

AGENDA

Industrial Commission of North Dakota
Friday, April 29, 2022
Governor's Conference Room – 9:00 a.m.

[Microsoft Teams Link](#)

- I. North Dakota Transmission Authority – *John Weeda, DeAnn Ament*
 - A. **Consideration of a Resolution Providing for the Issuance and Sale of a Taxable Transmission Revenue Bond, Series 2022A, Authorizing a Loan of the Proceeds Thereof and the Execution and Delivery of Loan Documents** (Attachment 1)
 - B. Other North Dakota Transmission Authority business

(approximately 9:10 a.m.)

- II. Public Finance Authority – *DeAnn Ament*
 - A. **Consideration of the Resolution Authorizing Issuance of up to \$330,000,000 of North Dakota Public Finance Authority Legacy Fund Infrastructure Program Bonds** (Attachment 2)
 - B. **Consideration of the following State Revolving Fund (SRF) Drinking Water loan applications:**
 - 1. **City of Bismarck** – \$1,500,000 (Attachment 3)
 - 2. **East Central Regional Water District** – \$4,125,000 (Attachment 4)
 - 3. **Upper Souris Water District** – \$1,274,000 (Attachment 5)
 - 4. **Cass Rural Water Users District** – \$2,500,000 (Attachment 6)
 - C. Presentation of memorandum on loans approved by the Public Finance Authority Advisory Committee for the following entities: (Attachment 7)
 - 1. City of Bowbells – Drinking Water - \$218,000
 - 2. City of Coleharbor – Drinking Water – increase of \$180,000 (total loan of \$880,000)
 - D. Other Public Finance Authority business

(approximately 9:20 a.m.)

- III. North Dakota Housing Finance Agency Business – *Dave Flohr*
 - A. **Consideration of 2022 Series D/E Resolution of the North Dakota Housing Finance Agency authorizing the Issuance of not to exceed \$100,000,000 of Home Mortgage Program Bonds** (Attachment 8)
 - B. **Consideration of appointment of a Public Hearing Representative regarding the proposed issuance of up to \$400,000,000 Home Mortgage Finance Program bonds** (Attachment 9)
 - C. Other North Dakota Housing Finance Agency business

(approximately 9:30 a.m.)

- IV. North Dakota Renewable Energy Program Business – *James Leiman, Rich Garman*
- A. Presentation of Renewable Energy Fund Financial Report – (Attach. 10) *Karlene Fine*
 - B. **Consideration of the following Renewable Energy Council recommendations for Grant Round 49:**
 1. **MSC™ High Protein Project**, Submitted by GP Turnkey Tharaldson, LLC, Total Project Costs: \$80,322,468; Amount Recommended: **\$500,000** (Attachment 11)
 2. **Front End Engineering and Design (FEED) Study for Creosote Treated Railroad Tie**, Submitted by Great River Energy; Total Project Costs \$133,000; Amount recommended: **\$66,500** (Attachment 12)
 - C. Other Renewable Energy Council business

(approximately 9:45 a.m.)

- V. Oil and Gas Research Program – *Brent Brannan*
- A. **Consideration of the Oil and Gas Research Council recommendation regarding the following Grant Round 55 application:**
 1. **Well Thief Hatch Methane Detectors**; Submitted by Varaberg Engineering Ltd / Blue Rock Solutions, LLC; Project Duration: 18 months; Total Project Costs \$582,000; Recommended Funding: **\$266,000** (Attachment 13)
 - B. Other Oil and Gas Research Program business

(approximately 9:50 a.m.)

- VI. North Dakota Department of Mineral Resources Business – *Lynn Helms*
- A. **Consideration of orders for the following cases:** (Attachment 14)
 - Case 29235, Order 31804 - request for removal of operator of abandoned wells
 - Case 28908, Order 31900 – complaint case and issuance of order assessing a penalty of \$162,886 plus costs.
 - Case 29258, Order 31827 – amendment of field rules to establish 2560 spacing units
 - B. Presentation of Oil and Gas Division Quarterly Report (Attachment (15) – *Bruce Hicks*
 - C. **Consideration of the Oil and Gas Division’s proposed 2022 Strategic Plan** (Attachment 16) – *Bruce Hicks*
 - D. **Consideration of a welcome letter for the Twenty-Ninth Williston Basin Petroleum Conference to be held on May 17-18, 2022 in Regina Saskatchewan** (Attachment 17)
 - E. Update on Litigation: *
 - 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
 - Case No. 05-2019-CV-00085 - Northwest Landowners Association vs. State of North Dakota, et al.
 - Case No. 04-2021-CV-00011 Gallatin Oil, LLC vs. ND Industrial Commission, Attorney General Stenehjem and Lime Rock Resources III-A, L.P.
 - Case No. 13-2021-CV-00036 - Blue Appaloosa vs. North Dakota Industrial Commission

- 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
- North Dakota Industrial Commission v. U.S. Department of Interior

F. 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

(approximately 10:35 a.m.)

VII. North Dakota Outdoor Heritage Fund (OHF) Business – *Randy Bina, Karlene Fine*

A. Presentation of Outdoor Heritage Fund Financial Report – (Attach. 18) – *Karlene Fine*

B. Presentation of all Grant Round 20 Applications List totaling \$6,911,296 (Attach. 19) and **Consideration of the OHF Advisory Board recommendations for funding of the Grant Round 20 applications in the total amount of \$6,715,967** (Attachment 20):

1. (20-1) Carrington Area Healthy Communities Coalition: Playground Renovation, \$10,000 (Attach. 21)
2. (20-2) Ducks Unlimited: Cover Crop & Livestock Integration Project III, \$1,609,000 (Attach. 22)
3. (20-3) Ducks Unlimited: Grasslands Enhancement Project Phase II, \$315,750 (Attach. 23)
4. (20-4) Golden Valley County Water Board: Odland Dam Sedimentation & Nutrient Removal Project Phase 2, \$971,720 (Attach. 24)
5. (20-5) Hettinger Research Extension Center: Southwestern North Dakota Pheasant Initiative, \$74,297 (Attachment 25)
6. (20-6) North Dakota Forest Service: Sheyenne River State Forest Access Improvement Project, \$45,000 (Attachment 26)
7. (20-9) Pembina County Water Resource District: Tongue River Restoration, \$703,700 (Attachment 27)
8. (20-10) North Dakota Natural Resources Trust: Grazing Resiliency in the Bakken (GRB) II, \$1,970,000 (Attachment 28)
9. (20-11) North Dakota Natural Resources Trust: North Dakota Partners for Wildlife Project 2, \$1,016,500 (Attachment 29)

C. **Consideration of amendments to three previously awarded projects recommended by the OHF Advisory Board:** (Attachment 30)

1. Contract 011-129 – Stutsman County Prairie Management Toolbox
2. Contract 013-141- Central Coteau Prairie Management Toolbox
3. Contact 017-169 - ND Conservation Forage Program

D. Other Outdoor Heritage Fund Business

(approximately 10:50 a.m.)

*******Consideration of a motion to close the meeting pursuant to:**

- **N.D.C.C. §17-05-14, 44-04-18.4 and 44-04-19.2 to consider confidentiality request(s) for the North Dakota Transmission Authority**
- **N.D.C.C. §54-63.1-06, 44-04-18.4 and 44-04-19.2 to consider confidentiality requests for the Clean Sustainable Energy Authority applications**

&

Meeting closed pursuant to N.D.C.C. 6-09-35 to discuss items listed below on the agenda under Bank of North Dakota Confidential Business*****

VIII. North Dakota Transmission Authority Confidential Business – *John Weeda*

A. **Consideration of requests for confidentiality** (Attachment 31)

(approximately 11:05 a.m.)

IX. Clean Sustainable Energy Authority Business – *Al Anderson*

A. **Consideration of confidentiality requests for Grant Round 2 applications** (Attach. 32)

(approximately 11:15 a.m.) **No Attachment 33**

X. Bank of North Dakota Confidential Business – *Todd Steinwand, Craig Hanson, Kirby Evanger*

A. **Consideration of loan requests** (Attachments 34-36)

B. Presentation of the following reports:

1. Non-Accrual Loans Quarterly Recap/Detail (Attachment 37)
2. Problem Loans – Adversely Classified Quarterly Recap (Attachment 38)
3. Loan Charge-Offs and recoveries Y.T.D. 3/31/2022 (Attachment 39)

C. Presentation of Bank of North Dakota Advisory Board February 24, 2022 confidential meeting minutes. (Attachment 40)

D. Other Bank of North Dakota confidential (as defined under N.D.C.C. 6-09-35) business

*****Meeting returns to open session*****

(approximately 11:45 a.m.)

XI. Clean Sustainable Energy Authority Business

A. Update on Grant Round 2 Applications (Attachment 41)

B. Other Clean Sustainable Energy Authority business

(approximately 12:00 noon)

XII. Bank of North Dakota Business – *Todd Steinwand*

A. **Consideration of 2022-2024 Strategic Plan** (Attachment 42)

B. Presentation of First Quarter 2022 Performance Highlights (Attachment 43)

C. Presentation of Bank of North Dakota Advisory Board February 24, 2022 nonconfidential meeting minutes. (Attachment 44)

C. Other Bank of North Dakota business

XIII. Administrative Business – *Karlene Fine*

A. **Consideration of a Request from the State Investment Board for authority to invest the Lewis and Clark Interpretive Center Endowment Fund on behalf of the State Historical Society** (Attachment 45)

B. Other Industrial Commission Administrative business

Bold items require Industrial Commission action