

LEGISLATIVE SUMMARY SHEET

Tracking No. 0225-16

DATE: July 6, 2016

TITLE OF RESOLUTION: AN ACTION RELATING TO THE NAVAJO NATION COUNCIL; CONFIRMING THE APPOINTMENT OF MELINDA TOMCHEE TO THE NAVAJO NATION GAMING ENTERPRISE BOARD OF DIRECTORS FOR A FOUR YEAR TERM

PURPOSE: This resolution if approved will confirm Melinda Tomchee as a board of director for the Navajo Nation Gaming Enterprise for a staggered term of four years beginning December 23, 2014 and expiring on December 23, 2018.

This written summary does not address recommended amendments as may be provided by the standing committee. The Office of Legislative Counsel requests each committee member to review the proposed legislation in detail.

5-DAY BILL HOLD PERIOD: 11/11/16
Website Posting Time/Date: 2:31pm 7/11/16
Posting End Date: 7/16/16
Eligible for Action: 7/17/16

PROPOSED NAVAJO NATION COUNCIL RESOLUTION
23RD NAVAJO NATION COUNCIL – Second Year, 2016
INTRODUCED BY


(Prime Sponsor) (Walter Phelps)

TRACKING NO. 0225-16

AN ACTION
RELATING TO THE NAVAJO NATION COUNCIL; CONFIRMING THE
APPOINTMENT OF MELINDA TOMCHEE TO THE NAVAJO NATION GAMING
ENTERPRISE BOARD OF DIRECTORS FOR A FOUR YEAR TERM

SECTION ONE. AUTHORITY

- A. The Navajo Nation Gaming Enterprise (Enterprise) Board of Directors (Board) are subject to confirmation by the Navajo Nation Council. 5 N.N.C. § 1707(C).
- B. The Navajo Nation Council has legislative oversight over the Enterprise. 5 N.N.C. § 1718.

SECTION TWO. FINDINGS

- A. The President of the Navajo Nation shall select Board members; President Russell Begaye selected Melinda Tomchee to the Navajo Nation Gaming Enterprise Board of Directors. 5 N.N.C. § 1707(C); *See* Exhibit A (Letter from Navajo Nation President).
- B. The Board shall consist of nine members and at least one Board member shall have experience in gaming management or gaming operations; Melinda Tomchee has previous experience in gaming operations. 5 N.N.C. §§ 1707(B) and 1707(D); *See* Exhibit B (Resume).
- C. Pursuant to 5 N.N.C. § 1707(G), at all times the nominees and the Directors shall possess the following qualifications: (1) shall have knowledge of Class II and Class

1 III operations and/or work experience in the gaming industry; (2) shall be at least 25
2 years of age; (3) shall possess a bachelors or graduate degree, preferably in finance,
3 accounting, marketing, economics, management, law or related fields; (4) shall not be
4 a board member of a Navajo Nation-owned corporation, enterprise or authority; and
5 (5) shall not be a public official or public employee of the Navajo Nation. *See* Exhibit
6 B (Resume).

7 D. Each appointee for the position of the Board of the Enterprise shall obtain a Gaming
8 Facility Operator's License from the Gaming Regulatory Office before submission of
9 the appointment to the Navajo Nation Council for confirmation; Melinda Tomchee
10 has been issued a Navajo Gaming Regulatory Office (NGRO) temporary tribal
11 license and Arizona Department of Gaming (ADG) temporary recommendation. 5
12 N.N.C. § 1707(H); *See* Exhibit C (NGRO temporary tribal license), Exhibit D (ADG
13 temporary recommendation), and Exhibit E (Memorandum from NGRO).

14 E. A Board member selected to fill a vacancy shall serve the remaining term of his/her
15 predecessor; the appointment term is for a staggered four year term beginning
16 December 23, 2014 and ending on December 23, 2018. 5 N.N.C. §§ 1707(I) and
17 1707(F); *See* Exhibit A (Letter from Navajo Nation President).

18 19 **SECTION THREE. CONFIRMING APPOINTMENT**

20 Pursuant to 5 N.N.C. § 1707(C), the Navajo Nation hereby confirms the
21 appointment of Melinda Tomchee to serve on the Navajo Nation Gaming Enterprise
22 Board of Directors, for a staggered term of four years to begin on December 23, 2014 and
23 expires on December 23, 2018.



THE NAVAJO NATION

RUSSELL BEGAYE PRESIDENT
JONATHAN NEZ VICE PRESIDENT



February 29, 2016

Ms. Melinda M. Tomchee

RE: Official Appointment to the Navajo Nation Gaming Enterprise Board of Directors

Dear Ms. Tomchee,

We are pleased to appoint you to the Navajo Nation Gaming Enterprise (NNGE) Board of Directors. The appointment you are filling requires experience in Gaming Management and Operations. We are confident you have the background, experience and education to uphold the duties of this Board while representing the priorities of the Begaye-Nez Administration.

Pursuant to the Navajo Nation Code § 1707(B), this appointment is for a period of four years and is subject to confirmation by the 23rd Navajo Nation Council. The Navajo Nation Code also states that the terms of appointment are on a set and staggered schedule; therefore, it is important to note that the vacant term you are being appointed began on December 23, 2014 and it will end on December 23, 2018.

We appreciate your desire to serve the Navajo Nation and the Navajo People. If there are any questions, please contact Ms. Nina Chester, Executive Staff Assistant at (928) 871-7000.

Sincerely,

THE NAVAJO NATION

A handwritten signature in blue ink, appearing to read "Russell Begaye".

Russell Begaye, *President*

A handwritten signature in black ink, appearing to read "Jonathan Nez".

Jonathan Nez, *Vice President*



MELINDA M TOMCHEE

A Cell:

E-mail:

PROFESSIONAL SUMMARY

Experience professional with over fifteen (15) years of experience in the Indian Gaming Industry compliance and operational audits, special investigations, policy development, risk identification, business process assessments, report writing, and research and analysis.

SKILLS

- | | |
|------------------------|---------------------------------|
| • Audit reporting | • Business processes assessment |
| • Risk assessment | • Market research & analysis |
| • Financial analysis | • Supervisory management |
| • Accounting reporting | • Program development |
| • Budget development | • Staff training development |
| • Casino investigation | • Microsoft applications |

WORK EXPERIENCE

Program Analyst, 11/01/2015 to Present

Department of the Interior – Office of the Special Trustee for American Indians (OST) – Risk Management, Albuquerque, NM

- Coordinate and assist Trust Service's managers in conducting program 'self-assessment' reviews of OST's administrative, financial reporting and Indian Trust functions and for Indian Trust programs occurring across the Department of the Interior (e.g. Bureau of Indian Affairs, Office of Natural Resources and Revenue).
- Develop, analyze, and update Trust Service's process/content documentation (e.g. risk management designs, flowcharts) to ensure their internal control system is operating efficiently, identify gaps, and make recommendation for improvement.
- Perform audit testing over the internal controls of daily activities based on established work plans.

Senior Audit Services Advisor, 03/2014 to 01/2015

Spirit Mountain Gaming, Inc. – Corporate Audit Services Department, Grand Ronde, OR

- Conducted complex operational and compliance audits over the Spirit Mountain Casino to ensure optimal performance within the gaming and non-gaming areas.
- Performed risk assessments to identify and evaluate risks within operation's internal control system in support of the Annual Audit Plan.

Senior Gaming Internal Auditor, 09/2007 to 12/2013

Gila River Indian Community – Gaming Internal Audit Department, Chandler, AZ

- Conducted and supervised audits, operational reviews, and special audits over the Gila River Gaming Enterprise's three (3) gaming properties to ensure compliance with Tribal/State/Federal regulations.
- Identified and evaluated the gaming operation's internal control system, potential risks and work flow inefficiencies for the gaming areas, cash management, and security/surveillance systems.
- Provided ongoing training and technical assistance to staff auditors.
- Developed and implemented the Gaming Internal Audit Department's charter and audit procedures.

Budget Analyst, 09/2006 to 09/2007

DHHS, PHS, Tucson Area Indian Health Service – Environmental and Sanitation Program, Tucson, AZ

- Formulated, developed, and maintained the annual budget for the Tucson Area Indian Health Service - Environmental and sanitation programs.
- Administered and monitored cost centers for the environmental and sanitation projects, and provided advice to engineers and sanitation staff on budgeting matters involving funds availability, purpose, justification, time-frame, and trends.

Executive Director, 10/2004 to 06/2006

Phoenix Dine', Inc. – Phoenix, AZ

- Under the direction of the Board of Directors, oversaw the development and management of a newly established non-profit organization for the urban Navajos (Dine') residing in the Phoenix metropolitan area; developed and implemented short and long-term strategic and fundraising plans.
- Served as liaison for the organization by establishing potential partnerships with Tribal, State, Federal, and private entities.

Internal Auditor, 01/2003 to 07/2004

Salt River Pima-Maricopa Indian Community, Gaming Internal Audit Department, Scottsdale, AZ

- Conducted compliance and special audits over the Tribe's two (2) gaming properties to ensure compliance with Federal, State and Tribal regulations.
- Identified and evaluated the gaming operation's internal control system, potential risks and work flow inefficiencies for the gaming areas, cash management, security/surveillance systems.

Compliance Auditor, 10/1998 to 01/2003

Salt River Pima-Maricopa Indian Community – Community Regulatory Agency, Scottsdale, AZ

- Managed the Regulatory Compliance Audit Section of the Tribal Gaming Regulatory Agency by conducting required compliance audits over the Gaming Enterprise's two (2) gaming properties.
- Maintained a gaming machine database system to track machine activity including the ordering, installation, modification, and removal of computer chips of gaming devices.
- Established the Regulatory Compliance Audit procedures and the Community's Minimum Internal Control Standards (MICS) for the gaming properties.

Senior Accountant, 01/1997 to 12/1997

Cliff Castle Casino – Finance Department, Camp Verde, AZ

- Supervised and managed the revenue, accounts payable, accounts receivable, payroll, and revenue audit sections of the Finance department.
- Assisted the Controller in the preparation of monthly and year-end financial statements and the annual budget.

Financial Analyst, 05/1996 to 12/1996

Cliff Castle Casino – Finance Department, Camp Verde, AZ

- Prepared and analyzed various statistical gaming reports (e.g. slot machines) and internal control reports, including the projected daily and weekly profit/loss reports to ensure optimal performance of revenue generating areas.

EDUCATION

Master in Business Administration, Marketing, 2003

Western International University - Phoenix, Arizona

Bachelor of Science: Business Administration Management Accounting, 1986

Northern Arizona University - Flagstaff, Arizona

AFFILIATIONS

Institute of Internal Auditors, Member 1999 – current

Certified Fraud Examiners, Member 2008 – current

Phoenix Dine', Inc. Board Member 2002 – 2004

Maricopa Community College, Native American Advisory Board, 2006 – 2007

Melinda M. Tomchee

Albuquerque, NM 87199 C:

E-mail:

February 11, 2016

Honorable President Russell Begay/Vice-President Jonathan Nez
Navajo Nation – Executive Office
P.O. Box 7440
Window Rock, AZ 86515

RE: Letter of Interest for the Navajo Nation Gaming Enterprise Board Position

Dear Honorable President Begaye,

First and foremost, *ahéhee'* for your hard work and dedication in supporting and empowering our Navajo Nation's important mission of improving the quality of life, promoting self-sufficiency, delivering needed programs/services, and creating a more effective and responsive government for our People.

Please accept this letter of interest and resume as my desire to serve on the Navajo Nation Gaming Enterprise (NNGE) Board. It is my hope to be part of this decision-making body by offering my gaming expertise as the Nation moves forward in strengthening its presence in the Southwest gaming market.

Tribal Indian gaming operations continually face a myriad of unique challenges in balancing tribal revenue expectations and a casino's strategic mission in a highly regulated environment. There are the arduous tasks of securing and fairly compensating top talent, effectively marketing and differentiating a casino's product/service, proactively addressing continuous technological changes of gaming software across cross-functional platforms, developing a sound system of internal control framework, mitigating high-risk gaming/non-gaming areas, ensuring compliance with regulatory regulations, etc. To effectively address these challenges, it's important to understand the *culture* of the gaming environment and to establish an effective *tone at the top* message for the Navajo Nation, NNGE, and the Regulatory Office.

My background in the Indian gaming industry encompasses fifteen (15) years of credible experience in compliance, operational, and financial auditing and casino financial management. My previous work with four (4) well-established and successful casino operations – *Confederate Tribe of the Grand Ronde's Spirit Mountain Gaming, Inc., Gila River Indian Community gaming properties, Salt River Pima-Maricopa Indian Community's gaming properties, and Cliff Castle Casino* – involved working closely with gaming management to improve their internal business processes and to help mitigate medium-high risk areas of their operations. It also provided me the opportunity to interface with tribal/state/federal regulatory bodies and other entities (e.g. external auditors, Gaming Laboratory Inc., gaming vendors) to discuss and resolve internal control issues.

Presently, my work with the Department of the Interior – Office of Special Trustees for American Indians (OST) – Risk Management Department involves coordinating and assisting trust service's managers in conducting self-assessments of their programs for compliance with federal guidelines (e.g. Federal Manager's Financial Integrity Act). A strategic risk assessment tool – Enterprise Risk Management (ERM) framework – utilized in the private industry has most recently been embraced by OST to assist management in achieving the organization's objectives by integrating their strategic plan with internal control framework. I believe this type of strategic framework could also be integrated in a tribal gaming operation to improve overall efficiency.

Your consideration of my application for the NNGE Board position is greatly appreciated. I look forward to an opportunity to meeting with you and your selection team to further discuss my credentials and gaming expertise. I can be reached on my mobile at (480) 414-4465 or my e-mail at mmtom21@gmail.com.

Sincerely,



Melinda M. Tomchee

Enclosure: Resume



Try a fast, secure browser with updates built in. Yes, get Chrome now. No, not interested. Open

Gmail

COMPOSE

Inbox (7,799)

Starred

Important

Chats

Sent Mail

Drafts (9)

All Mail

Spam (540)

Trash

Circles

Notes

European Trip 1:

More

Melinda

Brittany Holc

Lindsay Holc



THE NAVAJO NATION

RESISTANCE TO CHANGE

TEMPORARY TRIBAL GAMING LICENSE GAMING FACILITY OPERATOR

Temporary Gaming License Number

This certifies that

MELINDA M. TOMCHEE

has been issued a Temporary Tribal Gaming License in accordance with the provisions of the Gaming Ordinances and Regulations of the Navajo Nation ("Tribe"), the Tribal-State Compact between the Tribe and the State of Arizona and State of New Mexico, and the Indian Gaming Regulatory Act (25 U.S.C. §2701 et. seq.). This temporary license is issued by the Navajo Gaming Regulatory Office, the Tribe's regulatory gaming agency, pending the completion of a background investigation and determination of eligibility by the Navajo Gaming Regulatory Office and if applicable, a determination of suitability by the Arizona Department of Gaming and approval by the National Indian Gaming Commission.


Lisa F. Tsosie, Licensing Manager
Navajo Gaming Regulatory Office

05/23/2016
Date

NAVAJO GAMING REGULATORY OFFICE
Post Office Box 2040 • Window Rock, Navajo Nation (Arizona) 86515 • (928) 871-6712 • Fax: (928) 871-6713

TEMPORARY LICENSES ISSUED: MELINDA TOMCHEE-NNGE BOARD MEM

EXHIBIT

D

Try a fast, secure browser with updates built in. Yes, get Chrome now. No, not interested. Open

Gmail

9282135847 HNGRO 05-03-16:03:24PM;

Navajo-Twin Ar 04:57:38 p.m. 05-03-2016 1/1 1/4

COMPOSE

- Inbox (7,739)
- Starred
- Important
- Chats
- Sent Mail
- Drafts (8)
- All Mail
- Spam (640)
- Trash
- Circles
- Notes
- European Trip 1:
- More
- Melinda
- Brittany Holik
- Lindsay Holik



Arizona Department of Gaming

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Nauglas A. Ducey
Governor

Daniel M. Bergin
Director

1110 W. Washington St., Suite 450
Phoenix, Arizona 85007
Tel 602.771.4243
Fax 602.255.3883
www.azgaming.gov

05/03/2016

Navajo Gaming Regulatory Office
Paulene T. Thomas Interim Executive Director
PO Box 2040
Window Rock, AZ 86515

TEMPORARY RECOMMENDATION

Name: MELINDA MARIE TOMCHEE
Recommendation Number:
Issue Date:

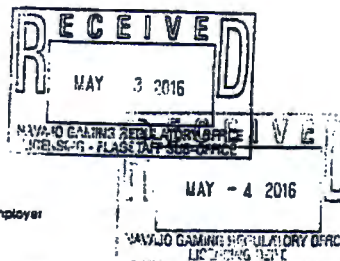
The Arizona Department of Gaming has received an application for the above Tribal member and has initiated a background investigation pursuant to Compact Sections 5(a) and 5(b)(2).

This is to notify you that based upon the background investigation undertaken to date and the information disclosed on the face of the application, there is no evidence to suggest that this individual should not be licensed by the Tribal Gaming Office.

Upon completion of the full background investigation, a formal written recommendation as to whether this applicant should be licensed by the Tribal Gaming Office will be issued consistent with Compact Sections 5(b)(2) and 5(q).

Ken Tyson

Ken Tyson
Manager, Employee Certification Unit



Equal Employment Opportunity/Affirmative Action Employer

05/03/2016 TUE 17:00 (JOB NO. 5094) 2001



THE NAVAJO NATION

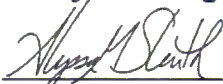


RUSSELL BEGAYE PRESIDENT
JONATHAN NEZ VICE PRESIDENT

VIA: EMAIL

May 25, 2016

TO: TGO Agents – FRNC, NENC, FWNC, TANCR
Navajo Gaming Regulatory Office

FROM: 
Alyssa Sleuth, License Technician
Navajo Gaming Regulatory Office

SUBJECT: NEW HIRE ID BADGE

The below listed Navajo Nation Gaming Enterprise new employee has been issued a NGRO tribal license and ADG recommendation. Please issue licensee a new ID badge with the **EXACT** information listed below:

LAST NAME	FIRST NAME (No Nicknames)	TITLE
TOMCHEE	MELINDA	BOARD MEMBER
NGRO#	ADG#	EXP. DATE

If you have any questions, please contact me at (928) 871-6712. Thank you for your assistance.

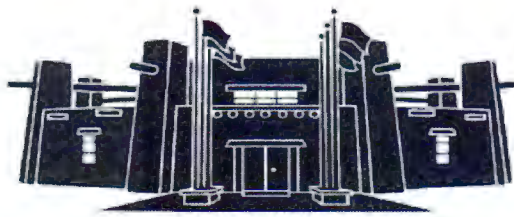
cc: File- copy

TGO Agent: Print name below, affix a copy of the new ID badge printed and return to NGRO Licensing for gaming record purposes. Thank you.

TGO Agent – Printed Name

Date Issued

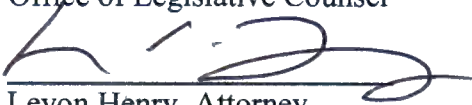
Copy of ID Badge Affixed to Signed Memo



MEMORANDUM

TO: Honorable Walter Phelps
Navajo Nation Council

FROM: 
Rhonda L. Tuni
Office of Legislative Counsel

THRU: 
Levon Henry, Attorney
Office of Legislative Counsel

DATE: July 6, 2016

SUBJECT: AN ACTION RELATING TO THE NAVAJO NATION COUNCIL;
CONFIRMING THE APPOINTMENT OF MELINDA TOMCHEE TO
THE NAVAJO NATION GAMING ENTERPRISE BOARD OF
DIRECTORS FOR A FOUR YEAR TERM

As requested, I have prepared the above-referenced proposed resolution and associated legislative summary sheet pursuant to your request for legislative drafting. Based on existing law and review of documents submitted, the resolution as drafted is legally sufficient. As with any action of government however, it can be subject to review by the courts in the event of proper challenge. Please ensure that this particular resolution request is precisely what you want. You are encouraged to review the proposed resolution to ensure that it is drafted to your satisfaction.

The Office of Legislative Counsel confirms the appropriate standing committee(s) based on the standing committees powers outlined in 2 N.N.C. §§301, 401, 501, 601 and 701. Nevertheless, "the Speaker of the Navajo Nation Council shall introduce [the proposed resolution] into the legislative process by assigning it to the respective oversight committee(s) of the Navajo Nation Council having authority over the matters for proper consideration." 2 N.N.C. §164(A)(5).

If the proposed resolution is unacceptable to you, please contact me at the Office of Legislative Counsel and advise me of the changes you would like made to the proposed resolution.

THE NAVAJO NATION
LEGISLATIVE BRANCH
INTERNET PUBLIC REVIEW PUBLICATION



LEGISLATION NO: _0225-16_____ SPONSOR: Walter Phelps

TITLE: An Action Relating to Navajo Nation Council; Confirming The Appointment Of Melinda Tomchee To The Navajo Nation Gaming Enterprise Board Of Directors For A Four Year Term

Date posted: July 11, 2016 at 2:31pm

Digital comments may be e-mailed to comments@navajo-nsn.gov

Written comments may be mailed to:

Executive Director
Office of Legislative Services
P.O. Box 3390
Window Rock, AZ 86515
(928) 871-7590

Comments may be made in the form of chapter resolutions, letters, position papers, etc. Please include your name, position title, address for written comments; a valid e-mail address is required. Anonymous comments will not be included in the Legislation packet.

Please note: This digital copy is being provided for the benefit of the Navajo Nation chapters and public use. Any political use is prohibited. All written comments received become the property of the Navajo Nation and will be forwarded to the assigned Navajo Nation Council standing committee(s) and/or the Navajo Nation Council for review. Any tampering with public records are punishable by Navajo Nation law pursuant to 17 N.N.C. §374 *et. seq.*

**THE NAVAJO NATION
LEGISLATIVE BRANCH
INTERNET PUBLIC REVIEW SUMMARY**

LEGISLATION NO.: 0225-16

SPONSOR: Honorable Walter Phelps

TITLE: An Action Relating to Navajo Nation Council; Confirming The Appointment Of Melinda Tomchee To The Navajo Nation Gaming Enterprise Board Of Directors For A Four Year Term.

Posted: July 11, 2016 at 2:31 PM

5 DAY Comment Period Ended: July 16, 2016

Digital Comments received:

Comments Supporting	1. Nedra Joe
Comments Opposing	<i>None</i>
Inclusive Comments	<i>None</i>



**Executive Director
Office of Legislative Services**



Date/Time

NNC Legislation Legislation 0225-16

[DELETE](#)[REPLY](#)[REPLY ALL](#)[FORWARD](#)

Nedra Ann <ann.nedra@ymail.com>

[mark as unread](#)

Thu 7/14/2016 9:29 AM

To: comments;

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SPONSOR: Walter Phelps

TITLE: An Action Relating to Navajo Nation Council; Confirming The Appointment Of Melinda Tomchee To The Navajo Nation Gaming Enterprise Board Of Directors For A Four Year Term

I am sending this electronic message supporting Ms. Tomchee's appointment to the Navajo Nation Gaming Board of Directors. She has vast experience in the gaming industry and is keenly aware of Native gaming pros and cons which would greatly contribute to the Navajo enterprise. Her education is highly respectable which is manifested with her gaming credentials.

Ms. Tomchee is from the Northern Navajo Agency area and from a wonderful family.

As a constituent of the Navajo Nation, I see her interest the serving the Navajo people as a much needed asset. Please accept my words of support for Melinda Tomchee.

Ms. Nedra Joe
Constituent of Dilcon Chapter
Fort Defiance Agency
PO Box 487
Window Rock, AZ 86515
928-793-8404

23rd NAVAJO NATION COUNCIL

Second Year 2016

The **NAVAJO NATION COUNCIL** to whom has been assigned:

NAVAJO LEGISLATIVE BILL #0225-16

An Action Relating to the Navajo Nation Council; Confirming the Appointment of Melinda Tomchee to the Navajo Nation Gaming Enterprise Board of Directors for a Four Year Term

Sponsored by: Honorable Walter Phelps

Has had it under consideration and reports the same **FAILED**

Respectfully Submitted,



Honorable LoRenzo Bates, Speaker
NAVAJO NATION COUNCIL

21 JULY 2016

MAIN MOTION:

Motioned by: Honorable Jonathan L. Hale

Seconded by: Honorable Davis Filfred

Vote: 08 in Favor, 10 Opposed (Speaker Bates not voting)