Willis – Yes / 3-Yes, 0-No, 0-Abstain, 2-Absent. **MOTION CARRIED**

a) Approval of Vendor License – Sofo Foods of Ohio, LLC

Action: B. Willis made a motion to approve the renewal application for Non-Gaming Vendor Sofo Foods of Ohio, license effective date August 22, 2019 – license expiration date August 22, 2020. **Seconded by S. Parsons**

Roll Call: A. Giltz – Yes / M. Jespersen – Absent / D. Davis – Absent / B. Willis – Yes / S. Parsons – Yes / 3-Yes, 0-No, 0-Abstain, 2-Absent. **MOTION CARRIED**

**LITTLE RIVER BAND OF OTTAWA INDIANS
GAMING COMMISSION MEETING
OPEN SESSION MEETING
August 20, 2019**

Gaming Commission Conference Room
2840 Orchard Highway, Suite A
Manistee, MI 49660

Meeting called to order at 5:36 p.m. by Acting Chairperson, Debra Davis

Present:

Commissioners: Alyce Giltz, Bill Willis (absent), Mark Jespersen, Debra Davis, Steve Parsons

Commission Staff: Kelly Maser

Others: Lee Ivinson

Approval of Open Session Agenda:

a) **August 20, 2019**

Action: D. Davis made a motion to approve the Open Session Agenda for August 20, 2019. **Seconded by S. Parsons**

Roll Call: M. Jespersen – Yes / S. Parsons – Yes / A. Giltz – Yes / D. Davis – Yes / B. Willis – Absent / 4-Yes, 0-No, 0-Abstain, 1-Absent. **MOTION CARRIED**

Approval of Open Session Minutes:

a) **August 13, 2019**

Action: M. Jespersen made a motion to approve the Open Session Minutes for August 13, 2019. **Seconded by S. Parsons**

Roll Call: B. Willis – Absent / A. Giltz – Yes / M. Jespersen – Yes / S. Parsons – Yes / D. Davis – Abstain / 3-Yes, 0-No, 1-Abstain, 1-Absent. **MOTION CARRIED**

Old Business:

None

New Business:

a) **Approval of Revised Gaming Commission Regulation – Chapter 5 – Surveillance**

Action: S. Parsons made a motion to remove new business item (a) from the agenda. **Seconded by D. Davis.**

Roll Call: D. Davis – Yes / B. Willis – Absent / M. Jespersen – Yes / S. Parsons – Yes / A. Giltz – Yes / 4-Yes, 0-No, 0-Abstain, 1-Absent. **MOTION CARRIED**

Discussion Period:

None

Next Gaming Commission Meeting

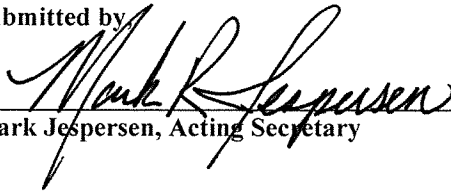
a) **August 27, 2019 at 5:30 p.m.**

Adjournment of Open Session:

Action: D. Davis made a motion to adjourn the Open Session at 5:40 p.m. **Seconded by S. Parsons**

Roll Call: S. Parsons – Yes / B. Willis – Absent / D. Davis – Yes / M. Jespersen – Yes / A. Giltz – Yes / 4-Yes, 0-No, 0-Abstain, 1-Absent. **MOTION CARRIED**

Submitted by


Mark Jespersen, Acting Secretary

8-27-19
Date

Items moved to Open Session:

Order to Cease Conducting Business – Midax, Inc.

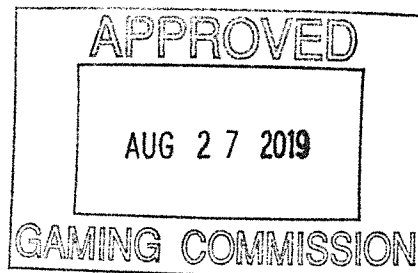
Action: D. Davis made a motion to approve Gaming Commission Order #GC19-0820-04 – Prohibiting Little River Casino Resort from Conducting Business with Midax, Inc. **Seconded by S. Parsons**

Roll Call: B. Willis – Absent / D. Davis – Yes / M. Jespersen – Yes / S. Parsons – Yes / A. Giltz – Yes / 4-Yes, 0-No, 0-Abstain, 1-Absent. **MOTION CARRIED**

b) Approval of Vendor License – Bay Business Resources, Inc.

Action: D. Davis made a motion to approve the Non-Gaming Renewal Application for Bay Business Resources, Inc. license effective date October 9, 2019 – license expiration date October 9, 2020. **Seconded by S. Parsons**

Roll Call: M. Jespersen – Yes / S. Parsons – Yes / B. Willis – Absent / A. Giltz – Yes / D. Davis – Yes / 4-Yes, 0-No, 0-Abstain, 1-Absent. **MOTION CARRIED**





Gaming Commission

2840 Orchard Hwy. Suite A

Manistee, MI 49660

Tel: (231) 723-7755 • Fax: (231) 723-7788

Gaming Commission Resolution #GC19-0827 15

APPROVAL OF CONTRACT FOR 2020 - 2021 WITH THE LAW OFFICE OF RICHARD G. MCGEE, LLC

WHEREAS, the Tribe's status as a federally-recognized Indian Tribe was reaffirmed and restored by Congress pursuant to Public Law 103-324, 108 Stat. 2156 (25 U.S.C. § 1300k et seq.); and

WHEREAS, the Tribe adopted a Constitution, pursuant to a vote of the membership on May 27, 1998, which Constitution became effective upon its approval by the Assistant Secretary-Indian Affairs on July 10, 1998; and

WHEREAS, the Tribe adopted amendments to the Constitution on April 26, 2004, which became effective upon approval by the Assistant Secretary-Indian Affairs on May 13, 2004; and

WHEREAS, the Tribe adopted amendments to the Constitution on July 11, 2016 which became effective upon approval by the Assistant Secretary-Indian Affairs on August 24, 2016; and

WHEREAS, the Tribal Council is authorized under Article IV, Section 7 (a) to provide for the public health, peace, morals, education and general welfare of the Little River Band of Ottawa Indians and its members; and

WHEREAS, the Tribal Council is authorized under Article IV, Section 7 (I) to take action, not inconsistent with the Constitution or Federal law, which is necessary and proper to carry out the sovereign powers of the Tribe; and

WHEREAS, the Tribal Council adopted Gaming Commission Ordinance #04-400-04 which created a Gaming Commission and delegated to such Commission the authority to regulate all gaming activities authorized by the Tribe and to enforce all Tribal and federal laws governing the conduct of Tribally licensed gaming activities; and

WHEREAS, the Gaming Commission has a need for outside legal counsel to assist the Gaming Commission in drafting regulations, policies and procedures, and to represent the Gaming Commission with matters where there is a perception of a conflict of interest for the Unified Legal Department to provide the same legal assistance or if assistance is requested by the Gaming Commission after consulting with the Tribe's Unified Legal Department; and

WHEREAS, the Gaming Commission believes it is imperative that they retain legal counsel experienced in Indian gaming regulatory matters and Human Resource matters and continues to be very satisfied with the services provided them by the Law Office of Richard G. McGee.

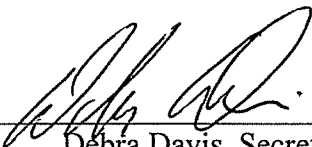
NOW THEREFORE IT IS RESOLVED THAT the Gaming Commission approves the ceiling of billable fees for professional services in the amount of \$50,000.00 annually and expenses not to exceed \$5,000.00 annually; and

IT IS FINALLY RESOLVED THAT the contract will be forwarded to the Tribal Council of the Little River Band of Ottawa Indians requesting approval for execution.

Certificate of Adoption

I, Debra Davis, Secretary of the Little River Band of Ottawa Indians Gaming Commission, do hereby certify that this resolution was adopted on August 27, 2019 by a vote of 5 in favor, 0 opposed, 0 abstentions and 0 absent. This resolution has not been amended or rescinded in any way.

Attest:



Debra Davis, Secretary

Distribution: Commission Records
Tribal Council Liaison



Little River Band of Ottawa Indians
GAMING COMMISSION
2840 Orchard Highway, Suite A
Manistee MI 49660
(231) 723-7755

GAMING COMMISSION ORDER #GC19-0820-04

**PROHIBITING LITTLE RIVER CASINO RESORT FROM CONDUCTING
BUSINESS WITH MIDAX, INC.**

WHEREAS, the Tribe's status as a federally-recognized Indian tribe was reaffirmed and restored by Congress pursuant to Public Law 103-324, 108 Stat. 2156 (25 U.S.C. § 1300k et seq.); and

WHEREAS, the Tribe adopted a Constitution, pursuant to a vote of the membership on May 27, 1998, which Constitution became effective upon its approval by the Assistant Secretary-Indian Affairs on July 10, 1998; and

WHEREAS, the Tribe adopted amendments to the Constitution on April 26, 2004, which became effective upon approval by the Assistant Secretary-Indian Affairs on May 13, 2004; and

WHEREAS, the Tribe adopted amendments to the Constitution on July 11, 2016 which became effective upon approval by the Assistant Secretary-Indian Affairs on August 24, 2016; and

WHEREAS, the Tribal Council is authorized under Article IV, Section 7 (a) to provide for the public health, peace, morals, education and general welfare of the Little River Band and its members; and

WHEREAS, the Tribal Council is authorized under Article IV, Section 7 (j) to take action, not inconsistent with the Constitution or Federal law, which is necessary and proper to carry out the sovereign powers of the Tribe; and

WHEREAS, the Tribal Council has in Gaming Commission Ordinance #04-400-04, created a Gaming Commission and delegated to such Commission the authority to regulate all gaming activities authorized by the Tribe and to enforce all Tribal, federal, and applicable state laws governing the conduct of gaming conducted on the Tribe's reservation; and

WHEREAS, in Section 6.01 of Gaming Commission Ordinance, the Gaming Commission is authorized to enact and enforce such regulations consistent with the Gaming Commission Ordinance regarding its activities as the Commission may deem necessary and proper to effectuate the powers granted by the Ordinance and duties imposed by applicable law(s); and

WHEREAS, Chapter 6 – Section 3-1 of the Gaming Commission approved Regulations states that every person supplying any gaming service or concessions, gaming equipment, gaming devices or supplies to a gaming enterprise must obtain a Gaming Vendor License.; and

WHEREAS, Chapter 6 – Section 3-2 of the Gaming Commission approved Regulations states that the gaming enterprise shall be responsible for notifying any person with which it is considering conducting business of the licensing requirements prior to contracting with such person; and

WHEREAS, Chapter 6 – Section 3-3 of the Gaming Commission Regulations states that prior to the purchase of any gaming service or concession, gaming equipment, gaming device or supplies, the gaming enterprise shall forward a written “Notice of Intent to Conduct Business” to the Gaming Commission. The “Notice of Intent to Conduct Business” shall describe the services or concessions, gaming equipment, gaming device or supplies be provided by the vendor, together with a good faith estimate of the annual dollar amount of the projected purchases from the vendor. The gaming enterprise may not commit to any binding contracts or business transactions until the Gaming Commission has licensed the vendor; and

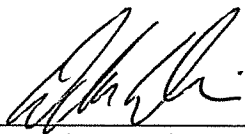
WHEREAS, Midax, Inc. who is a licensed Gaming Vendor has not returned their renewal application associated with the renewal process; and therefore, the vendor’s license will expire on August 21, 2019.

NOW THEREFORE IT IS ORDERED that the Little River Casino Resort shall cease conducting business with Midax, Inc. effective August 21, 2019 and until such time that they are licensed as a Gaming Vendor.

Certificate of Adoption

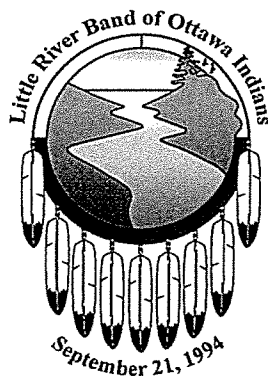
I, Debra Davis, Secretary of the Little River Band of Ottawa Indians Gaming Commission do hereby certify that this order was approved on August 20, 2019 by a vote of 4 in favor, 0 opposed, and 0 abstentions and 1 absent. This order has not been amended or rescinded in any way.

Attest:



Debra Davis, Secretary

Distribution: Commission Records
Little River Casino Resort
Tribal Council Recorder
Midax, Inc.



Little River Band of Ottawa Indians Gaming Commission

2840 Orchard Highway, Suite A

Manistee, MI 49660

Tel: (231) 723-7755 • Fax: (231) 723-7788

Memo

Aániípiish Epiídek (To): Little River Band of Ottawa Indians Gaming Commission

Binjibidek (From): Kelly Maser, Executive Director 

Maánda Naásaáp (cc):

Naángwa (Date): September 2, 2019

Maánda Nji (Re): Administrative and Licensing – August 2019 Monthly Report

- 85 licenses processed – initial applications and renewals (Gaming and Non-Gaming)
- 82 applications/files/investigations reviewed for authorization of approval – initial applications and renewals (Gaming and Non-Gaming)
- 19 interviews conducted for new employee license applicants
- 3 sets of fingerprints submitted
- National Indian Gaming Commission (NIGC) Notices (Executive Director)
 - 5 Notice of Results (NOR) prepared and processed
 - 8 Licensing Determinations prepared and processed (2 for Oversight Task Force)
 - 8 Investigative Reports prepared and processed
- 2 Oversight Task Force background investigations finalized (Executive Director)
- 1 Key Employee License suspended (confidential information)
- 1 Non-Gaming Employee License denied (confidential information)
- 1 Gaming Commissioner background investigation finalized
- No patron complaints received. (Executive Director)
- 6 Vendor licenses processed (Gaming and Non-Gaming)
- 4 Renewal applications sent to vendors (Gaming and Non-Gaming)
- 1 Initial application sent to prospective new vendor (Non-Gaming)
- Non-Gaming Vendor License Applications received and reviewed
 - 4 Corporate History Disclosure Forms
 - 9 Personal History Disclosure Forms
- Gaming Vendor License Applications received and reviewed
 - 4 Corporate History Disclosure Forms
 - 13 Personal History Disclosure Forms
- 43 investigations reviewed for authorization of approval – initial applications and renewals (Gaming and Non-Gaming)
- 9 Gaming Commission meeting agendas prepared
- 1 Gaming Commission Order drafted
- 1 Gaming Commission Resolution drafted
- 1 Tribal Council Resolution Drafted
- 1 Tribal Council agenda submission processed
- 1 Gaming Commission monthly report compiled and submitted to Tribal Council