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Little River Band of Ottawa Indians Gaming Commission

Gaming Commission Open Session Report for the Month of March 2023

I. Officers

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

II. Activities for the month of March 2023:

1. Regular meeting held on March 7, 2023
2. Regular meeting held on March 14, 2023

III. Concerns/Requests/Comments:

IV. Vendors Approved or Other:

1. Gaming Vendor – Patriot Gaming & Electronics, Inc.
2. Gaming Vendor – JCM American Corporation
3. Gaming Vendor – Incredible Technologies, Inc.
4. Gaming Vendor – SCA Entertainment, LP

V. Attachments (the following documents are attached to this report):

Minutes:

1. February 28, 2023
2. March 7, 2023

Resolutions:

Orders:

1. Gaming Commission Order #GC23-0307-01 – Increasing the Not to Exceed for the One-Time Exemption to Premier Caulking, Inc.



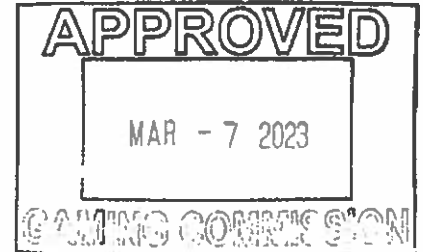
Chairperson



Date

**LITTLE RIVER BAND OF OTTAWA INDIANS
GAMING COMMISSION MEETING
OPEN SESSION MEETING
February 28, 2023**

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



Meeting called to order at 7:38 p.m. by Chairperson, Steve Parsons

Present:

Commissioners: Steve Parsons, Alyce Giltz, Debra Davis, Mark Jespersen (absent)
Commission Staff: Kelly Maser, Tonia Reinhard
Others:

Approval of Open Session Agenda:

a) February 28, 2023

Action: S. Parsons made a motion to approve the Open Session Agenda for February 28, 2023. **Seconded by A. Giltz**
Roll Call: M. Jespersen – Absent / D. Davis – Yes / S. Parsons – Yes / A. Giltz – Yes / 3-Yes, 0-No, 0-Abstain, 1-Absent. **MOTION CARRIED**

Approval of Open Session Minutes:

a) February 21, 2023

Action: D. Davis made a motion to approve the Open Session Meeting Minutes for February 21, 2023. **Seconded by A. Giltz**
Roll Call: D. Davis – Yes / A. Giltz – Yes / M. Jespersen – Absent / S. Parsons – Yes / 3-Yes, 0-No, 0-Abstain, 1-Absent. **MOTION CARRIED**

Old Business:

None

New Business:

a) Gaming Commissioner Officer Election

Action: S. Parsons made a motion to nominate Debra Davis as Secretary. **Seconded by A. Giltz**
Roll Call: M. Jespersen – Absent / D. Davis – Yes / S. Parsons – Yes / A. Giltz – Yes / 3-Yes, 0-No, 0-Abstain, 1-Absent. **MOTION CARRIED**

Discussion Period:

None

Next Gaming Commission Meeting

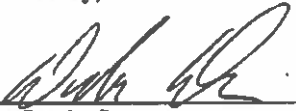
a) March 7, 2023 at 5:30 p.m.

Adjournment of Open Session:

Action: S. Parsons made a motion to adjourn Open Session at 7:43 p.m. Seconded by A. Giltz

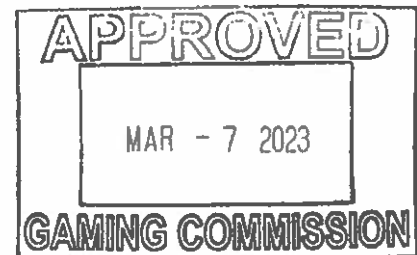
Roll Call: S. Parsons – Yes / M. Jespersen – Absent / A. Giltz – Yes / D. Davis – Yes / 3-Yes, 0-No, 0-Abstain, 1-Absent. **MOTION CARRIED**

Submitted by,

 3-7-23
Debra Davis, Secretary Date

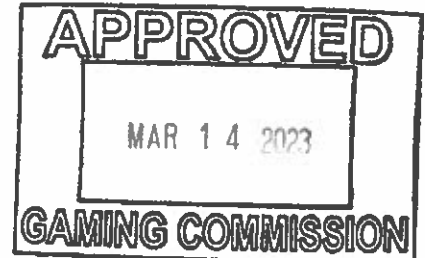
Items moved to Open Session:

None



**LITTLE RIVER BAND OF OTTAWA INDIANS
GAMING COMMISSION MEETING
OPEN SESSION MEETING
March 7, 2023**

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



Meeting called to order at 5:32 p.m. by Chairperson, Steve Parsons

Present:

**Commissioners: Steve Parsons, Alyce Giltz, Debra Davis, Mark Jespersen
Commission Staff: Kelly Maser, Tonia Reinhard
Others: Lee Ivinson, Michael Burmeister**

Approval of Open Session Agenda:

a) March 7, 2023

**Action: S. Parsons made a motion to approve the Open Session Agenda for March 7, 2023. Seconded by D. Davis
Roll Call: M. Jespersen – Yes / D. Davis – Yes / S. Parsons – Yes / A. Giltz – Yes / 4-Yes, 0-No, 0-Abstain, 0-Absent. MOTION CARRIED**

Approval of Open Session Minutes:

a) February 28, 2023

**Action: D. Davis made a motion to approve the Open Session Minutes for February 28, 2023. Seconded by M. Jespersen
Roll Call: D. Davis – Yes / A. Giltz – Yes / M. Jespersen – Yes / S. Parsons – Yes / 4-Yes, 0-No, 0-Abstain, 0-Absent. MOTION CARRIED**

Old Business:

None

New Business:

None

Discussion Period:

a) Active Shooter Protocol Update by LRRCR

Next Gaming Commission Meeting

a) March 14, 2023 at 5:30 p.m.

Adjournment of Open Session:

**Action: S. Parsons made a motion to adjourn Open Session at 5:43 p.m. Seconded by M. Jespersen
Roll Call: S. Parsons – Yes / M. Jespersen – Yes / A. Giltz – Yes / D. Davis – Yes / 4-Yes, 0-No, 0-Abstain, 0-Absent. MOTION CARRIED**

Submitted by,


Debra Davis, Secretary

3-14-23
Date

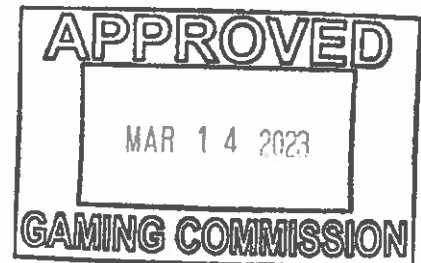
Items moved to Open Session:

a) Vendor Exemption Request – Premier Caulking, Inc.

Action: S. Parsons made a motion to approve Gaming Commission Order #GC23-0307-01 increasing the not to exceed amount granted in the one-time exemption to \$810,000.00 (Gaming Commission Order #GC22-0503-06) from vendor licensing requirement to Premier Caulking, Inc. **Seconded. D. Davis**
Roll Call: M. Jespersen – Yes / D. Davis – Yes / S. Parsons – Yes / A. Giltz – Yes / 4-Yes, 0-No, 0-Abstain, 0-Absent. **MOTION CARRIED**

b) Approval of Gaming Vendor License – Patriot Gaming & Electronics, Inc.

Action: S. Parsons made a motion to approve the renewal application for the Gaming Vendor License for Patriot Gaming & Electronics, Inc. – license effective date April 14, 2023 – license expiration date April 14, 2024. **Seconded by M. Jespersen**
Roll Call: D. Davis – Yes / M. Jespersen – Yes / S. Parsons – Yes / A. Giltz – Yes / 4-Yes, 0-No, 0-Abstain, 0-Absent. **MOTION CARRIED**





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

Gaming Commission Order #GC23-0307-01

*Increasing the Not to Exceed Amount for the One-Time
Exemption to Premier Caulking, 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 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(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 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 6.04 (a) of Gaming Commission Ordinance, the Gaming Commission is authorized to promulgate regulations as may be necessary to carry out the orderly performance of its duties and powers; and

WHEREAS, Chapter 19 – Section 3-1 of the Gaming Commission approved regulations states that every person supplying any goods, services, and/or concessions to any gaming enterprise must obtain a Non-Gaming Vendor License unless exempt from

Gaming Commission Order #GC23-0307-01
Increasing the Not to Exceed Amount for the
One-Time Exemption to Premier Caulking, Inc.
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licensing requirements pursuant to Section 3-4 or Section 3-5 or meeting the definition of Service Vendor; and

WHEREAS, Chapter 19 – 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 19 – Section 3-3 of the Gaming Commission approved regulations states that prior to the purchase of any goods, services, and/or concessions from any person, 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 goods, services, and/or concessions to 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 vendor has been licensed by the Gaming Commission; and

WHEREAS, Chapter 19 – Section 3-4 (a) and (b) of the Gaming Commission approved regulations states that the Gaming Commission, at its sole discretion, may exempt persons (or businesses) from vendor licensing requirements in certain highly regulated fields or may grant special exemptions for persons or businesses providing professional services or unique services to the gaming enterprise that do not impact gaming activity; and

WHEREAS, Chapter 19 – Section 3-6 of the Gaming Commission approved regulations states that the gaming enterprise is prohibited from entering into any contract until the vendor has been exempt by the Gaming Commission. Vendors granted an exemption by the Gaming Commission shall be required to provide a completed Conflict of Interest Disclosure in a form satisfactory to the Gaming Commission prior to the commencement of business with the gaming enterprise; and

WHEREAS, Chapter 19 – Section 10-3 (e) of the Gaming Commission approved regulations requires the gaming enterprise to provide advance notice to the Gaming Commission if the gaming enterprise has reason to believe that the sales to the gaming enterprise by a Service Vendor will reach or exceed \$200,00.00 in any calendar year. Such notice shall describe the circumstances warranting the increased volume of business, and, if appropriate under the circumstances, a request for exemption from the licensing requirements. The Gaming Commission may deem it appropriate to exempt a Service Vendor from the licensing requirements if the gaming enterprise demonstrates specific circumstances apply as written; and

Gaming Commission Order #GC23-0307-01
Increasing the Not to Exceed Amount for the
One-Time Exemption to Premier Caulking, Inc.
Page Three

WHEREAS, the gaming enterprise requested a one-time exemption from the Non-Gaming Vendor licensing requirements for Premier Caulking, Inc. for the purpose of providing services to repair and refresh the exterior of the gaming facility; and

WHEREAS, the Gaming Commission granted a one-time exemption from the Non-Gaming Vendor licensing requirements for Premier Caulking, Inc. by Gaming Commission Resolution #GC22-0503-06 with a not to exceed amount of \$800,000.00; and

WHEREAS, the gaming enterprise has since the May 3, 2022 approval discovered the project may exceed the not to exceed amount of \$800,000.00 and is requesting the Gaming Commission increase the not to exceed amount to \$830,000.00; and

NOW THEREFORE IT IS THE ORDER of the Little River Band of Ottawa Indians Gaming Commission that the not to exceed amount for the one-time exemption for Premier Caulking, Inc. is hereby increased to \$810,000.00 strictly for the services outlined in the agreement for refreshing and repairing the exterior of the gaming facility. The one-time exemption will expire at the conclusion of the project.

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 March 7, 2023, by a vote of 4 in favor, 0 opposed, and 0 abstentions and 0 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