

**South Dakota Science and Technology Authority Board of Directors**  
**Special Telephonic Meeting Minutes**  
**Tuesday, June 6, 2023**  
**Lead, South Dakota**

The Board of Directors of the South Dakota Science and Technology Authority (SDSTA) convened at 1:00 p.m. Mountain Time (MT) on Tuesday, June 6, 2023, via videoconference. A conference number and login were posted on the agenda with an invitation for members of the public to participate in the meeting electronically.

**MEMBERS OF THE BOARD IN ATTENDANCE BY VIDEO CONFERENCE OR TELEPHONE**

Dr. Ani Aprahamian (by phone)  
Secretary/Treasurer Pat Lebrun (by videoconference)  
Mr. Roger Musick (by phone)  
Chairperson Casey Peterson (by videoconference)  
Mr. Ron Wheeler (by phone)  
Dr. James Rankin, ex-officio member

**MEMBERS OF THE BOARD ABSENT**

Dr. Chris Fall  
Vice-Chairperson Dana Dykhouse

**SDSTA STAFF IN ATTENDANCE**

Mr. Tim Engel, General Counsel (by videoconference)  
Mr. Mike Headley, Executive Director (listening post)  
Ms. Michelle Kane, SURF Foundation Director (by phone)  
Mr. Bill Kelly, Business Services Manager (listening post)  
Ms. Mandy Knight, Administrative Services Manager (listening post)  
Mr. Terry Miller, Chief Financial Officer (listening post)  
Ms. Constance Walter, Communications Director (by phone)  
Ms. April Yenglin, SURF Foundation Support Specialist (by phone)

**ITEM 1. CALL TO ORDER**

**ITEM 1A. DETERMINATION OF A QUORUM**

Chairperson Casey Peterson called the meeting to order at 1:00 p.m. (MT). Chairperson Peterson declared a quorum was present, consisting of board members Ms. Pat Lebrun, Mr. Roger Musick, Chairperson Casey Peterson and Mr. Ron Wheeler. Dr. James Rankin, ex-officio member also joined. Dr. Ani Aprahamian joined the meeting by phone at 1:10 p.m. Dr. Chris Fall and Mr. Dana Dykhouse were absent.

**ITEM 1B. INTRODUCE GUESTS (LISTENING POST IN LEAD)**

Guests present at the Lead Office listening post included: Mr. Mike Headley, Mr. Bill Kelly, Ms. Mandy Knight and Mr. Terry Miller. Mr. Engel joined by videoconference. Ms. Michelle Kane, Ms. Constance Walter and Ms. April Yenglin joined by phone.

**ITEM 1C. PUBLIC COMMENT FORM**

No public comment forms were submitted prior to the meeting. Chairperson Peterson said if there are any public comments to raise their hand via Zoom or submit a comment via chat during the meeting.

## **ITEM 2. APPROVE AGENDA**

Chairperson Peterson asked for a motion to approve the agenda.

*Motion by Mr. Musick and seconded by Ms. Lebrun to approve the agenda as presented. The motion passed unanimously.*

## **ITEM 3. GENERAL CONFLICT OF INTEREST DISCLOSURE**

Mr. Engel asked if any member of the board, who feels they have anything that might be construed to be a conflict of interest with respect to matters under consideration by the Board today, to disclose it verbally.

No conflicts of interest were disclosed.

## **ITEM 4. ACCEPT \$13M EXPANSION FUNDING FROM STATE**

Mr. Headley said the Governor of South Dakota signed the \$13 million appropriation—Senate Bill 35—into law and it has been officially appropriated. SDSTA worked with the Governor’s Office of Economic Development (GOED) to deposit the funds into an interest-bearing account with the State. He said Mr. Miller worked with GOED to set up a mechanism to request funds from the account to pay bills in timely manner.

Mr. Headley recommended SDSTA Board of Director acceptance of the funds. He requested to allocate \$800,000 into the current year budget for the design contract; the cost of the contract plus contingency in the event scope needs to be added to the contract.

Chairperson Peterson said there could be additional interest income depending on how quickly the funds are spent and asked if the interest income would be included in the budget for this year. Mr. Headley said SDSTA had planned to allocate potential additional funds as construction draws nearer.

Mr. Wheeler asked what the percentage is on the interest-bearing account and Mr. Miller said he did not know at this time. Mr. Miller confirmed that the board had approved a one percent interest earning accrual last year.

In conclusion, Mr. Headley clarified that a cost estimate was provided by Thyssen Mining Inc (TMI) when expansion funds were sought earlier in the year, but SDSTA will get a firm number as the design contract is complete.

*Motion by Mr. Wheeler and Mr. Musick to accept the \$13 million expansion appropriation from the State of South Dakota and to allocate \$800,000 to the FY23 South Dakota Science and Technology Authority budget to advance design and planning for the 4850-foot level lab space expansion. The motion passed unanimously.*

## **ITEM 5. DISCUSSION AND APPROVAL OF TMI DESIGN CONTRACT FOR EXPANSION OF LABORATORY SPACE**

Mr. Headley said there is a draft design contract in place, and it has been reviewed by Mr. Engel. They are working on a few more details and will have the final contract completed to sign no later than the end of next week. Mr. Headley asked the SDSTA Board of Directors for permission to negotiate final terms of the agreement and sign it.

*Dr. Aprahamian joined the meeting at 1:10 p.m.*

*Motion by Ms. Lebrun and seconded by Mr. Ron Wheeler to authorize the executive director and legal counsel to negotiate final terms of the design contract between Thyssen Mining Inc. and South Dakota Science and Technology Authority in the amount of approximately \$660,000.00, and authorize the*

*executive director to sign the contract and expend state grant funds for the design contract. The motion passed unanimously.*

#### **ITEM 6. PUBLIC COMMENTS**

Chairperson Peterson asked if there were any questions from the public. There were none.

#### **ITEM 7. BOARD COMMENTS**

Mr. Headley thanked the board for their time.

Chairperson Peterson said the next regularly scheduled board meeting is Thursday, June 22, 2023, at 8:00 a.m. (MT) and will be held in the E&O Building Conference Room and via Zoom.

#### **ITEM 8. ADJOURN**

*Motion by Mr. Musick and seconded by Mr. Wheeler to adjourn. The motion passed unanimously.*

Meeting adjourned at 1:13 p.m. (MT) on June 6, 2023.