

SOUTH DAKOTA STATE RAILROAD AUTHORITY MEETING MINUTES

Wednesday, September 17, 2025 at 11:30 a.m. CDT

Becker-Hansen Building/Commission Room – 700 East Broadway Avenue, Pierre, SD

MEMBERS PRESENT: Jeff Burket, Chairman
Jack Nelson
Steve Scharnweber
Scott Lockwood
Greg Carmon
Ralph Schmidt

DOT STAFF PRESENT: Joel Jundt, Paul Coppock, Kellie Beck, Jack Dokken, Misty Siedschlaw, Perry Griffith, and Kari Kroll

DOT STAFF PRESENT VIA CONFERENCE CALL: Karla Engle

OTHER PRESENT: Erik Thompson – Ironhorse Railroad Park

OTHERS PRESENT VIA CONFERENCE CALL: Chadd Thimesch - Ringneck & Western Railroad, LLC (RWRR); Shellee Currier - RWRR; John LeSuer – Slover & Loftus LLP; Dan Bilka – All Aboard; Holly Stalder – Belle Fourche Development Corporation; Suzan Caylen – Sunflower Railroad; Alex Huff; Dick Huff; Bob Foley; and Janet Wagner

Chairman Jeff Burket called the meeting of the South Dakota State Railroad Authority (the “Authority”) to order at 12:07 p.m. CT. A roll call was taken, and a quorum was determined.

Burket opened the floor to the Board members to disclose potential conflicts of interest and to present requests for waiver pursuant to the South Dakota Codified Law (SDCL) chapter 3 – 23.

Karla Engle, Chief Legal Counsel, acknowledged the Board’s receipt of three annual conflict of interest disclosures submitted by Greg Carmon, Ralph Schmidt, and Jack Nelson, which are attached to these minutes as **ATTACHMENT A**, **ATTACHMENT B**, and **ATTACHMENT C**. The disclosures will be filed as required by law.

No other conflicts of interest were disclosed, and no waivers were requested.

Burket asked for a motion to approve the May 15, 2024 Authority meeting minutes.

A MOTION WAS MADE by Carmon and seconded by Nelson to approve the May 15, 2024 Authority meeting minutes. All present voted aye by roll call vote. The motion carried.

Burket opened the floor to public input.

No members of the public addressed the Board nor offered input.

Karla Engle, Office of Legal Counsel, addressed the Authority. She explained that a new law requires the Authority to annually acknowledge review of materials provided by the Attorney General concerning open meetings laws. Engle pointed out that the updated 2025 Open Meeting brochure authored by the Attorney General had been provided to the Authority as an updated Attachment #2 for the Authority's review.

All present acknowledged reviewing these open meeting materials by roll call.

With no further business to come before the Board, Burket declared the meeting adjourned at 12:10 p.m. CT.

DRAFT

ANNUAL DISCLOSURE FOR AUTHORITY/BOARD/COMMISSION MEMBER
PURSUANT TO SDCL CHAPTER 3-23

THIS IS A PUBLIC DOCUMENT

Name of Member:

Greg Arman

Name of Board, Authority, or Commission:

South Dakota State Rail Board and Rail Authority

The Member shall disclose below any contract in which the Member has an interest or from which the Member derives a direct benefit if the contract is:

- 1) With the state agency to which the Member's board, authority, or commission is attached for reporting or oversight purposes and which contract requires the expenditure of government funds;
- 2) With the state and which contract requires the approval of the Member's board, authority, or commission and the expenditure of government funds; or
- 3) With a political subdivision of the state if the political subdivision approves the contract and:
 - a. Is under the regulatory oversight of the authority, board, or commission, or
 - b. Is under the regulatory oversight of the agency to which the Member's board, authority, or commission is attached.

The Member shall disclose the contract even though no additional authorization is needed from the Member's board, authority, or commission to have an interest or derive a benefit from the contract.

The Member shall also identify every entity in which the Member possesses an ownership interest of five percent or greater if:

- 1) The entity receives grant money from the State, either directly or by a pass-through grant or
- 2) The entity contracts with the State or any political subdivision for services.

1. **Contracts in which you have an interest pursuant to SDCL Chapter 3-23 and which do not violate any other provision of law** – Provide the following for each contract in which you have, or will have, an interest. For further information see SDCL 3-23-2.1 and 3-23.3.1.

Description of the contract	Parties	Description of your interest/role in the contract	Date contract was previously disclosed, if applicable

Attach additional pages, if necessary.

2. **Contract in which you have a direct benefit pursuant to SDCL Chapter 3-23** – Provide the following for each contract from which you derive, or will derive, a direct benefit. For more information see SDCL 3-23-2, 3-23-2.2, and 3-23-3.1.

Description of the contract	Parties	Description of the direct benefit	Date contract was authorized

Attach additional pages, if necessary.

Please see attached form.

3. Entities in which you possess an ownership interest of five percent or more that receive grant money from the State, either directly or by a pass-through grant, or that contract with the State or any political subdivision for services – Provide the following for each such entity. See SDCL 3.23-3.1.

Description of the contract or grant	Party in which you possess the interest	State agency or subdivision

Attach additional pages, if necessary.

The Member shall complete a separate authorization request for any contract identified above that requires authorization from the Member's board, authority, or commission in order for the Member to legally derive a direct benefit.



Signature of Member:

Date

07-16-25

REQUEST FOR STATE BOARD WAIVER

THIS IS A PUBLIC DOCUMENT

Date: 11/25/24

Name of Board Member or Former Board Member: Greg

Carman

Name of Board, Authority or Commission: SD Rail Board

Brief explanation of your potential conflict of interest:

I invested in the High Plains Processing plant being built in Mitchell.

Brief explanation of the current or anticipated business transaction with a State agency or with a political subdivision of the State and your role in the transaction:

I will not vote on the proposed request for a SD Rail Board loan for track being built in the new facility.

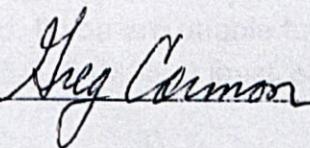
Brief explanation of the essential terms of the contract or transaction:

I purchased shares of the Soybean/Sunflower processing plant located in the Mitchell area.

Brief explanation of why you believe a waiver should be granted:

(See above)

Signature of Person Requesting Waiver:



ANNUAL DISCLOSURE FOR AUTHORITY/BOARD/COMMISSION MEMBER
PURSUANT TO SDCL CHAPTER 3-23

THIS IS A PUBLIC DOCUMENT

Name of Member:
Ralph Schmidt

Name of Board, Authority, or Commission:
SD State Railroad Board / Rail Authority

The Member shall disclose below any contract in which the Member has an interest or from which the Member derives a direct benefit if the contract is:

- 1) With the state agency to which the Member's board, authority, or commission is attached for reporting or oversight purposes and which contract requires the expenditure of government funds;
- 2) With the state and which contract requires the approval of the Member's board, authority, or commission and the expenditure of government funds; or
- 3) With a political subdivision of the state if the political subdivision approves the contract and:
 - a. Is under the regulatory oversight of the authority, board, or commission, or
 - b. Is under the regulatory oversight of the agency to which the Member's board, authority, or commission is attached.

The Member shall disclose the contract even though no additional authorization is needed from the Member's board, authority, or commission to have an interest or derive a benefit from the contract.

The Member shall also identify every entity in which the Member possesses an ownership interest of five percent or greater if:

- 1) The entity receives grant money from the State, either directly or by a pass-through grant or
- 2) The entity contracts with the State or any political subdivision for services.

1. Contracts in which you have an interest pursuant to SDCL Chapter 3-23 and which do not violate any other provision of law – Provide the following for each contract in which you have, or will have, an interest. For further information see SDCL 3-23-2.1 and 3-23.3.1.

Description of the contract	Parties	Description of your interest/role in the contract	Date contract was previously disclosed, if applicable
Sisseton Milbank RR Crisis Grant STC Grant Wheeler Dmentsoop	Sisseton Milbank RR Sisseton Milbank Manager of SMRR SMRR Secretary of Roberts Regional Rail Authority Roberts Regional Rail Authority	11-24-24	

Attach additional pages, if necessary.

2. Contract in which you have a direct benefit pursuant to SDCL Chapter 3-23 – Provide the following for each contract from which you derive, or will derive, a direct benefit. For more information see SDCL 3-23-2, 3-23-2.2, and 3-23-3.1.

Description of the contract	Parties	Description of the direct benefit	Date contract was authorized

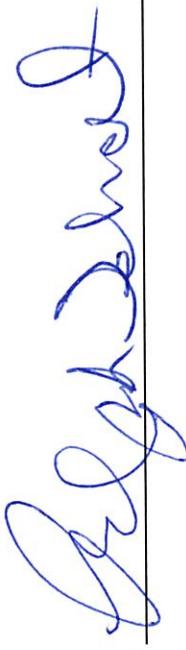
Attach additional pages, if necessary.

3. Entities in which you possess an ownership interest of five percent or more that receive grant money from the State, either directly or by a pass-through grant, or that contract with the State or any political subdivision for services – Provide the following for each such entity. See SDCL 3.23-3.1.

Description of the contract or grant	Party in which you possess the interest	State agency or subdivision

Attach additional pages, if necessary.

The Member shall complete a separate authorization request for any contract identified above that requires authorization from the Member's board, authority, or commission in order for the Member to legally derive a direct benefit.



Signature of Member:

Date

6-16-2025

ANNUAL DISCLOSURE FOR AUTHORITY/BOARD/COMMISSION MEMBER
PURSUANT TO SDCL CHAPTER 3-23

THIS IS A PUBLIC DOCUMENT

Name of Member: Jack Nelson

Name of Board, Authority, or Commission: South Dakota DOT Railboard

The Member shall disclose below any contract in which the Member has an interest or from which the Member derives a direct benefit if the contract is:

- 1) With the state agency to which the Member's board, authority, or commission is attached for reporting or oversight purposes and which contract requires the expenditure of government funds;
- 2) With the state and which contract requires the approval of the Member's board, authority, or commission and the expenditure of government funds; or
- 3) With a political subdivision of the state if the political subdivision approves the contract and:
 - a. Is under the regulatory oversight of the authority, board, or commission, or
 - b. Is under the regulatory oversight of the agency to which the Member's board, authority, or commission is attached.

The Member shall disclose the contract even though no additional authorization is needed from the Member's board, authority, or commission to have an interest or derive a benefit from the contract.

The Member shall also identify every entity in which the Member possesses an ownership interest of five percent or greater if:

- 1) The entity receives grant money from the State, either directly or by a pass-through grant or
- 2) The entity contracts with the State or any political subdivision for services.

1. **Contracts in which you have an interest pursuant to SDCL Chapter 3-23 and which do not violate any other provision of law** – Provide the following for each contract in which you have, or will have, an interest. For further information see SDCL 3-23-2.1 and 3-23.3.1.

Description of the contract	Parties	Description of your interest/role in the contract	Date contract was previously disclosed, if applicable
Agtegra has entered into agreements with DOT concerning construction and maintenance of highway / railroad crossings and other railroad related appurtenances and installation of equipment at DOT facilities	Agtegra & DOT	As I am the manager of the south region. I will not have any direct involvement with the locations which have agreements with DOT. My employment with Agtegra started 9/23/2022	NA

Attach additional pages, if necessary.

2. **Contract in which you have a direct benefit pursuant to SDCL Chapter 3-23** – Provide the following for each contract from which you derive, or will derive, a direct benefit. For more information see SDCL 3-23-2, 3-23-2.2, and 3-23-3.1.

Description of the contract	Parties	Description of the direct benefit	Date contract was authorized

Attach additional pages, if necessary.

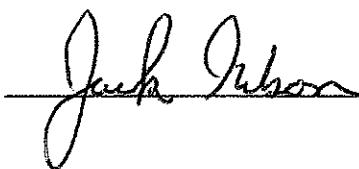
3. **Entities in which you possess an ownership interest of five percent or more that receive grant money from the State, either directly or by a pass-through grant, or that contract with the State or any political subdivision for services** – Provide the following for each such entity. See SDCL 3.23-3.1.

Description of the contract or grant	Party in which you possess the interest	State agency or subdivision

Attach additional pages, if necessary.

The Member shall complete a separate authorization request for any contract identified above that requires authorization from the Member's board, authority, or commission in order for the Member to legally derive a direct benefit.

Signature of Member:



Date

9-11-25