

**MINUTES FOR JANUARY 11, 2013**  
**SPECIAL MEETING**  
**COLUMBUS, KANSAS, CHEROKEE COUNTY**  
**OFFICE OF THE COUNTY CLERK**  
**CRYSTAL L. GATEWOOD**

The Cherokee County Commission met January 11, 2013 for a Special Meeting at 4:00 PM. Those attending were Commissioners Jack Garner, Pat Collins, via – telephone Commissioner Richard Hilderbrand, and County Counselor Kevin Cure. The Pledge of Allegiance was said by all present.

**EXECUTIVE SESSION**

**Commissioner Hilderbrand made a motion to go into Executive Session for Attorney/Client Privilege for twenty minutes to discuss pending Penn Gaming litigation with himself, Commissioners Garner and Collins, County Counselor Kevin Cure, and via-telephone Attorney David Cooper and Teresa Watson; Commissioner Garner seconded the motion; with Commissioners Garner, Collins, and Hilderbrand voting in favor. They went in at 4:15 PM and returned at 4:30 PM. The commission returned and said no decision was made.**

A written offer from Penn Gaming was read aloud via - telephone by Attorney David Cooper concerning some of the details of the agreement. The amount of \$4.75 million dollars will be transferred to Cherokee County and land near the Downstream Casino was given to Cherokee County by Penn Gaming if the Commission agreed to the offer.

**Commissioner Hilderbrand made a motion to accept the offer from Penn Gaming, as read by Attorney David Cooper; his motion was seconded by Commissioner Garner with Commissioners Garner, Collins, and Hilderbrand voting in favor. It was also decided the Cherokee County Commission will officially sign the documents on January 14, 2013. A copy of the original documents signed by the Commission will be available to the Public in the Cherokee County Clerk's Office after the documents are signed by the commission on January 14, 2013.**

RH

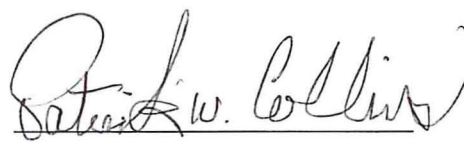
**ADJOURNMENT**

Commissioner Hilderbrand made a motion to adjourn at 4:37 PM; his motion was seconded by Commissioner Garner with Commissioners Garner, Collins, and Hilderbrand voting in favor. The next Cherokee County Commissioners meeting will be held January 14, 2013 in the Commission Room in the Cherokee County Courthouse.

**Resolved and ordered this day, January 14, 2013**



**Cherokee County Clerk**



**Commissioner**



**Commissioner**



**Commissioner**

**JANUARY 11, 2013 ADDITION TO MINUTES**

**AS SUBMITTED BY COMMISSIONER RICHARD HILDERBRAND**

The Pledge was led by Commissioner Richard Hilderbrand. Commissioner Garner made a motion to approve the January 11, 2013 minutes, with Commissioner Collins seconding the motion. Commissioner Hilderbrand read the minutes to the Audience. Chairman John Berry with the Quapaw Tribe would like in the minutes that the Quapaw Tribe has a contract on the land that was mentioned. The contract is assignable and happy to pay \$2.0 million dollars and no clear title on the property. All three commissioners approved the motion.

Jan. 14, 2013

Submitted by  
Com. Hilderbrand

Pledge led by Richard

Jack made motion to approve Jan. 11th minutes & Pat second. Richard read minutes to audience. Chairman John Berry with Quapaw tribe would like in minutes that Quapaw tribe has contract on land. Contract is assignable and happy to pay ~~2.5~~ \$2.0 million & no clear title on property.  
All approve.