

COUNCIL OF THE CHEROKEE NATION
EXECUTIVE & FINANCE COMMITTEE REPORT

Group: Financial Resources **Month/Year of Report:** February 2013

Treasurer: Lacey Horn **Phone:** 207-3902 **E-mail:** lacey-horn@cherokee.org

I. Budget Highlights – through January

- a.) Financial Resources – 27% spent
- b.) Treasurer – 20% spent
- c.) IIM – 38% spent
- d.) Acquisition Management – 31% spent
- e.) Records Management – 27% spent
- f.) Support Services – 34% spent
- g.) Employee Performance Incentive – 82% spent

II. Program Highlights

a.) Balanced Scorecard Measures

- 1. Complete FY12 Audit - 15% complete
- 2. Obtain Unqualified Audit Opinion –0% complete
- 3. No Reportable Conditions on Single Audit –0% complete
- 4. Obtain GFOA Award for FY11 CAFR – 100% complete
- 5. Reports Completed & Submitted by Due Dates – 100% Complete for reports due by 01/31/13

b.) Accomplishments

- 1. Provided support to Child Support Services with the accounting system for the payment center
- 2. Attended GFOA Training on Effective Budget Presentations
- 3. Presented an overview of Financial Resources to the Program Staff on February 21st
- 4. Kronos training held February 5th and 7th

c.) Future Plans/New Initiatives

- 1. Year End processing and audit continues
- 2. Kronos training scheduled March 7th

COUNCIL OF THE CHEROKEE NATION
EXECUTIVE & FINANCE COMMITTEE REPORT

Cherokee Nation Acquisition Management Year-To-Date Report Over \$5,000 Transactions October 1, 2012 through September 30, 2013		% of sub-total - TERO vendor submitted Bid
Award to TERO Vendor	\$ 14,669,782.98	92.22%
Award to non-TERO Vendor	\$ 1,237,060.23	7.78%
Sub-total bids with a TERO vendor participating	\$ 15,906,843.21	100.0%
Bid - no bids submitted by TERO Vendors	\$ 2,800,658.05	
October 1, 2012 through January 31, 2013		



CHEROKEE NATION™
Businesses

Executive and Finance Report
Consolidated Financial Information

January 2013

Cherokee Nation Businesses

Executive and Finance Report

January 2013

Budget Highlights

- January 2013 CNB consolidated net income of \$7.1 million was 5.9% unfavorable to a budget of \$7.6 million.
- CNE net income of \$6.1 million was \$2.3 million below budget due to lower than anticipated gaming revenue. Lower revenue was partially attributable to:
 - 2% increase in payroll taxes implemented by the US Government on January 1st, 2013, which lowered take home pay
 - The IRS would not accept tax returns prior to January 30th this year, which prevented any lift that the casinos have experienced in prior years
- CNB recorded \$1.9 million in profits from the partially owned subsidiary APSE, which was associated with the completion of the 345 Kitting project with Boeing. This was originally budgeted for in November 2012.
- Technology portfolio net income of \$586,000 was \$341,000 above budget due to several new contracts that began in October.
- CNCS net income of \$97,000 was \$73,000 favorable to budget due to ramped up activity at Dover AFB and facility 722.
- CNI net loss of \$692,000 was \$205,000 unfavorable to budget.

Capital Expenditures

January YTD capital expenditures were \$48.7 million for all entities.

- CNE: \$42.5 million – Expansion related costs for construction at Catoosa, Ramona, and Ft. Gibson
- CPM: \$5.3 million – Purchase of American Woodmark Building in Tahlequah
- CNB: \$780,000 – Deltek Gov't Accounting Software, IT Equipment
- CNCS: \$48,000 – New Vehicles
- CNI: \$102,000 – Floor Scrubber/Sweeper and maintenance costs
- CNSD: \$20,000 – Cargo Van

Financing

- CNB has no outstanding borrowings as of January 31, 2013.

Cherokee Nation Entertainment

Executive and Finance Report

January 2013

Budget Highlights

<i>thousands (000's)</i>	<u>Period</u>	<u>Actual</u>	<u>Budget</u>	<u>Variance</u>	<u>%</u>
• Revenue	Month -	\$41,784	\$44,124	(\$2,340)	-5%
• Operating Expenses	Month -	\$32,401	\$31,594	\$807	3%
• Net Income	Month -	\$6,054	\$8,361	(\$2,306)	-28%

Operating Highlights

- CNE net income of \$6.1 million in January was \$2.3 million unfavorable to budget.
- Total revenue of \$41.8 million was \$2.3 million unfavorable to budget. This was partially due to the 2% increase in payroll taxes and the IRS accepting tax returns later than in previous years.
- Total operating expense of \$32.4 million was 2.6% unfavorable to budget primarily due to higher than anticipated medical benefit expense.
- On August 28th, CNE opened the new permanent facility at the Ramona property.
- On September 18th, CNE re-opened Casino 3 after completing a rebuild of the casino due the roof collapse in February 2011.
- CNE opened the new permanent facility at Fort Gibson on December 4th.
- The new hotel tower at Catoosa is expected to be opened during the second quarter of calendar year 2013.
- The Choctaw casino in Pocola is expanding its gaming floor from 1,400 to 2,500 games. This could negatively affect gaming activity at the Roland casino.

Capital Expenditure Highlights

- Catoosa Casino 3 Rebuild - \$19.6 million
- Ramona Casino - \$2.8 million
- Ft. Gibson Casino - \$8.3 million
- Cherokee Springs Golf Course & Land - \$8.5 million
- S Coffeyville Casino & Land - \$517,000

Cherokee Nation Industries

Executive and Finance Report

January 2013

Budget Highlights

<i>thousands (000's)</i>	<u>Period</u>	<u>Actual</u>	<u>Budget</u>	<u>Variance</u>	<u>%</u>
• Revenue	Month -	\$6,569	\$5,213	\$1,356	26%
• Operating Expenses	Month -	\$7,183	\$5,627	\$1,556	28%
• Net Income	Month -	(\$692)	(\$488)	(\$205)	42%

Operating Highlights

- Net loss was \$692,000 compared to a budgeted net loss of \$488,000.
- CNI's revenue totaled \$6.6 million in January 2013 which was \$1.4 million higher than a budget of \$5.2 million.
- Total operating expenses of \$7.2 million was \$1.6 million higher than budget. This budget variance was primarily associated with higher than budgeted revenue in the Military Services and Distribution Services division.
- Management is focused on increasing revenues through increased sales efforts as well as reducing expenses.

Technology Portfolio

Executive and Finance Report

January 2013

Budget Highlights

<i>thousands (000's)</i>	<u>Period</u>	<u>Actual</u>	<u>Budget</u>	<u>Variance</u>	<u>%</u>
• Revenue	Month -	\$8,243	\$6,902	\$1,341	19%
• Operating Expenses	Month -	\$7,520	\$6,532	\$987	15%
• Net Income	Month -	\$586	\$245	\$341	139%

Operating Highlights

- The IT Portfolio generated revenue of \$8.2 million compared a budget of \$6.9 million.
- January EBITDA was \$724,000 compared to budgeted EBITDA of \$370,000. The January EBITDA margin of 9.8% was greater than the 5.4% budget for the month.
- CSG and CNT revenue of \$3.2 million was unfavorable to prior year by \$173,000. The favorable revenue was a combination of af adjustments from prior months as well as decreased revenue in the current month on various contracts.
- CNGS and CNTS generated \$5.0 million of revenue and continued to grow revenue at an increased daily rate compared to recent months. The increase was due to the new fixed price contracts.
- The Technology Division currently has more than 7 outstanding proposals awaiting decision among various potential customers, which exceeds prior year levels.
- CNGS and CNTS began work on multiple new fixed price contracts for the United States Army Corp. These contracts are for multiple years providing \$513,000 in revenue per month. CNT has begun work on a 1 year, \$504,000, contract for the USDA Agricultural Research Service.

Other Diversified Businesses

Executive and Finance Report

January 2013

Net Income Budget Highlights

<i>thousands (000's)</i>	<u>Period</u>	<u>Actual</u>	<u>Budget</u>	<u>Variance</u>	<u>%</u>
• CNSD	Month -	(\$31)	\$3	(\$33)	-1161%
• CNCS	Month -	\$97	\$24	\$73	310%
• Mobility Plus	Month -	(\$82)	(\$55)	(\$27)	48%
• CMS / CNHS	Month -	\$64	\$73	(\$8)	-12%
• CNSD	Month -	(\$46)	\$44	(\$90)	-203%
• Aerospace Products S.E.	Month -	\$2,482	(\$12)	\$2,494	-20783%
• CCRC	Month -	\$84	(\$46)	\$130	-283%

Operating Highlights

- **CNSD** net loss of \$31,000 was unfavorable to a budgeted net income of \$3,000. The EBITDA margin was lower than budget due to increased direct materials cost and a larger amount of overhead expense incurred.
- **CNCS** resulted in a net income of \$97,000 in January 2013, which was unfavorable to budgeted net income of \$24,000. CNCS benefited from favorable accrual adjustments from the prior year totaling \$211,000. Revenue of \$1.4 million was favorable to prior year revenue of \$440,000 due to continued activity at the Dover Air Force Base.
- **Mobility Plus** resulted in a net loss of \$82,000 compared to budgeted net loss of \$55,000. The negative variance was due lower than anticipated sales.
- **CMS / CNHS** resulted in a net income of \$64,000 compared to budget of \$73,000. Revenue of \$2.4 million was favorable to a budget of \$1.8 million. The favorable budget variance was due to two fixed priced contracts which started in November. Operating expenses of \$2.3 million were \$1.7 million unfavorable to budget primarily due to expenses associated with the new fixed price contracts, specifically the CLASS contract.
- **APSE** net income was \$2.5 million in January 2013 compared to a budgeted net loss of \$12,000. The favorable budget variance was due to the completion of the 345 Kitting program with Boeing, which was budgeted for in November 2012.
- **CCRC** net income was \$84,000 in January, which was favorable to a budgeted net loss of \$46,000. January 2013 revenue was \$1.8 million compared to budget of \$545,000. Higher revenue was the result of revenue recognized on the BIA contract during the month as well as the Fort Dix projects.

Group: Career Services-Employment Month/Year of Report: February, 2013
 Group Leader: Diane Kelley Phone: 453-5628 Email: Diane-kelley@cherokee.org

I. Budget Highlights – Please refer to Monthly Financial Report

None

II. Program Highlights

a. Balanced Scorecard Measures

	<i>January</i>	<i>YTD</i>	<i>Goal</i>	<i>% of Goal</i>
<i>GED Completions</i> – includes individuals completing and receiving a GED or High School Diploma from Talking Leaves Job Corps and Career Literacy.	36	106	250	42.4%
<i>Training Completions</i> – includes individuals receiving a nationally-recognized certification, credential, or degree while enrolled in one of 11 different vocational training programs.	64	157	450	34.9%
<i>Employment Completions</i> – includes individuals who completed a Work Experience or TERO OJT assignment.	13	19	300	6.3%
<i>Unsubsidized Placement</i> – includes all individuals who entered unsubsidized employment (they got a job!) while enrolled in one of 15 different programs, both employment and vocational.	133	312	500	62.4%
<i>Retention</i> – includes individuals who were retained in their unsubsidized employment through assistance from a Career Services Program.	33	139	200	69.5%
<i>Job Readiness Training</i> – includes individuals who completed the Life/Employment Skills Training.	6	114	500	22.8%
<i>WorkKey Credentialing</i> – includes individuals who received a bronze, silver, gold, or platinum WorkKeys credential.	16	143	500	28.6%

<i>Job Bank</i> – includes the number of new individuals entering the TERO Job Bank.	25	101	1,000	10.1%
<i>Indian Owned Businesses</i> – includes the number of businesses newly certified as an Indian Owned Business.	9	37	100	37%
<i>Job Fairs</i> – includes the number of Job Fairs held by Career Services.	2	4	15	26.7%
<i>Community Service Projects</i> – this is the number of Community Service Projects completed by youth, both through the Summer Youth Employment Program and Talking Leaves Job Corps.	2	16	50	32%

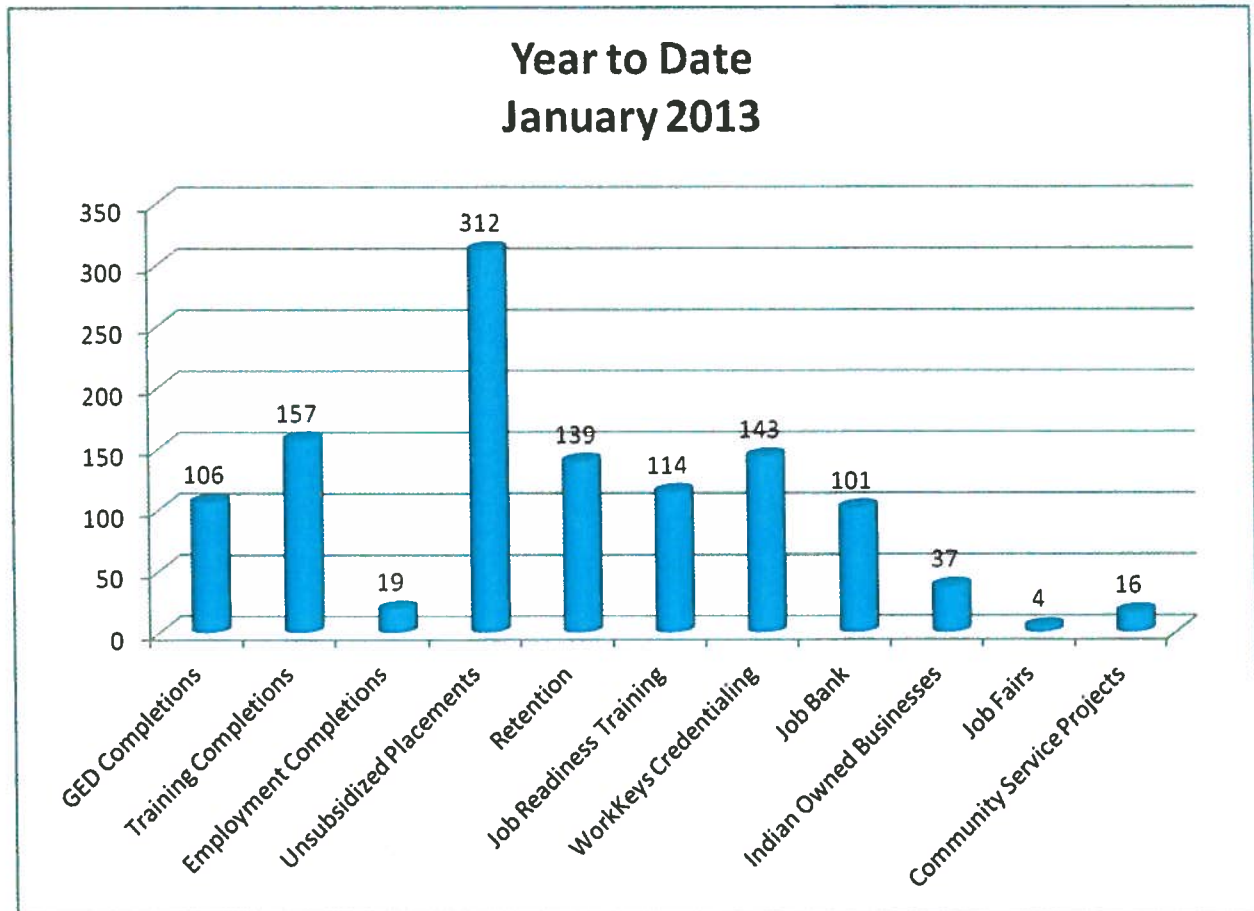
b. Accomplishments

1. The Day Training Program had 41 participants enter unsubsidized employment, 17 at Cherokee Nation.
2. Special Projects had a Job Fair in Muskogee on Feb. 6th for Veterans. There were approximately 60 vendors at this event with attendance of 250-300 job seekers. Another Job Fair was held at TCC Campus on West 41st in Tulsa on February 14th. There were approximately 200-250 TCC students attending.
3. We have been in meetings with CNB – Paul Gerald, Eric Shoemake, Bob Thomas, and Vivian Phillips – regarding utilizing the Job Corps students with the food venues and to develop an adult Culinary class that we can pull from for the shortage of workers they have from time-to-time in the Food Service area of CNB. We have a class that will run for eight weeks, two evenings a week, at Talking Leaves Job Corps in the evenings starting March 12, 2013. The training is being coordinated through the Business and Economic Development group.
4. We have been in discussion with the Vice President of Security, Nick Lay, regarding specialized training for Security Guards. Another meeting will take place this week to get things off high center and an announcement will be forthcoming on classes in the Northern Counties. We will forward flyers after everything is set up.

c. Initiatives

1. Training on the new TERO law has begun.
2. Staff are working on revising the Day Training Program. This is in response to several issues that have occurred over the past year. New procedures will be developed.
3. Republican Representative Virginia Foxx has reintroduced a reauthorization of the Workforce Investment Act called ‘SKILLS ACT’. It seeks to repeal or eliminate 35 different employment and training programs. This is set for mark up this Wednesday March 6th. The current language would fund tribal

programs for “up to 1%”. We would recommend language that states “no less than 1%” (prefer even higher). It also shows tribes sharing the funds with other entities and it does not indicate from where tribes would receive funds, but implies funding would come from states. We want to maintain the government-to-government relationship with the Federal government, not states. The law should identify a specific unit in Labor staffed by people competent in Indian Programs, such as the current Division of Native American Programs in the Department of Labor (DOL-DINAP). There is no language in the bill regarding the Advisory Council to the Secretary of Labor. The Advisory Council needs to be in the law to advise the Secretary of Labor on Native issues (not just with the Workforce Investment Act or SKILLS Act). The language in the bill regarding Workforce Investment Boards does not provide for a seat at the table for tribes, nor is there any reference to PL 102-477 and tribes’ right to include these funds under a PL 102-477 Plan. There is also not specific funding for youth employment and training programs.



Group: Certified Indian Owned Businesses (Career and Commerce Services)

Month/Year of Report: February 2013

Program Highlights

a. Balanced Scorecard Measures

Objective	Metric	2012 Goal	Year to Date Achievement Notes/Comments
Effective Business Workshop Training	# Certified Indian-Owned Business Attendees and % indicating usefulness	500/100%	23/100%
Increase Certified Indian-Owned Business Procurement Awards	% Certified Indian-Owned Business Procurement Awards	75%	84.64% Business Entities eligible procurement \$'s awarded to Certified Indian Owned vendors <ul style="list-style-type: none"> • CNE – 80.32% • CN Government - 92.22% • Health Entities – 87.37% • CNI – 45.55% • Waste Management - 100%
Increase Cherokee Citizens employed	% Cherokee Citizens (verified)	Entity CNE – CNB - CN – 82.9% Health - CNI – CRC – Aerospace -	Business Entities - 75.65% <ul style="list-style-type: none"> • CNE (CNE, CHL, WRD, CNSS) 74.26% • CNB (CNB, CNT, CSG) 66.11% • CN Government 81.76% (does not include IPA/MOA) • Health Entities 48.60% • CNI 77.41% (does not include service contract employees) • CRC 18.92% (not wholly owned by CN) • Aerospace 0% (not wholly owned by CN) • Waste Management 100%
Increase Indian-Owned Business Certifications	# Newly Certified Indian-Owned Businesses	80	37
Effective One on One Training for Certified Indian Owned-Businesses	# of businesses receiving assistance/% finding useful	300/95%	148/100%
Certified Indian-Owned Business Receiving Financial Assistance	% Certified Indian-Owned Business Loans in Portfolio	85%	11% - Dollar Amount Loaned out 20% - Number of Loans
Effective Usage of Fees Collected	# Trained	100	0 (TERO continues to report 0 on their report)
Effective Monitor of Work Sites – Construction and Housing	# Monitoring Visits	90%	100% - 564 sites monitored
Effective Monitor of Bid Openings	# and % Bid Openings Attended	100%	100% - 36
Effective Resolution of Complaints – TERO and EEOC	% Complaints Resolved	100%	TERO: 3 complaints filed; 3 resolved, 0 pending EEOC: 0 complaint filed; 0 resolved, 0 pending

b. Notable accomplishments:

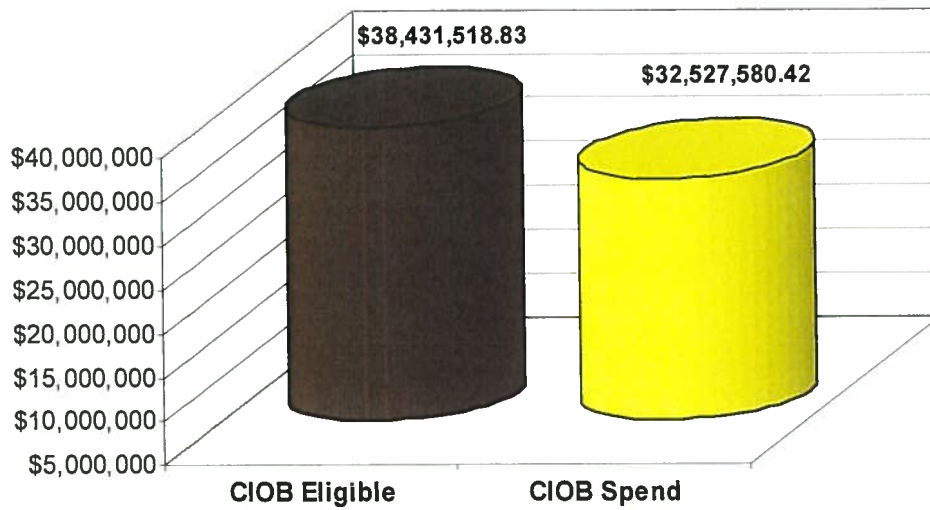
1. Business Coach Brenda Alley was **certified as QuickBooks instructor**. We have our first class scheduled next week in Tahlequah and already have 21 people enrolled.

c. Future plans/new initiatives:

1. Partner with Education Services to hold **Youth Entrepreneurship Day in the northern counties** of the Cherokee Nation.
2. TERO will be holding **22 trainings** for CNE/CNB on the **new TERO law**.
3. TERO met with Southern Plains Tribes to prepare for hosting the **National TERO Conference** on June 30-July 3rd.
4. **Electronic notification to TERO certified Indian-owned businesses** when a procurement opportunity they qualify for posts on www.cherokeebids.org. Notification will be through email and text messaging. The first step in coding vendors has been complete and Information Systems is working on the notification. Training for departments and testing should be completed this summer with full implementation before the end of the fiscal year.

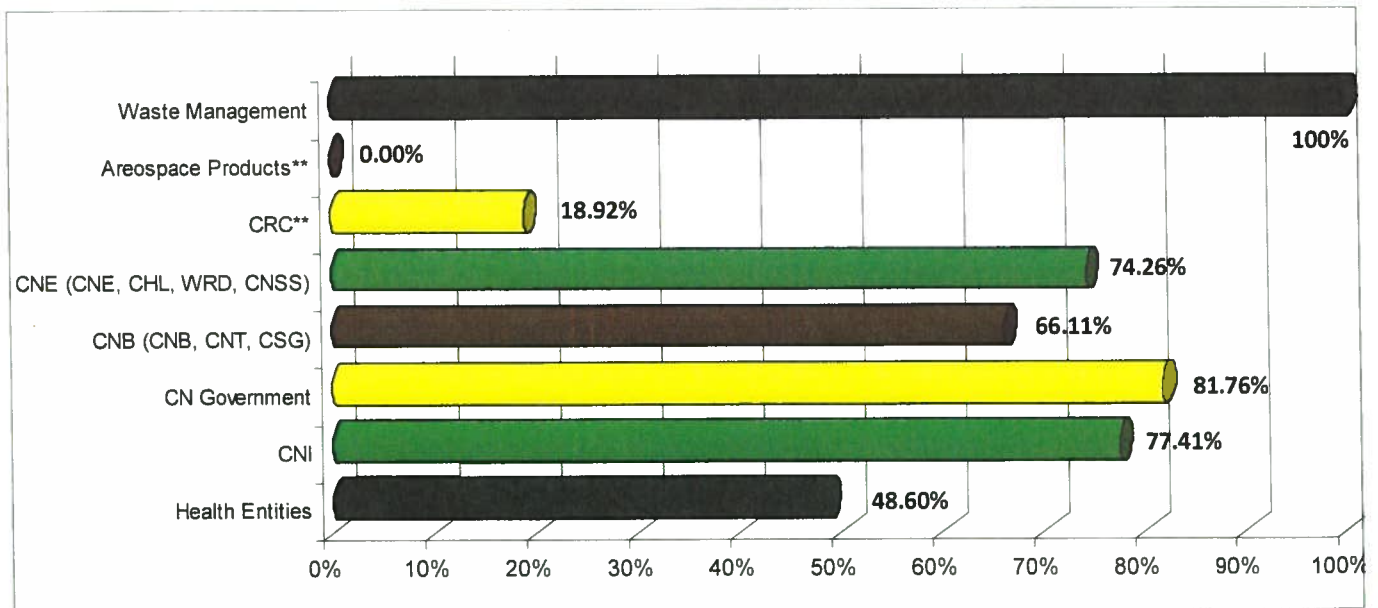
Business/Entrepreneur Workshops			
Date	Location	Time	Workshop
March 14	Tahlequah Osiyo Training Room	6 pm to 8 pm	Core Four Business Training
March 21	Tahlequah Osiyo Training Room	6 pm to 8 pm	Core Four Business Training
March 28	Tahlequah Osiyo Training Room	6 pm to 8 pm	Core Four Business Training
April	Muskogee Indian Capitol Tech. Center	10 am to 12 pm	Financing Options for Small Businesses
April 16	Vinita Oklahoma State Bank	1 pm to 4 pm	QuickBooks 101
April 20	Bartlesville Strategy Center	9 am to 4 pm	Core Four Business Training
April 27	Bartlesville Strategy Center	9 am to 4 pm	Core Four Business Training
May 14	Bartlesville Strategy Center	6 pm to 8 pm	How to do Business with Cherokee Nation
May 18	Stilwell Indian Capitol Tech. Center	9 am to 4 pm	Indianpreneurship
May 25	Stilwell Indian Capitol Tech. Center	9 am to 4 pm	Indianpreneurship
June	Stilwell Indian Capitol Tech. Center	9 am to 11 pm	How to do Business with Cherokee Nation
June	Sallisaw Chamber of Commerce	1 pm to 4 pm	QuickBooks 101
June 6	Tahlequah Osiyo Training Room	6 pm to 8 pm	Indianpreneurship
June 13	Tahlequah Osiyo Training Room	6 pm to 8 pm	Indianpreneurship
June 20	Tahlequah Osiyo Training Room	6 pm to 8 pm	Indianpreneurship
June 27	Tahlequah Osiyo Training Room	6 pm to 8 pm	Indianpreneurship
June 30-July 3	National TERO Conference	TBD	TBD

84.64% of CIOB Eligible Procurement Opportunities were awarded to CIOBs



**Includes CN Government, CNE, CNI, and Health Entities

75.65% of Employees are registered Cherokee Nation Citizens



**Companies majority, not wholly, owned

Group: Commerce

Month/Year of Report: February 2013

Director: Anna Knight

Phone: 453-5532 Email: aknight@cherokee.org

Budget Highlights None

Program Highlights

a. Balanced Scorecard Measures

Objective	Metric	2013 Goal	Year to Date Achievement Notes/Comments
Investment in Economy	Loan Dollars	\$1,000,000	Commercial: \$947,912 <i>Approved Loans Pending Closing</i> <ul style="list-style-type: none">Insurance Agency \$13,000 Consumer: \$351,914.24 (170 loans)
Investment in Economy	Tourism Dollars		
	a) Community Tourism & Business Development	a) \$125,000	a) \$2,247.00 (<i>all loans to artist & tourism</i>)
	b) Tourism Business Income	b) \$50,000	b) \$13,560.50 (<i>income to artists/communities</i>)
Job Creation	1. # Small Business Jobs Created/Maintained	1. 100	1. 92 (73 Cherokee)
	2. Percentage Cherokee (or Cherokee Family) Employed	2. 100%	2. 79%
Effective Business Training	# Attendees and % Indicating usefulness	1,500/100%	1,360 / 100%
CN Holiday	1. % Increase Sponsorships	a) 5%	a) TBD
	2. % Increase in Community Games Participation/Holiday Cultural Events	b) 5%	b) TBD

b. Notable accomplishments

- Commercial Loans Closed –YTD – Fort Gibson-** Trucking (4), *Hulbert-Construction* (5), *Muskogee-Ag loan* (1), *Sallisaw- Manufacturing* (8) *Stillwell-Daycare* (2), Artist (2) *Tahlequah- Recycling* (6), Beauty Salon/Spa (8), Vet clinic (8)*, Restaurant (28) *Tulsa- Coffee Roaster* (2), Landscaping (5), Trucking (11) *Vian- Ag loan* (2).
- Collateral for Commercial Loans Closed** – No commercial loans were closed in February.
- Charged Off Loans** – Commercial: YTD Total – \$0.00, Consumer: YTD Total – \$0.00
- Backwoods Food** plans to lease property in the Tahlequah Industrial Park, **investing over \$2 million** in their expansion and **increasing employment by 40 within two years**. This was one of our first commercial loans clients and is a major step for a family owned, home based business.
- Cherokee Arts Center **E-Commerce site is complete** and can be viewed at artscenter.cherokee.org.

c. Future plans/new initiatives

- Recertifying CNEDTA as Community Development Financial Institution.
- Kitchen Incubator** for Cherokee farmers and food producers to earn supplemental income by preparing/packaging local foods for sale. **Creation of Food Sector entrepreneurial development and loan programs.**
- ICDBG application to convert **Cort Mall property into retail incubator** for job creation.

Lending \$'s Available (pending and approved/pending applications not considered)*

▪ IRP:	\$523,722.29	▪ CDFI:	\$73,062.97
▪ Commercial:	\$512,170.55	▪ Consumer Lending:	\$312,244.33

Based on January bank statements

Business/Entrepreneur Workshops			
Date	Location	Time	Workshop
March 14	Tahlequah Osiyo Training Room	6 pm to 8 pm	Core Four Business Training
March 21	Tahlequah Osiyo Training Room	6 pm to 8 pm	Core Four Business Training
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June 20	Tahlequah Osiyo Training Room	6 pm to 8 pm	Indianpreneurship
June 27	Tahlequah Osiyo Training Room	6 pm to 8 pm	Indianpreneurship
June 30	National TERO Conference	TBD	TBD

Report on Status of The Cherokee Heritage Center

February 12, 2013

The Rules Committee
Cherokee Council

To Cherokee Council Rules Committee:

We at the Cherokee Heritage Center would like to make the Cherokee Council and the Rules Committee aware of developments at the Cherokee Heritage Center. The Board of Trustees is generally in agreement that significant changes need to be made at the Heritage Center.

Items under review are:

- Changes in the leadership of the Cherokee Heritage Center Board of Trustees
- Changes in the By-Laws in regard to
 - Reducing the number of Trustees
 - Create an active “Emeritus Board” for former Trustees who have served with distinction
 - Appointments to the Board of Trustees by the Administration with Council Approval (Makeup of the Board of Trustees)
 - Term Limits
 - Other changes that may be advisable
- 50th Anniversary Funding Issues
- Negotiation of new MOA or Contract
- Review of budget, staffing and personnel issues
- Developing strategies with the Cherokee Nation, Cherokee Nation Businesses, Northeastern State University, the City of Tahlequah and other potential partners to create an outstanding Heritage Center
- Review of programs to reduce or eliminate redundancy with existing Cherokee Nation Programs

Presented by Michael Kelley, Vice President, Cherokee Heritage Center and Susan Plumb, Board Member