



INDUSTRIAL COMMISSION OF NORTH DAKOTA

Doug Burgum
Governor

Drew H. Wrigley
Attorney General

Doug Goehring
Agriculture Commissioner

Thursday, October 20, 2022

North Dakota Mill and Elevator or Microsoft Teams – 10:45 a.m.

Join on your computer or mobile app

[Click here to join the meeting](#)

Or call in (audio only)

[+1 701-328-0950,,388433899#](#)

I. Fire and Tornado Reinsurance Contract – Brennan Quintus, North Dakota Insurance Reserve Fund

- A. **Consideration of a recommendation from the Insurance Commissioner Jon Godfread regarding bids for the Excess Loss Reinsurance and Equipment Breakdown Coverage for EERC and the NDSU heating plant – Fire and Tornado Fund** (Attachment 1)

(approximately 10:55 a.m.)

II. North Dakota Building Authority – DeAnn Ament

- A. Presentation of North Dakota Building Authority June 30, 2022 Audit Report – *Mindy Piatz, Brady Martz* (Attachment 2)
- B. **Appointment of Authorized Officers for Building Authority** (Attachment 3) - *Karlene Fine*
- C. Other Building Authority business

(approximately 11:10 a.m.)

III. North Dakota Housing Finance Agency – Dave Flohr/Jennifer Henderson

- A. Report on Multifamily Bond Issuance – Grand Forks Portfolio (Attach. 4)
- B. **Consideration to approve the issuance of multifamily tax-exempt bond issuance for Prairie Ridge Residences** (Attachment 5)
- C. Other Housing Finance Agency Business

(approximately 11:25 a.m.)

IV. North Dakota Mill and Elevator – Vance Taylor

- A. Presentation of the North Dakota Mill and Elevator Quarterly Report (Attachment 6)
- B. **Consideration of the following capital projects:** (Attachment 7)
- i. **G Mill Roof Repair - \$240,000**

ii. Fire Protection Water Pump Replacement - \$225,000

- C. Comments from the North Dakota Mill and Elevator management team
- D. Other North Dakota Mill and Elevator Business

(approximately 11:55 a.m.)

V. North Dakota Department of Mineral Resources – Lynn Helms

A. Consideration of the following cases:

- i. **Order 32128 for Case No. 29558** regarding confiscation pursuant to NDCC 38-08-04 and 38-08-04.9 of all equipment and salable oil at a treating plant in the SWSE of Section 25, T 150N, R 100W, McKenzie County, ND, operated by Clean Petroleum Services, Inc. (Attachment 8)
- ii. **Order 32181 for Case No. 29609** regarding an application of Yellowstone River Beef, Inc. for a formal hearing on Grayson Mill Operating, LLC applications for permits to drill in Section 19, T 154N, R 100W, Williams County, ND (Attachment 9)

B. Presentation on Carbon Dioxide Storage Facility Trust Fund (Attach. 10)

C. Update on Litigation*:

- i. Case No. 31-2020-CV-0018 - Northern Oil and Gas, Inc. vs. Continental Resources, Inc; Board of University and School Lands and ND Industrial Commission et al
- ii. Case No. 27-2022-CV-00305 - Blue Steel Oil and Gas, LLC v. North Dakota Industrial Commission, Slawson Exploration Company, Inc and White Butte Oil Operations, LLC
- iii. North Dakota Industrial Commission v. U.S. Department of Interior
- iv. Dominek v Equinor et al

D. Other North Dakota Department of Mineral Resources business

* Possible Executive Session under N.D.C.C. 44-04-19.1(9) & 44-04-19.2 for attorney consultation

**Meeting Closed to the Public for Executive Session Pursuant to NDCC
6-09-35, 44-04-19.1 and 44-04-19.2**

(approximately 12:30 p.m.)

VI. Bank of North Dakota Confidential Business – Todd Steinwand

A. Consideration of loan request(s) – Craig Hanson (Confidential Attachments 11-16)

B. Presentation of the following reports and minutes:

- i. Non-Accrual Loans Quarterly Recap/Detail (Confidential Attach. 17)
- ii. Problem Loans – Adversely Classified Quarterly Recap (Confidential Attachment 18)

- iii. Loan Charge-Offs and Recoveries Y.T.D. 09/30/2022 (Confidential Attachment 19)
- iv. Confidential Bank of North Dakota Advisory Board August 2 and August 18, 2022 meeting minutes (Confidential Attachment 20)
- C. Other Bank of North Dakota confidential business (as defined under N.D.C.C. 6-09-35)

Meeting Returns to Public Session

(approximately 1:15 p.m.)

VII. Bank of North Dakota – Todd Steinwand

- A. **Consideration of Bank of North Dakota Advisory Board recommendations on amendments to the following two policies:**
 - i. **General Loan Policy** (Attachment 21)
 - ii. **Advisory Board Policy** (Attachment 22)
- B. **Consideration of 2023 BND Holiday Schedule** (Attachment 23)
- C. Presentation of Bank of North Dakota Advisory Board August 2 and August 18, 2022 meeting minutes (Attachment 23a)
- D. Other Bank of North Dakota business

(approximately 1:45 p.m.)

VIII. Oil and Gas Research Program – Reice Haase

- A. Presentation of the Oil and Gas Research Fund financial report – Karlene Fine (Attachment 24)
- B. **Consideration of the Oil and Gas Research Council recommendation to amend Contract G-054-104: “Field Study to Determine the Feasibility of Developing Salt Caverns for Hydrocarbon Storage in Western North Dakota” for the purpose of allocating \$986,200 in additional funding** (Attachment 25)
- C. Other Oil and Gas Research Program business

(approximately 1:50 p.m.)

IX. State Energy Research Center – Tom Erickson/Charles Gorecki

- A. Presentation of the Heartland Hydrogen Hub Concept Paper funded under Contract SERC 2019-01 Task 2 – “Provide Prompt Expertise for North Dakota” for the purpose of supporting a grant application under Section 40314 of the Infrastructure Investment and Jobs Act: Regional Clean Hydrogen Hubs (Attachment 26)

- B. Presentation of Application for Grid Resilience Formula Grant Funds under Section 40101(d) of the Infrastructure Investment and Jobs Act (IIJA) (Attachment 27)
- C. **Appointment of John Weeda, Transmission Authority Director and Reice Haase, Industrial Commission Deputy Director as Authorized Officials named in the Application for Grid Resilience Formula Grant Funds** (Attachment 28)
- D. **Consideration of reallocating funding under Contract SERC 2019-01 Task 2 for the purpose of IIJA grant writing** (Attachment 29)
- E. Other State Energy Research Center business

(approximately 2:15 p.m.)

X. North Dakota Pipeline Authority – Justin Kringstad

- A. Presentation of Annual Financial Report – Karlene Fine (Attachment 30)
- B. Presentation of North Dakota Pipeline Authority Annual Report (Attach. 31)
- C. Presentation of North Dakota Pipeline Authority Midstream Update Report (Attachment 32)
- D. Other Pipeline Authority business

(approximately 2:45 p.m.)

XI. North Dakota Outdoor Heritage Fund – Robert Kuylen

- A. Presentation of the Outdoor Heritage Fund financial report – Karlene Fine (Attachment 33)
- B. **Consideration of the Outdoor Heritage Fund Advisory Board recommended Outdoor Heritage Fund Grant Round 21 applications:**
 - i. **21-1 (B) Assumption Abbey: Livestock Water and Grazing Distribution and Wildlife Haven, \$34,310** (Attachment 34)
 - ii. **21-2 (C) Audubon Dakota: Monarch Core Area Prairie Management Toolbox, \$301,825** (Attachment 35)
 - iii. **21-3 (D) Audubon Dakota: Urban Pollinator Plots Project, \$142,058** (Attachment 36)
 - iv. **21-5 (C) City of Tioga: Tioga Dam Trail, \$200,000** (Attachment 37)
 - v. **21-6 (B) North Dakota Forest Service: North Dakota Statewide Windbreak Renovation Initiative 3.0, \$900,000** (Attachment 37A)
 - vi. **21-7 (C) ND Natural Resources Trust: Working Grasslands Partnership 6, \$740,000** (Attachment 38)
 - vii. **21-8 (D) South Heart Golf Course Building Authority: Reuse of Recycled Water to Reestablish Healthy Soil Conditions and Regenerate Green Space, \$209,589** (Attachment 39)
 - viii. **21-10 (D) Valley City Parks and Recreation: Outdoor Recreation Bridge, \$425,000** (Attachment 40)

- C. **Consideration of Outdoor Heritage Fund Advisory Board recommendations for amendments to the following contracts:**
- i. **Cost Increase of \$314,320 to Golden Valley Water Board Contract 020-202 – Odland Dam Sedimentation and Nutrient Removal Project Phase II (Attachment 41)**
 - ii. **Reallocation of funding between budget categories in the amount of \$30,000 for Contract 017-174: North Dakota Natural Resources Trust: North Dakota Partners for Wildlife (Attachment 42)**
- D. Other Outdoor Heritage Fund business

(approximately 3:05 p.m.)

XII. Western Area Water Supply Project

- A. Presentation of proposed legislation transferring oversight of the Western Area Water Supply Project from the Industrial Commission to the State Water Commission – *Dr. Andrea Travnicek, Director, Department of Water Resources (Attachment 43)*
- B. Other Western Area Water Supply Project business

(approximately 3:20 p.m.)

XIII. North Dakota Student Loan Trust – Karlene Fine

- A. **Appointment of Authorized Officers (Attachment 44)**
- B. Other Industrial Commission Administrative business

(approximately 3:25 p.m.)

XIV. Office of the Industrial Commission – Karlene Fine

- A. **Consideration of Industrial Commission meeting minutes (Attach. 45)**
- B. **Consideration of compensation recommendations (Attachs. 46 & 47)**
- C. **Consideration of Authorization Resolution (Attachment 48)**
- D. Other Industrial Commission Administrative business

Meeting Adjourned

**Commissioners will tour the Mill from approximately 3:45 – 4:30 p.m.
Commissioners will participate in a celebration of the 100th Anniversary of the
Mill from approximately 5:15 – 7:30 p.m. - Cloud Nine - 322 Demers Avenue**

Next Meeting – Friday, November 18th, 2022
Governor’s Conference Room, Bismarck, ND