

**BOARD OF ECONOMIC DEVELOPMENT
GOED CONFERENCE ROOM, 711 E WELLS AVE, PIERRE, SD
WEDNESDAY, JUNE 8, 2022, 10:00 A.M., CT**

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**BOARD OF ECONOMIC DEVELOPMENT
GOED CONFERENCE ROOM, 711 E WELLS AVE, PIERRE, SD
WEDNESDAY, JUNE 8, 2022, 10:00 A.M., CT**

Motion Sheet

Please note times:

Call To Order: _____

Executive Session _____

Regular Session _____

Adjournment _____

**Board
Members:**

(STAFF RECOMMENDATIONS)

Jeff Erickson

Matt Judson Agenda

Motion to approve the agenda as presented.

*Sharon
Casey*

Motion made by _____ and seconded by _____.

Mike Luken

Minutes

Ted Husted Motion to approve the minutes of the meetings held April 13, 2022, May 25, 2022 and May 31, 2022, as presented

*Don
Kettering*

Motion made by _____ and seconded by _____.

Tom Jones

Conflicts of Interest Disclosures

Reed Kessler

Public Comments

Joy Nelson

Commissioners Comments

Eric Yunag

Pat Burchill Executive Session

Motion to enter into executive session to discuss contract matters and commercial and financial information relating to loan and other assistance to applicants.

*Kevin
Tetzlaff*

David Emery Motion made by _____ and seconded by _____.

Non-Voting

Chairman: Declare board out of executive session. [a.m.]. Chairman: The BED 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.

*Senator
Reynold
Nesiba*

Motion to approve the chairman's report from executive session.

*Senator
Casey
Crabtree*

Motion made by _____ and seconded by _____.

*Representative
Jennifer Keintz*

Reviews

Grant Reviews

*Representative
Kent Peterson*

Economic Development Partnership Program (Herreid Economic Development Corporation), Local Infrastructure Improvement Program (Clark County) and Reinvestment Payment Program (Blooming Valley Dairy, LLC, Dakota Range III, LLC, Norway Pork OP, LLC, Sweetland Wind Farm, LLC and Wild Springs Solar, LLC

Motion to approve the grant reviews and recommendations as recommended by staff and Grant Committee.

Motion made by _____ and seconded by _____.

Loan Review Summary

Harbor Group Investments, LLC

Motion to approve the loan review and recommendation as presented.

Motion made by _____ and seconded by _____.

Old Business

North Bend Wind Project, LLC

Motion to approve extending the construction start date to January 25, 2023.

Motion made by _____ and seconded by _____.

New Business

Millborn Seeds, Inc.

Motion to approve the waiver for a loan of \$1,000,000 and a loan request from Millborn Seeds, Inc. in the amount of \$2,200,000. Secured by a shared 2nd lien position on the build, real estate, acreage and 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 made by _____ and seconded by _____.

Local Infrastructure Improvement Program

City of Yankton

Motion to approve a Local Infrastructure Improvement grant award to City of Yankton in the amount of \$213,379, to be granted in accordance with the board's Local Infrastructure Improvement Award Policy as recommended by staff and Grant Committee.

Motion made by _____ and seconded by _____.

Bill

Motion to approve the bill payable to BankWest Insurance in the amount of \$9,807.78.

Motion made by _____ and seconded by _____.

Adjourn

Motion made by _____ and seconded by _____.

A

**BOARD OF ECONOMIC DEVELOPMENT
GOED CONFERENCE ROOM, 711 E WELLS AVE, PIERRE, SD
WEDNESDAY, JUNE 8, 2022, 10:00 A.M., CT**

The public may participate by the following:

Call In Number: (669) 900-9128 Meeting ID: 96677988449 Participant Id: # Passcode: 421401

<https://state-sd.zoom.us/j/96677988449?pwd=S1I2bW5wRkd6OWJmVjUza0N2K1pDQT09>

www.zoom.com Meeting ID: 96677988449 Passcode: 421401

REGULAR SESSION AGENDA

- 10:00 A.M. Call to Order, Chairman Jeff Erickson
- 10:05 A.M. **Agenda**
RECOMMENDED ACTION: Motion to approve the agenda as provided or amended.
- Minutes**
RECOMMENDED ACTION: Motion to approve the minutes of April 13, 2022, May 25, 2022 and May 31, 2022 as presented.
- Conflicts of Interest Disclosures**
- Public Comments**
- 10:15 A.M. **Commissioner's Comments**
- 10:20 A.M. **Executive Session**
RECOMMENDED ACTION: Motion to enter into executive session to consult with legal counsel concerning contractual matters, to discuss contractual matters, and to discuss commercial and financial information relating to loan and other assistance applicants. SDCL 1-25-2(3), 1-25-2(4), 1-16G-11, 19-19-502
- 10:45 A.M. **Report from Executive Session**
RECOMMENDED ACTION: Approve Chairman's report from Executive Session.
- Other Motions**
 Grant Reviews
 Loan Review Summary
 North Bend Wind Project, LLC
 Millborn Seeds, Inc.
 Local Infrastructure Improvement Program
 City of Yankton
- Bills**
 BankWest Insurance - \$9,807.78
- Adjournment**

Notice is further given to persons with disabilities that this meeting is being held in a physically accessible place. Please notify the above mentioned office within 48 hours of the public hearing if you have special needs for which this agency will make the necessary arrangements.

B

**BOARD OF ECONOMIC DEVELOPMENT
GOED CONFERENCE ROOM, 711 E WELLS AVE, PIERRE, SD
WEDNESDAY, APRIL 13, 2022, 10:00 A.M., CT**

Members Present

Chairman Jeff Erickson, Sharon Casey, Mike Luken, Ted Hustead, Don Kettering, Tom Jones, Reed Kessler, Joy Nelson, Eric Yunag, Pat Burchill, Kevin Tetzlaff, David Emery and Reynold Nesiba

Staff Present

Commissioner Steve Westra, Deputy Commissioner Chris Schilken, Travis Dovre, Ashley Moore, Jack Valentine, Cathleen Rouillard, Nadine Agneau, Ann Gesick-Johnson, Dale Knapp, Joe Fiala and Colten Bengs

Other Staff Present

Andrew Coppersmith and Shawn Hofer – BankWest, Inc.

Call to Order

Chairman Erickson called the meeting to order at 10:01 a.m.

Agenda

A motion was made by Don Kettering and seconded by Mike Luken to approve the agenda as approved.

Motion passed by a voice vote.

Minutes

A motion was made by Pat Burchill and seconded by Tom Jones to approve the minutes of the meetings held March 9, 2022, March 29, 2022 and April 1, 2022, as presented.

Motion passed by a voice vote.

Conflicts Disclosure

Chairman Erickson opened the floor for board members to identify potential conflicts under SDCL Chapter 3-23. Jeff Erickson declared a potential conflict with Dakota Protein Solutions, LLC as he is a shareholder and on the Board of Directors for American Bank and Trust and he would not partake in the discussion or vote on the project. Kevin Tetzlaff declared potential conflicts with RTI, LLC and Jackrabbit Family Farms due to banking relations and would not partake in the discussion or vote on the project. The Chairman opened up the floor for questions and discussion concerning the potential conflicts; there were none from the board members and no objection to proceeding with the agenda.

Public Comments – none

Executive Session

A motion was made by David Emery and seconded by Sharon Casey to enter into Executive Session at 10:10 a.m. to discuss contract matters and commercial and financial information relating to loan and other assistance to applicants. SDCL 1-25-2(4) and SDCL 1-16G-11.

Motion passed by a voice vote.

Executive Session Report

The Chairman declared the board out of Executive Session at 10:52 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 Joy Nelson and seconded by Ted Husted to approve the Chairman's report from Executive Session.
Motion passed by a voice vote.

Old Business

Advanced Ag Products, LLC

A motion was made by Don Kettering and seconded by Pat Burchill to approve the lease agreement and authorize signing of related SNDA as presented.
Motion passed by a voice vote.

Dakota Protein Solutions, LLC

A motion was made by David Emery and seconded by Sharon Casey to approve increasing the loan amount up to \$4,470,750 as presented.
Motion passed by a voice vote with Jeff Erickson abstaining.

PEDCO

A motion was made by Kevin Tetzlaff and seconded by Reed Kessler to approve releasing NEDSC from their obligations and terminating the deposit account control agreement as presented.
Motion passed by a voice vote.

RTI, LLC

A motion was made by Joy Nelson and seconded by Don Kettering to approve the ownership changes as presented.
Motion passed by a voice vote with Kevin Tetzlaff abstaining.

The Plains Apartments, LLC

A motion was made by Mike Luken and seconded by Don Kettering to approve the updated project timeline and revised finance packaging as presented.
Motion passed by a voice vote.

New Business

Reinvestment Payment Program

Jackrabbit Family Farms

A motion was made by Sharon Casey and seconded by Pat Burchill to approve the Reinvestment Payment Program grant application to Jackrabbit Family Farms 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 \$313,950 but not to exceed 100% percent of State Sales/Use Tax paid on eligible project costs, is approved for Jackrabbit Family Farms. 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 voice vote with Kevin Tetzlaff abstaining.

Marion Industrial

A motion was made by Mike Luken and seconded by Don Kettering to approve the Reinvestment Payment Program grant application to Marion Industrial 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 \$500,000 but not to exceed 50% percent of State Sales/Use Tax paid on eligible project costs, is approved for Marion Industrial 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 voice vote.

Adjourn

A motion was made by Pat Burchill and seconded by Don Kettering to adjourn the meeting at 10:58 a.m.

Matt Judson, Treasurer

**GRANT COMMITTEE
GOED CONFERENCE ROOM, 711 E WELLS AVE, PIERRE, SD
WEDNESDAY, MAY 25, 2022, 11:00 A.M. CT**

Members Present

Chairman Don Kettering, Mike Luken and Ted Husted

Staff Present

Commissioner Steve Westra, Travis Dovre, Ashley Moore, Cathleen Rouillard, Nadine Agneau and Joe Fiala

Call to Order

Chairman Kettering called the meeting to order at 11:06 a.m.

Agenda

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

Motion passed by a voice vote.

Conflicts Disclosure – Chairman Kettering opened the floor for committee members to identify potential conflicts under SDCL Chapter 3-23. There were none from committee members and no objection to proceeding with the agenda.

Public Comments – none

Executive Session

A motion was made by Ted Husted and seconded by Mike Luken to enter into executive session at 11:09 a.m. to discuss contract matters and commercial and financial information relating to loan and other assistance to applicants.

Motion passed by a voice vote.

Executive Session Report

The Chairman declared the Grant Committee out of executive session at 11:25 a.m. The Chairman reported that the Board of Economic Development Grant Committee entered into Executive Session to discuss commercial and financial information relating to loan and other assistance to applicants. No action taken.

A motion was made by Mike Luken and seconded by Ted Husted to approve the chairman's report from executive session.

Motion passed by a voice vote.

Grant Reviews

Economic Development Partnership Program (Herreid Economic Development Corporation), Local Infrastructure Improvement Program (Clark County) and Reinvestment Payment Program (Blooming Valley Dairy, LLC, Dakota Range III, LLC, Norway Pork OP, LLC, Sweetland Wind Farm, LLC and Wild Springs Solar, LLC)

Grant Committee recommends to the Board approving the grant reviews and recommendations as presented.

A motion was made by Ted Husted and seconded by Mike Luken.

Motion passed by a voice vote.

New Business

Local Infrastructure Improvement Program

City of Yankton

Grant Committee recommends to the Board approving a Local Infrastructure Improvement grant award to City of Yankton in the amount of \$213,379, to be granted in accordance with the board's Local Infrastructure Improvement Award Policy.

A motion was made by Mike Luken and seconded by Ted Husted.

Motion passed by a voice vote.

Adjourn

A motion was made by Ted Husted and seconded by Mike Luken to adjourn the meeting at 11:28 a.m.

Motion passed by a voice vote.

Matt Judson, Treasurer

CREDIT COMMITTEE
GOED CONFERENCE ROOM, 711 E WELLS AVE, PIERRE, SD
TUESDAY, MAY 31, 2022, 11:00 A.M. CT

Members Present

Chairman Jeff Erickson, Don Kettering, Reed Kessler, Matt Judson and Pat Burchill

Staff Present

Deputy Commissioner Chris Schilken, Ashley Moore, Travis Dovre, Jack Valentine and Cathleen Rouillard

Other Staff Present

Mike Bietz, Andrew Coppersmith and Shawn Hofer - BankWest, Inc.

Call to Order

Chairman Erickson called the meeting to order at 11:01 a.m.

Agenda

A motion was made by Matt Judson and seconded by Pat Burchill to approve the agenda as presented.

Motion passed by a voice vote.

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

Public Comments- none

Executive Session

A motion was made by Don Kettering and seconded by Reed Kessler to enter into Executive Session at 11:03 a.m. to discuss contract matters and commercial and financial information relating to loan and other assistance to applicants.

Motion passed by a voice vote.

Executive Session Report

The Chairman declared the Credit Committee out of Executive Session at 11:32 a.m. The Chairman reported that the Board of Economic Development Credit Committee 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 Don Kettering and seconded by Pat Burchill to approve the Chairman's report from executive session.

Motion passed by a voice vote.

Loan Review

Harbor Group Investments, LLC

Credit Committee recommends to the Board approving the loan review and recommendation as presented.

A motion was made by Pat Burchill and seconded by Matt Judson.

Motion passed by a voice vote.

New Business

Millborn Seeds, Inc.

Credit Committee recommends to the Board approving the application as presented.

A motion was made by Don Kettering and seconded by Reed Kessler.

Motion passed by a voice vote.

Adjourn

A motion was made by Matt Judson and seconded by Pat Burchill to adjourn the meeting at 11:34 a.m.

Motion passed by a voice vote.

Matt Judson, Treasurer

K

**Board of Economic Development
June 8, 2022**

BILLS REQUIRING APPROVAL FOR PAYMENT

BankWest

\$9,807.78



420 S. Pierre St
 PO Box 998
 Pierre SD 57501
 Phone Number: 800-253-0362

SD Board Of Economic Development & Heartland Consu
711 Wells Ave
Pierre, SD 57501

Invoice # 2916	Page 1 of 1
Account Number	Date
SDBOARD-01	4/19/2022
Balance Due On	
4/19/2022	
Amount Paid	Amount Due
	\$9,807.78
Branch Location: Pierre	

SD Board Of Economic Development & Heartland Consu	Commercial Package	Policy Number: RS100/200PA0370	Effective: 4/13/2022	to 4/13/2023
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Item #	Trans Eff Date	Due Date	Trans	Description	Amount
184963	4/13/2022	4/19/2022	RENB	Renewal of Commercial Package Effective	\$9,336.00
184964	4/13/2022	4/19/2022	STFE	Stamping Fee for Commercial Package	\$16.69
184965	4/13/2022	4/19/2022	PFEE	Policy Fee for Commercial Package	\$200.00
184966	4/13/2022	4/19/2022	SLTX	Surplus Lines Tax for Commercial Package	\$255.09

Total Invoice Balance: \$9,807.78