



# INDUSTRIAL COMMISSION OF NORTH DAKOTA

Doug Burgum  
Governor

Drew H. Wrigley  
Attorney General

Doug Goehring  
Agriculture Commissioner

## AGENDA

Industrial Commission of North Dakota  
**Friday, August 26, 2022**  
**Governor's Conference Room – 9:00 a.m.**

[Microsoft Teams Link](#)

- I. Fire and Tornado Reinsurance Contract Business – *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 – Fire and Tornado Fund** (Attachment 1)

(approximately 9:10 a.m.)

- II. North Dakota Housing Finance Agency Business – *Dave Flohr*
  - A. **Consideration of the Federal Home Loan Bank Institution Agreement Resolution** (Attachment 2) – *Brandon Dettlaff*
  - B. Report on Declaration of Intent to Issue Multifamily Revenue Bonds (Attachment 3) – *Jennifer Henderson*
  - C. **Consideration of the appointment of a Public Hearing Representative and Ratification of Publications on a \$17,000,000 Multifamily Revenue Bond Issue for the Prairie Ridge Residences, Fargo, North Dakota** (Attachment 4) – *Jennifer Henderson*
  - D. Report on Home Mortgage Finance Program Bond Sale Information 2022F Tax Exempt Social Bonds (Attachment 5) – *Kayla Axtman*
  - E. Other North Dakota Housing Finance Agency business

(approximately 9:20 a.m.)

- III. Public Finance Authority – *DeAnn Ament*
  - A. **Consideration of the following State Revolving Fund (SRF) loan applications:**
    - 1. **Cass Rural Water Users District** – \$28,646,000 – Clean Water (Attachment 6)
    - 2. **City of Dickinson** – \$2,800,000 with \$400,000 of loan forgiveness - Drinking Water (Attachment 7)
  - B. Presentation of memorandum on a loan to Tri-County Water District in the amount of \$1,090,000 approved by the Public Finance Authority (Attachment 8)
  - C. \$320,1915,000 Legacy Fund Infrastructure Program Bonds, Series 2022 Sales Summary (Attachment 9)
  - D. Other Public Finance Authority business

(approximately 9:40 a.m.)

IV. North Dakota Transmission Authority – *John Weeda, Claire Vigesaa*

- A. Presentation of the Electric Grid Resiliency Report (legislative requirement) (Attach. 10)
- B. Presentation of the North Dakota Transmission Authority FY2022 Annual Report (Attachment 11)
- C. Presentation of North Dakota Transmission Authority FY 2022 Financial Report (Attachment 12) - *DeAnn Ament*
- D. Update on Transmission Authority IJJA application and **Consideration of request to name the Hearing Representative for a public hearing to be held on Sept.15, 2022** (Attachment 13)
- E. Other North Dakota Transmission Authority business

(approximately 10:00 a.m.)

V. State Energy Research Center – *Reice Haase*

- A. **Consideration of \$175,000 funding request under Contract SERC 2019-01 Task 2 – “Provide Prompt Expertise for North Dakota” to develop the State Energy Security Plan** (Attachment 14)
- B. Other State Energy Research Center

(approximately 10:05 a.m.)

VI. North Dakota Pipeline Authority/Natural Gas Pipeline Grant Program – *Justin Kringstad*

- A. Update of Natural Gas Production Outlook and Transmission Projects (Attachment 15)
- B. Update on the Natural Gas Pipeline Grant Program
- C. Other North Dakota Pipeline Authority business

(approximately 10:35 a.m.)

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

- A. **Consideration of Order 32057 for Case 29487** regarding a risk penalty application (Attach. 16)
- B. Presentation of the Geological Survey Quarterly Report (Attachment (17) – *Ed Murphy*)
- 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 (Ordinary High Water Mark)
  - Case No. 05-2019-CV-00085 - Northwest Landowners Association vs. State of North Dakota, et al.
  - 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
  - Case No. 13-2022-CV-00059 – Specialized Technological Threading, Inc., v. North Dakota Industrial Commission

- 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

(approximately 11:05 a.m.)

**\*\*\*\*\*Consideration of a motion to close the meeting and enter into executive sessions pursuant to N.D.C.C. §54-63-02, §54-63.1-06, 44-04-18.4 and 44-04-19.2 to consider confidentiality request(s) on North Dakota Renewable Energy Program and the Clean Sustainable Energy Authority applications and under the authority of North Dakota Century Code 44-04-19.1 (5) the Industrial Commission enter into executive session for the purpose of attorney consultation.**

&

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\*\*\*\*\*

(approximately 11:10 a.m.)

VIII. Attorney Consultation

(approximately 11:25 a.m.)

IX. Renewable Energy Program Confidential Business – *Reice Haase*

A. **Consideration of confidentiality requests for Grant Round 50 applications** (Attach. 18)

(approximately 11:35 a.m.)

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

A. **Consideration of confidentiality requests for Grant Round 3 applications** (Attach. 19)

(approximately 11:45 a.m.)

XI. Bank of North Dakota Confidential Business – *Kelvin Hullet, Craig Hanson, Kirby Evanger*

A. **Consideration of loan requests** (Attachments 20-22)

B. Presentation of Concentrations of Credit 6-30-22 (Attachment 23)

C. Problem Loans (Attachment 24)

C. Presentation of Bank of North Dakota Advisory Board June 16, 2022 confidential meeting minutes. (Attachment 25)

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

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

(approximately 12:10 p.m.)

XII. Bank of North Dakota Business – *Kelvin Hullet*

A. Presentation by College SAVE Audit Report – Dec. 31, 2021 (Attach.26) – *Rob Pfennig*

B. Presentation of Second Quarter 2022 Performance Highlights (Attachment 27)

C. Presentation of Bank of North Dakota Advisory Board May 19, and June 16, 2022 nonconfidential meeting minutes. (Attachment 28)

C. Other Bank of North Dakota business

(approximately 12:30 p.m.)

XIII. Clean Sustainable Energy Authority Business

- A. Update on Grant Round 3 Applications (Attachment 29)
- B. Other Clean Sustainable Energy Authority business

(approximately 12:35 p.m.)

XIV. Administrative Business – *Karlene Fine*

- A. Legislative process memorandum (Attachment 30)
- B. **Consideration of Industrial Commission meeting minutes.** (Attachment 31)
- C. Other Industrial Commission Administrative business

**Bold items require Industrial Commission action**