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**THREE AFFILIATED TRIBES
TRIBAL BUSINESS COUNCIL
SPECIAL MEETING
NOVEMBER 16, 1999**

01. CALL TO ORDER:

Chairman Tex Hall called the meeting to order at 3:14 p.m. with a moment of silent prayer.

02. ROLL CALL:

Members present: Chairman Tex G. Hall; Councilman Mark Fox; Councilman Marcus Wells, Jr.; Councilman Pete Hale; Councilman Austin Gillette and Councilman Daylon Spotted Bear. **Member absent:** Councilman Thomas Bird Bear. Secretary Spotted Bear established the quorum with six members present and one absent. Chairman Hall stated to the recording secretary, Clair Fox, that Cora Jones of the Aberdeen Area Office was present at this meeting.

03. ADOPTION OF AGENDA:

Chairman Hall asked if the interim loan of 3 million could be first on the agenda followed by the casino expansion loan and the 477 education specialist.

Councilman Mark Fox motioned to approve the agenda as presented. Seconded by Councilman Austin Gillette.

VOTE: 6 Ayes, 0 Nays, 0 Abstentions, 0 Not Voting
Motion carried.

04. INTERIM LOAN:

Chairman Hall stated he was not happy with Kinnard's language in the 3 million dollar loan as it took out the consent to Tribal Court jurisdiction and the other was the waiver of the sovereign immunity clause, so he did not sign the papers last Friday. He stated he wanted something similar to Miller & Shcroeder's. Mr. Tom Disselhorst updated the Tribal Business Council on what had transpired between the legal counsel for Kinnard and himself. Ms. Cora Jones brought with her a copy of the accommodation approval and disclaimer as to what was to be signed. There was also an assignment of trust property. Discussion followed as to whether or not the Tribe had a federal pending lawsuit.

**Three Affiliated Tribes
Tribal Business Council
Special Meeting - November 16, 1999
Page Two**

05. 477 PROGRAM - EDUCATION SPECIALIST:

Councilman Austin Gillette motioned to approve the temporary appointment of Tammy Hall as Education Specialist/Planner II for 120 days. Seconded by Councilman Marcus Wells, Jr.

Discussion: Chairman Tex Hall said for the record this position is within the 477 program and she will be paid at her current rate of pay.

VOTE: 6 Ayes, 0 Nays, 0 Abstentions, 1 Absent
Motion carried.

Chairman Hall asked Tom Disselhorst if the Tribe had a federal pending lawsuit in which he replied the federal lawsuit was dismissed but it was appealed to the 8th circuit court of appeals. This was approximately three weeks ago. Mr. Disselhorst informed the Tribal Business Council on what had transpired so far.

A teleconference call was made to Kinnard's in which the Tribal Business Council spoke with Jim Mayer concerning the funding of the interim loan and the status on the fifteen million dollar loan. After a long conference call, Councilman Fox relayed to Jim Mayer that he felt Bremer Bank was the wrong bank and felt at the end of the day another bank will be chosen. He felt the Tribe should not have to waive their sovereign immunity. Discussion followed on tribal, state and federal law. Councilman Fox felt he would like to put an ultimatum on acceptable language for this body along with legal counsel, Tom Disselhorst, that this is the Tribe's final stand that all language that will be in this agreement is the bank acceptance or the Tribe will go with Miller & Schroeder on the interim. Discussion revolved around the interest rate Miller & Schroeder charged comparable to Bremer Bank. Councilman Fox stated for the record he would like to raise the two issues he has with Miller & Schroeder which are: the Tribe would ultimately be paying more money due to their higher interest rate and secondly they jerked the Tribal Business Council around like little boys on the financial package. They did not go out and help secure the two-thirds signatures required on the investors, they stone walled it in their own way and felt there could have been a lot more cooperation by Miller & Schroeder even to the Twin Buttes project. In the future he is asking the full council to look at all other options and all other people, give enough time so they don't get locked into one finance company that will control every one of the Tribe's moves.

The Tribal Business Council placed another call to Jim Mayer of Kinnard's in which Mr. Mayer relayed the concerns Roger Gordon had on Tribal law in which they would need more time to study it. The Business council informed Mr. Mayer they would not be using Bremer Bank for the interim loan due to the time frame and the issue of the Tribe waiving its sovereign immunity.

**Three Affiliated Tribes
Tribal Business Council
Special Meeting - November 16, 1999
Page Three**

Another call was placed to Miller & Schroeder in which a lengthy teleconference was held whereby the interest rate was discussed and if an interim loan could be sought without commitment by the Tribe to lock into the large loan. It was decided that Chairman Hall along with Treasurer Marcus Wells, Jr. would fly to Minneapolis on Friday to close the interim loan documents.

Councilman Marcus Wells, Jr. motioned to approve the interim loan of 3 million dollars from Miller & Schroeder. Seconded by Councilman Pete Hale.

Discussion: Councilman Mark Fox stated that can it be understood Miller & Schroeder can not put conditions on the 3 million dollar interim loan by acceptance of the \$15,500,000 loan. Attorney, Tom Disselhorst stated this will be in resolution form and the language will be inserted into it.

VOTE: 6 Ayes, 0 Nays, 0 Abstentions, 1 Absent
Motion carried.

Councilman Austin Gillette motioned to adjourn. Seconded by Councilman Pete Hale.

The Chairman adjourned the meeting at 5:43 p.m.

V. Judy Brugh, Transcriber
Tribal Business Council
Three Affiliated Tribes

ATTEST:

Tex G. Hall, Chairman
Tribal Business Council
Three Affiliated Tribes