

AGENDA
Industrial Commission of North Dakota
Monday, June 30, 2022
Governor's Conference Room – 12:30 p.m.

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- I. Public Finance Authority – *DeAnn Ament*
 - A. Presentation of the ND Public Finance Authority 2021 Audit report – *Mindy Piatz, Brady Martz* (Attachment 1)
 - B. Presentation of the ND Public Finance Authority 2021 Annual Report (Attachment 2)
 - C. **Consideration of the following Clean Water State Revolving Fund (SRF) loan application for the City of Wilton – \$1,319,000** (Attachment 3)
 - D. **Consideration of the following Drinking Water State Revolving Fund (SRF) Drinking Water loan applications:**
 - 1. **City of Wilton – \$1,688,000** (Attachment 4)
 - 2. **City of Grand Forks – \$1,778,000** (Attachment 5)
 - E. Presentation of memorandum on loans approved by the Public Finance Authority Advisory Committee for the following entities: (Attachment 6)
 - 1. City of Forman – Clean Water - \$550,000
 - 2. Dakota Rural Water District, Drinking Water – increase of \$626,00 (total loan of \$2,176,000)
 - 3. City of Forman – Drinking Water – \$871,000
 - 4. City of Grand Forks (Lead Service Line) – Drinking Water - \$375,000 (loan forgiveness of \$337,500)
 - 5. Northeast Regional Water District – Drinking Water - increase of \$118,000 (total loan of \$3,118,000)
 - F. **Consideration of an amendment to the Public Finance Authority Policy P-3B** (Attachment 7)
 - G. Other Public Finance Authority business

(approximately 12:50 p.m.)

- II. North Dakota Mill – *Vance Taylor*
 - A. **Consideration of Midds Storage & Handling System Project – Phase I** (Attach. 8)
 - B. **Consideration of Asphalt & Concrete Road Refurbishment Project** (Attachment 9)
 - C. **Consideration of transfers for Fiscal Year 2022** (Attachment 10)
 - D. Other North Dakota Mill business

(approximately 1:10 p.m.)

III. North Dakota Housing Finance Agency Business – *Dave Flohr*

- A. **Consideration of the 2022 Series F Bond Resolution (tax exempt)** (Attachment 11)
- B. Other North Dakota Housing Finance Agency business

(approximately 1:20 a.m.)

*******Consideration of a motion to close the meeting pursuant to Chapter 54-17.6-06 (Oil and Gas Research Program) *******

&

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*****

IV. North Dakota Oil and Gas Research Program Confidential Business – *Reice Haase*

- A. **Consideration of a request for confidentiality** (Attachment 12)

(approximately 1:25 p.m.)

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

- A. **Consideration of loan requests** (Attachments 13 & 14)
- B. Presentation of Concentrations of Credit 3/31/2022 (Attachment 15)
- C. Presentation of Participation Bank Breakdown Report (Attachment 16)
- D. Problem Loans
- E. Presentation of Bank of North Dakota Advisory Board April 21, 2022 confidential meeting minutes. (Attachment 17)
- F. Other Bank of North Dakota confidential (as defined under N.D.C.C. 6-09-35) business

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

(approximately 2:15 p.m.)

VI. North Dakota Transmission Authority – *John Weeda*

- A. **Consideration of the Transmission Authority being appointed to submit an application for Infrastructure Investment and Jobs Act annual formula grant funding to enhance electric grid resilience.** (Attachment 18)
- B. Other North Dakota Transmission Authority business

(approximately 2:25 p.m.)

VII. North Dakota Pipeline Authority – *Justin Kringstad*

- A. **Consideration of a support letter to FERC for the Wahpeton Expansion Project** (Attachment 19)
- B. Other Pipeline Authority business

(approximately 2:35 p.m.)

VIII. North Dakota Department of Mineral Resources Business – *Lynn Helms*

- A. **Consideration of orders for the following cases:** (Attachment 20)
 - Case 29224, Order 31792 – unitization of the Haystack Butte (Bakken Pool) Unit
 - Case 29225 – ratification of the plan of unitization for the Haystack Butte (Bakken Pool) Unit

Case 29038, Order 31702 – confiscation of certain abandoned wells operated by 31 Operating, LLC.

Case 29331, Order 31901 – confiscation of pipelines and related equipment, etc. at certain produced water underground gathering pipeline systems

B. Presentation of Oil and Gas Division Quarterly Report (Attachment 21) – *Bruce Hicks*

C. 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

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

(approximately 3:20 p.m.)

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

- A. Presentation of the Stress Testing Results – *Dave Falkenstein* (Attachment 22)
- B. **Consideration of Resolution of Appreciation for Gary Petersen** (Attachment 23)
- C. Presentation of Bank of North Dakota Advisory Board April 21, 2022 nonconfidential meeting minutes. (Attachment 24)
- D. Other Bank of North Dakota business

(approximately 4:00 p.m.)

X. Western Area Water Supply Authority – *Karlene Fine*

- A. **Consideration of a \$29,512.96 capital expenditure** (Attachment 25)
- B. Other Western Area Water Supply Authority business

XI. Administrative Business – *Karlene Fine*

- A. **Consideration of Executive Director’s recommendation on salary adjustments** (Attachment 26)
- B. **Consideration of Industrial Commission meeting minutes.** (Attachments 27 & 28)
- C. Other Industrial Commission Administrative business

Bold items require Industrial Commission action