

**BOARD OF ECONOMIC DEVELOPMENT  
GOED CONFERENCE ROOM, 711 E WELLS AVE, PIERRE, SD  
WEDNESDAY, JANUARY 15, 2020, 10:00 A.M. CT**

Members Present

Chairman Jeff Erickson, Matt Judson, Sharon Casey, Mike Luken, Ted Husted, Don Kettering, Tom Jones, Joy Nelson, Eric Yunag, David Emery, Craig Kennedy, Erin Healy and Kris Langer

Staff Present

Deputy Commissioner Mary Lehecka Nelson, Joe Fiala, Ashley Moore, LaJena Gruis, Cassidy Kulesa, Terri LaBrie and Jessica Falk

Other Staff Present

Andrew Coppersmith and Mike Bietz - BankWest, Inc.

Others Present

Bob Mercer - Keloland

Call to Order

Chairman Erickson called the meeting to order at 10:02 a.m.

Agenda

A motion was made by Ted Husted and seconded by Don Kettering to approve the agenda as presented.

Motion passed by a roll call vote.

Minutes

A motion was made by Sharon Casey and seconded by Joy Nelson to approve the minutes of the meetings held December 11, 2019 and January 6, 2019, as presented.

Motion passed by a roll call vote.

Authorization to commence rule-making

A motion was made by Don Kettering and seconded by Ted Husted to authorize staff and legal counsel to start the rule-making process.

Motion passed by a roll call vote.

Conflicts Disclosure

Chairman Erickson opened the floor for board members to identify potential conflicts under SDCL Chapter 3-23. There were none from board members and no objection to proceeding with the agenda.

Public Comments – none

Executive Session

A motion was made by Mike Luken and seconded by Joy Nelson to enter into executive session at 10:18 a.m. to discuss contract matters and commercial and financial information relating to loan and other assistance to applicants.

Motion passed by a roll call vote.

### Executive Session Report

The Chairman declared the board out of executive session at 10:51 a.m. The Chairman reported that the Board of Economic Development entered into Executive Session to discuss contract matters and commercial and financial information relating to loan and other assistance to applicants. No action was taken.

A motion was made by Sharon Casey and seconded by Mike Luken to approve the Chairman's report from executive session.  
Motion passed by a roll call vote.

### New Business

#### Advanced Ag Products, LLC

A motion was made by David Emery and seconded by Don Kettering to approve a loan request from Advanced Ag Products, LLC in the amount of \$787,500. Secured by a shared first collateral position on real estate, shared first UCC on equipment and the personal guaranty of principals with 10% or more ownership.

The loan is approved according to the terms and conditions of the commitment letter; all documents may be executed on behalf of the Board by the Commissioner of the Governor's Office of Economic Development or the Commissioner's designee.  
Motion passed by a roll call vote.

#### Reinvestment Payment Program

##### Crowned Ridge Wind, LLC

A motion was made by Mike Luken and seconded by Eric Yunag to approve the Reinvestment Payment Program grant application to Crowned Ridge Wind, LLC as recommended by staff.

Based on the representations and project description contained in the application for reinvestment payment, including but not limited to the representations concerning jobs created or retained and wages and benefits to be paid, a new or expanded facility reinvestment payment of \$4,234,777 but not to exceed 50% percent of State Sales/Use Tax paid on eligible project costs, is approved for Crowned Ridge Wind, LLC. The project as completed must be substantially similar to the project described in the application and must comply with the deadlines set out SDCL Ch. 1-16G and ARSD Ch. 68:02:07. The board has considered the factors set out in SDCL 1-16G-59 and ARSD 68:02:07:04 and the likelihood the project would not be located in South Dakota absent the reinvestment payment. Staff is authorized to issue a permit consistent with the application, this approval and the applicable provisions of SDCL Ch. 1-16G and ARSD Ch. 68:02:07.  
Motion passed by a roll call vote.

##### Dakota Range III, LLC

A motion was made by Ted Hustead and seconded by Joy Nelson to approve the Reinvestment Payment Program grant application to Dakota Range III, LLC as recommended by staff.

Based on the representations and project description contained in the application for reinvestment payment, including but not limited to the representations concerning jobs created or retained and wages and benefits to be paid, a new or expanded facility reinvestment payment of \$4,777,730 but not to exceed 50% percent of State Sales/Use Tax paid on eligible project costs, is approved for Dakota Range III, LLC. The project as completed must be substantially similar to the project described in the application and must comply with the deadlines set out SDCL Ch. 1-16G and ARSD Ch. 68:02:07. The

board has considered the factors set out in SDCL 1-16G-59 and ARSD 68:02:07:04 and the likelihood the project would not be located in South Dakota absent the reinvestment payment. Staff is authorized to issue a permit consistent with the application, this approval and the applicable provisions of SDCL Ch. 1-16G and ARSD Ch. 68:02:07. Motion passed by a roll call vote.

#### EnvrioFarm SD1

A motion was made by Mike Luken and seconded by David Emery to approve the Reinvestment Payment Program grant application to EnviroFarm SD1 as recommended by staff.

Based on the representations and project description contained in the application for reinvestment payment, including but not limited to the representations concerning jobs created or retained and wages and benefits to be paid, a new or expanded facility reinvestment payment of \$941,962 but not to exceed the State Sales/Use Tax paid on eligible project costs, is approved for EnviroFarm SD1. The project as completed must be substantially similar to the project described in the application and must comply with the deadlines set out SDCL Ch. 1-16G and ARSD Ch. 68:02:07. The board has considered the factors set out in SDCL 1-16G-59 and ARSD 68:02:07:04 and the likelihood the project would not be located in South Dakota absent the reinvestment payment. Staff is authorized to issue a permit consistent with the application, this approval and the applicable provisions of SDCL Ch. 1-16G and ARSD Ch. 68:02:07. Motion passed by a roll call vote.

#### Sweetland Wind Farm, LLC

A motion was made by Sweetland Wind Farm, LLC and seconded by Sharon Casey to approve the Reinvestment Payment Program grant application to Sweetland Wind Farm, LLC as recommended by staff.

Based on the representations and project description contained in the application for reinvestment payment, including but not limited to the representations concerning jobs created or retained and wages and benefits to be paid, a new or expanded facility reinvestment payment of \$3,523,343 but not to exceed 50% percent of State Sales/Use Tax paid on eligible project costs, is approved for Sweetland Wind Farm, LLC. The project as completed must be substantially similar to the project described in the application and must comply with the deadlines set out SDCL Ch. 1-16G and ARSD Ch. 68:02:07. The board has considered the factors set out in SDCL 1-16G-59 and ARSD 68:02:07:04 and the likelihood the project would not be located in South Dakota absent the reinvestment payment. Staff is authorized to issue a permit consistent with the application, this approval and the applicable provisions of SDCL Ch. 1-16G and ARSD Ch. 68:02:07. Motion passed by a roll call vote.

#### Wessington Springs Wind, LLC

A motion was made by Sharon Casey and seconded by Eric Yunag to approve the Reinvestment Payment Program grant application to Wessington Springs Wind, LLC as recommended by staff.

Based on the representations and project description contained in the application for reinvestment payment, including but not limited to the representations concerning jobs created or retained and wages and benefits to be paid, a new or expanded facility reinvestment payment of \$841,192 but not to exceed 50% percent of State Sales/Use

Tax paid on eligible project costs, is approved for Wessington Springs Wind, LLC. The project as completed must be substantially similar to the project described in the application and must comply with the deadlines set out SDCL Ch. 1-16G and ARSD Ch. 68:02:07. The board has considered the factors set out in SDCL 1-16G-59 and ARSD 68:02:07:04 and the likelihood the project would not be located in South Dakota absent the reinvestment payment. Staff is authorized to issue a permit consistent with the application, this approval and the applicable provisions of SDCL Ch. 1-16G and ARSD Ch. 68:02:07.

Motion passed by a roll call vote.

Adjourn

The Chairman adjourned the meeting at 10:59 a.m.

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Matt Judson, Treasurer