

South Dakota Science and Technology Authority

**Annual Board Meeting
June 24, 2021**



South Dakota Science and Technology Authority

630 East Summit Street
Lead, SD 57754

Call to Order—Chairperson Casey Peterson

1A. Call Roll

Dr. Ani Aprahamian
Mr. Dana Dykhouse
Ms. Pat Lebrun
Mr. Roger Musick
Mr. Casey Peterson
Mr. Ron Wheeler
Dr. Bob Wilson
Dr. James Rankin (*ex-officio member*)

1B. Introduce guests

1C. Public comment form (ask public if they have a comment form to submit for discussion)

Procedure for Public Comment Periods

Pursuant to SDCL 1-25-1 as amended by House Bill 1172 in the 2018 Legislative Session the procedure for conducting public comment periods during meetings of the South Dakota Science and Technology Authority (SDSTA) shall be as follows:

The chair of the SDSTA shall reserve a period for public comment, limited at the chair's discretion, at each meeting.

Before the beginning of the meeting, all persons who wish to make comments during the comment period shall indicate their desire to do so on a form that will be provided by the Executive Director. The form shall indicate the person's name, city of residence and generally describe the matter or matters on which the person wishes to comment.

The amount of time allocated to each interested person who wishes to make comments will be determined at the chair's discretion at each meeting.

Comments must be limited to matters which are under the jurisdiction of the SDSTA.

All persons making public comments at meetings of the SDSTA must do so in a manner that maintains civility. Comments which contain offensive language or profanity will not be tolerated

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SOUTH DAKOTA SCIENCE AND TECHNOLOGY AUTHORITY

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Adopted June 28, 2018



Public Comment Form

Full Name: _____

City of Residence: _____

General Subject Matter of Comments: _____

Approve Agenda—Chairperson Casey Peterson

Attached is the SDSTA Board agenda for the June 24, 2021 meeting.

Recommended Action:

Motion to approve agenda as presented.

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AGENDA
South Dakota Science and Technology Authority
630 East Summit Street, Lead, South Dakota
Annual Meeting of the Board of Directors
Thursday, June 24, 2021 at 8:00 AM (MT)

****Yates Education & Outreach Building Large Conference Room****

Public (Open) Session: 1-669-900-6833, Meeting ID: 605 722 4022, <https://zoom.us/join>

SDSTA Mission: *We advance world class science and inspire learning across generations.*

SURFs COVID-19 protocols require all individuals **not fully vaccinated** to wear a mask at all times while on site. The SDSTA appreciates everyone’s cooperation as we all strive to keep SURF a safe and healthy place to work. **Members of the public are encouraged to join open session by phone.**

NOTICE: Members of the public may listen to the meeting by calling 1-669-900-6833 and entering Meeting ID code: 605 722 4022. Please mute your phone after joining.

Title	Report	Recommendations
1. Call to order A. Call roll B. Introduce guests C. Request any public comment forms	-- Chair Casey Peterson	<i>Ask if any public comment forms were submitted before the start of the meeting</i>
2. Approve agenda	-- Chair Casey Peterson	<i>Motion to approve agenda</i>
3. Approve minutes	-- Chair Casey Peterson	<i>Motion to approve the March 25 minutes</i>
4. Conflict of interest disclosure	-- Mr. Tim Engel	<i>Informational</i>
5. Conflict of interest disclosure and waiver under SDCL CH. 3-23	-- Mr. Tim Engel	<i>Grant waiver or decline to grant waiver</i>
6. SURF Foundation A. Foundation status update B. Approval of SURF Foundation Amended By-Laws C. SURF Foundation board member appointments D. Institute for Underground Science at SURF update	-- Ms. Staci Miller -- Mr. Dana Dykhouse -- Mr. Dana Dykhouse -- Mr. Mike Headley -- Ms. Elizabeth Freer	<i>6B. Motion to approve SURF Foundation By-Laws amended June 9, 2021, as presented</i> <i>6C. Motion to approve appointment of new SURF Foundation board members, as presented</i> <i>Presentation</i>

Please do not place or accept cell phone calls during this meeting. A copy of this agenda has been posted in a manner visible to the public at the entrance to the South Dakota Science and Technology Authority office located at 630 East Summit Street, Lead, South Dakota at least 72 hours prior to this meeting. Telephone: (605) 722-8650.

**Annual Meeting of the Board of Directors
Thursday, June 24, 2021**

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| <p>7. Audit Committee</p> <p>A. Annual appointment of members</p> <p>B. Audit Committee Update</p> <p>C. Annual review of Audit Charter</p> | <p>-- Chair Casey Peterson</p> <p>-- Ms. Pat Lebrun</p> <p>-- Ms. Pat Lebrun</p> <p>-- Ms. Pat Lebrun</p> | <p><i>7A. Motion to appoint committee members as presented</i></p> <p><i>7B. Reference board packet</i></p> <p><i>7C. Review Audit Charter dated June 19, 2014; reference board packet</i></p> |
| <p>8. Financial Report</p> <p>A. Financial summaries</p> <p>B. FY2022 budget</p> | <p>-- Mr. Mike Headley</p> <p>-- Ms. Nancy Geary</p> <p>-- Ms. Nancy Geary</p> | <p><i>8A. Motion to accept financial report as presented</i></p> <p><i>8B. Motion to approve FY2022 budget as presented</i></p> |
| <p>9. Report from Executive Director</p> <p>A. Declarations of Surplus (5)</p> <p>B. SDSTA quarterly update</p> <p>C. IDEA/E&O update</p> <p>D. SURF Artist-in-Residence update</p> | <p>-- Mr. Mike Headley</p> <p>-- Ms. Deb Wolf</p> <p>-- Ms. Gina Gibson</p> | <p><i>Informational Presentation</i></p> <p><i>Presentation</i></p> <p><i>Presentation</i></p> <p><i>Motion to accept exec director's report</i></p> |
| <p>10. Conveyance of real estate to correct boundary</p> | <p>-- Mr. Tim Engel</p> | <p><i>Motion to authorize chairperson to sign quit claim deed</i></p> |
| <p>11. Placeholder – Pollution liability insurance renewal</p> | <p>-- Mr. Tim Engel</p> | <p><i>Motion to authorize the chairperson, in consultation with the executive director, general counsel, and office of risk management, to negotiate and bind final terms of pollution liability coverage, with a premium cost of not more than \$?</i></p> |
| <p>12. SDSTA Policies and Procedures</p> <p>A. Annual review of P&P</p> <p>B. Annual statements affirming compliance with Financial Conflict of Interest policy</p> | <p>-- Mr. Mike Headley</p> | <p><i>12A. Motion to approve updated Alcohol, Controlled Substances and Testing Policy, Tobacco and Vape-free Policy and new Internal Fundraising and Outside Sponsorship Policy as presented</i></p> <p><i>12B. Each board member is to sign a copy of the financial conflict of interest statement</i></p> |
| <p>13. Executive session
<i>(closed meeting)</i></p> | <p>-- Chair Casey Peterson</p> | <p><i>Motion to enter executive session to discuss personnel matters and contractual matters, and to consult with legal counsel concerning contractual and legal matters—SDCL 1-25-2(1), (3), and (4)</i></p> |

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**Annual Meeting of the Board of Directors
Thursday, June 24, 2021**

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| 14. | Report from executive session | -- Chair Casey Peterson | <i>Motion to accept executive session report</i> |
| 15. | Approval of FY2022 Office of Risk Management Intergovernmental Agreement | -- Mr. Mike Headley | <i>Motion to approve FY2022 Intergovernmental Agreement between the Bureau of Administration, Office of Risk Management of the State of SD and SDSTA and authorize SDSTA executive director to sign agreement</i> |
| 16. | Approval of Supplemental No. 4 to LBNF TCE Agreement | -- Mr. Mike Headley | <i>Motion to approve amendment to the LBNF Temporary Construction Easement and authorize the chairperson to sign Supplemental Agreement No. 4</i> |
| 17. | Report from nominating committee | -- Mr. Dana Dykhouse | <i>Reference nominating committee minutes in board packet</i> |
| 18. | Election of officers | -- Chair Casey Peterson | <i>Elect officers as described in procedure adopted August 2008</i> |
| 19. | Confirm date and time of next meeting | -- Chair Casey Peterson | <i>Next scheduled board meeting: Thu, September 23, 2021 at 8:00 A.M. (MT)—E&O Building Conference Room or join via Zoom</i> |
| 20. | Public comments | -- Chair Casey Peterson | |
| 21. | Board comments | -- Chair Casey Peterson | |
| 22. | Adjourn | -- Chair Casey Peterson | <i>Motion to adjourn</i> |

**Annual Meeting of the Board of Directors
Thursday, June 24, 2021**

SDSTA Board Member Terms of Service, Committees and Schedule

Board Members and Terms of Service			
	Board Members	Appointed	Term Expires
1.	Dr. Ani Aprahamian	Re-appointed December 10, 2015	December 9, 2021
2.	Mr. Dana Dykhouse, Vice-Chair	Re-appointed August 15, 2020	August 14, 2026
3.	Ms. Patricia Lebrun, Secretary-Treasurer	Re-appointed August 5, 2016	August 8, 2022
4.	Mr. Roger Musick	Appointed September 19, 2018	August 21, 2022
5.	Mr. Casey Peterson, Chair	Re-appointed August 25, 2015	August 8, 2021
6.	Mr. Ron Wheeler, Vice-Chair	Re-appointed April 28, 2020	April 9, 2025
7.	Dr. Robert Wilson	August 24, 2015	August 8, 2021
8.	Dr. James Rankin, <i>ex-officio member</i>	SDSM&T President as of Jan 8, 2018	
Committees and Members (2021-2022)			
	Audit Committee Members (Sep):	Nominating Committee Members (Jun)	
	➤ Pat Lebrun-Chair, tbd	➤ Dana Dykhouse	
	➤ Dana Dykhouse, tbd	➤ Roger Musick	
	➤ Casey Peterson, ex-officio, tbd		
2021 Board Schedule			
	Thursday, March 25 2021	8:00 am (MT)	E&O Bldg
	Thursday, June 24, 2021	8:00 am (MT), annual	E&O Bldg
	Thursday, September 23, 2021	8:00 am (MT)	E&O Bldg
	Thursday, December 16, 2021	9:00 am (MT)	E&O Bldg

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Approve Minutes—Chairperson Casey Peterson

Attached are the SDSTA Board Minutes from the March 25, 2021 meetings. (*See suggested motion below*).

Recommended Action:

Motion to approve the March 25, 2021 Board Minutes, as presented.

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South Dakota Science and Technology Authority Board of Directors
Meeting Minutes
Thursday, March 25, 2021
Lead, South Dakota

The Board of Directors of the South Dakota Science and Technology Authority (SDSTA) convened at 8:00 AM Mountain Time (MT) on Thursday, March 25, 2021, in the Education and Outreach (E&O) Building Conference Room at the South Dakota Science and Technology Authority, 630 East Summit Street, Lead, South Dakota. To maintain physical distance due to the COVID-19 pandemic, face masks were required, and a conference number was posted on the agenda with an invitation for members of the public to participate in the meeting by telephone.

MEMBERS OF THE BOARD IN ATTENDANCE

Dr. Ani Aprahamian (by phone)
Vice Chairperson Dana Dykhouse (in person)
Secretary/Treasurer Patricia Lebrun (by phone)
Mr. Roger Musick (by phone)
Chairperson Casey Peterson (in person)
Dr. Robert Wilson (by phone)

MEMBERS OF THE BOARD ABSENT

Vice Chairperson Ron Wheeler
Dr. James Rankin, ex-officio

SDSTA STAFF PRESENT DURING ALL OR PART OF THE MEETING

Mr. Tim Engel, Legal Counsel (in person)
Ms. Nancy Geary, Chief Financial Officer (in person)
Ms. Pam Hamilton, Project Manager for Organizational Development (in person)
Mr. Mike Headley, Executive Director (in person)
Dr. Jaret Heise, Science Director (in person)
Mr. Bill Kelly, Contracts & Procurement Manager (in person)
Ms. Mandy Knight, Administrative Services Manager (in person)
Mr. William McElroy, Operations Division Deputy Director (in person)
Ms. Staci Miller, SURF Foundation Director (by phone)
Mr. KC Russell, Cultural Diversity Coordinator (by phone)
Ms. Wendy Straub, Hoists & Shafts Director (in person)
Ms. Constance Walter, Communications Director (in person)
Ms. Natasha Wheeler, Administrative Assistant (in person)
Ms. Deb Wolf, Education and Public Relations Director/IDEA Program Manager (in person)
Ms. Rochelle Zens, IDEA Program Lead (by phone)

ALSO PRESENT DURING ALL OR PART OF THE MEETING

Ms. Elizabeth Freer, dialogue LLC Principal (by phone)
Ms. Nicol Reiner, Education & Outreach Director (BHSU) (by phone)

ITEM 1. CALL TO ORDER

Chairperson Casey Peterson called the meeting to order at 8:00 AM (MT). Roll call was held. Dr. Ani Aprahamian, Ms. Pat Lebrun, Mr. Roger Musick and Dr. Bob Wilson were present by phone. Mr. Dana Dykhouse and Chairperson Peterson was present in person. Dr. Jim Rankin and Mr. Ron Wheeler were absent. Chairperson Peterson then asked audience members to introduce themselves. He said if anyone from the audience had any questions or comments for the board to address, to please complete the public

comment form located at the sign-in table and time will be given at the end of the agenda to discuss. He reported no comment forms were submitted.

ITEM 2. APPROVE AGENDA

Chairperson Peterson asked if there were any modifications to the agenda. Hearing none, Chairperson Peterson asked for a motion to approve the agenda.

Motion by Mr. Dykhouse and seconded by Mr. Musick to approve the agenda as presented. Motion passed unanimously by roll call vote.

ITEM 3. APPROVE MINUTES

Chairperson Peterson asked if there were any comments on the December 17, 2020 or January 25, 2021 Minutes. Hearing none, he asked for a motion to approve the minutes.

Motion by Mr. Musick and seconded by Ms. Lebrun to approve the December 17, 2020 and January 25, 2021 minutes as presented. Motion passed unanimously by roll call vote.

ITEM 4. GENERAL CONFLICT OF INTEREST DISCLOSURE

SDSTA Legal Counsel Mr. Tim Engel invited members of the board to disclose anything that might be construed to be a conflict of interest with respect to items under consideration at today's meeting.

Mr. Headley stated he had a conflict of interest regarding Agenda Item No. 17, Sanford Underground Research Facility (SURF) Institute Science Program Scoping Study, as the proposed contracting company is owned by his wife with whom he shares personal finances.

No other conflicts of interest were disclosed.

ITEM 5. DISCLOSURES AND WAIVER UNDER SDCL CH. 3-23

Mr. Engel said he contacted all board members before the March 25, 2021 board meeting and asked them to make any disclosures related to SDCL CH. 3-23. He said no disclosures were reported.

ITEM 6. REPORT FROM THE AUDIT COMMITTEE

ITEM 6A. INTERNAL CONTROLS AUDIT UPDATE

Ms. Lebrun said SDSTA staff is working on items recommended by the internal controls audit report and requested a report at the June 24, 2021 board meeting on actions taken. Mr. Headley and Ms. Geary agreed to provide a report.

ITEM 6B. AUDIT COMMITTEE MEETING UPDATE – ACCEPTANCE OF AUDIT REPORT, FISCAL YEAR ENDED JUNE 30, 2020

Ms. Lebrun said the audit report was presented to the board at the December 17, 2020 meeting as an informational item and is now presented for approval. She said it was a clean audit and she has not received any comments or been made aware of any concerns related to the report.

Motion by Ms. Lebrun and seconded by Mr. Dykhouse to accept the Audit Report for the Fiscal Year Ended June 30, 2020 as reviewed and discussed at the December 17, 2020 board meeting. Motion passed unanimously by roll call vote.

ITEM 7. FINANCIAL REPORT

ITEM 7A. FEBRUARY FINANCIAL STATEMENTS

Ms. Geary said Cooperative Agreement (CA) spending was over budget for February due to several pieces of equipment that were billed in February but included in the budget for other months. She said

spending for the CA is under budget on the contract to-date. Part of the underrun is a result of COVID-19, including suspended hiring efforts which have now been resumed. Ms. Geary said the underrun will be addressed by purchasing items listed in the Underrun Spend Plan. She said SDSTA currently has 181 full-time employees and 10 temporary employees.

Ms. Geary said she finished rebilling to various contracts in January and February 2021 to address the difference in the provisional overhead rates originally billed and the Department of Health and Human Services (DHHS) audited overhead rates.

*Motion by Mr. Dykhouse and seconded by Mr. Musick to accept the financial report as presented.
Motion passed unanimously by roll call vote.*

ITEM 8. REPORT FROM THE EXECUTIVE DIRECTOR

ITEM 8A. DECLARATION OF SURPLUS – LOCKERS, FLYGT PUMP, BAOSTEEL CYLINDERS

Mr. Headley said three declarations of surplus included 18 old lockers that are no longer in use and have been donated to the Lead-Deadwood Economic Development, a Flygt pump that is no longer operable or repairable that has been scrapped, and 20 empty Baosteel cylinders originally used to store xenon which are no longer suitable for use and have been scrapped.

ITEM 8B. SDSTA QUARTERLY UPDATE

Mr. Headley re-stated the SURF mission: “We advance world class science and inspire learning across generations”; and the SURF vision: “The world’s preferred location for underground science and education”; and reviewed SURF’s core values: safety focused, care for others, professional and team players.

Mr. Headley reviewed COVID-19 response activity, including a transition to minimal essential operations on March 25, 2020; the return of 25 Kiewit-Alberici Joint Venture (KAJV) staff to three surface sites on April 16, 2020; the restart of underground activities including construction on May 6, 2020; and KAJV’s return to full staffing at both the surface and underground on May 18, 2020. He said SURF is currently maintaining a 6-month supply of personal protective equipment and supporting day and night shift operations with 25% of staff telecommuting and rotating on site as needed. Mr. Headley said SDSTA is promoting COVID-19 vaccine education and offering a \$100.00 bonus to staff members who receive the full vaccine dose. Mr. Headley reported zero positive cases and zero quarantines at SURF at this time.

Reporting on SURF occupational injury statistics, Mr. Headley said there was only one reportable injury over the last year, in June 2020, resulting in a Total Recordable Incident Rate of 1.2. The safety program continues to advance, including a more systematic approach to severe weather management on site.

Mr. Headley said several organizational changes have taken place at SURF, including the following: a new Surface Operations and Utilities Department Deputy Director position filled by Mr. Jake Davis (former SDSTA Engineer); a new Inclusion, Diversity, Equity and Access (IDEA) Program Manager position filled by Ms. Deb Wolf; the Education and Outreach (E&O) Director position filled by Ms. Nicol Reiner; the Contracts and Procurement Manager position filled by William (Bill) Kelly; and a new Hoists and Shafts Department Director position filled by Wendy Straub, who is the first woman to fill a field operations management position at SURF. Mr. Headley expressed his appreciation to Ms. Sharon Hemmingson for her continued consulting support in the Contracts and Procurement Office.

Mr. Headley provided an update for Long-Baseline Neutrino Facility (LBNF)/Deep Underground Neutrino Experiment (DUNE) and said pre-excavation activities will conclude soon and Ross hoist

commissioning activities are underway. Thyssen Mining Inc. (TMI) is set to mobilize in early April 2021, and 1,229 collaborators from 201 institutions and 33 nations, including CERN, are represented in the LBNF/DUNE collaboration. He said several reliability projects are nearing completion, significant Ross hoist upgrades are in the commissioning phase, Ross Shaft certification is nearly complete, and the main excavation of three caverns is planned to begin shortly. Mr. Headley said the pace of LBNF/DUNE activities remains high, as does SDSTA support provided to the project. Mr. Headley also shared several photos, illustrating hoist upgrade progress and TMI equipment that will be going underground in April 2021.

Mr. Headley said the SDSTA IDEA Office has been established, with Ms. Wolf serving as the director and Mr. KC Russell and Ms. Zens onboard as team members. He said related projects include reviewing previous cultural strategic planning, rewriting the SDSTA social media policy to support core value statements, planning for management level training with the IDEAL Center at the Science Museum of Minnesota and South Dakota Established Program to Stimulate Competitive Research (EPSCoR), continued work on the application process for the CIRCLES Alliance grant, the Communications team's selection of Dr. Annette Lee as a keynote speaker for Neutrino Day 2021, planning for the ethnobotanical garden and IDEA annual planning, including a focus on a diverse workforce and IDEA-focused community and education outreach efforts.

Mr. Headley said the E&O program has seen an increase in student contacts with over 1,000 in February and increased requests for onsite field trips and virtual field trips including the hoist room, waste water treatment plant, Davis Campus, and the new geology of the Open Cut tour with drone footage. He said E&O has extended its reach by providing presentations to groups in California, Oklahoma, Virginia, Washington, and British Columbia and E&O's summer professional development, which will be held simultaneously in-person and virtually, was booked with a waiting list (over 50 teachers reaching out to participate) one week after the advertisement was posted. Mr. Headley said SDSTA continues to expand its relationship with Black Hills State University (BHSU), providing curriculum units to BHSU's pre-service education students and collaborating on hiring for new science education faculty. Mr. Headley thanked BHSU President Dr. Laurie Nichols and Provost and Vice President for Academic Affairs Dr. Priscilla Romkema for their support.

ITEM 8C. MAINTENANCE SUPPORT FACILITY UPDATE

Ms. Pam Hamilton said the Maintenance Support Facility (MSF) is scheduled for substantial completion on April 8, 2021, and project end date on April 21, 2021. She said furniture, fixtures and equipment install is scheduled for May 3, 2021 and staff moves could begin as early as May 10, 2021. Ms. Hamilton shared several photos of the project from September and October 2020 at the beginning of the pre-engineered metal building erection, and exterior views from November 2020 and March 2021 with a comparison to the conceptual design. Ms. Hamilton shared interior photos and said the shop side of the building will include a 10-ton bridge crane with 16-foot hook height and a coverage area of 30 feet by 125 feet, rail taken from the Yates Shaft, a trench drain, three overhead doors and heat. She said the warehouse end of the building will include 21 pallet racks, a secured storage area, a science test area and room to grow. Ms. Hamilton also shared photos of the office area within the building which will include a breakroom, office spaces and an elevator. She said the building will be American with Disabilities Act (ADA) compliant. Ms. Hamilton said employee all-day parking will be in the main Administration Building parking lot and a walkway will be constructed for access to the MSF building.

ITEM 8D. SCIENCE UPDATE

Dr. Jaret Heise said the SURF User Association was launched with the announcement of an executive committee in December 2020, and the officers, a chair and secretary, were selected in January 2021. He said the executive committee meets quarterly, with the first quarterly meeting held in February 2021,

and the association maintains regular interactions with SURF management. Dr. Heise said a meeting of general SURF user membership will be held annually and the first meeting is tentatively planned for fall 2021. Dr. Heise said Snowmass is the community engagement portion of the US High Energy Physics strategic planning, and the user association will help SURF be involved in that project. He said SURF submitted a letter of interest describing the site's current status and proposed future facilities and SURF's Strategic Advisory Committee and Science Program Committee, to be established in 2021, will be leveraged also.

Dr. Heise provided a brief update on the four main physics experiments onsite and shared graphs of researcher efforts at SURF: 1). LUX-ZEPLIN (LZ)—testing underway with a cold detector and some of the xenon, including light sensors and the radon removal system, and initial condensing trials are planned to start in April 2021. 2). MAJORANA DEMONSTRATOR (MJD)—began collecting production data in June 2015 and finished in early March 2021. He said the future of the MJD program beyond 2021 is being examined by the collaboration; a ton-scale review is planned for July and an American/European summit is scheduled for September. 3). Compact Accelerator System for Performing Astrophysical Research (CASPAR)— completed gamma-ray reactions and the sodium iodide detector array was transported to the surface and successfully returned from loan to Notre Dame. The future of the project includes plans to resume in fiscal year 2024 in a yet-to-be-determined location and a cost estimate for a site on the 2300L was developed to submit for a pre-proposal to the National Science Foundation. 4). Black Hills State University Underground Campus (BHUC)—Ross Campus operations started in September 2015 and ended in July 2020, and SURF signed a decommissioning statement. BHUC will be sharing space with MJD Davis Campus machining activities; a memorandum of understanding has been established and initial operations at the Davis Campus started in November 2020. He said expansion is limited at the Davis Campus and hopes are to return to the Ross Campus following LBNF construction in fiscal year 2024.

Dr. Heise made note of several other experiments at SURF: SIGMA-V started drilling on the 4100L level in January 2021 after COVID-19-related delays; discussions are in progress for a low-mass dark matter project supporting initial design for a detector at the Davis Campus in fiscal year 2023 to 2024; and GEOX™ has battery-operated air flow monitors on the 4850L level, but no biology trips have taken place in the last year due to COVID-19 restrictions. Lastly, he said engineering projects include a thermal breakout effort led by the Rapid City company RESPEC and a post-blast monitoring proposal from SD Mines. Finally, Xilinx work has been suspended due to a lack of chip availability related to COVID-19 delays.

Mr. Headley said the Science Program Study for the SURF Institute was finished in December 2020 and the next phase will include development of a scoping document that defines the Institute's scope. He said feedback will be solicited from several working groups before presenting the report to the board at the June 2021 meeting and that the Arup design company will also be doing some initial pro-bono work to determine where an institute could be sited at SURF.

Motion by Mr. Dykhouse and seconded by Mr. Musick to accept the Executive Director's report as presented. Motion passed unanimously by roll call vote.

ITEM 9. APPROVAL OF LEASE AGREEMENT BETWEEN SDSTA AND TMI FOR ROSS PIPE AND MAINTENANCE SHOP

Mr. Headley said SDSTA staff will be vacating several buildings south of the Ross Headframe, and TMI has an interest in using the space through the end of excavation. He said the proposed lease agreement allows TMI to use the buildings by paying a rental fee of \$1,200.00 a month, including utilities, and the funds will be used to demolish the buildings once TMI is done using them. Mr. Engel said the lease

discloses any potential environmental issues and makes TMI responsible for any necessary updates or upkeep and any applicable taxes, although taxes should not apply.

Motion by Mr. Musick and seconded by Ms. Lebrun to approve the Lease Agreement between the South Dakota Science and Technology Authority and Thyssen Mining Inc. and authorize the chairperson to sign the agreement. Motion passed unanimously by roll call vote.

ITEM 10. APPROVAL OF EASEMENTS WITH ADJOINING LANDOWNERS

Mr. Engel said two easements are up for approval in which SDSTA grants specific Lead landowners use of SDSTA property. He said the first easement concerns a parking area near the Ross gate that the residents have been using; the Department of Energy has agreed to exclude it from the Temporary Construction Agreement for that area. Mr. Engel said the second easement concerns property adjoining the Ellison property and grants the homeowner access to the parking area at their residence. Mr. Headley clarified that the second easement is already on the plat and the easement establishes a clean paper trail.

Motion by Mr. Dykhouse and seconded by Dr. Aprahamian to approve two Easements with adjoining landowners and authorize the executive director to sign the Easements. Motion passed unanimously by roll call vote.

ITEM 11. APPROVAL OF SURF FOUNDATION AMENDED BY-LAWS

Mr. Headley presented a modification to the By-Laws of the SURF Foundation Board of Directors. He said the current By-Laws appoints the SDSTA Board of Directors chairperson to an ex-officio role on the SURF Foundation Board of Directors, and the modification adds the appointment of the immediate past chairperson of the SURF Foundation Board of Directors to serve an ex-officio role on the SURF Foundation Board of Directors as well. Mr. Engel stated this modification was the intent of the founders but was not made clear in the By-Laws. The modification has been approved by the SURF Foundation board but must also be approved by the SDSTA board to take effect.

Motion by Mr. Musick and seconded by Mr. Dykhouse to approve the SURF Foundation By-Laws amended December 16, 2020, as presented. Motion passed unanimously by roll call vote.

Dr. Wilson left the meeting at 9:10 AM.

ITEM 12. EXECUTIVE SESSION

Motion by Mr. Musick and seconded by Dr. Aprahamian to enter into executive session to discuss personnel matters and to consult with legal counsel concerning legal and contractual matters as permitted by SDCL 1-25-2(1), (3) and (4). Motion passed unanimously by roll call vote.

The board recessed at 9:20 AM for a ten-minute break followed by executive session.

The board reconvened in open session at 11:17 AM.

ITEM 13. REPORT FROM EXECUTIVE SESSION

Chairperson Peterson reported that the board discussed personnel matters and consulted with legal counsel concerning legal and contractual matters. No action was taken.

Motion by Ms. Lebrun and seconded by Mr. Musick to approve the executive session report. Motion passed unanimously by roll call vote.

ITEM 14. APPROVAL OF INSURANCE PACKAGE FOR LBNF LOGISTICS SUPPORT CONTRACT (RIGGING)

Mr. Engel said the proposed insurance package involves hoisting and rigging in support for LBNF excavation. He said the proposal is for Fermilab Research Alliance (FRA) to purchase a builder's risk

policy on behalf of SDSTA, KAJV and TMI that would cover hoist, shaft and related structures with a sublimit for the Ross Shaft, hoist, and related infrastructure of \$16 million, meaning \$16 million is the largest amount that would be paid on account of damage to SDSTA property. He said the insurance package will be provided by the London market and will include waivers of subrogation among the insureds, with the intention that any damages caused by one of the insured parties would be covered by the insurance and no claims would be made against the party causing the damage. Mr. Engel said policies coming out of the London market are written differently than policies issued by US-based carriers and there have been disagreements about how to interpret them, so SDSTA hired outside lawyers with experience with the London markets to review the policy language; those lawyers have opined the policy is intended to provide the expected coverage. Mr. Engel said a requirement of SDSTA approval is to include a waiver of subrogation in favor of Homestake and related parties, and SDSTA has requested a list of equipment provided to the insurers for further clarity with respect to the SDSTA-owned property covered under the policy. Mr. Engel said personal injury insurance related to rigging has not been necessary in the past but is now being negotiated as an addition to SDSTA's existing owner's interest policy, or a standalone commercial general liability policy will be purchased, and in either case, the limit of liability will be \$11 million. He said Homestake has agreed to these terms, which would be a deviation from the Property Donation Agreement between SDSTA and Homestake.

Mr. Engel said on the builder's risk insurance policy, FRA would be listed as the insured and SDSTA, KAJV and TMI would be listed as additional insureds. He said as the named insured, FRA would have control over changes to the policy and some control over how policy proceeds are paid out. He said the near-final agreement posted to the board portal states FRA would need to consult with the additional insureds before changing the policy; if there are amounts paid out of the policy for damage to SDSTA property, the funds must go to SDSTA; if SDSTA contests how a claim is adjusted, FRA must cooperate; and if SDSTA wants to make a claim for replacement costs instead of actual cash value, FRA must cooperate. He said downtime claims would not be included in the package for SDSTA.

Mr. Engel recommended the board authorize the chairperson, executive director and general counsel to negotiate the final terms of the package, including the agreement with FRA, and to authorize the executive director to sign the final version of the agreement with FRA. He said if the proposed items do not come to fruition, a special meeting of the board will be held to consider another course of action.

Chairperson Peterson said SDSTA has been working with the various parties involved for months and weeks and the team is working hard to avoid delays in rigging, which is a precursor to excavation. He said there has been much appreciated effort to complete this agreement.

Motion by Mr. Dykhouse and seconded by Ms. Lebrun to approve the insurance package for LBNF logistics support contract as presented, to authorize the chairperson, executive director and general counsel to negotiate final terms and conditions and to authorize the executive director to sign the agreement concerning the builder's risk policy. Motion passed unanimously by roll call vote.

ITEM 15. APPROVAL OF LBNF LOGISTICS SUPPORT CONTRACT (RIGGING)

Mr. Headley said SDSTA's current contract with FRA for Ross Shaft crew support will end March 31, 2021, and a new logistics support contract has been proposed for a three-year term with a total value of approximately \$14 million. Mr. Headley requested approval from the board to finalize negotiations and sign the contract in concert with the associated insurance package (Agenda Item No. 14). Mr. Engel said a majority of the contract consists of FRA's standard terms and conditions, many of which are required by and consistent with federal procurement laws.

Motion by Mr. Musick and seconded by Dr. Aprahamian to approve LBNF logistics support contract as presented, subject to the negotiation of final terms and conditions by the chairperson, executive director

and general counsel, and to authorize the executive director to sign the contract. Motion passed unanimously by roll call vote.

ITEM 16. SELECT NOMINATING COMMITTEE

Chairperson Peterson said he asked Mr. Dykhouse and Mr. Musick to serve as the nominating committee, and the request was accepted by both individuals.

Election of officers will be held at the annual board meeting in June.

ITEM 17. SURF INSTITUTE SCIENCE PROGRAM SCOPING STUDY

Mr. Headley stated he had a conflict of interest regarding Agenda Item 17, SURF Institute Science Program Scoping Study, as the proposed contracting company is owned by his wife with whom he shares personal finances.

Mr. Headley left the meeting at 11:30 AM for the board's discussion of Agenda Item No. 17.

Chairperson Peterson said he has agreed to supervise dialogue LLC Principal Ms. Elizabeth Freer throughout the process of the SURF Institute Science Program Scoping Study as a liaison for SDSTA. He said board members received the proposal in a letter dated March 16, 2021. Chairperson Peterson said dialogue LLC has been involved with SURF previously including two other reports regarding the SURF Institute. He said he does not believe SDSTA would be able to find another contractor with the same familiarity, expertise, background and ability to move on the project immediately. Chairperson Peterson invited board discussion with his recommendation to approve the contract with dialogue LLC.

Mr. Musick said he fully agrees that the proposed course of action is the best approach.

Chairperson Peterson said Ms. Freer was on the line and available to answer any questions.

Ms. Freer said a virtual workshop would be held in April to determine what should be included in the 10 to 20-page report defining the scope of the institute. She said the review process, outlined in the proposal, would include external reviewers, a draft report would be done in May 2021, and the final report would be made available to board members at the June 24, 2021 board meeting. Ms. Freer said one of the tasks for the April workshop would be to determine the members of the working group for the initial development for the institute.

Ms. Lebrun expressed her appreciation to Ms. Freer for her efforts related to the institute.

Motion by Mr. Musick and seconded by Mr. Dykhouse to (A) state the board finds a more advantageous arrangement is not reasonably possible and the contract between SDSTA and dialogue LLC is in SDSTA's best interests, is for the benefit of SDSTA and is fair and reasonable; and (B) authorize the chairperson to act as SDSTA's liaison, allocate SDSTA funding; and (C) authorize the chairperson to modify the existing contract with dialogue LLC to facilitate the development of a SURF Institute Scoping Document and sign the modification. Motion passed unanimously by roll call vote.

Mr. Headley returned to the meeting at 11:38 AM.

ITEM 18. SDSTA POLICIES AND PROCEDURES

Mr. Headley said the SDSTA Social Media policy has been updated and new procedure written to strengthen the policy and recognize that personal social media accounts can impact the reputation of SURF due to an individual's association with the organization. Mr. Engel said language has been reviewed carefully to consider First Amendment rights in relation to the policy. Mr. Headley said Mr.

Engel's firm has provided guidance on addressing the policy to ensure First Amendment rights are respected should any issues arise.

Motion by Mr. Dykhouse and seconded by Dr. Aprahamian to approve the updated SDSTA Social Media Policy, as presented. Motion passed unanimously by roll call vote.

ITEM 19. CONFIRM DATE AND TIME OF NEXT MEETING

Chairperson Peterson reminded the board of the next meeting, scheduled for Thursday, June 24, 2021 at 8:00 AM (MT) in the E&O Conference room and via Zoom.

ITEM 14. PUBLIC COMMENTS

Chairperson Peterson said he did not receive any public comment request forms and there were no questions from the audience.

ITEM 15. BOARD COMMENTS

Dr. Aprahamian said she is happy things are going well at the lab.

Mr. Dykhouse gave his congratulations and is pleased things are going well.

Ms. Lebrun said it was a good meeting and is glad progress is being made.

Mr. Musick said it was a very good meeting and he appreciates all the work put forth with the insurance package as it is not easy.

Mr. Engel said thank you to everyone for their patience on the insurance issues and said he appreciates the board support as they get the package to the finish line.

Mr. McElroy thanked the board members for a good meeting and said it is always nice to see everyone's faces.

Mr. Headley thanked Mr. Engel for his hard work and his patience and thanked the board for their support.

Chairperson Peterson thanked everyone for their hard work, said things are going well and there is a great team taking care of things. He expressed his appreciation for everyone's time, effort and attention.

ITEM 16. ADJOURN

Chairperson Peterson called for a motion to adjourn.

Motion by Mr. Musick and seconded by Mr. Dykhouse to adjourn. Motion passed unanimously by roll call vote.

Meeting adjourned at 11:46 AM.

Conflict of Interest Disclosure—Mr. Tim Engel

Recommended Action:
Informational.

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Waiver Under SDCL CH. 3-23—Mr. Tim Engel

Recommended Action:

Motion to grant waiver or decline to grant waiver.

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SURF Foundation—Mr. Mike Headley

- 6A. Foundation status update, Ms. Staci Miller.
- 6B. Approval of SURF Foundation By-Laws, Mr. Dana Dykhouse. (*See suggested motion below*).
- 6C. Appointments of SURF Foundation board members, Mr. Dana Dykhouse. (*See suggested motion below*).
- 6D. Institute for Underground Science at SURF update, Mr. Mike Headley and Ms. Elizabeth Freer.

Recommended Action:

- 6B. Motion to approve SURF Foundation By-Laws amended June 9, 2021 as presented.*
- 6C. Motion to approve appointment of new SURF Foundation board members, as presented.*

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Sanford Underground Research Facility Foundation

Amended Bylaws (effective June , 2021)

ARTICLE I *Purpose*

The purpose of Sanford Underground Research Facility Foundation (the “Corporation”) is to promote scientific opportunities at and through the Sanford Underground Research Facility and the South Dakota Science and Technology Authority through education, service and advocacy.

ARTICLE II *Board of Directors*

Section 2.1. General Powers: The Board of Directors (“the Board”) shall be responsible for the general governance of the Corporation. The Board has the power to govern the affairs and property of the Corporation in keeping with policies it establishes that define the scope of authority and limitations of the Officers and employees of the Corporation and of the Board.

Section 2.2. Composition and Number of Directors: Board members shall be sought who reflect the qualifications and diversity determined by the Board in its policies. The Board shall consist of at least five (5) and no more than twenty-five (25) members, as determined from time to time by the Board. The sitting Chairperson of the South Dakota Science and Technology and the immediate past Chairperson of the Corporation will serve as voting Directors on an ex officio basis and shall count against the total number of Directors called for by these Bylaws. All Directors, in their capacities as Directors, shall have identical rights and responsibilities.

Section 2.3. Tenure: Except for the initial Board, Directors shall serve a term of three (3) years from the date of taking office. The terms of the initial Board of Directors shall be staggered by the drawing of lots such that the terms of office of all Directors will not all expire at the same time. The initial Board as established in the Articles of Incorporation shall take office at the organizational meeting of the Corporation. Thereafter, unless otherwise directed by the appointing authority, Directors shall take office at the beginning of the Board meeting first occurring after their appointment. Except for Directors serving in an ex officio capacity, Directors may serve more than one term.

Section 2.4. Nomination and Election: The Chairperson of the Board of this Corporation shall appoint a Governance Committee as provided below in section 6.3. Prior to April 1 of each year, the Governance Committee shall present a slate of nominees for open Director positions for consideration by the Board of this Corporation. Prior to the earlier of June 15 or the annual meeting of the South Dakota Science and Technology Authority, the Board shall from the slate

offered by the Governance Committee present to the Board of Directors of the South Dakota Science and Technology Authority a nominee for each open Director position. During its annual meeting, the Board of Directors of the South Dakota Science and Technology Authority shall consider and act on the nominees presented by the Board of this Corporation. If the Board of Directors of the South Dakota Science and Technology Authority does not appoint a person or persons recommended by the Board of this Corporation, the Board of this Corporation shall promptly submit one or more substitute nominees for consideration by the Board of Directors of the South Dakota Science and Technology Authority.

Section 2.5. Vacancies: Any vacancy occurring in the Board of Directors or any position to be filled by reason of an increase in the number of Directors may be filled by the Board of Directors of the South Dakota Science and Technology Authority upon the recommendation of a qualified candidate by the Governance Committee and the Board of this Corporation as provided above in section 2.4. A Director appointed to fill a vacancy shall hold office for the unexpired term of his/her predecessor in office.

Section 2.6. Resignation: A Director may resign at any time by filing a written resignation with the Chair of the Board.

Section 2.7. Removal: The Board may remove any Director (except an ex officio member) for cause by a two-thirds (2/3) vote of all Directors then in office, at any regular or special meeting of the Board, provided that a statement of the reason or reasons shall have been mailed by Registered Mail to the Director proposed for removal at least ten (10) days before any final action is taken by the Board. The proposed removal and statement of reasons must be approved by the Executive Committee. This statement shall be accompanied by a notice of the time when, and the place where, the Board is to take action on the removal. If the circumstances so warrant, the Executive Committee may suspend a Director pending removal. The Director shall be given an opportunity to be heard and the matter considered by the Board at the time and place mentioned in the notice. The decision of the Board is final, although a decision not to remove does not preclude subsequent motions to remove for further or different reasons or upon the discovery of substantial new evidence. No member of the Board has any property right in his or her membership on the Board.

ARTICLE III ***Officers of the Board of Directors***

Section 3.1. Positions: There shall be three (3) elected Officers of the Board of Directors: Chair, Vice-Chair, and Secretary-Treasurer, and the office of Immediate Past Chair. The roles and qualifications of these Officers shall be determined by the Board in its policies.

Section 3.2. Nomination and Election: The Governance Committee shall present a slate of elective Officers to the Board of Directors. The nominated Officers shall be drawn from among the members of the Board of Directors. The election of Officers shall be held at the annual meeting of the Board. The newly elected Officers and the Immediate Past Chair shall take office at the close of the annual meeting.

Section 3.3. Tenure: The term for each Officer shall be one year. The Immediate Past Chair

shall serve until the then-serving Chair is no longer in office and becomes the Immediate Past Chair. No elective Officer may hold office for more than two consecutive terms. Partial terms served shall not count against the two consecutive term limit.

Section 3.4. Succession: In cases of a temporary absence of any elected Officer, the succession shall be Vice Chair and then Secretary-Treasurer. In the event of a permanent vacancy in any elected office, the succession shall be the same as noted above for the remaining term of the person succeeded and the Board shall elect a new Secretary-Treasurer to fill the unexpired term of office. If there is a temporary absence of the office of Immediate Past Chair, no temporary replacement will occur. If there is a permanent vacancy in the office of Immediate Past Chair, the Board shall select a replacement from other past Chairs who are still members of the Board; if there are no past Chairs who are still members of the Board, the Board shall select a replacement from the current membership of the Board.

ARTICLE IV ***Meetings of the Board of Directors***

Section 4.1. Regular and Annual Meeting: The Board shall meet at least once a year before an annual meeting to be held during the month of June, and otherwise as determined by Board policy Notice shall be given to each Director at least ten (10) days prior to the date of every regular meeting of the Board. Establishment by Board action of the annual Board calendar shall fulfill the requirement for notice.

Section 4.2. Special Meetings: Special meetings of the Board of Directors may be called by the Chair or by a majority of the Board filing a written request for such a meeting with the Chair and stating the object date, hour, and place thereof. Except in the case of exigent circumstances, written notice of special meetings shall be given seven (7) days prior to such a meeting.

Section 4.3. Quorum: One-half plus one (1) of the Directors then in office shall constitute a quorum for the transaction of business at any regular or special meeting of the Board of Directors, except where otherwise required by these Bylaws. Voting is by a majority unless otherwise specified in these Bylaws.

Section 4.4. Meeting Format: Except as otherwise provided by these Bylaws, the latest version of Roberts Rules of Order, Revised © shall govern.

Section 4.5. Meeting Notice: Notice of all regular and special meetings of the Board, an agenda of all items to be discussed at such meetings, and agenda support materials shall be delivered to all Directors prior to the meeting. Any Director may waive notice of any meeting. The attendance of a Director at any meeting also shall constitute a waiver of notice of such meeting, except where a Director attends a meeting for the express purpose of objecting to the transaction of any business because the meeting is not lawfully called or convened. Notification may be made through regular mail or electronic transmission.

Section 4.6. Action: Any action required to be taken by the Board of Directors may be taken without a meeting if all Directors consent to said proposed action in writing or by

electronic transmission pursuant to SDCL 47-23-6. The writing(s) or electronic transmission(s) shall be filed with the minutes of proceedings of the Board and maintained in the official files.

Section 4.7. Proxy and Alternates: Voting by Directors by proxies shall not be permitted. An absentee Board member may not designate an alternate to represent him or her at a Board meeting.

ARTICLE V

Staff

The Board of Directors shall have the discretion to appoint a chief executive officer, who may employ staff within a budget established by the Board, and who shall be responsible for carrying out the day-to-day management and operations of the Corporation in accordance with the budget and policies established from time to time by the Board of Directors.

ARTICLE VI

Committees

Section 6.1. Establishment and Operation of Committees: The Board of Directors shall establish such committees and task forces as it deems advisable to assist with governance, without compromising the Board's authority and in keeping with the policies established by the Board.

Section 6.2. Executive Committee: There is hereby established a standing committee known as the Executive Committee. The membership of the Executive Committee shall consist of the Officers of the Board. When the Board is not in session, the Executive Committee shall have and may exercise all of the powers of the Board except any powers specifically reserved to the Board by resolution of the Board, and except the following powers: to nominate candidates to fill vacancies in the Board; to remove a member of the Board; to appoint, change the membership of, or fill vacancies in any committee appointed by the Board; to adopt, amend, or repeal the Articles of Incorporation or these Bylaws; to amend or repeal any resolution of the Board of Directors which by its express terms is not so amendable or repealable; to fix the compensation of Directors for serving on the Board of Directors or on any committee; to adopt an agreement of merger or consolidation; or to dissolve the Corporation or revoke a determination to dissolve.

Section 6.3. Standing Committees: Standing Committees of the Board of Directors shall be the Executive Committee, Governance Committee, and Audit Committee. These committees shall operate in accordance with the roles and policies established by the Board. The Governance Committee shall consider and propose changes to the Articles of Incorporation and these Bylaws, propose candidates for open Board and Officer positions, and undertake such other duties and responsibilities as determined by the Board or the Chair. The primary functions of the Audit Committee are to assist the Board with its oversight of the Corporation's financial dealings and to independently review and cause the review of the Corporation's books, records, and financial dealings. The Board shall adopt a charter for the Audit Committee to more specifically establish its role and responsibilities. The Board Chair, in consultation with the chief executive officer,

shall appoint committee chairs and committee members annually, except that the person holding the office of Immediate Past Chair shall be the chair of the Governance Committee, and the Secretary-Treasurer may not serve on the Audit Committee.

ARTICLE VII
Fiscal Year

The fiscal year of this Corporation shall begin on July 1 and terminate on June 30.

ARTICLE IX
Indemnification

The Corporation shall indemnify its Directors, officers, employees, and volunteers to the fullest extent permitted by the law of the State of South Dakota.

ARTICLE X
Amendments

These Bylaws may be amended at a regular meeting by a majority vote of all Directors then in office, provided that notice of the proposed amendment, together with a copy thereof, shall be distributed to each Director at least fifteen (15) days prior to the meeting at which the amendment is to be considered. An amendment affecting the power of the South Dakota Science and Technology Authority to appoint members of the Board of this Corporation shall be of no force or effect unless ratified by the South Dakota Science and Technology Authority.

ARTICLE XI
Dissolution

In the event of the dissolution of this Corporation and after the payment of all debt and return of charitable contributions as appropriate, all assets shall be distributed as provided in the Articles of Incorporation.

Audit Committee—Chairperson Casey Peterson

7A. Annual appointment of committee members per Audit Charter, Ms. Pat Lebrun. (*See suggested motion below*).

7B. Annual review of Audit Charter—Audit Charter dated June 19, 2014 attached, Ms. Pat Lebrun.

Recommended Action:

7A. Motion to appoint committee members as presented.

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SDSTA Audit Committee Meeting

June 8, 2021

Participants:

Ms. Pat Lebrun, SDSTA Board of Director and Audit Committee Chair
Mr. Dana Dykhouse, SDSTA Board of Director/Audit Committee Member
Ms. Nancy Geary, SDSTA Chief Financial Officer

A teleconference was held June 8, with discussions on the following:

1. The Audit Charter was reviewed by the Audit Committee. No corrections or additions were noted.
2. It was discussed that Ms. Geary will request the yearly audit with the SD Department of Legislative Audit to work out the details as to timing for the upcoming FY2021 yearly audit. She will communicate with Mr. Al Schaefer at the State to coordinate timing to get the final report from the State for the December Board meeting. This would also coincide with the schedule of completion for the State Comprehensive Annual Financial Report (CAFR). Ms. Geary will also inquire when Mr. Schaefer will be retiring to discuss a transition plan.
3. Further discussions included the update on the Internal Controls Audit for the Information Technology section. Ms. Lebrun noted that the updated IT section will be discussed in the SDSTA's Executive Director's report to the SDSTA Board of Directors.

SOUTH DAKOTA SCIENCE AND TECHNOLOGY AUTHORITY AUDIT COMMITTEE CHARTER

STATEMENT OF MISSION

The mission of the South Dakota Science and Technology Authority (SDSTA) Audit Committee is to be the pro-active steward for oversight of the financial reporting and disclosure process for SDSTA, including the investigation of claimed breaches of ethics, theft, fraud, embezzlement and reports of whistle-blowers. Our responsibility is to the SDSTA Board of Directors to report independently on the results of the oversight so as to assist in maintaining and enhancing the quality of the financial reporting. The Audit Committee is committed to communication between and among directors, the external auditor and Chief Financial Officer (CFO).

A. The Audit Committee has the following responsibilities and duties:

1. Appointment

- Annually be appointed by the SDSTA Board of Directors at their annual meeting in June.
- At least one member will be deemed a “financial expert,” as defined by applicable law and regulation.

2. Review

- Annually review and update this Charter.
- Annually determine the independence of Audit Committee members through a certification by the SDSTA Board of Director’s Chairperson.
- Review the SDSTA’s annual financial statements and any reports or other financial information submitted to or from any governmental body, or the public, including any certification, report, opinion or review rendered by the external auditor or the SDSTA CFO.
- Review any report or memo or other communication from Federal and State regulators and reviewers, and attend as many entrance and exit conferences as possible.

3. External Auditors/CFO/Independent Counsel/Other Advisors

- The Audit Committee shall have the independent authority to engage any legal counsel or other advisors it deems necessary to carry out its duties.
- Periodically consult with the external auditor out of the presence of management about internal controls and the fullness and accuracy of the company’s financial statements.
- Make the selection, retention, and review the performance of, the external auditor, considering independence and effectiveness and approve the fees paid to the external auditor as well as the proposed fee. On an annual basis, the Audit Committee should review and discuss with the external auditor all significant relationships the external auditor has with the company to determine the auditor’s independence and consider the appropriateness of the non-audit services prior to their engagement.
- Periodically meet with the CFO on the results of exams, and be available to CFO for appropriate communications at any time they desire the meeting.

4. Financial Reporting Process

- In consultation with the external auditor, review the integrity of the SDSTA’s financial reporting processes.

SOUTH DAKOTA SCIENCE AND TECHNOLOGY AUTHORITY

AUDIT COMMITTEE CHARTER

- Consider the external auditor's judgments about the quality and appropriateness of the SDSTA's accounting principles, as applied in its financial reports and as promulgated by the Governmental Accounting Standards Board.
- Consider and forward to the SDSTA Board of Directors, if appropriate, recommendations for major changes to the SDSTA's auditing and accounting principles and practices as suggested by the external auditor, management or the CFO.
- Establish regular and separate systems of reporting to the Audit Committee by management and the external auditor regarding any significant judgments made in management's preparation of the financial statements and the Audit Committee's view of each as to appropriateness of such judgments.
- Following completion of the annual audit, review separately with management and the external auditor any significant difficulties encountered during the course of the audit, including any restrictions on the scope of work, or access to required information.
- Review and resolve any significant disagreement among management and the external auditor in connection with the preparation of the financial statements. Review in detail the passed audit adjustments and the materiality levels used by the external auditor, and the impact of Management's estimates used in the financial statement preparation.
- Review with the external auditor and management the extent to which changes or improvements in financial or accounting practices, as approved by the Audit Committee in prior reports or meetings, have been implemented.

5. Ethical and Legal Compliance

- Establish, review and update periodically a Conflict of Interest Policy and ensure that management has established a system to enforce this Policy.
- Review management's monitoring of compliance with the SDSTA's Conflict of Interest Policy, and verify that management has the proper review system in place to ensure that financial statements, reports, and other financial information disseminated to governmental organizations, and the public, satisfy legal requirements.
- Review with SDSTA's retained legal counsel any legal matter that could have a significant impact on the SDSTA's financial statements.
- Periodically review individual committee member education and obtain resources, seminars and materials to keep the level of member's education current.
- Perform any other activities consistent with this Charter, the SDSTA's By-Laws and governing law, as the Audit Committee or the SDSTA Board of Directors deems necessary or appropriate.

6. Reporting

In order to facilitate the proper execution of its duties and responsibilities, the Audit Committee shall conduct its reviews and investigations in a confidential manner. The Audit Committee shall report to the SDSTA Board the results of the Financial Reporting Process, consultations with External Auditors, the CFO or other Advisors, or any other issues they deem important for the SDSTA Board to meet its responsibilities. These reports shall include, but not be limited to, the results of the annual external audit or any internal audit on financial reports or compliance (including difficulties or disagreements encountered, if any, past

SOUTH DAKOTA SCIENCE AND TECHNOLOGY AUTHORITY

AUDIT COMMITTEE CHARTER

adjustments, materiality defined by the auditor, any legal matter having a material impact on the report, management letter comments, etc.), the integrity of the financial reporting system, the appropriateness of the accounting principles applied to the financial reports, the status of internal controls, any suggested change to any of the above systems the Audit Committee thinks should be made, any significant report or communication from any other matter that the Audit Committee deems critical information needed by the SDSTA Board. To the extent permitted by applicable law, the Audit Committee's reports to the Board of Directors shall be delivered in closed session.

The Audit Committee shall strive to provide the Board with the information it needs to manage the reporting and accounting for the SDSTA as well as utilize the reports to manage all of the other risks it faces. These reports will be made when information is received and available. The Annual Schedule below outlines some of the reporting dates anticipated.

7. Budget Process

The Audit Committee will meet with the CFO in March to establish the annual budget for the Audit Committee to cover costs for audit fees, legal fees, consulting fees, continuing education travel and costs and miscellaneous costs.

B. Annual Schedule

The Audit Committee will meet at its discretion but the following is a guideline for business to be conducted during the year:

December-January – Meet with external auditors to discuss preliminary audit findings, letters to management, passed adjustments, materiality, management estimates, and quality and appropriateness of accounting principles.

March-June – Present audit findings, letter of comments and other appropriate information to the SDSTA's Board of Directors at SDSTA annual meeting. Meet to update issues on hiring other outside auditors for review, as deemed necessary, of such areas as EDP, compliance, etc.

September – Request proposal for external audit. Meet with CFO.

October/November/December – Meet with CFO to review any issues regarding the audit. Meet to engage external financial auditor on entrance conference. Review all SDSTA regulators' reports (State and/or Federal). Certify as to committee member's independence.

C. Limitations on the Committee's Role:

While the Audit Committee has the responsibilities and powers as stated above, it is not the Committee's duty to audit the SDSTA's financial statements or to determine that the SDSTA's financial statements are complete and accurate in accordance with generally accepted accounting principles (GAAP), as promulgated by the Governmental Accounting Standards Board. These are the responsibilities of management and the independent auditors.

Financial Report—Mr. Mike Headley

Financial Report:

8A. Financial Summaries for May 2021, attached. *(See suggested motion below.)*

8B. FY2022 Budgets, attached. *(See suggested motion below.)*

1. FY 2022 Budget Summary
2. FY 2022 CAPEX Budget
3. FY 2022 SDSTA Budget

Recommended Action:

8A. Motion to accept the Financial Report as presented.

8B. Motion to approve SDSTA fiscal year 2022 budget.

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Appendix C - Financial Summaries

REPORT DATE 06/08/21

SOUTH DAKOTA SCIENCE & TECHNOLOGY

15:30

PAGE 0001

DIVISION: ALL

BALANCE SHEET

ASSETS

		AS OF 05/31/21
CURRENT ASSETS		
First Interstate Checking	\$	5,273,993.34
First Interstate Other		1,420.64

Total in Local Checking		5,275,413.98
SD Treas: Indemnification		7,500,000.00
SD Treas: Mine Closure		1,497,441.53
SD Treas: Operating		1,116,445.61
SD Treas: Sanford Gift #2		6,569.97
SD Treas: Spec Sess - Lab		660,845.00
SD Treas: Experiments		890,866.75

Total with SD Treasurer		11,672,168.86
Billed A/R		1,867,150.83
Unbilled A/R		777,747.50
Other A/R		844,996.00
Inventory - Supplies		3,261,322.97
Inventory - Warehouse		27,118.37
Other Current Assets		668,163.24

Total Current Assets		24,394,081.75
FIXED ASSETS		
Land, Underground & Other		12,633,473.13
Bldgs & Infrastructure		9,707,365.56
Improvements		64,637,443.82
Computer Equipment		570,932.90
Equipment & Fixtures		10,610,504.96
DOE Property Transfer		1,748,086.07
Accum Depr & Amort		(19,801,252.74)
DOE Prop. Accum Deprec.		(156,045.32)

Total Fixed Assets		79,950,508.38
OTHER ASSETS		
Work in Process		4,610,740.57
Pension Deferred Outflows		2,995,814.75
Xenon Purchased		8,934,350.39

Total Other Assets		16,540,905.71
TOTAL ASSETS		
	\$	120,885,495.84
		=====

DIVISION: ALL

BALANCE SHEET

LIABILITIES & EQUITY

	AS OF
	05/31/21
	<u> </u>
CURRENT LIABILITIES	
Accounts Payable	\$ 1,645,797.93
Other Payables	11,083.62
	<u> </u>
Total Accounts Payable	1,656,881.55
Accrued Payroll Liab	2,223,265.48
	<u> </u>
Total Current Liabilities	3,880,147.03
OTHER LIABILITIES	
LT Xenon Notes Payable	6,000,000.00
Pension Deferred Inflows	1,266,585.88
	<u> </u>
Total Other Liabilities	7,266,585.88
EQUITY	
Restricted: Indemnificati	7,500,000.00
Restricted: Lab	660,845.00
Restricted: Mine Closure	1,497,441.53
Restricted: Sanford Gift2	6,569.97
Restricted: Pension	1,729,228.87
Restricted: Experim. Int.	890,866.75
Restricted: Foundation	219.45
	<u> </u>
Total Restricted Funds	12,285,171.57
Investment in Gen FA	79,950,508.38
Unrestricted Funds	17,503,082.98
	<u> </u>
Total Equity	109,738,762.93
	<u> </u>
TOTAL LIABILITIES & EQUITY	\$ 120,885,495.84
	<u> </u>

ALL

STATEMENT OF INCOME

FOR THE PERIOD ENDING 05/31/21

	YR-TO-DATE
REVENUE	
DOE Subcontracts	\$ 32,188,252.27
NSF/NASA Subcontracts	1,967.60
State Revenue	5.10
Checking Interest	1,388.51
Interest Income	126,010.00

TOTAL REVENUE	32,317,623.48
DIRECT COSTS	
Direct Labor	7,855,827.65
Board of Directors	4,560.84
Capital Outlay >\$5K	2,549,816.33
Contractual Svcs	3,434,609.31
Inventory	164,413.70
Supplies	1,176,620.67
Travel - Domestic	17,530.27
Travel - Foreign	(149.16)
Utilities	2,054,679.57
Other Direct Costs	19,906.25
Unallow/Unbill Costs	270,210.06

TOTAL DIRECT COSTS	17,548,025.49
INDIRECT COSTS	
Fringe Benefits	6,114,992.23
Overhead	8,443,035.99

TOTAL INDIRECT COSTS	14,558,028.22

GROSS PROFIT/LOSS () FROM OPERATIONS	211,569.77

OTHER INCOME	
Water Treatment	226,145.64
Miscellaneous Income	23,018.80
Other Operating Income	83,666.38

TOTAL OTHER INCOME	332,830.82
OTHER EXPENSES	
Misc. Expenses & Donations	(1,500,308.53)
Loss (Gain) on Sale of FA	104,445.33
Other Unallowable Expense	156,045.32
Reclass Incr Net Assets	(755,289.90)

TOTAL OTHER EXPENSES	(1,995,107.78)
	=====
NET INCOME/LOSS ()	\$ 2,539,508.37
	=====

DIVISION: ALL

COMPARATIVE BALANCE SHEET

ASSETS

	AS OF 05/31/21	AS OF 05/31/20	\$ CHANGE	% CHANGE
CURRENT ASSETS				
First Interstate Checking	\$ 5,273,993.34	\$ 3,364,269.40	\$ 1,909,723.94	56.76%
First Interstate Other	1,420.64	12,541.73	(11,121.09)	-88.67%
	-----	-----	-----	-----
Total in Local Checking	5,275,413.98	3,376,811.13	1,898,602.85	56.22%
SD Treas: Indemnification	7,500,000.00	7,500,000.00	-	0.00%
SD Treas: Mine Closure	1,497,441.53	1,462,524.66	34,916.87	2.39%
SD Treas: Operating	1,116,445.61	798,647.59	317,798.02	39.79%
SD Treas: Sanford Gift #2	6,569.97	15,988.97	(9,419.00)	-58.91%
SD Treas: Spec Sess - Lab	660,845.00	5,261,643.00	(4,600,798.00)	-87.44%
SD Treas: Experiments	890,866.75	920,184.08	(29,317.33)	-3.19%
	-----	-----	-----	-----
Total with SD Treasurer	11,672,168.86	15,958,988.30	(4,286,819.44)	-26.86%
Billed A/R	1,867,150.83	2,047,786.19	(180,635.36)	-8.82%
Unbilled A/R	777,747.50	743,105.69	34,641.81	4.66%
Other A/R	844,996.00	515,601.62	329,394.38	63.89%
Inventory - Supplies	3,261,322.97	2,309,679.01	951,643.96	41.20%
Inventory - Warehouse	27,118.37	28,581.79	(1,463.42)	-5.12%
Other Current Assets	668,163.24	740,035.16	(71,871.92)	-9.71%
	-----	-----	-----	-----
Total Current Assets	24,394,081.75	25,720,588.89	(1,326,507.14)	-5.16%
FIXED ASSETS				
Land, Underground & Other	12,633,473.13	12,633,473.13	-	0.00%
Bldgs & Infrastructure	9,707,365.56	9,789,145.56	(81,780.00)	-0.84%
Improvements	64,637,443.82	63,059,308.67	1,578,135.15	2.50%
Computer Equipment	570,932.90	563,025.07	7,907.83	1.40%
Equipment & Fixtures	10,610,504.96	10,972,343.67	(361,838.71)	-3.30%
DOE Property Transfer	1,748,086.07	-	1,748,086.07	100.00%
Accum Depr & Amort	(19,801,252.74)	(17,948,180.61)	(1,853,072.13)	10.32%
DOE Prop. Accum Deprec.	(156,045.32)	-	(156,045.32)	100.00%
	-----	-----	-----	-----
Total Fixed Assets	79,950,508.38	79,069,115.49	881,392.89	1.11%
OTHER ASSETS				
Work in Process	4,610,740.57	2,186,236.31	2,424,504.26	110.90%
Pension Deferred Outflows	2,995,814.75	3,943,908.40	(948,093.65)	-24.04%
Xenon Purchased	8,934,350.39	8,164,350.39	770,000.00	9.43%
	-----	-----	-----	-----
Total Other Assets	16,540,905.71	14,294,495.10	2,246,410.61	15.72%
	=====	=====	=====	=====
TOTAL ASSETS	\$ 120,885,495.84	\$ 119,084,199.48	\$ 1,801,296.36	1.51%
	=====	=====	=====	=====

DIVISION: ALL

COMPARATIVE BALANCE SHEET

LIABILITIES & EQUITY

	AS OF 05/31/21	AS OF 05/31/20	\$ CHANGE	% CHANGE
CURRENT LIABILITIES				
Accounts Payable	\$ 1,645,797.93	\$ 903,314.64	742,483.29	82.20%
Other Payables	11,083.62	14,611.71	(3,528.09)	-24.15%
	-----	-----	-----	-----
Total Accounts Payable	1,656,881.55	917,926.35	738,955.20	80.50%
Accrued Payroll Liab	2,223,265.48	1,943,216.01	280,049.47	14.41%
	-----	-----	-----	-----
Total Current Liabilities	3,880,147.03	2,861,142.36	1,019,004.67	35.62%
OTHER LIABILITIES				
LT Xenon Notes	6,000,000.00	6,000,000.00	-	0.00%
Pension Deferred Inflows	1,266,585.88	783,421.31	483,164.57	61.67%
	-----	-----	-----	-----
Total Other Liabilities	7,266,585.88	6,783,421.31	483,164.57	7.12%
	-----	-----	-----	-----
TOTAL LIABILITIES	11,146,732.91	9,644,563.67	1,502,169.24	15.58%
EQUITY				
Restricted: Indemnificati	7,500,000.00	7,500,000.00	-	0.00%
Restricted: Lab	660,845.00	5,261,643.00	(4,600,798.00)	-87.44%
Restricted: Mine Closure	1,497,441.53	1,462,524.66	34,916.87	2.39%
Restricted: Sanford Gift2	6,569.97	15,988.97	(9,419.00)	-58.91%
Restricted: Pension	1,729,228.87	3,160,487.09	(1,431,258.22)	-45.29%
Restricted: Experim. Int.	890,866.75	767,010.00	123,856.75	16.15%
Restricted: Foundation	219.45	-	219.45	100.00%
	-----	-----	-----	-----
Total Restricted Funds	12,285,171.57	18,167,653.72	(5,882,482.15)	-32.38%
Investment in Gen FA	79,950,508.38	79,069,115.49	881,392.89	1.11%
Unrestricted Funds	17,503,082.98	12,202,866.60	5,300,216.38	43.43%
	-----	-----	-----	-----
TOTAL EQUITY	109,738,762.93	109,439,635.81	299,127.12	0.27%
	=====	=====	=====	=====
TOTAL LIABILITIES & EQUITY	\$ 120,885,495.84	\$ 119,084,199.48	\$ 1,801,296.36	1.51%
	=====	=====	=====	=====

COMPARATIVE STATEMENT OF INCOME

FOR THE PERIOD ENDING 05/31/21

	YEAR TO DATE	PRIOR YEAR TO DATE	\$ CHANGE	% CHANGE
REVENUE				
DOE Subcontracts	\$ 32,188,252.27	\$ 27,702,590.58	\$ 4,485,661.69	16.19%
NSF/NASA Subcontracts	1,967.60	15,790.54	(13,822.94)	-87.54%
State Revenue	5.10	2,500,000.00	(2,499,994.90)	-100.00%
Checking Interest	1,388.51	1,880.88	(492.37)	-26.18%
Interest Income	126,010.00	152,004.25	(25,994.25)	-17.10%
TOTAL REVENUE	32,317,623.48	30,372,266.25	1,945,357.23	6.41%
DIRECT COSTS				
Direct Labor	7,855,827.65	7,131,937.11	723,890.54	10.15%
Board of Directors	4,560.84	10,342.77	(5,781.93)	-55.90%
Capital Outlay >\$5K	2,549,816.33	1,605,603.26	944,213.07	58.81%
Contractual Svcs	3,434,609.31	2,543,933.32	890,675.99	35.01%
Inventory	164,413.70	177,389.10	(12,975.40)	-7.31%
Supplies	1,176,620.67	1,149,891.21	26,729.46	2.32%
Travel - Domestic	17,530.27	18,923.30	(1,393.03)	-7.36%
Travel - Foreign	(149.16)	44,042.97	(44,192.13)	-100.34%
Utilities	2,054,679.57	2,057,802.26	(3,122.69)	-0.15%
Other Direct Costs	19,906.25	78,198.49	(58,292.24)	-74.54%
Unallow/Unbill Costs	270,210.06	379,671.07	(109,461.01)	-28.83%
TOTAL DIRECT COSTS	17,548,025.49	15,197,734.86	2,350,290.63	15.46%
INDIRECT COSTS				
Fringe Benefits	6,114,992.23	5,479,945.77	635,046.46	11.59%
Overhead	8,443,035.99	7,780,367.20	662,668.79	8.52%
TOTAL INDIRECT COSTS	14,558,028.22	13,260,312.97	1,297,715.25	9.79%
GROSS PROFIT/LOSS ()	211,569.77	1,914,218.42	(1,702,648.65)	517.81%
OTHER INCOME				
Water Treatment	226,145.64	209,829.08	16,316.56	7.78%
Miscellaneous Income	23,018.80	44,668.71	(21,649.91)	-48.47%
Other Operating Income	83,666.38	1,883.79	81,782.59	4341.39%
TOTAL OTHER INCOME	332,830.82	256,381.58	76,449.24	29.82%
OTHER EXPENSES				
Misc. Expenses & Donations	(1,500,308.53)	-	(1,500,308.53)	100.00%
Loss (Gain) on Sale of FA	104,445.33	248,072.86	(143,627.53)	-57.90%
Other Unallowable Expense	156,045.32	-	156,045.32	100.00%
Reclass Incr Net Assets	(755,289.90)	(1,484,182.52)	728,892.62	-49.11%
TOTAL OTHER EXPENSES	(1,995,107.78)	(1,236,109.66)	(758,998.12)	61.40%
NET INCOME/LOSS ()	\$ 2,539,508.37	\$ 3,406,709.66	\$ (867,201.29)	-25.46%

South Dakota Science & Technology Authority
Available Resources
5/31/2021

Cash Total Checking	\$	5,273,993
Cash With State Treasurer	\$	<u>11,672,169</u>
Total Cash	\$	16,946,162
Less: Restricted Funds		
Indemnification/Mine Closure/Special Session Lab	\$	(9,658,287)
Experiments (Xenon, Interest, Infrastructure)	\$	<u>(890,867)</u>
 Total Cash Available for Infrastructure Upgrades and Authority Operations	 \$	 6,397,009
Plus: Accounts Receivable Billed	\$	1,867,151
Accounts Receivable Unbilled	\$	777,748
Less: Current Liabilities (Accounts Payable & Accrued Payroll)	\$	<u>(3,396,888)</u>
(not including accts. pay. for Experiment funding)		
Available Cash and Receivables	\$	<u><u>5,645,019</u></u>

SDSTA Operating Budget Summary FY2021
Actual vs Budget
May 2021 & YTD

	May 2021	Budget	\$ Over/Under Budget	% of Budget	Actual YTD	YTD Budget	\$ Over/Under Budget	% of Budget	% Remaining
SDSTA (Authority) Direct Charges									100%
Board of Directors	\$27,089.00	\$22,166.00	-\$4,923.00	122.21%	\$240,295.00	\$243,826.00	\$3,531.00	98.55%	1.45%
Executive Office	\$49,979.00	\$29,734.00	-\$20,245.00	168.09%	\$526,481.00	\$327,074.00	-\$199,407.00	160.97%	-60.97%
Science Center E & O	\$9,906.00	\$23,750.00	\$13,844.00	41.71%	\$57,703.00	\$58,250.00	\$547.00	99.06%	0.94%
Science Liaison	\$362.00	\$0.00	-\$362.00	100.0%	\$303.00	\$0.00	-\$303.00	100.00%	0.00%
Subtotal	\$87,336.00	\$75,650.00	-\$11,686.00	115.45%	\$824,782.00	\$629,150.00	-\$195,632.00	131.09%	-31.09%
Federal/State Funding - Direct Charges									
Fermi P.O.#649934 Prof Services	\$0.00	\$0.00	\$0.00	0.0%	\$71,762.00	\$93,972.00	\$22,210.00	76.37%	23.63%
Fermi C#630223 Ross Rehab	\$50,491.00	\$63,350.00	\$12,859.00	79.7%	\$828,319.00	\$953,524.00	\$125,205.00	86.87%	13.13%
Fermi C#654406 Ross Logist.Supp	\$0.00	\$0.00	\$0.00	0.0%	\$1,168,033.00	\$1,549,870.00	\$381,837.00	75.36%	24.64%
Fermi C#671265 Prof. St.Services	\$6,789.00	\$18,000.00	\$11,211.00	37.72%	\$143,711.00	\$179,584.00	\$35,873.00	80.02%	19.98%
Fermi C#674969 Ross Logist.Supp.	\$182,626.00	\$190,000.00	\$7,374.00	96.12%	\$279,079.00	\$316,662.00	\$37,583.00	88.13%	11.87%
Fermi Misc. Contracts	\$0.00	\$5,000.00	\$5,000.00	0.0%	\$25,968.00	\$109,000.00	\$83,032.00	23.82%	76.18%
Office of Science Coop.Agree	\$1,308,624.00	\$1,213,191.00	-\$95,433.00	107.87%	\$13,673,821.00	\$14,245,946.00	\$572,125.00	95.98%	4.02%
Office of Science IIP Projects	\$362,907.00	\$362,907.00	\$0.00	100.0%	\$3,461,302.00	\$3,590,178.00	\$128,876.00	96.41%	3.59%
LBNL SIGMA-V C#7371823	\$3,349.00	\$15,000.00	\$11,651.00	22.33%	\$259,828.00	\$301,000.00	\$41,172.00	86.32%	13.68%
LBNL LZExp. Operat. C#7525117	\$78,570.00	\$85,000.00	\$6,430.00	92.44%	\$807,841.00	\$930,100.00	\$122,259.00	86.86%	13.14%
MJD (Majorana) ORNL144149	\$1,461.00	\$2,000.00	\$539.00	73.05%	\$19,457.00	\$22,000.00	\$2,543.00	88.44%	11.56%
BHSU-UGCampus Gen.Serv.	\$0.00	\$200.00	\$200.00	0.0%	\$3.00	\$2,200.00	\$2,197.00	0.14%	99.86%
SDSM&Tech CASPAR Gen.Serv.	\$0.00	\$500.00	\$500.00	0.0%	\$1,266.00	\$5,500.00	\$4,234.00	23.02%	76.98%
* Kiewit/Aiberici JV/Thyssen	\$4,217.00	\$4,900.00	\$683.00	86.06%	\$35,830.00	\$36,513.00	\$683.00	98.13%	1.87%
RESPEC Thermal Breakout	\$0.00	\$0.00	\$0.00	0.0%	\$6,891.00	\$7,000.00	\$109.00	98.44%	1.56%
Subtotal	\$1,999,034.00	\$1,960,048.00	-\$38,986.00	101.99%	\$20,783,111.00	\$22,343,049.00	\$1,559,938.00	93.02%	6.98%
Indirect Expenses									
Indirect Charges Personnel	\$454,141.00	\$456,050.00	\$1,909.00	99.58%	\$5,156,974.00	\$5,282,995.00	\$126,021.00	97.61%	2.39%
Indirect Charges Other	\$467,922.00	\$604,533.00	\$136,611.00	77.4%	\$5,158,888.00	\$6,152,791.00	\$993,903.00	83.85%	16.15%
Subtotal	\$922,063.00	\$1,060,583.00	\$138,520.00	86.94%	\$10,315,862.00	\$11,435,786.00	\$1,119,924.00	90.21%	9.79%
Totals	\$3,008,433.00	\$3,096,281.00	\$87,848.00	97.16%	\$31,923,755.00	\$34,407,985.00	\$2,484,230.00	92.78%	7.22%
* Private Corporations (Commercial Group)									

SDSTA CAPEX Budget Summary FY21
Actual vs Budget
May YTD FY2021

<u>Budget Area</u>	<u>Actual Month</u>	<u>FY2021 Monthly Budget</u>	<u>\$ Over/Under Budget</u>	<u>% of Budget</u>	<u>Actual YTD</u>	<u>FY2021 YTD Budget</u>	<u>\$ Over/Under Budget</u>	<u>% of Budget</u>	<u>% Remaining</u>
									100.00%
Operational CAPEX	\$ 483,485.65	\$ 500,000.00	\$ 16,514.35	96.70%	\$ 4,610,740.57	\$ 5,068,074.00	\$ 457,333.43	90.98%	9.02%
TOTAL CAPEX	<u>\$ 483,485.65</u>	<u>\$ 500,000.00</u>	<u>\$ 16,514.35</u>	<u>96.70%</u>	<u>\$ 4,610,740.57</u>	<u>\$ 5,068,074.00</u>	<u>\$ 457,333.43</u>	<u>90.98%</u>	<u>9.02%</u>

SD Science & Technology Authority
Operational CAPEX Budget
YTD FY2021 Actual vs Budget

Project #	Project Description	May YTD FY2021	FY2021 Budget	\$ Over/UnderBudget	% of Budget	% Remaining
						100%
CAP2014-01	Sanford Visitor Center Sign/Display	\$ 422.50	\$ 54,000.00	\$ 53,577.50	0.78%	99.22%
CAP2016-03	LZ Xenon Gas	\$ 111,986.31	\$ 234,000.00	\$ 122,013.69	47.86%	52.14%
CAP2019-01	Maintenance Support Facility	\$ 4,498,331.76	\$ 4,780,074.00	\$ 281,742.24	94.11%	5.89%
	Totals	\$ 4,610,740.57	\$ 5,068,074.00	\$ 457,333.43	90.98%	9.02%

SD Science & Technology Authority
Operational CAPEX Budget
Monthly Actual vs Budget

Project #	Project Description	May FY2021	Budget	\$ Over/UnderBudget	% of Budget
CAP2014-01	Sanford Visitor Center Displays/Monitoring	\$ -	\$ -	\$ -	
CAP2016-03	LZ Xenon Gas	\$ -	\$ -	\$ -	
CAP2019-01	Maintenance Support Facility	\$ 483,485.65	\$ 500,000.00	\$ 16,514.35	96.70%
	Monthly Totals	<u>\$ 483,485.65</u>	<u>\$ 500,000.00</u>	<u>\$ 16,514.35</u>	<u>96.70%</u>

SDSTA Operating Budget Summary FY2022

July 2021 - June 2022

Administration Budgets	Sources of Revenue		Total Budget \$ FY2022	Budget \$ FY2021	Difference	Details on Differences
	Federal Funding	SDSTA Funds				
Board of Directors		\$246,000	\$246,000	\$266,000	(\$20,000)	Reduction for Subc. with Dialogue
Executive Office (Includes SURF Foundation Expenses/Xenon Interest/Insurance)		\$897,905	\$897,905	\$356,806	\$541,099	Increases for Xenon Insurance/Interest, Ethnobot. Garden Design, AiR Program, SLHVC Exhibits-CAPEX Folded into Exec.
Science Liaison - Collecting Liquid Nitrogen Costs (bill to contract users)		\$0	\$0	\$0	\$0	No Change
Science Center E & O		\$111,000	\$111,000	\$82,000	\$29,000	Increase showing gross budget before Foundation Funding
Total		\$1,254,905	\$1,254,905	\$704,806	\$550,099	
Science C.E & O (Approx. \$14,000 from Chris B./Jack H. Memorials) Davis B. \$15,000 Outside Funding-Through SURF Foundation						
Total Authority Operating Budgets	\$0	\$1,254,905	\$1,254,905	\$704,806	\$550,099	
Federal Funding (includes Indirect Budget)	\$43,420,494		\$43,420,494	\$43,218,035	\$202,459	See Details on Difference on Next Tab
CAPEX Budget Folded into SURF Admin. Budget -Exec. Office		\$0	\$-	\$7,189,826	\$(7,189,826)	Folded into Exec. Office Budget Above
Total for Approval	\$43,420,494	\$1,254,905	\$44,675,399	\$51,112,667	(\$6,437,268)	

Total FTE

SDSTA Funds 1.5 FTE + 8 Interns
Other & Indirect 186.5

SDSTA Funds includes funding from GOED for Xenon Interest

Total FTE 188 Net Increase of 7 FTE

SDSTA
FY2022 Budget

<u>Funding Source</u>	<u>P.O/Subc.</u>	<u>FY22 Amount</u>	<u>FY21 Amount</u>	<u>Difference</u>	<u>Details on Differences</u>
					Increases for Regular Operations + 5% Ross Crew - \$852,073;
CA Cooperative Agreement	DE-SC0020216	27,285,990	27,440,319	(154,329)	Decreases in IIP Funding - (\$1,006,402)
LBNL LZ Experiment Support/Research Grant	7525117/New Subc.	476,051	605,270	(129,219)	Construction Complete Just Support
SIGMA-V	7371823	233,058	235,180	(2,122)	Just Support- Insignificant Change
Fermi Ross Logistics Support (Ross Rehab Final)	630223/654406	2,640,938	2,895,079	(254,141)	Ross Rehab Almost Complete - Insignificant Change
Fermi Engineer Support	671265	123,830	200,155	(76,325)	Less Support Required - Dave Vardiman Retired not Replaced
SDSM&Tech. - CASPAR	PHY-1615197	-	9,000	(9,000)	CASPAR No Longer on Site
Oak Ridge N.L. MJD	144149	21,000	21,000	-	New Contract
Thyssen Mining (Property/Equip. Lease)	Lease	54,120	-	54,120	New Contract
RESPEC	03506A	10,000	-	10,000	New Contract
Caterpillar	Lease	150,000	-	150,000	New Contract
					Increases in FTE, Emp. Training, Insurance, IT Software Renewal
					Fees, IT Equip. (New Phone System), Legal Consult, Misc. Contr. -
					Access Control System/ISO Cert., Work Wear, Web Site
Indirects		12,425,508	11,812,032	613,476	Development
				-	
Totals		<u>\$ 43,420,494</u>	<u>\$ 43,218,035</u>	<u>\$ 202,459</u>	

Executive Director's Report—Mr. Mike Headley

The Executive Director's Report includes the following: *(See suggested motion below.)*

- 9A. Declaration of Surplus (4)—Aurora generator, legacy Homestake table saw, Troll water sampler and Seepex pump, informational.
- 9B. SDSTA quarterly update—report attached, informational.
- 9C. IDEA/E&O update—informational, Ms. Deb Wolf.
- 9D. SURF Artist-in-Residence update—informational, Ms. Gina Gibson.

Recommended Action:

Motion to accept the Executive Director's Report as presented.

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DECLARATION OF SURPLUS PROPERTY

The South Dakota Science and Technology Authority (SDSTA) owns an Aurora generator (Asset No. GN-XXB99-05). The generator was used underground but has been out of service since 2015. The generator's exhaust gas gets extremely hot and is a fire hazard. It is unsafe to operate—it will be scrapped.

Having no further use for this property, I hereby declare the Aurora generator to be Surplus Property.

Dated at Lead, South Dakota this 24th day of May, 2021.



Mike Headley
SDSTA Executive Director

DECLARATION OF SURPLUS PROPERTY

The South Dakota Science and Technology Authority (SDSTA) owns an In-Situ Inc. Troll 9500 Water Sampler. It was purchased in 2008 with the intent to measure pH and ammonia in the water. The waste water treatment plant has been using other water samplers instead. The Troll 9500 water sampler is in its original box and can be used by a small water district. It will be surplus using the standard bid process.

Having no further use for this property, I hereby declare the Troll 9500 Water Sampler to be Surplus Property.

Dated at Lead, South Dakota this 28th day of May, 2021.



Mike Headley
SDSTA Executive Director

DECLARATION OF SURPLUS PROPERTY

The South Dakota Science and Technology Authority (SDSTA) owns a Greenlee Bros. table saw (Serial No. 70301). The legacy Homestake saw was used at the Sawmill but has been placed out of service. It is unsafe to operate and will be scrapped.

Having no further use for this property, I hereby declare the legacy Homestake saw to be Surplus Property.

Dated at Lead, South Dakota this 28th day of May, 2021.



Mike Headley
SDSTA Executive Director

DECLARATION OF SURPLUS PROPERTY

The South Dakota Science and Technology Authority (SDSTA) owns a Spinpro 200gpm Seepex Pump and assembly. The pump was used at the waste water treatment plant but has been placed out of service. It is no longer operable and is not cost effective to repair. The pump and assembly are currently valued at \$8,153.91 and will be sold for scrap metal.

Having no further use for this property, I hereby declare the Spinpro Seepex Pump and assembly to be Surplus Property.

Dated at Lead, South Dakota this 28th day of May, 2021.



Mike Headley
SDSTA Executive Director

DECLARATION OF SURPLUS PROPERTY

The South Dakota Science and Technology Authority (SDSTA) owns a Lull 54ft telescopic forklift that is inoperable. It is valued at less than \$5k after depreciation and would cost more to repair than it would to use its value as a trade in.

SDSTA considers the forklift as surplus and will use the trade in value towards the purchase of a Caterpillar TL1255C telescopic forklift (telehandler) being leased by SDSTA since October 2020 from Dakota Equipment Rental.

Having no further use for this property, I hereby declare the Lull telescopic forklift surplus property.

Dated at Lead, South Dakota this 16th day of June, 2021.



Mike Headley
SDSTA Executive Director

March 2021 – May 2021 Progress Report

Submitted June 16, 2021

Submitted to:

South Dakota Science and Technology Authority Board of Directors

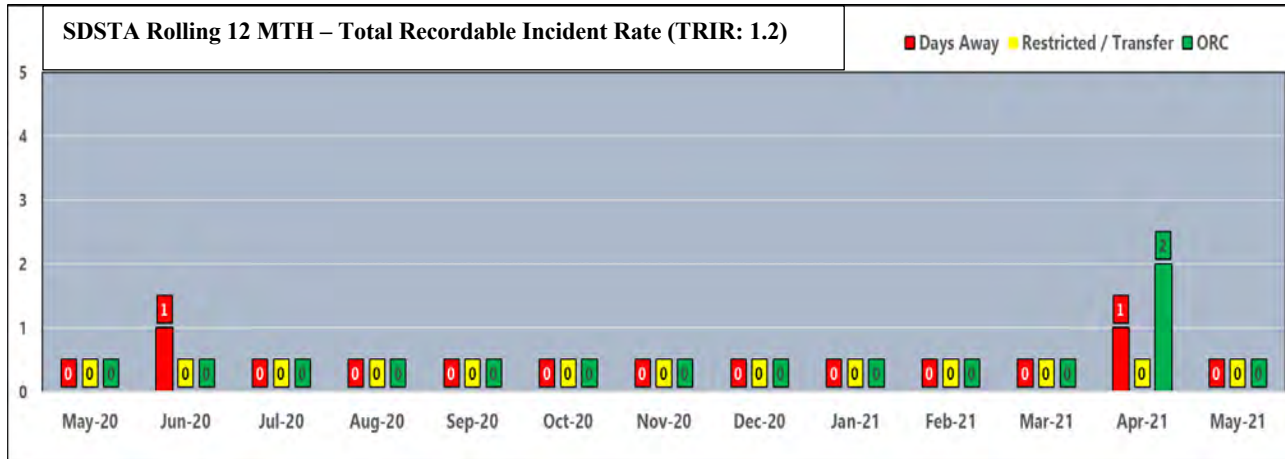
Mike Headley

SDSTA Executive Director

Sanford Underground Research Facility Laboratory Director

Environment, Safety and Health (ESH) Status

Health and Safety Status



Days Away Restricted Transferred (DART)
Other Recordable Cases (ORC)

March 2021 - May 2021 DARTs/TRC

- No events to report.

March 2021 - May 2021 First Aid Cases

- 03/11: SDSTA ~ Struck by ERT training equipment; bandaid applied.
- 03/25: Contractor ~ Pinched finger; bandaid applied.
- 04/22: SDSTA ~ Trip and fall to same level; ice pack and wrap applied.
- 05/13: SDSTA ~ Strained ankle; ice pack and wrap applied.
- 05/24: SDSTA ~ Pinched finger; bandaid applied.

March 2021 - May 2021 Category 1 or 2 Events

- No events to report.

March 2021 - May 2021 Category 3 Events

- 04/06: SDSTA DART~ Strain to lower back; Medical evaluation conducted at local clinic. Prescription medication prescribed.
- 04/18: SDSTA ORC ~ Twisted ankle; medical evaluation conducted at local clinic. Prescription medication prescribed.
- 04/21: SDSTA ORC ~ Debris to eye; medical evaluation conducted by onsite occupational health nurse and at local medical clinic. Prescription medication prescribed.

ESH Support

- John Sheetz, SDSTA Environmental Manager, retired in June. Timm Comer, the new Environmental Manager, started in March to allow time for crosstraining with Mr. Sheetz.
- Julie Ewing, former Health & Safety Superintendent, was promoted to ESH Director in March.
- Pete Girtz, former Plans, Programs and Training Supervisor, was promoted to ESH Deputy Director in April.
- Michelle Andresen, former Administrative Assistant, was promoted to Construction Safety Coordinator (newly created position) in May.
- Intern Kassandra Herding joined the ESH team for the summer, May-July.

Work Accomplishments

- ESH Chapter updates approved by the SDSTA Change Control Board (CCB) :
 - Disablement and Impairment Chapter
 - Severe Weather Chapter
 - Personal Protection Equipment Chapter
- Conducted first quarter underground emergency evacuation drill.
- Conducted annual employee respirator fit testing.

- Conducted site specific training for the Sanford Lab Homestake Visitor Center Trolley tours.
- Received new Ocenco self-contained self-rescuer units; training implemented for users.
- Reviewed Thyssen Mining Inc. (TMI) Site Safety and Environmental Plan for compliance.
- Facilitated the development of SOPs/JHAs and training in support of the Ross Hoist upgrades.
- Performed deep dive into contractor safety and leading indicators.
- Conducted Guide Train the Trainer training for Fermilab Research Alliance (FRA)/TMI/Kiewit Alberici Joint Venture (KAJV) support.
- Reviewed blasting process with TMI/FRA/KAJV to include notification and communication procedures.
- ERT acquired inspection software for life saving equipment to ensure accountability and compliance control.
- ERT received replacement rescue ropes/ascent devices and began comprehensive training.
- All full-time ERT staff are now certified with the national registry of EMTs at paramedic, advanced EMT, EMT or EMR level.
- Developed and approved the liquid scintillator authorization to proceed for LZ.
- Participated in joint investigations with FRA regarding unwanted events during commissioning of Ross hoist.
- Evaluated the E&O onsite school site visit process to incorporate COVID-19 controls.

Upcoming Activities/Trainings

- Human Performance Improvement (HPI) Refresher Course (June)
- Fall Protection Training/Certification (June)
- Office of Risk Management onsite visit (June)
- Preparations for ERT and Industrial Hygiene Neutrino Day activities (July)

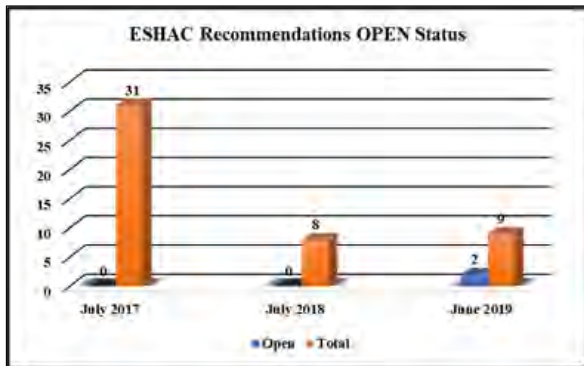
Wellness Initiatives

- Employee Wellness Safety Initiative Survey (June)
- National Safety Month weekly articles in Deep Thoughts newsletter (June)
- Onsite Blood Drive (July)

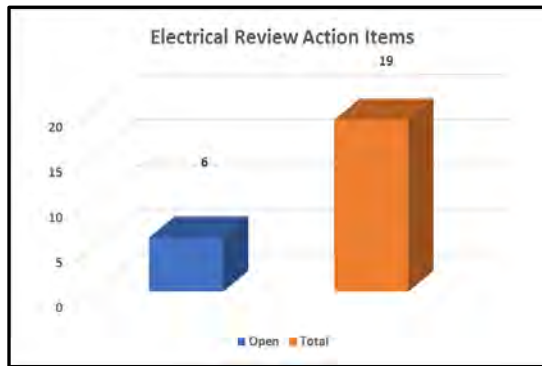
Environmental Support

- The Storm Water Pollution Prevention Plan was updated to account for site changes due to construction and other activities.
- The annual Waste Water Treatment Plant (WWTP) permit, sampling and laboratory compliance training was provided to WWTP operators.
- Information was provided to Banner Associate, Inc., for the Rotating Biological Contactor (RBC) Replacement Study for the WWTP.
- The SD State Historic Preservation Office was on site for a surface tour of the facilities, including the Ross Pipe Shop located within the Ross Complex. A Section 106 Project Review Form was submitted to the State Historic Preservation Office for the plan to demolish the Ross Pipe Shop located within the Ross Complex.
- A memo was provided to Lawrence Berkeley National Laboratory that summarized the Whole Effluent Toxicity (WET) testing of Gadolinium Loaded Linear Alkyl Benzene (Gd-LAB). This testing is recognized by the U.S. Environmental Protection Agency (EPA) as a standard for determining aquatic toxicity in water.
- EPA approved Underground Injection Control permit to inject fluids underground associated with the LBNF project (both borehole and mining).
- Used oil with polychlorinated biphenyls (PCBs) and old electrical switches, transformers and capacitors from the Ross Hoist were shipped from the site for disposal at an approved facility.
- Staff obtained Opacity Reading Certification from the state valid for six-months.

Third Party Review Recommendations Status



(*No ESHAC reviews conducted during 2020)



Surface and Underground Operations Status

Yates Shaft

Work Accomplishments

- A total of 1,674 loads were handled through the shaft year to date. This quarter included: 400 bags of shotcrete, 6 CAT UTVs, 56 barrels of liquid scintillator and seven packs of xenon (Xe).
- Top Down Maintenance (TDM) activities resumed in the cage compartment with 42 sets remaining to reach the 4850L.
- A detailed plan and schedule were completed for TDM in the northeast utility compartment
- New fiber line was installed at the 800L.

Upcoming Activities

- Complete fiber installation in the Yates Shaft to the 4850L.
- Finalize engineering design of the work platforms for TDM.
- Identify and order tools for TDM to be used in the northeast utility compartment.

Ross Shaft

Work Accomplishments

- The new Ross cage and skips were commissioned.
- New limit switches were installed in the headframe and at the skip loader.
- Headframe guides and brattice were installed.
- Tiley accelerometer testing was completed in both cage and skip compartments.
- Slack rope damaged south skip rope – bad spot cut out and new smelter socket installed.

TMI test blast. Upcoming Activities

- Complete Tiley punch list items in the Ross Shaft.
- Support hoist and shaft production.
- Transport KJAV and TMI for equipment mobilization.
- TMI breakthrough of pilot hole on the 4850L – reaming of raisebore full diameter.

Hoist Maintenance

Work Accomplishments

- The bi-annual non-destructive testing (NDT) hoist rope inspections were completed on all hoists; there were no issues.
- Ross rope was cut to balance skipping system.
- Fiber was changed out to #5 Shaft and tailings dam.
- Damaged fiber lines were replaced at the 300L portal feeding the Oro Hondo fan; communication is back online.

- Annual preventive maintenance (PM) on the surface and underground generators were completed.
- Yates west ore hoist motor generator (MG) set was removed and is being sent for cleaning and repairs.

Upcoming Activities

- Replace Yates MG set on west ore hoist.
- Install Oro Hondo fan encoder.
- Perform preventive maintenance activities—ongoing

Underground Hazard Mitigation

Work Accomplishments

- Crews mobilized to the Ross Shaft and began Phase #2 of the Water Wall Infrastructure Improvement Project. The 3500L wall is complete and the three walls on the 3800L are in progress.
- Maintenance and legacy pipe removal began on the 1550L.
- Ground support installation began in the transportation corridor on the 1700L.
- Support continued for the SIGMA-V core drilling project along with installation of ground support on the 4100L.

Upcoming Activities

- Continue Phase #2 of the Water Wall Infrastructure Improvement Project.
- Continue maintenance and pipe removal on the 1550L.
- Demobilize the core driller for the SIGMA-V project on the 4100L.
- Continue advancing the SIGMA-V project on the 4100L.

Surface Operations and Utilities Support

Davis and Ross Campus

Work Accomplishments

- Quarterly air handling equipment and fire alarm preventive maintenance activities continued with vendors.
- Oxygen monitors in the Davis Campus have been calibrated and some replaced to ensure any low oxygen events are detected and alarm notifications are sounded.
- CASPAR decommissioning is completed.

Upcoming Activities

- Support upcoming CASPAR activities.
- Continue support of increased LZ outfitting.
- Plan for Chiller #3 replacement.

Surface Facilities/Buildings and Grounds

Work Accomplishments

- The SDSTA completed all seven (7) day, thirty (30) day, and annual (360) day preventative maintenance activities. Boart drill and jackleg repairs continue.
- In support of Sanford Lab recycling efforts, 1,500 pounds of spent batteries were gathered and 22 gaylords of material were shipped off site. An additional 18 gaylords were filled with recycle material.
- The Ross Complex waterline upgrade project is completed.
- The Yates Cage Hoist MG refurbish project is completed.
- Storm water discharge areas throughout the site were inspected and repaired.
- To date 2,187 items have been added as “assets” to the asset management system (ManagerPlus).
- A new shaft compressor unit was installed on the North side of the Ross Headframe for redundancy to the air supply in the shaft and various levels.

Upcoming Activities

- Perform preventive maintenance activities—ongoing.
- Assist with logistics associated with Headframe Security Upgrades.
- Continue office and equipment moves to the new Maintenance Support Facility.
- Continue to migrate and upgrade ManagerPlus to the cloud.

- Participate in Hoist Operator and maintenance training on new systems at the Ross Hoist.
- Perform summer operations activities.

Dewatering

Work Accomplishments

- Performed preventative maintenance on pumps and pumping apparatus.
- Completed installation of the air-lines to three new refuge chambers on the 1250L, 2450L and 5000L; monitoring continues.
- Repaired valves on the pressure reducing stations in both Yates and Ross Shafts.

Upcoming Activities

- Continue scheduled preventative maintenance activities.
- Continue to work with UMC to install a two-inch air-line to the 4850L Refuge Chamber.
- Continue to assist FRA/KAJV/TMI with relocation and temporary installation of water lines.
- Continue planning and preparations for the Yates sump pump vertical discharge line.
- Plan and begin preparations for a pump change out on the 3650L pump room.

Waste Water Treatment Plant (WWTP)

Work Accomplishments

- As of June 7, the water level in the underground pool was at 6,028 feet— net gain for the quarter was 138 feet. This is the deepest the pool has ever been pumped down since the re-opening of the facility. Underground water infiltration continues to maintain at approximately 3000 GPM. A large portion of the infiltration was captured on the 2000L and pumped to the surface thereby reducing the amount of water that normally would report to the deep underground pool.
- Modifications to the control system to allow specific functions to be operated from off-site advanced as planned—there were four off hour call-outs for the quarter. The WWTP has not discharged any water to the sanitary sewer for over four years. The team continues to balance water sources to manage temperatures.
- In cooperation with Barrick, for ongoing summer operations, the WWTP passed the second quarter Whole Effluent Toxicity (WET) test.
- The WWTP team fabricated and installed an additional filter to pre-clean the water collected from ground infiltration and backwash water from existing filters. This has exceeded expectations and this water is being recirculated into the WWTP with positive effects.
- Last quarter, the WWTP Operators relocated the electro-winning process to another location in the WWTP. It has allowed easier access for the MJD experimenters and relocation has proven to be a success.

Upcoming Activities

- Continue to monitor and sample the underground wastewater treatment plant located on the 4850L.
- Continue neutralizing acid from the MJD experiment.
- Continue SURF grounds maintenance.
- Enhanced turbidity in the underground water has increased the number of backwashes in the Yardney filters to twice daily.

Transportation and Mobile Equipment

Work Accomplishments

- The team performed vehicle preventative maintenance actions and repairs to fleet vehicles.
- Underground locomotives, support equipment including air compressors, loaders and rail cars were maintained.
- Summer maintenance equipment has been inspected and ready for use.

Upcoming Activities

- Continue repairs on the walk behind skid steers and two-yards loader located on the 4850L.
- Disassemble the Fletcher Bolter, relocate to another level and reassemble.
- Monitor the Ingersoll Rand air compressor at the Ross Headframe.

Electrical and Cyber Infrastructure

Work Accomplishments

- The team continues to review and modify the underground communications infrastructure to ensure each level has voice over IP (VoIP) and FEMCO (i.e. twisted pair) phones at each underground facility level.
- Various preventative maintenance activities were performed.
- The team continued to work with KAJV to establish construction power on the 4850L near the Ross Station.
- Upgrades to the Yates 4100L and 1700L Stations continued.

Upcoming Activities

- Continue camera replacements to the pump rooms and the WWTP.
- Continue to assist with the Oro Hondo variable frequency drive troubleshooting.
- Replace and install additional fiber optic cable in the Ross and Yates Shafts on the 800L, 1700L and 4100L.
- Plan and develop temporary power for the Ross Headframe area to support air compressor upgrades.

Engineering Support

Work Accomplishments

- The Yates Shaft Rehabilitation Feasibility Study RFP (Request for Proposal) was awarded to Stantec on June 1. A kickoff meeting is being scheduled for this month.
- A plan for conducting Yates Shaft NE corner TDM of the utility and runabout compartments was completed. Appropriate tools, mobile platform access, utility guarding, project scheduling, and updates to SOPs and JHAs are progressing to support starting this work in Summer 2021.
- Ross/Yates Hoistroom Building Roof Drains & Tuckpointing design package was re-scoped, and awarded to TSP, Inc. The design is 95% complete. A project design package was submitted to DOE for technical review and approval.
- The contractor for the Ross/Yates Headframe Security Project has completed the overhead door installation on both headframes. Personnel door installation is ongoing and should be completed this month.
- A 4850L Laboratory Expansion Feasibility Assessment Request for Proposal (RFP) package was issued to the same firm selected for the Yates Shaft Rehabilitation study. The project was awarded with the Yates Shaft Study; the kickoff is being scheduled.
- Davis Campus Chiller #3 Replacement was awarded and the contractor has replaced the desiccant wheel. The Chiller has been delivered to site and installation is scheduled for mid-June.
- The Yates Complex Waterline Replacement Project has been advertised. Proposals were received June 2. The selection process is ongoing.
- The new Ross Compressor Building was delivered onsite. All hookups and commissioning were completed.
- 3650L Pump Room Rehabilitation Design Scope of Work was awarded to West Plains Inc. The design kickoff will be held in June.
- All waterwalls have been completed as part of Phase I of the Water Inflow Recap Project. Phase II, which focused on the Ross Shaft side, was authorized by DOE and work has commenced.
- Baseline readings for the reactivation of the Davis Campus Extensometer Array project has been completed. Blasting operations are being awaited to collect updated information with active blasting.

Quality Assurance / Quality Control

Work Accomplishments

- Management Review training and Nonconformance/Corrective Action training have been created and published.
- A rough draft of the Integrated Management System Manual has been established to outline operations in support of the Integrated Management System and International Organization for Standardization (ISO) certification.
- Rectification of differences between recorded Manager Plus identification information for calibrated instruments and the physical identification of calibrated instruments has begun.
- Supporting ISO certification documentation is at 52% complete.

Upcoming Activities

- Continue to prepare supporting ISO certification documentation for Stage One ISO Audit.
- Complete QA/QC Reports for the Maintenance Shop Facility and Headframe Security Projects.
- Initiate QA/QC reporting for the Yates Waterline and Phase II Waterwall Projects.

Science Support Status

- Science Director Jaret Heise participated in the South Dakota Research and Commercialization Council reviews that recommended full funding for three Governor research centers (none are expected to have activities at SURF).
- The SURF User Association Executive Committee held the second quarterly meeting in early June. In addition to setting the dates for the annual general users meeting (September 28-29), a separate workshop is being organized that focuses on the vision for underground science that will inform SURF's strategic planning as well as the high energy physics Snowmass process. The Association charter is being updated to broaden membership.
- The charter for the new SURF Science Program Advisory Committee (SPAC) was approved and some input was received on potential members (up to 14 individuals representing all SURF research disciplines).
- Facility highlights: A new metal sink was installed in the Davis Campus replacing the original particle board unit that had some water damage (some leaks in the MJD water purification system occurred during the installation). Orientation/Guide walks along the 4850L emergency egress route between the Davis Campus and the Refuge Chamber continue to be conducted by Science Department personnel. With experiment decommissioning/mothballing complete, the Ross Campus HVAC system was placed into "non-occupied mode" – air handling systems and sensors were sealed, and the water supply was turned off.
- Interruptions: There were a few HVAC issues mostly at the Davis Campus, including modest elevated humidity due to planned desiccant replacement and dehumidifier compressor issues (which is slated to be replaced in June).

LUX-ZEPLIN—LZ

- Shipments of purified xenon from SLAC continue to arrive at SURF, and the May shipment brings the onsite inventory to 58% of the total. One pack of "dirty" xenon used for initial commissioning was returned to SLAC for processing. At SLAC, 80% of the xenon has been successfully processed at better than requirement level.
- Testing with cold gaseous xenon inside the detector continues in order to monitor for leaks, track impurities and radon concentrations, and perform thermodynamics measurements. Initial tests of detector high voltage grids were completed. The first liquifying trials are expected in June once logic programming is fully validated.
- SURF issued authorization for outer detector activities, including transport of Gd-loaded liquid scintillator (GdLS) underground and filling the shielding tank (water + GdLS). The first bulk shipment of 56 drums of liquid scintillator (of 120 total) was received at SURF in mid-May, and initial sampling checks were performed at the Surface Laboratory to confirm quality had been maintained through transport and offsite storage.
- Water tank systems are complete, including photomultiplier tube cabling, and final cleaning is underway. Test fills involving the ultrapure water system (and water tank plumbing) as well as the liquid scintillator filling system were performed. Filling of the acrylic vessels inside the water tank with liquid scintillator started in early June.
- Various calibration activities were conducted, including a Rn-220 injection into gaseous xenon, Th-228 to help understand backgrounds in the water tank, and a new source that uses yttrium-beryllium (YBe) and liquid scintillator inside an acrylic plug to produce light inside the water tank.

MAJORANA DEMONSTRATOR—MJD

- All of the MJD enriched germanium detectors were removed from their cryostats and shipped offsite for use in LEGEND-200 in the Gran Sasso underground laboratory after vendor preparations. Seven LEGEND-200 enriched Ge detectors were also removed and shipped offsite after testing at SURF.
- Additional items were shipped to ORNL to support detector characterization efforts at that location; another system remains at SURF for future LEGEND-200 detector characterization (schedule TBD).
- One module with 23 natural Ge detectors was returned to the main shield in April (muon veto and calibration systems were also re-established). Studies in this configuration are expected to continue through 2021.
- Copper electroforming continues, including new rounds this quarter in all three baths at the Davis Campus. There has been no copper machining since late March due to scheduling difficulties with the contractor machinist.

- Some discussions have been held regarding future activities at SURF. An MOU is being drafted to reflect support for copper electroforming associated with the LEGEND experiment through 2025; a separate MOU for Demonstrator activities is expected to have a shorter horizon.
- The Nuclear Science Advisory Committee (NSAC) is advertising a ton-scale neutrinoless double-beta decay review for July as well as a North American/European summit in September.

Low-Background Counting

Black Hills State University Underground Campus—BHUC:

- Assay counting resumed at the Davis Campus in March after being suspended at the Ross Campus in July 2020 (the first sample counted at the Davis Campus was material for LEGEND).
- The oxygen deficiency hazard analysis was updated to support an additional liquid nitrogen (LN) dewar in the low-background counter space at the Davis Campus to provide higher and more consistent purge flow as well as the ability to dispense liquid. Further considerations are underway to relocate LN storage outside the clean space.
- For the LBNL-managed systems, the single-crystal detectors are collecting background and calibration data. Backgrounds on one detector (Morgan) appear to be better than when it was at the Ross Campus, and another is likely to be better with improved nitrogen purge (Maevé). A new copper sample holder was installed in a third detector (Mordred), and its shield will be re-configured this summer to reduce backgrounds. Additional integration work for the data acquisition system is needed for the dual-crystal system.
- Cooling and high voltage tests in April and May confirmed that the Ge-IV detector needs further repairs. The detector was shipped to the vendor in early June, and return is not expected for at least one month. Copper shielding associated with the Ge-IV system was cleaned offsite at BHSU, and troubleshooting was performed on the detector dewar to determine if a discovered leak was responsible for excessive liquid nitrogen losses.
- The second of two detectors for the LLNL dual-crystal system is expected to return from France this summer, and group representatives are considering a trip to SURF in July.

SIGMA-V

- At the new 4100L testbed site, six of nine drill holes are complete, including all holes at two of the three locations. Drill core from the new holes is being stored in the surface core archive.
- Development at the new site has been slowed due to mechanical issues with the drill rig (requiring the unit to be rebuilt at the contractor's headquarters in Colorado) as well as with the grout and casing seal (additional products have been identified and are being tested). Drilling is expected to be complete in late June or early July.
- Details of initial experiment monitoring activities are being developed for review by SURF.

Compact Accelerator System for Performing Astrophysical Research—CASPAR

- Production data collection that started February 2018 ended March 21, 2021. Targets incl: N-14, B-11, Al-27 (calibration), Ne-22 (gas), O-18, Li-7, Ne-20 (backgrounds), Ne-22 (solid). Between five and seven scientific papers are planned for publication resulting from the three years of production operation.
- SURF approved the CASPAR decommissioning statement with most equipment remaining in the current 4850L Ross Campus laboratory space for future use at SURF (some items backfilled with nitrogen gas). The last offsite shipments were completed April 21 (note that the first CASPAR equipment loads arrived at SURF July 13, 2015).
- While the DIANA proposal was rejected for NSF mid-scale funding (~\$20M), the group expects to pursue modest NSF funding to optimize the existing accelerator for low-energy, high-current performance to compliment the global UG accelerator program (JUNA currently operating in China, LUNA-MV soon to operate in Italy).

Other Current Research Activities

Physics

- TESSERACT (low-mass dark matter): Discussions were held with representatives in advance of a project DOE review held in early June. The DOE funding profile suggests experiment fabrication starting in FY25, but a technically-driven schedule could see installation of equipment beginning at SURF in 1-2 years.

Geology

- GEOX™: In conjunction with SURF operations personnel, representatives installed a new airflow monitor on the 1700L and swapped monitor batteries at a remote 4850L location. Implementation documents are being updated.

Engineering

- Thermal Breakout: SURF completed the first 6 (of 12) shallow holes (2.5-inch diameter, ~25 feet long) at a site near the Yates Shaft on the 4100L. Longer and larger diameter holes will be drilled in the summer by a contract driller. Laser scans and camera footage of existing SIGMA-V holes were collected in late April.
- Other: A meeting was held with the Distributed Acoustic Sensing (DAS) group regarding a 3D optical-fiber system proposed for seismic monitoring (location TBD; funding via Air Force Research Laboratory). There was also interest from a UC San Diego group, which is part of a larger IRIS/USGS global seismographic network supported in part by the NSF (and synergies with SIGMA-V). Updated documents were received from Dakota Territory Resource Corporation for SURF review (surface core archive access, proprietary).

Contract-to-date Work Plan Variances

- Labor shows an underrun of \$40k.
- Nonlabor shows an overrun of \$162K. This was due to \$137k from the FY2020 underrun spend plan and \$20k for equipment that was planned in December.

Financial Status

Included in the Financial Report are the following:

- Cooperative Agreement (CA) SURF Services FY2021 (federal fiscal year) SPA Curve as of May 2021 (included as Appendix B at the end of the report)
- Financial Summary (included as Appendix D at the end of the report)
 - 1) Balance Sheet as of May 2021
 - 2) Comprehensive Statement of Income May 2021
 - 3) Comparative Balance Sheet – May 2021 vs. May 2020
 - 4) Comparative Statement of Income – May 2021 vs. May 2021
 - 5) Available Resources as of May 2021
 - 6) Operating Budget Summary
 - 7) CAPEX May 2021 Budget Summary
 - 8) May 2021 and YTD CAPEX Budget – actual vs. budget

Cooperative Agreement SURF Services FY2021 Scheduled Performed Actual (SPA) Curve

- This graph represents an analysis of the CA-SURF Services Award No. DE-SC0020216 scheduled funding compared to actual. The report shows funding through September 2021 along with information related to Funded-to-Date dollars, Scheduled dollars, Performed dollars and Actual dollars by month. Actual dollars represent actual invoices for the months sent to the DOE Office of Science for reimbursement. For May, the invoices totaled \$1,948,231 which is higher than the anticipated reimbursements of \$1,825,883 by \$122,347. Cumulative expenses are at \$35,517,860 which is lower than the budgeted \$37,271,438 by \$1,753,578. The year-to-date underrun is due in part to not hiring as planned and not purchasing supplies and fewer contractual items during the COVID-19 pandemic in summer and fall. Yet, in the last few months large projects, purchasing and hiring has been on track.

Balance Sheet Items

- Cash in Local Checking—Total on hand at May 31, 2021 was \$5,275,414; up from last month by \$457,514. Funds on hand were necessary to pay employee medical/life/vision insurance due June 1. The balance also contains funds received from federal contracts late in the month on open accounts receivable.
- Cash with State Treasurer—Total balance of \$11,672,189. This balance has decreased from last month by \$347,228 as that amount was drawn down during May.
- Billed Accounts Receivable (A/R)—Billed A/R represents any open invoices based on contracts from sources such as LBNL, Fermilab, other smaller contracts from other universities and Barrick-Homestake Mining Company. Total is at \$1,867,151; down from last month by \$206,847. Included in the balance are open invoices to LBNL for \$233,899; representing invoices for the LUX-ZEPLIN (LZ) experiment support contract and the SIGMA-V experiment support. Additional open invoices include \$549,754 from Fermilab primarily from the SURF Services subcontract, the Ross Shaft Rehabilitation work, and a contract for Ross Shaft Logistics Support. Furthermore, the open balance from the Cooperative Agreement is at \$1,030,029. Additionally, there are open invoices for \$14,657 from small university subcontracts, and \$38,812 from Barrick/Homestake and Thyssen Mining, Inc (TMI).

- Unbilled A/R—Balance at \$777,748. Unbilled A/R represents items that have not been billed on various contracts. May’s balance has decreased by \$9,623. The payroll from pay end date May 28, 2021 (paid on June 4, 2021) was not invoiced in May on various contracts. The amounts will be invoiced in June.
- Other A/R—Current balance of \$844,996. This balance represents any Interest Receivable and Miscellaneous Accounts Receivable. The balance increased by \$9,727. Activity for this month includes recording the interest accrual for May.
- Inventory/Supplies—Balance at \$3,261,323, for fixed assets being stored but not in service and the warehouse inventory purchased with federal funds. This balance has decreased by \$35,190 for the moving a piece of equipment into production rather than holding in supplies.
- Inventory Warehouse/Personal Protective Equipment (PPE)—Current balance of \$27,118. This balance represents the warehouse inventory that was purchased by SDSTA prior to federal funding. The balance has decreased by \$44 for inventory usage during the month.
- Other Current Assets—This listing on the balance sheet represents the balances of both prepaid insurance—\$607,163 and prepaid other—\$61,000. Total balance of \$668,163 is lower from last month by \$69,252. This decrease includes our monthly insurance expense along with the difference in various prepaid items in May.
- Fixed Assets—Current balance of \$79,950,508. Fixed assets activity since last month includes recording the receipt of various items on the Cooperative Agreement including two 125 HP air compressors along with a new pro forma building to house them, two emergency response extraction seats and a lab sink cabinet. Increases also include the purchase of a 2011 Chevy 3500 truck with a utility box for Operations (purchased in indirect funds). The net increase of \$88,644 since last month includes depreciation on SDSTA fixed assets. Depreciation for the DOE Property Transfer items is separated as this amount will not be included in our indirect cost recovery on contracts.
- Work in Progress—This balance of \$4,610,741 represents the current fiscal year progress being made using Sanford/SDSTA funds, borrowed Foundation funds and funds received from the Governor’s Office of Economic Development (GOED) to support the budgeted projects on the CAPEX budget less any items that are being capitalized within the Fixed Asset designation or Xenon Purchased. Current balance has increased by \$483,486 from the previous month due to the construction of the Maintenance Support Facility (MSF).
- Pension Deferred Outflows—This designation on our Balance Sheet reflects the requirements related to the Governmental Accounting Standards Board (GASB) No. 68 and No. 71 in reference to pensions. SDSTA is required to report the net pension asset or liability on the face of our financials along with related deferred inflows and outflows. The State’s retirement system is now fully funded. The Net Pension Asset is a restricted asset. Thus, the equity created is also restricted. The balance Pension Deferred Outflows shown as a noncurrent asset is \$2,995,815 created by FY2020 final entries. The balance has decreased from the previous year by \$948,093.
- Xenon Purchased—Balance of \$8,934,350 represents the value of xenon purchased for future use by experiments. The xenon inventory is considered a non-current asset and includes all the purchases through fiscal year 2020. We have received all the xenon shipments that were requested.
- Total Assets—Total of \$120,885,496. This balance has increased from last month by \$371,186 which represents the net activity as listed above.
- Accounts Payable—Our Total Accounts Payable balance of \$1,656,882 at the end of the month compared to last month has increased by \$297,002. This is primarily due to increased activity concerning a project for security improvements at the headframes.
- Accrued Payroll Liabilities—Current balance of \$2,223,265 has decreased slightly by \$58,547 from last month. This represents the net change between earned vacation and vacation taken and other changes in employee benefit-related liabilities. Also included is the accrued payroll from May 28 that was paid in June.
- Long Term Xenon Notes Payable—This designation represents \$2M of funding received from the South Dakota Community Foundation (SDCF), \$2M received from the University of South Dakota Foundation (USDF) and \$2M received from the South Dakota State University Foundation (SDSUF). The \$6,000,000 balance was designated for purchasing xenon for experiment use at Sanford Lab. The balance is unchanged from last month.
- Pension Deferred Inflows—This classification reflects the requirements of GASB No. 68 and No. 71, as discussed earlier. The balance of \$1,266,586 represents our portion of the difference between projected and actual earnings on pension plan investments with the South Dakota Retirement System.
- Total Liabilities—Total Liabilities increased by \$238,455 (from \$10,908,278 to \$11,146,733), which reflects the net activity listed above.
- Total Equity—Increase to \$109,738,763 from the previous month \$109,606,032.
- Total Liabilities & Equity—Increase to \$120,885,496 from the previous month of \$120,514,310.

Statement of Income Items

- On the SDSTA's Statement of Income, the DOE Subcontracts are consolidated into one line on the report. Included in this amount are various subcontracts from LBNL, Fermi National Accelerator Laboratory (FNAL), the Cooperative Agreement with the DOE Office of Science, as well as a small contract for the MAJORANA project with Oak Ridge National Laboratory. Total revenue through May is \$32,188,252 (increase from April of \$2,806,827).
- National Science Foundation (NSF)/National Aeronautics & Space Administration (NASA) Subcontracts—Total revenue through May 2021 from this funding is \$1,968 (no increase from April). The balance represents revenue from the South Dakota School of Mines and Technology (SDSMT) for CASPAR.
- Interest income recorded for the current fiscal year on State Funds is at \$126,010. This represents interest accruing at 1% on the cash held by the state on behalf of the SDSTA.
- Direct Costs are then listed on the Statement of Income. The classifications for Unallowable Costs and Indirect Costs are listed as well on this report to follow the federal contracting format. Direct Costs/Unallowable Costs are at \$17,548,025 for the current fiscal year. Indirect Costs including fringe benefits are at \$14,558,028. Costs are slightly lower than revenue by \$211,570.
- Other Income is at \$332,831 which primarily represents miscellaneous income received from Kiewit/Alberici, TMI and small amounts from Barrick.
- Miscellaneous Expenses and Donations is at \$(1,500,309) for the capitalization of the DOE Warehouse inventory of \$238,782 and the fixed assets of \$1,261,527 that were purchased on federal funds through the Cooperative Agreement.
- Net income through May after Reclass Increase in Net Assets is at \$2,539,508.

Comparative Balance Sheet

- Total in Local Checking is higher by \$1,898,603 due to receiving more funds from contracts in Accounts Receivable when comparing the two time frames. We are receiving our payments on the Cooperative Agreement on a much quicker basis than from our other contracts.
- Total Cash with State Treasurer is lower by \$4,286,819 from this time last year as we have used funds for the construction of the MSF along with using Experiment funds for xenon-related expenses.
- Inventory-Supplies is higher by \$951,644 when comparing the two time frames, due to including equipment purchased on the Cooperative Agreement federal funds that has not been put in service. Also included is the Warehouse Inventory purchased on federal funds. Additionally, various equipment associated with the Ross Cage and Work Deck were put in storage for possible future use.
- Fixed Assets are higher by \$881,393 when comparing the two time frames, particularly due to including the fixed assets purchased on the Cooperative Agreement federal funds.
- Work in Process has increased by \$2,424,504 when comparing the two time frames, primarily due to the increase in work performed on building the MSF.
- Pension Deferred Outflows is lower by \$948,094 due to fiscal year 2020 entries.
- Xenon Purchased has increased by \$770,000 for the final purchases of xenon made during fiscal year 2020.
- In summary, Total Assets have increased by \$1,801,296.
- Total Current Liabilities are higher by \$1,019,005 when comparing the two time frames. Both Total Accounts Payable and Accrued Payroll Liabilities are higher due to increased activity on projects and increases in personnel.
- Other Liabilities—Pension Deferred Inflows have also increased for fiscal year 2020 entries – increase of \$483,165.
- Total Restricted Funds are lower due to the use of these funds for related expenses. Restricted: Foundation has been added to our Balance Sheet for funds transferred from the SURF Foundation.
- Unrestricted Funds are higher when comparing the two-time frames. Additionally, Investment in General Fixed Assets is higher than this same time last year.
- Total Equity has increased slightly by \$299,127 from this time last year.
- In summary, Total Liabilities & Equity have increased by \$1,801,296.

Comparative Profit/Loss

- Total Revenue for year-to-date May 2021 compared to year-to-date May 2020 has increased by \$1,945,357. Direct Costs and Indirect Costs for year-to-date May 2021 compared to this time last year show a combined increase of \$3,648,005 (a 12.8 percent increase). This is primarily due to the increase in personnel as well as an increase in (IIP) projects. Net Income/Loss for the comparative time periods shows a decrease in income of \$867,201, primarily due to not receiving GOED funds this year.

Available Resources

- This report reflects our available cash/accounts receivable after noting the restricted cash balances in the Indemnification, Mine Closure, and Special Session Lab accounts, and funds held for Experiments—xenon purchase and interest for investors. This report reflects our available cash and (short term) accounts receivable as compared to our current liabilities including accrued payroll liabilities. \$5,645,019 is available after noting our current obligations. It is also important to note that our accrued payroll liabilities include accrued vacation and sick pay. Therefore, the report reflects our available resources compared to current obligations.

Operating Budget Analysis

- This report is separated into three sections: SDSTA-funded activities, Federal, State, and Commercial funded activities and Indirect expenses that benefit various activities. Total operating expenses are under budget for May by \$87,848.
- Year-to-date figures are under budget by \$2,484,230.

Capital Expenditure Budget Analysis

- Our current capital expenditure projects have been condensed and are listed as CAP2014-01, CAP2016-03 and CAP2019-01. Total project dollars for FY2021 are budgeted at \$5,068,074.
- Funding for the LZ Xenon Gas Purchase was secured from the GOED granting \$6,000,000. Loan documents have been executed for \$2,000,000 each from the South Dakota Community Foundation, the South Dakota State University Foundation and the University of South Dakota Foundation for xenon purchases. All xenon has been received. Remaining expenses relate to interest expense for the three foundations.
- The MSF is mainly finished with Dean Kurtz finalizing construction in May. The building was inspected by the City on May 26 and approved for occupancy at that time. Activity related to moving personnel, the warehouse inventory and pipe shop maintenance equipment into the new building will continue into June. We have spent \$483,486 on our CAPEX projects in May with a budget for the month of \$500,000. Year-to-date we have spent 4,610,741 on all three projects.

Human Resources

There are currently 179 full time employees and 19 temporary staff, which includes Emergency Response Team members as well as seven summer interns. New hires for March and April include Environmental Manager Timm Comer, Network Engineer/IT Director R. Alan Brantley, Temporary Experiment Support Technician Ayla Rodriguez and IT Support Technician Brook Hanson. ESH Director Larry Jaudon was terminated in April and replaced by Julie Ewing who previously held the Health & Safety Superintendent position. QA/QC Manager Scott Meyers was also terminated in April, but this position was not backfilled. Geotechnical Design and Excavation Engineer David Vardiman retired in May. He will stay on as a part time employee for support. IT Manager Deb Meyer retired in June. She will also stay on as a part time employee for transitional support. Facilities Technician Clint Morrison resigned in May. His position will be backfilled from within the organization. Security Guard Dave Trentz retired in early June. His position will be backfilled. Also, Environmental Manager John Scheetz retired in early June. Current positions being recruited include: Senior Contracts Specialist, Facilities Technician, Receptionist, Security Guard and Operations Engineer.

Professional Staff Services - Subcontract No. 607915

Long-Baseline Neutrino Facility (LBNF) and Deep Underground Neutrino Facility (DUNE)

- The Engineering team is supporting the Ross Skips commissioning as part of the overall rock handling system for LBNF.
- The rehabilitation of the Ross Hoist Drives/Brakes/Clutches is nearing completion including commissioning of both hoists.
- Following multiple failures of antiquated systems at the Ross substation including differential protection relays for 12kV transformer, vacuum circuit breaker for Ross cage hoist, and 69kV circuit switcher, perform extensive reverse engineering is being performed to develop a plan of action for repairs.
- A DUNE detector consortium group has formed to design the detector networking, communications, control and data acquisition systems. The Engineering team is participating in bi-weekly meetings to represent SURF and FRA conventional facilities.
- Accelerometer testing of all compartments of the Ross Shaft has been completed. Adjustments were made to guides and the skips are now capable of operating at 2000 feet per minute. Cage and counterweight guides were also adjusted. Once shaft punchlist items are completed, the cage will be capable of increased speeds.

LZ - Subcontract No. 7255146
LZ Operations - Subcontract No. 7355146

Other Experiment Support

LUX-ZEPLIN (LZ)

- Welding of the Xe circulations lines has been completed and circulating Xe through the system began. Xenon and been introduced into the system, cool down has been completed and xenon condensing is ongoing.
- In May, two additional packs of Xe arrived and were transported to the Xe Storage Room.
- On the Outer Detector, initial filling of each compartment to test the fill system has been completed. Troubleshooting is ongoing. Planning for simultaneous filling of the water tank and the outer detector acrylic vessels will begin in June.

Indirect Funded Activities Status

Contracts Status

Department of Energy (DOE) subcontracts to SDSTA

US Department of Energy, Office of Science

- SDSTA received Modification No. 13 from the DOE for Water Inflow Replacement Phase 2 (IPP Project) and also Modification No. 15 for Incremental Funding.
- SDSTA received approval from the DOE to rebudget funds and replace an end-of-life telehandler.
- SDSTA submitted two budget modifications to the DOE for the Yates Shaft Feasibility Study (Critical Upgrade), and also a request for approval to use underspent funds on a five-year contract for annual maintenance and on-call service for both the Ross and Yates hoists.

Fermi Research Alliance

- SDSTA received a new contract, No. 674969, *LNBF Ross Shaft Logistics Support* on 3/29/21 to replace the previous Logistics Subcontract.
- SDSTA received Supplemental Agreement (SA) No. 37 for additional funding and to extend Subcontract No. 630223, *Ross Shaft Rehabilitation*. SDSTA also receive Modification No. 10 to extend Subcontract No. 658475, *Oro Hondo Fan Reconditioning Support*, through 5/31/21.

Oak Ridge National Laboratory

- No additional actions this period.

Lawrence Berkeley National Laboratory

- SDSTA submitted an additional funding project and received a modification for the *SIGMA-V* Subcontract No. 7371823, and also received an additional funding and extension modification for the *LZ* Subcontract No. 752117.

Summary of Contracts Awarded by SDSTA in March–May 2021:

Contract No.	Contractor/Vendor	Type	Project
2020-37	Borders States Industrial	New	Maintenance Shop support design & outfitting
2019-29	CVD	CO#35	Add additional representative to contract
2018-31	Williams & Associates	CO#4	Extend contract to 6/30/21
2017-38	Paradigm (The Alaris Group)	CO#11	Add funds extend contract to 3/31/22
2020-31	Liesl Chatman	CO#1	Contract end date corrected
2020-05	West Plains Engineering	TSK#3	Access Control
2017-11	Albert Risk Management Consultants	CO#11	Extend contract to 3/31/22
2015-13	Stone Land	CO#12	Add funds to contract
2020-22	Mac Construction	CO#1	Add scope and funds
2020-26	Anderson Economic Group	CO#4	Extend contract to 5./31/21
2019-02	Mid Continental Testing Services	CO#6	Add funds to contract
2019-47	Arc International	CO#4	Add additional scope to contract
2017-34	JMJ Enterprise	CO#2	Internal change order to add funds
2020-31	Science Museum of Minnesota	CO#2	Change representative
2019-07	Dean Kurtz	CO#24	Add outlets and funds
2021-06	Dialogue	New	New contract
2019-07	Dean Kurtz	CO#25	Installation of water softener
2015-21	Alberstons Engineering	CO#20	Yates Shaft utility comp main platform
2019-27	Dean Kurtz	CO#26	Add vinyl flooring, GFI's and data
2019-04	Black Hills Disposal	CO#3	Add funds and extend contract to 4/16/22
2021-09	Science Museum of Minnesota	New	Training classes, professional development

Contract No.	Contractor/Vendor	Type	Project
2021-07	T&R Service Company	New	New contract - Ross MG electrical equipment
2019-07	Dean Kurtz	CO#27	Add two more exterior bollards
2020-01	Elite Industrial, LLC	CO#1	Extend contract to 11/5/21
2019-30	Wolff's Plumbing and Heating	CO#4	AC Admin 2nd floor executive room
2019-29	CVD	CO#36	Seal crack in walkway from snow dump to E&O
2021-10	Sandbox Studio	New	New contract - Social media landing page
2020-34	Stantec	New	Yates Feasibility Study
2019-27	Brian Beug	CO#1	Add funds to contract
2019-39	North Central Supply	CO#3	Terminate wire and reinstall opposite door Machine Shop
2021-11	3M	New	Fall protection equipment training
2016-13	Black Hills Urgent Care	CO#9	Extend contract to 5/1/22
2019-02	Mid Continental Testing Services	CO#7	LZ water sample testing
2017-13	Professional Mapping	CO#11	Extend contract to 4/6/22
2019-29	CVD	CO#37	Broken windowpanes Ross Hoistroom
2019-29	CVD	CO#38	Electrical panel Ross Hoistroom
2019-40	Silver State Wire Rope	CO#4	Spelter Socket test and repour
2020-05	West Plains Engineering	TSK#4	Additional design for new access control system
2012-32	Pacific Hide and Fur	CO#11	Extend contract to 12/31/21
2020-39	Seimag Tecberg	New	New contract
2020-25	Gayln Rippentrop	CO#1	Add funds to extend contract to 9/30/21
2019-32	Pro Steam Carpet Cleaning	CO#2	Clean chairs and carpet in Admin & E/O
2019-07	Dean Kurtz	CO#28	Power for air compressors
2020-05	West Plains Engineering	CO#4	Add new rates to contract
2019-40	Silver State Wire Rope	CO#5	Spelter and partical test
2013-39	G.L. Tiley	CO#24	Ross Shaft
2020-07	Ferber Engineering	CO#1	New rate sheet
2020-06	TSP	TSK#3	Ross Shaft design
2021-06	Dialogue	CO#1	Additional scope and funds
2020-05	West Plains Engineering	TSK#5	Pump room design 3750L
2020-12	True Clean Carpet & Janitorial	CO#1	Add Machine Shop and Yates Dry to contract
2021-01	Elite Industrial, LLC	CO#2	Scope of commissioning
2017-24	American Engineering Testing	CO#8	Extend contract to 6/3/22
2018-29	Sharon Hemmingson	CO#5	Extend contract 6/30/22
2020-38	Design Works	CO#1	Extend contract to 12/31/21

Purchase Orders (POs): 572 POs were issued March 1 – May 31 totaling **\$1,023,595.86**.

Warehouse Inventory: Warehouse inventory as of May 31, 2021 totaled **\$301,899.14**.

Inclusion, Diversity, Equity and Access (IDEA) Status

- Culture Amp was selected as a partner for work in the IDEA Program, including engagement and inclusion surveys. Culture Amp also provides action plans to implement change based on employee survey results.
- A 50-question engagement and inclusion survey through Culture Amp is currently in draft form. The survey will help determine employees' sense of belonging at SURF, as well as employees' ability to fully immerse themselves in their work without sacrificing their sense of self.
- Progress has been made on the Ethnobotanical Garden's web presence and campaign video. The IDEA office contributed language to both of these efforts which should soon go live.
- Progress has been made to revise the annual staff evaluation form and will be completed by the end of June.
- A draft scoping document of the Institute for Underground Science at SURF is now complete. The scoping document has a robust IDEA focus.

Cultural Coordinator Updates

- Participated in the SD Historical Preservation Office new employees site visit. They received a briefing and surface tour to enhance our team approach to working together to protect the historic buildings and surface objects.
- Considerable progress on the roll out of the Foundation fundraising efforts for the Cangleska Wakan project has been made and the public phase of the campaign will begin in the next month.
- Position openings were sent to area Tribal and public contacts for recruiting possible applicants with the goal of increasing diversity of applicant pool.
- Thirty-five applications were reviewed, rated and ranked in preparation for an upcoming Hagen-Harvey selection board. This was the most qualified group of students since being appointed to the board (2009).

Education and Outreach (E&O) Status

Changes

- Two new Science Education Specialists have joined the team. Both were classroom teachers and both have played a role in various science teaching leadership positions in South Dakota. Chad Ronish joined the team from Hill City High School, where he taught physical science, chemistry and physics for 23 years. Ashley Armstrong joined the team from Huron Middle School. On a side note, 2020 SURF intern Caitlyn Larson has been hired to fill Chad's position at Hill City High School.
- The E&O team also bid farewell to a valuable team member. Effective June 1, Becky Bundy resigned her position to pursue full time curriculum development.

K-12 Education and Outreach

Curriculum units

- Twenty-eight schools and organizations used curriculum units in the last three months; too many to include individually in a table. A total of 1,364 students participated during this quarter. Preliminary numbers for the school year show that 3,384 total students have participated.
- The five new Established Program to Stimulate Competitive Research (EPSCoR) units that the E&O team is shepherding are complete in draft form and will be used during professional development workshops in July.

Field trips (onsite)

- The E&O team was able to restart the onsite field trip program in a limited capacity this spring. Two K-12 groups visited:
 - Liberty Elementary, a STEM school in Sapulpa, OK brought 18 students for a Hoistroom tour and Hoist Engineering Challenge.
 - The Yes House in Gillette, WY brought seven students for a Yates Hoistroom tour.

Classroom presentations (includes virtual field trips)

- Again, the number of presentations provided this quarter is too many to include in a table. 48 presentations have been given to 14 schools in four states (SD, MN, NE and OK). A total of 874 students participated for the quarter and 2,069 for the school year.
- Monthly sessions for the afterschool program at Isna Wica Owayawa (Loneman School) continued through April.

Professional Development (PD)

- The online math course, taught by E&O Director Nicol Reiner, concluded in May—26 educators participated.
- Nicol Reiner and Director of Education and Public Relations Deb Wolf facilitated professional development for 22 educators that are in Cohort 4 of the SDMath/SDSci teacher leader program.
- The group gave four presentations at the Technology in Education Conference, which was virtual this year. Between educators who participated in the live sessions, and those who watched the recordings later, 339 participated.
- E&O Deputy Director Peggy Norris gave a presentation the Minnesota chapter of the American Association of Physics Teachers about the SURF virtual tour program—32 K-12 and university educators participated. Student/educator impact is listed in Table 1.

Table 1. Student/Educator Impact March-May 2021

Bucket of Work	No. of Programs	No. of School Districts	No. of Schools	K-12 Students	K-12 Educators	Undergrad Students
Curriculum Units	28	17	23	1364	25	0
Onsite Field Trips	2	2	2	25	4	0
Presentations (Synchronous)	45	24	24	874	37	22
Other K-12 (Asynchronous)	1	0	0	0	0	0
Professional Development	8	-	-	0	417	36

Undergraduate

- The 2021 SURF internship program began on May 17 and runs through July 23. During orientation, they toured the Hoistroom, WWTP and Davis Campus. The 2021 interns are listed in Table 2.

Table 2. 2021 Internship Program

Student	University	Department	Internship
Serenity Engel	SDSMT	Science	Dave Bozied
Kassandra Herding	SDSMT	ESH	Dave Bozied
Victor Hernandez	SDSMT	Operations (QA/QC)	Jack Headley
Elliott Keller	BHSU	Education	EPSCoR (through BHSU)
Damon LaCroix	BHSU	Communications	Dave Bozied
Jessica Peterson	SDSMT	Science	Dave Bozied
Daniel Rynders	SDSMT	Engineering	Chris Bauer
Kennedy Teeslink	BHSU	Education	EPSCoR (through BHSU)
Nathan Tysdal	SDSMT	Underground Ops	Chris Bauer

Other

Peggy gave a talk to the “ex-Lers”, the retirement group from LBNL, with an overview of the current experiments at SURF and the work of the E&O Department. Seventy people attended, many of whom had contributed to the early days of the lab.

Communications Status

- Communications is working with the SURF Foundation and IDEA office to develop a video for promotion of the Ethnobotanical Garden.
- Damon LaCroix is the new Communications Intern, focusing on graphics for Neutrino Day promotional material and the website.
- SURF began a more aggressive underwriting campaign with SDPB, with messages that focus on education, science and economic impacts.
- Communications Director Constance Walter and Creative Services Supervisor Matt Kapust attended the virtual Drupal Conference and virtual Interactions Collaboration.
- Constance and Communications Specialist Erin Broberg attended a virtual writing workshop.
- Preparations for Neutrino Day are underway.
- The Economic Impact Study was completed.
- Communications continued to work on Sanford Lab Homestake Visitor Center (SLHVC) exhibit updates.
- Communications is writing an RFP for a new website.
- Communications continues to meet with Fermilab communications and the LBNF/DUNE communications group.

Community Outreach/Media/Site Visits/Presentations/Site Visit.

- The Economic Impact Study was featured in several media outlets.
- Three virtual Deep Talks presentations were given with more than 300 people participating.
 - March: Pi Day with Travis Kowalski of SD Mines.
 - April: Ross hoistroom and rock conveyor progress with SDSTA Executive Director Mike Headley and LBNF FSCF Project Manager Joshua Willhite.
 - May: Mars Perseverance Rover with Luther Beegle, NASA Jet Propulsion Laboratory.
- At an April presentation, SURF introduced Artist-in-Residence Leekyung Kang.
- Deb Wolf presented to the Levy Center in Chicago; more than 250 were present.
- Communications is working with LBNF to document progress on underground construction and the Ross Hoistroom.

Upcoming Community Outreach/Media/Site Visits/Presentations/Site Visits

- Neutrino Day: Star Chronicles takes place July 9-10. The event includes a connection to the Boulby Lab in the UK, a presentation with keynote speaker Annette Lee, and presentation from the Journey Museum.
- SURF is working with Lead-Deadwood Arts Center on an exhibit of SURF AiR Coordinator Gina Gibson's work: July 8.
- Constance Walter will give a presentation to the Rapid City Rotary on June 10.

Video, Web, Graphics

- Communications continues to create new video and animations to illustrate articles that are used on a variety of platforms, including social media, PowerPoint Presentations and the website.
- New features are being created and all experiment pages are being updated for the SURF website.
- Fresh content is being created weekly for all social media platforms.
- Albums in the SURF Photo Gallery may be viewed at: <http://pics.sanfordlab.org>.
- General web maintenance, digital signage content; media assistance to science collaborations and educational institutions are ongoing.

Photos of recent events/milestones are included as Appendix A.

News Coverage

- [Construction crews start lowering equipment a mile underground for DUNE excavation](#), Rapid City Journal, May 27, 2021
- [Could Weirdly Straight Bolts of Lightning Be a Sign of Dark Matter?](#) by Dan Falk, Smithsonian Magazine, May 13, 2021
- [SURF study highlights economic impacts in SD](#), Black Hills Pioneer, May 17, 2021
- [Sanford Underground Research Facility has made a positive economic impact on South Dakota](#), by Aleah Burggraaf, KEVN Fox News, May 16, 2021

- [Where science meets the sacred](#), by Brianna Barbu, Symmetry Magazine, April 20, 2021
- [Gina Rameika elected DUNE co-spokesperson](#), by Allen Zeyher, Fermilab News, April 15, 2021
- [From the atmosphere to the underground](#), by Erin Lorraine Broberg, Symmetry Magazine, April 13, 2021
- [Particle detector at Fermilab plays crucial role in Deep Underground Neutrino Experiment](#), by Steve Koppes, Fermilab News, March 4, 2021
- [Utah FORGE successfully completes drilling of first deviated deep well](#), Utah FORGE News, Feb. 2, 2021

Information Technology Status

Projects

- Networking equipment in support of the new MSF was installed.
- New phones and voicemail boxes were programmed and tested for employee relocating to the MSF.
- Two analog telephone lines were installed, over fiber, to support the fire alarm and elevator in the MSF.
- Two IT positions were filled: Brook Hanson, Technical Support; and Alan Brantley, Network Engineer.
- IT completed its participation in the Manager Plus upgrades.
- IT assisted Fermilab’s subcontractors with deployment of radio communications and remote access in support of the raisebore project on the 3650L and 4850L.
- IT successfully piloted Teams and multifactor authentication within the department.
- The Caterpillar project data center requirements were technically resolved. The hardware and software requirements were put out for pricing.
- An RFP is required for the Toshiba PBX replacement. The details and framework documents were provided by contracting.

Daily Activities

In addition to work order activity, IT monitors and reviews wireless and general network activity and counts, network hardware readiness, VPN Remote Access logs, Firewall logs, and establishes new VPN and DocuShare accounts for individuals and user groups, as requested.

March – May 2021 Events

- The Administrative Services team registered 2,146 visits March 1 through May 31—primarily contractors and users. Access badge requests continued to be processed and monthly badging reports posted to DocuShare.
- The Visitor Registration Monthly Reports were submitted electronically to the SD Fusion Center/Homeland Security utilizing the SURF database reporting tool.
- The Monthly SURF Foreign National Visits Reports and Restricted Party Screening Audits were generated and distributed.



Number of New Visitors, Users and Contractors On-Site

Administrative Services Activities

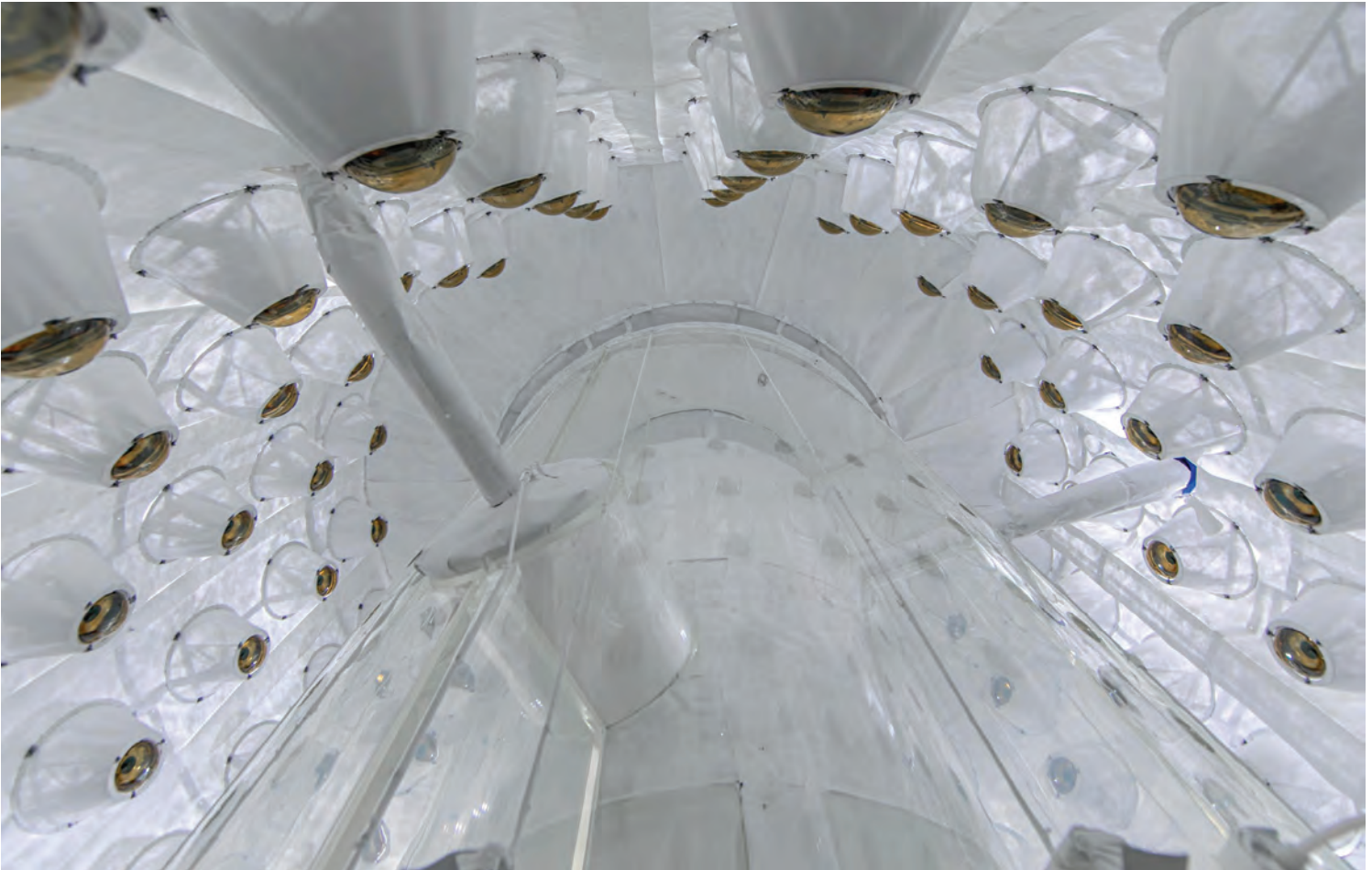
- Lab Receptionist Amelia Pearson—Monthly Researcher hours were tracked and Science training records entered; purchase orders were invoiced and closed in ManagerPlus; monthly office supply order was received and sorted;

documents were scanned and laminated for various departments; safety waivers were logged into the ESH database; new hire packets for HR were assembled; continued to scribe for the weekly ESH department leadership meeting (L10) . The Laboratory Receptionist position has been posted internally. After the position has been filled, Amelia will transition to her new role as Administrative Support to the ESH Department still reporting to Mandy.

- Administrative Assistant Natasha Wheeler worked with the Communications team to recruit booth and activity partners for Neutrino Day; assisted with Change Control Review (CCR) finalization for several CCR requests; continued to scribe for several L10s and the Ross Weekly Logistics review meeting; continued to assist ESH to review SURF Bridge training courses and ESH Manual Severe Weather chapter; assisted QA/QC to review ISO documents; and continued to serve as backup to front desk reception. Natasha also continued support for the SURF Foundation, drafting, updating and reviewing donor communication pieces; drafting and reviewing content for the upcoming ethnobotanical garden webpage; updating donor records in Bloomerang; and begin planning with Staci Miller for the upcoming, annual Donor Recognition event.
- Administrative Services Manager Mandy Knight continued to assist with the Entrepreneurial Operating System (EOS) workshops with EOS Implementor Mike Roth and the SDSTA Executive Leadership team (Mike Headley, Will McElroy, Jaret Heise, Nancy Geary, Deb Wolf (new to the team is Julie Ewing). The March 31 Quarterly Session was informative and well-received; the annual EOS planning session is scheduled for June 29 and 30 and will be held on the BHSU campus. Administrative and logistical support continued to be provided—zoom meetings and onsite activities were hosted including the first Facility Advisory Committee (FAC) Review held on site April 21-22 and the SURF Strategic Advisory Committee (SSAC) Review held virtually May 18-19; organizational charts and phone lists continue to be updated; and miscellaneous documents copyedited for various departments. Assistance is being provided with office relocations in the E&O Bldg, Administration Bldg and MSF (new Operations Center).
- An RFP was released in March for a Managed Print Services Contract. Marco was the successful bidder and awarded the contract in May. Implementation of printer/copiers across the facility was completed in early June thanks to coordination with the SDSTA Administrative Services, Contracts, IT and Operations teams. Mandy participated in discussions for the new Access Control System—implementation and basic training of the C-CURE 9000 badging system will be held in mid-July. Future discussions will be held with several departments to understand requirements before the access control system is fully integrated.
- Preparations began for the SDSTA Board of Director annual meeting to be held on June 24. A new Internal Fundraising and Outside Sponsorship Policy, Procedure and Authorization Form have been drafted with input from the Business Services Dept, Communications Dept, IDEA Office and SURF Foundation; and the Tobacco Policy and Procedure have been updated. Legal counsel has reviewed them, and the documents submitted for board approval.

APPENDIX

Communications Department Photo Appendix A



Top: The LZ detector is surrounded by photomultiplier tubes (PMTs) that are part of an outer detector system that will help the researchers identify false signals within the detector.

Center left: LZ researchers work to install the PMTs for the outer detector.

Center right: Erin Broberg interviews David Woodward from LZ for a story and upcoming Drift video.

Bottom: A behind the scenes look at Dr. Travis Kowalski at Deep Talks: Pi Day delves into the many places Pi is shown throughout history and culture.



Communications Department Photo Appendix A



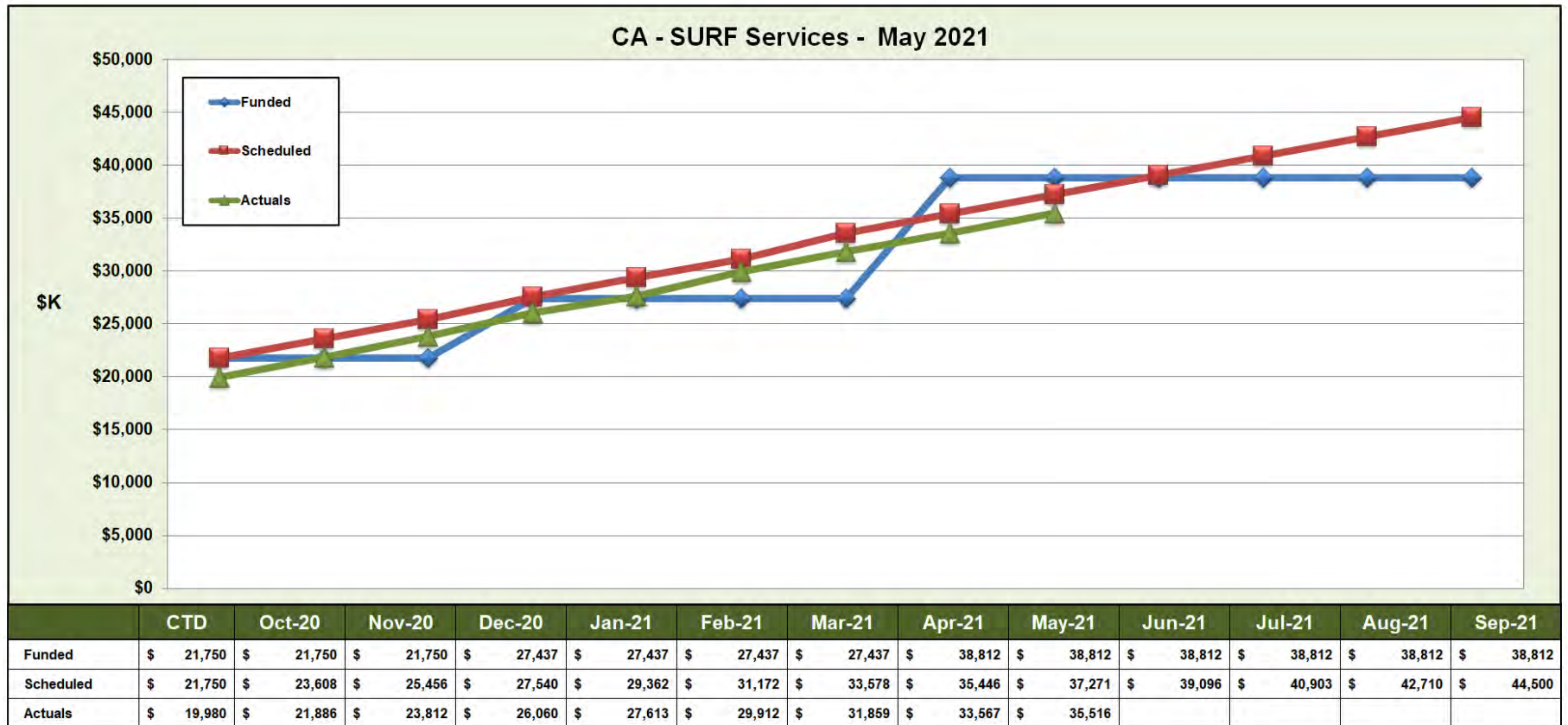
Top: A disassembled bolter is test slung in the Ross Headframe. The assembled bolters are in the photograph at center left.

Center right: The completed Maintenance Support Facility is ready for move-in.

Bottom right: Adam Gomez films Leekyung Kang, SURFs 2021 Artist-in-Residence as she prepares to tour the Majorana cleanroom at the Davis Campus.



**Finance & HR Department
Appendix B**



DOE SDSTA Fiscal Year 2021 SPA Curve

Appendix C - Financial Summaries

REPORT DATE 06/08/21

SOUTH DAKOTA SCIENCE & TECHNOLOGY

15:30

PAGE 0001

DIVISION: ALL

BALANCE SHEET

ASSETS

		AS OF 05/31/21
CURRENT ASSETS		
First Interstate Checking	\$	5,273,993.34
First Interstate Other		1,420.64

Total in Local Checking		5,275,413.98
SD Treas: Indemnification		7,500,000.00
SD Treas: Mine Closure		1,497,441.53
SD Treas: Operating		1,116,445.61
SD Treas: Sanford Gift #2		6,569.97
SD Treas: Spec Sess - Lab		660,845.00
SD Treas: Experiments		890,866.75

Total with SD Treasurer		11,672,168.86
Billed A/R		1,867,150.83
Unbilled A/R		777,747.50
Other A/R		844,996.00
Inventory - Supplies		3,261,322.97
Inventory - Warehouse		27,118.37
Other Current Assets		668,163.24

Total Current Assets		24,394,081.75
FIXED ASSETS		
Land, Underground & Other		12,633,473.13
Bldgs & Infrastructure		9,707,365.56
Improvements		64,637,443.82
Computer Equipment		570,932.90
Equipment & Fixtures		10,610,504.96
DOE Property Transfer		1,748,086.07
Accum Depr & Amort		(19,801,252.74)
DOE Prop. Accum Deprec.		(156,045.32)

Total Fixed Assets		79,950,508.38
OTHER ASSETS		
Work in Process		4,610,740.57
Pension Deferred Outflows		2,995,814.75
Xenon Purchased		8,934,350.39

Total Other Assets		16,540,905.71
TOTAL ASSETS	\$	120,885,495.84
		=====

DIVISION: ALL

BALANCE SHEET

LIABILITIES & EQUITY

		AS OF 05/31/21
CURRENT LIABILITIES		
Accounts Payable	\$	1,645,797.93
Other Payables		11,083.62

Total Accounts Payable		1,656,881.55
Accrued Payroll Liab		2,223,265.48

Total Current Liabilities		3,880,147.03
OTHER LIABILITIES		
LT Xenon Notes Payable		6,000,000.00
Pension Deferred Inflows		1,266,585.88

Total Other Liabilities		7,266,585.88
EQUITY		
Restricted: Indemnificati		7,500,000.00
Restricted: Lab		660,845.00
Restricted: Mine Closure		1,497,441.53
Restricted: Sanford Gift2		6,569.97
Restricted: Pension		1,729,228.87
Restricted: Experim. Int.		890,866.75
Restricted: Foundation		219.45

Total Restricted Funds		12,285,171.57
Investment in Gen FA		79,950,508.38
Unrestricted Funds		17,503,082.98

Total Equity		109,738,762.93
		=====
TOTAL LIABILITIES & EQUITY	\$	120,885,495.84
		=====

ALL

STATEMENT OF INCOME

FOR THE PERIOD ENDING 05/31/21

	YR-TO-DATE

REVENUE	
DOE Subcontracts	\$ 32,188,252.27
NSF/NASA Subcontracts	1,967.60
State Revenue	5.10
Checking Interest	1,388.51
Interest Income	126,010.00

TOTAL REVENUE	32,317,623.48
DIRECT COSTS	
Direct Labor	7,855,827.65
Board of Directors	4,560.84
Capital Outlay >\$5K	2,549,816.33
Contractual Svcs	3,434,609.31
Inventory	164,413.70
Supplies	1,176,620.67
Travel - Domestic	17,530.27
Travel - Foreign	(149.16)
Utilities	2,054,679.57
Other Direct Costs	19,906.25
Unallow/Unbill Costs	270,210.06

TOTAL DIRECT COSTS	17,548,025.49
INDIRECT COSTS	
Fringe Benefits	6,114,992.23
Overhead	8,443,035.99

TOTAL INDIRECT COSTS	14,558,028.22

GROSS PROFIT/LOSS () FROM OPERATIONS	211,569.77

OTHER INCOME	
Water Treatment	226,145.64
Miscellaneous Income	23,018.80
Other Operating Income	83,666.38

TOTAL OTHER INCOME	332,830.82
OTHER EXPENSES	
Misc. Expenses & Donations	(1,500,308.53)
Loss (Gain) on Sale of FA	104,445.33
Other Unallowable Expense	156,045.32
Reclass Incr Net Assets	(755,289.90)

TOTAL OTHER EXPENSES	(1,995,107.78)

NET INCOME/LOSS ()	\$ 2,539,508.37
	=====

DIVISION: ALL

COMPARATIVE BALANCE SHEET

ASSETS

	AS OF 05/31/21	AS OF 05/31/20	\$ CHANGE	% CHANGE
CURRENT ASSETS				
First Interstate Checking	\$ 5,273,993.34	\$ 3,364,269.40	\$ 1,909,723.94	56.76%
First Interstate Other	1,420.64	12,541.73	(11,121.09)	-88.67%
	-----	-----	-----	-----
Total in Local Checking	5,275,413.98	3,376,811.13	1,898,602.85	56.22%
SD Treas: Indemnification	7,500,000.00	7,500,000.00	-	0.00%
SD Treas: Mine Closure	1,497,441.53	1,462,524.66	34,916.87	2.39%
SD Treas: Operating	1,116,445.61	798,647.59	317,798.02	39.79%
SD Treas: Sanford Gift #2	6,569.97	15,988.97	(9,419.00)	-58.91%
SD Treas: Spec Sess - Lab	660,845.00	5,261,643.00	(4,600,798.00)	-87.44%
SD Treas: Experiments	890,866.75	920,184.08	(29,317.33)	-3.19%
	-----	-----	-----	-----
Total with SD Treasurer	11,672,168.86	15,958,988.30	(4,286,819.44)	-26.86%
Billed A/R	1,867,150.83	2,047,786.19	(180,635.36)	-8.82%
Unbilled A/R	777,747.50	743,105.69	34,641.81	4.66%
Other A/R	844,996.00	515,601.62	329,394.38	63.89%
Inventory - Supplies	3,261,322.97	2,309,679.01	951,643.96	41.20%
Inventory - Warehouse	27,118.37	28,581.79	(1,463.42)	-5.12%
Other Current Assets	668,163.24	740,035.16	(71,871.92)	-9.71%
	-----	-----	-----	-----
Total Current Assets	24,394,081.75	25,720,588.89	(1,326,507.14)	-5.16%
FIXED ASSETS				
Land, Underground & Other	12,633,473.13	12,633,473.13	-	0.00%
Bldgs & Infrastructure	9,707,365.56	9,789,145.56	(81,780.00)	-0.84%
Improvements	64,637,443.82	63,059,308.67	1,578,135.15	2.50%
Computer Equipment	570,932.90	563,025.07	7,907.83	1.40%
Equipment & Fixtures	10,610,504.96	10,972,343.67	(361,838.71)	-3.30%
DOE Property Transfer	1,748,086.07	-	1,748,086.07	100.00%
Accum Depr & Amort	(19,801,252.74)	(17,948,180.61)	(1,853,072.13)	10.32%
DOE Prop. Accum Deprec.	(156,045.32)	-	(156,045.32)	100.00%
	-----	-----	-----	-----
Total Fixed Assets	79,950,508.38	79,069,115.49	881,392.89	1.11%
OTHER ASSETS				
Work in Process	4,610,740.57	2,186,236.31	2,424,504.26	110.90%
Pension Deferred Outflows	2,995,814.75	3,943,908.40	(948,093.65)	-24.04%
Xenon Purchased	8,934,350.39	8,164,350.39	770,000.00	9.43%
	-----	-----	-----	-----
Total Other Assets	16,540,905.71	14,294,495.10	2,246,410.61	15.72%
	=====	=====	=====	=====
TOTAL ASSETS	\$ 120,885,495.84	\$ 119,084,199.48	\$ 1,801,296.36	1.51%
	=====	=====	=====	=====

DIVISION: ALL

COMPARATIVE BALANCE SHEET

LIABILITIES & EQUITY

	AS OF 05/31/21	AS OF 05/31/20	\$ CHANGE	% CHANGE
CURRENT LIABILITIES				
Accounts Payable	\$ 1,645,797.93	\$ 903,314.64	742,483.29	82.20%
Other Payables	11,083.62	14,611.71	(3,528.09)	-24.15%
	-----	-----	-----	-----
Total Accounts Payable	1,656,881.55	917,926.35	738,955.20	80.50%
Accrued Payroll Liab	2,223,265.48	1,943,216.01	280,049.47	14.41%
	-----	-----	-----	-----
Total Current Liabilities	3,880,147.03	2,861,142.36	1,019,004.67	35.62%
OTHER LIABILITIES				
LT Xenon Notes	6,000,000.00	6,000,000.00	-	0.00%
Pension Deferred Inflows	1,266,585.88	783,421.31	483,164.57	61.67%
	-----	-----	-----	-----
Total Other Liabilities	7,266,585.88	6,783,421.31	483,164.57	7.12%
	-----	-----	-----	-----
TOTAL LIABILITIES	11,146,732.91	9,644,563.67	1,502,169.24	15.58%
EQUITY				
Restricted: Indemnificati	7,500,000.00	7,500,000.00	-	0.00%
Restricted: Lab	660,845.00	5,261,643.00	(4,600,798.00)	-87.44%
Restricted: Mine Closure	1,497,441.53	1,462,524.66	34,916.87	2.39%
Restricted: Sanford Gift2	6,569.97	15,988.97	(9,419.00)	-58.91%
Restricted: Pension	1,729,228.87	3,160,487.09	(1,431,258.22)	-45.29%
Restricted: Experim. Int.	890,866.75	767,010.00	123,856.75	16.15%
Restricted: Foundation	219.45	-	219.45	100.00%
	-----	-----	-----	-----
Total Restricted Funds	12,285,171.57	18,167,653.72	(5,882,482.15)	-32.38%
Investment in Gen FA	79,950,508.38	79,069,115.49	881,392.89	1.11%
Unrestricted Funds	17,503,082.98	12,202,866.60	5,300,216.38	43.43%
	-----	-----	-----	-----
TOTAL EQUITY	109,738,762.93	109,439,635.81	299,127.12	0.27%
	=====	=====	=====	=====
TOTAL LIABILITIES & EQUITY	\$ 120,885,495.84	\$ 119,084,199.48	\$ 1,801,296.36	1.51%
	=====	=====	=====	=====

COMPARATIVE STATEMENT OF INCOME

FOR THE PERIOD ENDING 05/31/21

	YEAR TO DATE	PRIOR YEAR TO DATE	\$ CHANGE	% CHANGE
REVENUE				
DOE Subcontracts	\$ 32,188,252.27	\$ 27,702,590.58	\$ 4,485,661.69	16.19%
NSF/NASA Subcontracts	1,967.60	15,790.54	(13,822.94)	-87.54%
State Revenue	5.10	2,500,000.00	(2,499,994.90)	-100.00%
Checking Interest	1,388.51	1,880.88	(492.37)	-26.18%
Interest Income	126,010.00	152,004.25	(25,994.25)	-17.10%
	-----	-----	-----	-----
TOTAL REVENUE	32,317,623.48	30,372,266.25	1,945,357.23	6.41%
DIRECT COSTS				
Direct Labor	7,855,827.65	7,131,937.11	723,890.54	10.15%
Board of Directors	4,560.84	10,342.77	(5,781.93)	-55.90%
Capital Outlay >\$5K	2,549,816.33	1,605,603.26	944,213.07	58.81%
Contractual Svcs	3,434,609.31	2,543,933.32	890,675.99	35.01%
Inventory	164,413.70	177,389.10	(12,975.40)	-7.31%
Supplies	1,176,620.67	1,149,891.21	26,729.46	2.32%
Travel - Domestic	17,530.27	18,923.30	(1,393.03)	-7.36%
Travel - Foreign	(149.16)	44,042.97	(44,192.13)	-100.34%
Utilities	2,054,679.57	2,057,802.26	(3,122.69)	-0.15%
Other Direct Costs	19,906.25	78,198.49	(58,292.24)	-74.54%
Unallow/Unbill Costs	270,210.06	379,671.07	(109,461.01)	-28.83%
	-----	-----	-----	-----
TOTAL DIRECT COSTS	17,548,025.49	15,197,734.86	2,350,290.63	15.46%
INDIRECT COSTS				
Fringe Benefits	6,114,992.23	5,479,945.77	635,046.46	11.59%
Overhead	8,443,035.99	7,780,367.20	662,668.79	8.52%
	-----	-----	-----	-----
TOTAL INDIRECT COSTS	14,558,028.22	13,260,312.97	1,297,715.25	9.79%
	-----	-----	-----	-----
GROSS PROFIT/LOSS ()	211,569.77	1,914,218.42	(1,702,648.65)	517.81%
OTHER INCOME				
Water Treatment	226,145.64	209,829.08	16,316.56	7.78%
Miscellaneous Income	23,018.80	44,668.71	(21,649.91)	-48.47%
Other Operating Income	83,666.38	1,883.79	81,782.59	4341.39%
	-----	-----	-----	-----
TOTAL OTHER INCOME	332,830.82	256,381.58	76,449.24	29.82%
OTHER EXPENSES				
Misc. Expenses & Donations	(1,500,308.53)	-	(1,500,308.53)	100.00%
Loss (Gain) on Sale of FA	104,445.33	248,072.86	(143,627.53)	-57.90%
Other Unallowable Expense	156,045.32	-	156,045.32	100.00%
Reclass Incr Net Assets	(755,289.90)	(1,484,182.52)	728,892.62	-49.11%
	-----	-----	-----	-----
TOTAL OTHER EXPENSES	(1,995,107.78)	(1,236,109.66)	(758,998.12)	61.40%
	=====	=====	=====	=====
NET INCOME/LOSS ()	\$ 2,539,508.37	\$ 3,406,709.66	\$ (867,201.29)	-25.46%
	=====	=====	=====	=====

South Dakota Science & Technology Authority
Available Resources
5/31/2021

Cash Total Checking	\$	5,273,993
Cash With State Treasurer	\$	<u>11,672,169</u>
Total Cash	\$	16,946,162
Less: Restricted Funds		
Indemnification/Mine Closure/Special Session Lab	\$	(9,658,287)
Experiments (Xenon, Interest, Infrastructure)	\$	<u>(890,867)</u>
 Total Cash Available for Infrastructure Upgrades and Authority Operations	 \$	 6,397,009
Plus: Accounts Receivable Billed	\$	1,867,151
Accounts Receivable Unbilled	\$	777,748
Less: Current Liabilities (Accounts Payable & Accrued Payroll)	\$	<u>(3,396,888)</u>
(not including accts. pay. for Experiment funding)		
Available Cash and Receivables	\$	<u><u>5,645,019</u></u>

SDSTA Operating Budget Summary FY2021
Actual vs Budget
May 2021 & YTD

	May 2021	Budget	\$ Over/Under Budget	% of Budget	Actual YTD	YTD Budget	\$ Over/Under Budget	% of Budget	% Remaining
SDSTA (Authority) Direct Charges									100%
Board of Directors	\$27,089.00	\$22,166.00	-\$4,923.00	122.21%	\$240,295.00	\$243,826.00	\$3,531.00	98.55%	1.45%
Executive Office	\$49,979.00	\$29,734.00	-\$20,245.00	168.09%	\$526,481.00	\$327,074.00	-\$199,407.00	160.97%	-60.97%
Science Center E & O	\$9,906.00	\$23,750.00	\$13,844.00	41.71%	\$57,703.00	\$58,250.00	\$547.00	99.06%	0.94%
Science Liaison	\$362.00	\$0.00	-\$362.00	100.0%	\$303.00	\$0.00	-\$303.00	100.00%	0.00%
Subtotal	\$87,336.00	\$75,650.00	-\$11,686.00	115.45%	\$824,782.00	\$629,150.00	-\$195,632.00	131.09%	-31.09%
Federal/State Funding - Direct Charges									
Fermi P.O.#649934 Prof Services	\$0.00	\$0.00	\$0.00	0.0%	\$71,762.00	\$93,972.00	\$22,210.00	76.37%	23.63%
Fermi C#630223 Ross Rehab	\$50,491.00	\$63,350.00	\$12,859.00	79.7%	\$828,319.00	\$953,524.00	\$125,205.00	86.87%	13.13%
Fermi C#654406 Ross Logist.Supp	\$0.00	\$0.00	\$0.00	0.0%	\$1,168,033.00	\$1,549,870.00	\$381,837.00	75.36%	24.64%
Fermi C#671265 Prof. St.Services	\$6,789.00	\$18,000.00	\$11,211.00	37.72%	\$143,711.00	\$179,584.00	\$35,873.00	80.02%	19.98%
Fermi C#674969 Ross Logist.Supp.	\$182,626.00	\$190,000.00	\$7,374.00	96.12%	\$279,079.00	\$316,662.00	\$37,583.00	88.13%	11.87%
Fermi Misc. Contracts	\$0.00	\$5,000.00	\$5,000.00	0.0%	\$25,968.00	\$109,000.00	\$83,032.00	23.82%	76.18%
Office of Science Coop.Agree	\$1,308,624.00	\$1,213,191.00	-\$95,433.00	107.87%	\$13,673,821.00	\$14,245,946.00	\$572,125.00	95.98%	4.02%
Office of Science IIP Projects	\$362,907.00	\$362,907.00	\$0.00	100.0%	\$3,461,302.00	\$3,590,178.00	\$128,876.00	96.41%	3.59%
LBNL SIGMA-V C#7371823	\$3,349.00	\$15,000.00	\$11,651.00	22.33%	\$259,828.00	\$301,000.00	\$41,172.00	86.32%	13.68%
LBNL LZExp. Operat. C#7525117	\$78,570.00	\$85,000.00	\$6,430.00	92.44%	\$807,841.00	\$930,100.00	\$122,259.00	86.86%	13.14%
MJD (Majorana) ORNL144149	\$1,461.00	\$2,000.00	\$539.00	73.05%	\$19,457.00	\$22,000.00	\$2,543.00	88.44%	11.56%
BHSU-UGCampus Gen.Serv.	\$0.00	\$200.00	\$200.00	0.0%	\$3.00	\$2,200.00	\$2,197.00	0.14%	99.86%
SDSM&Tech CASPAR Gen.Serv.	\$0.00	\$500.00	\$500.00	0.0%	\$1,266.00	\$5,500.00	\$4,234.00	23.02%	76.98%
* Kiewit/Aiberici JV/Thyssen	\$4,217.00	\$4,900.00	\$683.00	86.06%	\$35,830.00	\$36,513.00	\$683.00	98.13%	1.87%
RESPEC Thermal Breakout	\$0.00	\$0.00	\$0.00	0.0%	\$6,891.00	\$7,000.00	\$109.00	98.44%	1.56%
Subtotal	\$1,999,034.00	\$1,960,048.00	-\$38,986.00	101.99%	\$20,783,111.00	\$22,343,049.00	\$1,559,938.00	93.02%	6.98%
Indirect Expenses									
Indirect Charges Personnel	\$454,141.00	\$456,050.00	\$1,909.00	99.58%	\$5,156,974.00	\$5,282,995.00	\$126,021.00	97.61%	2.39%
Indirect Charges Other	\$467,922.00	\$604,533.00	\$136,611.00	77.4%	\$5,158,888.00	\$6,152,791.00	\$993,903.00	83.85%	16.15%
Subtotal	\$922,063.00	\$1,060,583.00	\$138,520.00	86.94%	\$10,315,862.00	\$11,435,786.00	\$1,119,924.00	90.21%	9.79%
Totals	\$3,008,433.00	\$3,096,281.00	\$87,848.00	97.16%	\$31,923,755.00	\$34,407,985.00	\$2,484,230.00	92.78%	7.22%
* Private Corporations (Commercial Group)									

SDSTA CAPEX Budget Summary FY21
 Actual vs Budget
 May YTD FY2021

<u>Budget Area</u>	<u>Actual Month</u>	<u>FY2021 Monthly Budget</u>	<u>\$ Over/Under Budget</u>	<u>% of Budget</u>	<u>Actual YTD</u>	<u>FY2021 YTD Budget</u>	<u>\$ Over/Under Budget</u>	<u>% of Budget</u>	<u>% Remaining</u>
									100.00%
Operational CAPEX	\$ 483,485.65	\$ 500,000.00	\$ 16,514.35	96.70%	\$ 4,610,740.57	\$ 5,068,074.00	\$ 457,333.43	90.98%	9.02%
TOTAL CAPEX	<u>\$ 483,485.65</u>	<u>\$ 500,000.00</u>	<u>\$ 16,514.35</u>	<u>96.70%</u>	<u>\$ 4,610,740.57</u>	<u>\$ 5,068,074.00</u>	<u>\$ 457,333.43</u>	<u>90.98%</u>	<u>9.02%</u>

SD Science & Technology Authority
Operational CAPEX Budget
YTD FY2021 Actual vs Budget

Project #	Project Description	May YTD FY2021	FY2021 Budget	\$ Over/UnderBudget	% of Budget	% Remaining
						100%
CAP2014-01	Sanford Visitor Center Sign/Display	\$ 422.50	\$ 54,000.00	\$ 53,577.50	0.78%	99.22%
CAP2016-03	LZ Xenon Gas	\$ 111,986.31	\$ 234,000.00	\$ 122,013.69	47.86%	52.14%
CAP2019-01	Maintenance Support Facility	\$ 4,498,331.76	\$ 4,780,074.00	\$ 281,742.24	94.11%	5.89%
	Totals	<u>\$ 4,610,740.57</u>	<u>\$ 5,068,074.00</u>	<u>\$ 457,333.43</u>	<u>90.98%</u>	<u>9.02%</u>

SD Science & Technology Authority
Operational CAPEX Budget
Monthly Actual vs Budget

Project #	Project Description	May FY2021	Budget	\$ Over/UnderBudget	% of Budget
CAP2014-01	Sanford Visitor Center Displays/Monitoring	\$ -	\$ -	\$ -	
CAP2016-03	LZ Xenon Gas	\$ -	\$ -	\$ -	
CAP2019-01	Maintenance Support Facility	\$ 483,485.65	\$ 500,000.00	\$ 16,514.35	96.70%
	Monthly Totals	<u>\$ 483,485.65</u>	<u>\$ 500,000.00</u>	<u>\$ 16,514.35</u>	<u>96.70%</u>

Conveyance of real estate to correct boundary—Mr. Tim Engel

Quit claim deed and certificate of value attached. *(See suggested motion below.)*

Recommended Action:

Motion to authorize the chairperson to sign quit claim deed.

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COURTHOUSE USE ONLY	
BOOK PAGE	RATIO CARD

CERTIFICATE OF REAL ESTATE VALUE
SDCL 7-9-7 ARSD 64:04:01:06.01

Certificate of Real Estate Value form must be filed with any deed or contract for deed dated after July 1, 1988 used in the purchase, exchange, transfer or assignment of interest in real property.

- This form is required for all deeds (warranty deed, quit claim deed, grantor's deed, sheriff's deed, trustee's deed, mineral deed and similar instruments). It is also required for a contract for deed, a memorandum of a contract for deed, addenda to contract for deed, and notice of contract for deed. NOT NEEDED FOR: Divorce Decree, Probate Decree, Easement, Transfer on Death Deed, or instruments to the State of South Dakota conveying highway right-of-way (SDCL 7-9-7.3)
- **The buyer/grantee must use a mailing address. It will be used for tax notices.**
- **The box labeled Owner Occupied is important!** – Applies to sales, gifts, estate distributions, and any other transfer to a person (the grantee) who will occupy the property as a principal residence. It will allow the grantee, if eligible, to maintain the classification of owner-occupied on the property and receive the lower property tax rate for the property. If the box is completed, **it must be completed by and contain the grantee signature only.** In the event of multiple grantees, only one grantee should sign. This box cannot be signed by an agent of the grantee.

APPLICANT INFORMATION * Designates required fields

SELLER(S)/GRANTOR(S) *		PHONE NUMBER *	EMAIL	
South Dakota Science & Technology Authority		605-722-8650		
MAILING ADDRESS *	CITY *	STATE *	ZIP CODE *	
630 East Summit Street	Lead	SD	57754	
BUYER(S)/GRANTEE(S) *		PHONE NUMBER*	EMAIL	
Terry J. Hart				
MAILING ADDRESS *	CITY *	STATE *	ZIP CODE *	
634 S. Mill Street	Lead	SD	57754	
NEW MAILING ADDRESS (if changed)	CITY	STATE	ZIP CODE	
LEGAL DESCRIPTION * (copy description from document you are recording or attach an exhibit with the legal description)				
Lot 12 of Block B of the Bell Addition to the City of Lead and Dedication of Public Street Being a Part of Vacated Rosebud Avenue and Tract A of Yates Subdivision, City of Lead, Lawrence County, South Dakota, according to the recorded plat thereof.				

INSTRUMENT INFORMATION (document being recorded) * This section is required in full

DATE OF INSTRUMENT	TYPE OF INSTRUMENT:	CONTRACT FOR DEED <input type="checkbox"/>	QUIT CLAIM DEED <input checked="" type="checkbox"/>	EXECUTOR'S DEED <input type="checkbox"/>
June 24, 2021		WARRANTY DEED <input type="checkbox"/>	MINERAL DEED <input type="checkbox"/>	TRUSTEE'S DEED <input type="checkbox"/>
DATE	OTHER <input type="checkbox"/> – SPECIFY: _____			
DOES THE INSTRUMENT CHANGE WHO IS RESPONSIBLE FOR PAYMENT OF REAL ESTATE TAXES? YES <input type="checkbox"/> NO <input type="checkbox"/>				

<ul style="list-style-type: none"> • WAS THIS PROPERTY OFFERED FOR SALE TO THE GENERAL PUBLIC? YES <input type="checkbox"/> NO <input type="checkbox"/> • RELATIONSHIP BETWEEN GRANTEE AND GRANTOR NO <input checked="" type="checkbox"/> YES <input type="checkbox"/> STATE RELATIONSHIP: _____ • WAS THIS PROPERTY SOLD BY: OWNER <input checked="" type="checkbox"/> AGENT <input type="checkbox"/> 	<ul style="list-style-type: none"> • ACTUAL CONSIDERATION EXCHANGED \$ _____ • ADJUSTED PRICE PAID FOR REAL ESTATE \$ _____ <small>(actual consideration less amount paid for major items of personal property as listed below)</small>
---	---

List any major items of personal property and their value which were included in the total purchase price. (i.e. furniture, inventory, crops, leases, franchises):

IF TRANSACTION WAS A SALE, WAS THE SELLER PAID IN FULL BY OR AT THE TIME OF THE SALE? YES NO

- IF NO, HOW WILL THE SELLER BE PAID THE UNPAID BALANCE?
_____ DOWN PAYMENT: \$ _____

INTEREST RATE: _____%	PAYMENT FREQUENCY: MONTHLY <input type="checkbox"/> YEARLY <input type="checkbox"/>	NO. OF PAYMENTS: _____	BALLOON PAYMENT (if any): \$ _____
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BY SIGNING THIS DOCUMENT, I CERTIFY THAT I AM AUTHORIZED TO SIGN AND THAT THE ABOVE INFORMATION IS TRUE AND CORRECT.

SIGNATURE (Seller, Buyer, or Agent) *	TITLE	DATE *
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OWNER-OCCUPIED (this box to be completed by one Grantee only)

PROPERTY IS CURRENTLY CLASSIFIED AS OWNER-OCCUPIED YES () NO ()	COUNTY _____
I WILL OCCUPY THIS PROPERTY ON _____ DATE	These items are important to complete for property to continue to be classified as owner occupied for a lower property tax rate.
PROPERTY WILL BE MY PRINCIPAL RESIDENCE ON THE ABOVE STATED DATE YES () NO ()	
I OWN ANOTHER RESIDENTIAL PROPERTY IN THE UNITED STATES YES () NO () IF YES – _____ CITY _____ STATE _____	
GRANTEE SIGNATURE	DATE

DIRECTOR OF EQUALIZATION OFFICE USE ONLY FOR OWNER OCCUPIED SECTION

GRANTEE OF PROPERTY NAME: _____

THE REQUEST FOR PROPERTY TO BE CLASSIFIED AS OWNER OCCUPIED IS:
() APPROVED () DENIED () ACKNOWLEDGE RECEIPT: Your request will be reviewed _____

REASON FOR DENIAL	
DIRECTOR OF EQUALIZATION OFFICE SIGNATURE	DATE

Prepared by:
Timothy M. Engel
May, Adam, Gerdes & Thompson LLP
503 S. Pierre Street
PO Box 160
Pierre, SD 57501
(605) 224-8803

QUITCLAIM DEED

South Dakota Science & Technology Authority, a body corporate and politic, Grantor, of 630 East Summit Street, Lead, Lawrence County, South Dakota 57754, for and in consideration of TEN DOLLARS (\$10.00) and other good and valuable consideration, conveys and quit claims to Terry J. Hart, Grantee, of 634 S. Mill Street, Lead, Lawrence County, South Dakota 57754, all interest in the following described real estate in the County of Lawrence in the State of South Dakota:

Lot 12 of Block B of the Bell Addition to the City of Lead and Dedication of Public Street Being a Part of Vacated Rosebud Avenue and Tract A of Yates Subdivision, City of Lead, Lawrence County, South Dakota, according to the recorded plat thereof.

EXEMPT FROM TRANSFER FEE PURSUANT TO SDCL 43-4-22(18).

Dated this 24th day of June, 2021.

SOUTH DAKOTA SCIENCE & TECHNOLOGY AUTHORITY

BY: _____
CASEY PETERSON

ITS: Chairperson

State of South Dakota)
)ss
County of Lawrence)

On this the 24th day of June, 2021, before me the undersigned officer, personally appeared Casey Peterson, who acknowledged himself to be the Chairperson of South Dakota Science & Technology Authority, a body corporate and politic, and that he as such Chairperson, being authorized so to do, executed the foregoing name of the Authority by himself as Chairperson.

IN WITNESS WHEREOF I hereunto set my hand and official seal this 24th day of June, 2021.

Notary Public

(SEAL)

Notary Print Name:
My Commission Expires:

Pollution liability insurance renewal—Mr. Tim Engel

Placeholder

Recommended Action:

tbd... Motion to authorize the chairperson, in consultation with the executive director, general counsel, and office of risk management, to negotiate and bind final terms of pollution liability coverage, with a premium cost of not more than \$?

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Annual Review of SDSTA Policies and Procedures—Mr. Mike Headley

12A. Annual review of SDSTA Policies and Procedures

- Section 2
 - Alcohol, Controlled Substances and Testing Policy (*fka Drug & Alcohol Testing Policy*), *updated*.
 - Internal Fundraising and Outside Sponsorship Policy, *updated*.
 - Tobacco and Vape-free Policy, *updated*.

- *Procedures approved by Executive Director Mike Headley, informational.*
 - *Alcohol, Controlled Substances and Testing Procedure (fka Drug & Alcohol Procedure, updated).*
 - *Internal Fundraising and Outside Sponsorship Procedure (new).*
 - *Internal Fundraising and Outside Sponsorship Authorization Form (new).*
 - *Tobacco and Vape-free Procedure (updated).*

12B. Board members to sign annual statements for 2021 affirming compliance with Financial Conflict of Interest, attached—return signed statements to Mandy Knight.

Recommended Action:

Motion to approve updated Alcohol, Controlled Substances Testing Policy, Tobacco and Vape-free Policy and new Internal Fundraising and Outside Sponsorship Policy as presented.

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~~Drug and Alcohol Testing Policy~~ [Alcohol, Controlled Substances and Testing Policy](#)

The South Dakota Science and Technology Authority (SDSTA) recognizes the importance of protecting the health and safety of all employees and will take reasonable action to create and maintain a workplace free of the risks associated with unlawful use of drugs and/or alcohol.

Employees are prohibited from using [or being under the influence of](#) alcohol or controlled substances while on duty. Controlled substances include those listed in Schedules I - V of the Controlled Substances Act, 21 U.S.C. § 812 and related federal regulations, 21C.F.R. §§ 1308.11-1308.15, as amended from time-to-time.

It is the responsibility of each employee to notify their supervisor when taking any prescription or over the counter medication that may impair the employee's ability to perform job duties safely and effectively. The employee's supervisor may reassign job duties or temporarily relieve the employee from duty if the supervisor determines that use of the medicine may impair the employee's ability to perform job duties safely and effectively.

The SDSTA will require drug and alcohol testing under certain circumstances that include, but are not limited to: pre-employment testing, random testing, post-accident and/or incident testing and reasonable suspicion testing. The SDSTA has established formal procedures for the performance of each of these types of testing.

SDSTA will maintain all information collected in connection with drug and alcohol testing confidential except where disclosure is required by law or requested by the applicant/employee. Information obtained through testing that is unrelated to the use of a controlled substance or alcohol will be held in strict confidence by the Medical Review Officer (MRO)—a licensed physician who is responsible for receiving and reviewing laboratory results generated by the SDSTA's drug testing program— and will not be released to SDSTA.

[SDSTA and the U.S. Department of Energy \("DOE"\) are parties to a Cooperative Agreement as that term is used in 2 CFR 182.5 and 2 CFR 186.620. Accordingly, SDSTA is subject to the Drug Free Workplace requirements of 2 CFR Part 182 and 2 CFR Part 902, which require SDSTA to make a good faith effort to maintain a drug-free workplace. -As used in the regulations, the term "drug free workplace" means a work environment at which "employees ... are prohibited from engaging in the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance." "Controlled substance" means a controlled substance in schedules I-V of the Controlled Substances Act, which includes marijuana. -Despite the adoption of SDCL Ch. 34-20G, relating to medical marijuana, the use and possession of marijuana remains a crime under federal law, and thus is "unlawful" as that term is used in the Drug Free Workplace regulations. -Because SDSTA's funding through the Cooperative Agreement is contingent upon compliance with DOE's Drug Free Workplace requirements, SDCL 34-20G-23 \(addressing employer and employee rights and responsibilities with respect to medical cannabis\) applies to SDSTA.](#)

Without limiting the generality of the remainder of this policy, it is the policy of SDSTA that no employee may engage in the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance on SDSTA property, including but not limited to medical cannabis, nor may any employee be under the influence of or otherwise impaired by any controlled substance, including medical cannabis, while on duty.

Nothing in this policy shall be construed as creating a contract of employment or any right to notice and a hearing prior to termination or other disciplinary action. All employees of the SDSTA are employed on an at-will basis.

SDSTA Acknowledgment of Drug and Alcohol Testing Policy:

I agree to comply with the SDSTA's policy regarding alcohol and controlled substance use and/or abuse. I understand:

- failure to comply with this policy may result in immediate dismissal from employment.
- the SDSTA will pay for pre-employment, random, post-accident and reasonable suspicion drug and alcohol testing.

Employee Name (printed): _____

Employee Signature: _____ Date: _____

Supervisor's Name (printed): _____

Supervisor's Signature: _____ Date: _____

Internal Fundraising and Outside Sponsorship Policy (new)

A. Statement

The South Dakota Science and Technology Authority (SDSTA) formed the Sanford Underground Research Facility (SURF) Foundation, a 509(a)(3) organization to develop resources to support the mission and values of the SDSTA/SURF. Outside sponsorship and internal fundraising help raise awareness of the organization. Therefore, all such activities must align with SURF's mission and adhere to SURF values. All fundraising activities will be legal, open, honest, and respectful and staff will maintain the highest professional standards.

B. Purpose

The purpose of this policy is to ensure best practices and guidelines are followed with internal fundraising and outside sponsorship efforts. Prior approval is required for all fundraising activities. All requests must be referred to the SURF Foundation and/or Communications Department to avoid duplication of efforts. This policy is applicable to all SDSTA employees.

C. Related Procedure

SDSTA Internal Fundraising and Outside Sponsorship Procedure

Tobacco and Vapor-Free Property Policy (updated)

A. Statement

~~The South Dakota Science and Technology Authority (SDSTA)/Sanford Underground Research Facility (SURF) is dedicated to providing a healthy, comfortable and productive environment for employees, contractors, users and visitors.~~ To protect and promote the health and well-being of employees and visitors, and in compliance with SDCL §34-46-14 and §34-46-20, the South Dakota Science and Technology Authority (SDSTA) designates all property owned or operated by the SDSTA to be tobacco and vapor-free. This includes all buildings, grounds, parking lots, SDSTA-owned motor vehicles on or off SDSTA property and any other motor vehicle on SDSTA property. This applies to all areas on the surface and in the underground.

B. Purpose

~~The SDSTA/Sanford Underground Research Facility (SURF) is dedicated to providing a healthy, comfortable and productive environment for employees, contractors, users and visitors.~~

~~This policy applies to all individuals at SURF. To protect and promote the health and well-being of all individuals, and in compliance with SDCL §34-46-14, the SDSTA designates all property owned or operated by the SDSTA to be tobacco and vapor-free. This includes all buildings, grounds, parking lots, SDSTA-owned motor vehicles on or off SDSTA property and any other motor vehicle on SDSTA property. This applies to all areas on the surface and in the underground.~~

C. Related Procedure:

SDSTA Tobacco and Vapor-Free Property Procedure

~~Drug and Alcohol Testing Procedure~~ Alcohol, Controlled Substances and Testing Procedure

Approved by MH, 6/15/21

The South Dakota Science and Technology Authority (SDSTA) recognizes the importance of protecting the health and safety of all employees and will take reasonable action to create and maintain a workplace free of the risks associated with use of unlawful drugs and/or alcohol.

A. Applicability

This ~~procedure~~ Drug and Alcohol Testing Procedure applies to all SDSTA employees as a condition of initial and continued employment, or as applicable, access to the Sanford Underground Research Facility (SURF) and any other SDSTA-owned or controlled property.

This procedure sets out the requirements and describes the processes used at SURF to manage the use of unlawful drugs and/or alcohol.

B. Definitions

Terms used in this procedure mean:

1. Controlled Substances—A drug or chemical whose manufacture, possession or use is regulated by a government, including the government of the United States of America, including illicit drugs and drugs requiring a prescription. Without limiting the generality of the foregoing, the term includes medical cannabis as provided for under SDCL Ch. 34-20G.
2. Designated Employee Representative (DER)—An employee authorized by the employer to take immediate action(s) to remove an employee from safety-sensitive duties, or cause an employee to be removed from these covered duties and to make required decisions in the testing and evaluation processes. For example: a supervisor, foreman, manager, security officer, duty officer, Human Resources Administrator or Environment, Safety and Health (ESH) personnel.
3. Dilute Specimen—A urine sample that has a higher than average water content.
4. Employee Assistance Program (EAP)—An employee benefit program that assists employees with personal problems and/or work-related problems that may impact their job performance, health, mental and emotional well-being, including alcohol and substance abuse.

6. Invalid Test Result—A result reported by a laboratory for a urine specimen that contains an unidentified adulterant, contains an unidentified interfering substance, has an abnormal physical characteristic or has an endogenous substance at an abnormal concentration that prevents the laboratory from completing or obtaining a valid drug or alcohol test.
7. Medical Review Officer (MRO)—A licensed physician who is responsible for receiving and reviewing laboratory results generated by an employer's drug testing program and evaluating medical explanations for non-negative drug test results.
8. Non-Negative Test Result—A result that indicate the presence of a controlled substance in the tested sample.
9. Reasonable Suspicion—A determination, made by a trained supervisor or supervisors, based upon specific, contemporaneous, articulable observations of conduct, behavior or body odors, that a person may be under the influence of drugs or alcohol. Examples of evidence giving rise to a reasonable suspicion determination include physical evidence of illicit substances, patterns of erratic or abnormal behavior, disorientation or confusion, or an inability to complete routine tasks.
10. Split Specimen Test—Testing of a urine sample that is split between two specimen cups in order to have a second sample tested.
11. Substance Abuse Professional (SAP)—A professional qualified by training and experience as specified by the U.S. Department of Transportation.
12. Supervisor—A person with authority and oversight responsibilities of a working group, such as a manager, foreman or lead person.
13. Third Party Administrator (TPA)—An outside company contracted to manage some or all of an employer's drug and alcohol testing policy.

C. Responsibilities

1. Executive Director:
 - a. Ensures work practices meet the requirements of this procedure.
 - b. Approves and selects a DER(s).
 - c. Determines the number of employees in the workforce to be selected for random testing.
2. Department Director:
 - a. Understands the processes within this procedure.
 - b. Ensures necessary education and training is completed.
 - c. Enforces the content of this procedure throughout the department.

- d. Considers drug and alcohol risk factors in incident investigations and monitors and responds to trends in such incidents.
 - e. Assists in making decisions for drug and alcohol testing requirements for post-accident/incident and/or reasonable suspicion scenarios.
3. ESH Director:
- a. Assists Department Directors and Supervisors with drug and alcohol advice and risk management strategies.
 - b. Considers drug and alcohol risk factors in incident investigations and monitors and responds to trends in such incidents.
 - c. Assists in making decisions for drug and alcohol testing requirements for post-accident/incident.
 - d. Makes reasonable suspicion determinations.
4. Supervisor:
- a. Ensures personnel under their supervision comply with this procedure.
 - b. Ensures proper documentation is completed in the event of a reasonable suspicion test.
5. Designated Employee Representative:
- a. May remove employees from safety-sensitive duties, or cause employees to be removed from safety-sensitive duties.
 - b. Makes required decisions in the testing and evaluation processes.
 - c. Contacts person for confidential and sensitive information.
 - d. Person who receives and is responsible for delivery of notices of random selection to employees.
 - e. Verifies employee compliance status.
 - f. Arranges a testing site when the occupational health nurse is not available.
6. Occupational Health Nurse:
- a. Maintains required qualifications for drug and alcohol testing.
 - b. Schedules testing.
 - c. Administers drug and/or alcohol test.
 - d. Schedules and conducts training.
 - e. Maintains records.

7. All Personnel:
 - a. Comply with all requirements of this procedure.
 - b. Attend any drug and alcohol training as directed.
 - c. Contact the ESH Department or Human Resources Administrator with any questions in regard to this procedure.
 - d. Report violations of this policy to management.

D. Procedure

1. Testing is required under the following circumstances:
 - a. Pre-Employment Testing—SDSTA will require a negative controlled substance test result for pending job offers. The applicant will not be allowed to report for duty until a negative controlled substance test is confirmed. If the prospective employee fails to pass the controlled substance test, the offer of employment will be withdrawn. [The foregoing notwithstanding, a test positive for THC will not by itself result in a withdrawn offer of employment if the Occupational Health Nurse verifies the applicant is authorized to use medical cannabis under SDCL Ch. 34-20G.](#)
 - b. Random Testing—The choice of employees to be tested will be made by a TPA on a random basis. Each employee has an equal chance of being selected for random testing as the selection is made from the entire SDSTA employee pool, including employees previously selected.
 - c. Post-Accident and/or Incident Testing—All SDSTA employees causing or contributing to accidents and/or incidents that:
 - Materially damage SDSTA vehicles, equipment or property, resulting in the need for repair, and/or
 - Result in any injury which requires off-site medical treatment beyond First Aid to themselves or others.

Post-accident and/or incident testing for the presence of alcohol is to be performed within two (2) hours and no later than eight (8) hours after the accident and/or incident. Controlled substance testing must be administered within thirty-two (32) hours after the accident and/or incident.
 - d. Reasonable Suspicion Testing—Reasonable suspicion testing should be performed when a supervisor has made a reasonable suspicion determination.

SDSTA may require additional testing as a condition of specific certification criteria. For example, explosives licensing.

2. Substances tested for include, but are not limited to, the controlled substances listed below, from the list in Schedules I-V of the Controlled Substance Act, 21 U.S.C. § 812:
 - Amphetamines;
 - Cocaine;
 - Opiates;
 - Phencyclidine (PCP); and
 - Tetrahydrocannabinol (THC).
3. Testing and Collection Procedures—All testing will be conducted in accordance with the following guidelines:
 - a. Alcohol Testing: Alcohol testing will be conducted by qualified personnel using approved Alcohol Screening Devices (ASD) or Evidential Breath Testing (EBT) devices in accordance with manufacturer's instructions. Testing is based on breath and/or saliva testing. If the blood alcohol content (BAC) is 0.02 or greater, a confirmation test will be conducted following a brief waiting period.
 - If the confirmation test result is 0.02 BAC or greater, the employee will be transported home.
 - If the confirmation test is less than 0.02 BAC, the test is considered negative.
 - b. Drug Testing: Drug testing will be conducted using a urine specimen. In certain circumstances, the employee may be required to provide a specimen under direct observation. Direct observation will only be performed by an individual of the same sex. A non-negative test is subject to confirmation testing and will be further examined by the MRO.
 - c. Reasonable Suspicion Testing: Testing for reasonable suspicion will be conducted as an observed collection and therefore may require off-site testing. The employee will not be allowed to work pending the results of the test.
 - d. Split Test shall be performed for the following:
 - Dilute Specimen.
 - Non-Negative (Instant) Test Result.
 - Invalid Test Result.
4. Confirmation Testing: Non-negative drug tests are confirmed using gas chromatography/mass spectrometry (GC/MS) or other reliable methodology.

Non-negative alcohol tests are confirmed using an EBT unless otherwise required by law.

5. Results and Re-testing: A qualified MRO will evaluate, interpret and discuss any non-negative results with the employee, at which time the employee will be given an opportunity to discuss any prescription/nonprescription medications. The employee may request retesting of the original specimen at his/her own expense. For alcohol tests, the breath alcohol technician will advise SDSTA of a positive result and SDSTA will notify the employee. An employee who tests negative for drugs and/or alcohol will be returned to work. In the event an employee is removed from their duties pending drug confirmation and the test result is negative, the removal from duties will be treated as administrative suspension with pay.

An employee with a confirmed positive result ~~may~~ will be removed from their duties and subject to discipline up to and including immediate termination and/or referral to a SAP.

6. Costs of Testing: Testing required by SDSTA is at the SDSTA's expense.
7. Medication: Although the proper use of medication is not prohibited, employees must notify SDSTA when taking medication which may affect safety or performance. Medication brought onto SDSTA property must be retained in its original container with its original label.

E. Prohibited use

1. Employees who violate any provision of the Drug and Alcohol Policy ~~may~~ will be removed from their duties and are subject to discipline up to and including immediate termination and/or referral to a SAP. Except as otherwise provided in this procedure, pProspective employees violating the policy will not be hired. The following are prohibited by this policy:
 - a. Using, possessing, manufacturing, selling, trading, transferring, distributing, dispensing, arranging or offering to distribute unlawful drugs, including medical cannabis, and/or alcohol while at work, performing job duties, off-site at training or meetings, on SURF property (including on-site personal vehicles), during lunches or breaks, or in SDSTA vehicles.
 - b. A positive test result indicating being under the influence of alcohol or drugs as specified in this policy.
 - c. Reporting to work or conducting duties with a BAC of 0.02 or greater.
 - d. Refusing to cooperate with any test, search or investigation, or failure to execute any paperwork or consent forms necessary for examinations or tests, including refusal to submit to any alcohol or drug test.
 - e. Submitting an invalid specimen. (See definition for invalid test result).

F. Employee Assistance Program (EAP) and Seeking Help

The SDSTA encourages employees with substance abuse issues to seek help before health, safety and job performance are affected. Employees who need additional information should contact the Human Resources Administrator about the EAP and/or information on file in regard to certified drug and alcohol abuse programs.

G. Records

Drug and Alcohol-related records are maintained in accordance with applicable law. In the event a required post-accident/post incident alcohol test is not administered within two (2) hours of the accident, SDSTA will prepare documentation regarding the reason the test was not administered. If a post-accident alcohol test is not administered within eight (8) hours of the accident, SDSTA will cease attempts to administer the test and will prepare the same record. If a post-accident drug test is not administered within thirty-two (32) hours, SDSTA will cease attempts to administer the test, and maintain a record stating the reasons the test was not promptly administered.

H. Confidentiality

SDSTA will maintain all information collected in connection with drug and alcohol testing confidential except where disclosure is required by law or requested by the applicant/employee. Information obtained through testing that is unrelated to the use of a controlled substance or alcohol will be held in strict confidence by the MRO and will not be released to SDSTA.

I. Education and Training

SDSTA regularly educates and trains employees about workplace health and safety risks posed by the unlawful use of drugs and alcohol. In addition, training on reasonable suspicion will be provided to all supervisors. SDSTA will retain records documenting attendee signatures, dates and training topics for all employee and supervisor training.

J. Miscellaneous

Nothing in the Drug and Alcohol Testing Policy or this procedure shall be construed as creating a contract of employment or any right to notice and a hearing prior to termination or other disciplinary action. All employees of the SDSTA are employed on an at-will basis.

Internal Fundraising and Outside Sponsorship Procedure, (new)

The South Dakota Science and Technology Authority (SDSTA) Internal Fundraising and Outside Sponsorship Procedure complements the SDSTA Policy and includes expectations, responsibilities and instructions for best practices regarding all fundraising efforts. It provides a list of documents for reference.

A. Definitions

Donation – a gift for which no direct benefit is sought. A donation may take various forms including money, goods, facilities or services and can be from an individual, foundation or an organization. Gifts can only be accepted providing that appropriate authority for approval has been secured.

Fundraising – the process of seeking and gathering voluntary financial contributions by engaging individuals, businesses, charitable foundations or governmental agencies

Outside Sponsorship – A collaboration between SDSTA/SURF and an external organization or company, in which SDSTA/SURF provides money, goods, or services in exchange for recognition.

Volunteer – an SDSTA employee who renders services of his/her own free will, without wage or salary compensation of any kind. An SDSTA volunteer is prohibited from inferring or projecting an appearance that they are representing or otherwise making statements on behalf of the SDSTA/SURF unless appropriately authorized to do so.

B. Authorization

Internal fundraising and outside sponsorship proposals from within SURF must be referred to the SURF Foundation and/or Communications Department. Referral to the SURF Foundation and/or Communications Department is necessary to avoid duplication of efforts or overlap of fundraising initiatives. No SDSTA employee may initiate fundraising events unless coordinated with the SURF Foundation and/or Communications Department.

Prior approval is required for all fundraising activities. A Fundraising Authorization Form must be completed and submitted to the SDSTA Executive Director or his/her designee for approval. Once the fundraising form has been formally approved, the relevant department will be notified and will assist as appropriate with advancing the activity. Any solicitation must follow the SDSTA and SURF Foundation Policies and Procedures.

C. Departmental Responsibilities

The fundraising activity must aid in the accomplishment of the mission and adhere to SURF Values.

SDSTA Department – the department hosting an internal fundraising or outside sponsorship event is responsible, in coordination with the SURF Foundation and/or Communications Department, for the following:

1. Complete and submit a Fundraising Authorization Form to the SDSTA Executive Director or his/her designee for approval.
2. Develop a fundraising plan and budget.
3. Ensure fundraising events have the intent to yield net revenue.
4. Plan, conduct and administer the fundraising event.
5. Ensure compliance with policies and procedures, especially regarding the cash revenue receipt function.
6. Identify the portion of the revenue that is not potentially tax-deductible gift (i.e., the fair market value of goods and services, the non-gift component of the event admission/registration fee, to be received).
7. Identify the beneficiary of the gift.
8. Ensure all individuals having responsibility for the fundraising event are trained on cash handling procedures, if applicable.
9. On a daily basis, deposit all associated funds to the Finance Office.
10. Record and maintain a complete listing of all donor contributions for the fundraising event. The list shall include the legal name(s) of each donor, mailing address, date of receipt, donation amount and/or the fair market value of a gift in kind.
11. If the fundraising event includes prizes or awards, then maintain the listing of all recipients.
12. Provide acknowledgement letters to donors.
13. Provide a listing of these donors and/or copies of the donor forms to the SURF Foundation for distribution of donor tax letters when applicable.

SDSTA Finance Office – All donations (including sponsorships) must be channeled through the Finance Office to ensure they are documented and handled in line with internal controls (financial management practices) and SDSTA and SURF Foundation policies and procedures. Additionally, any donations received from SDSTA employees that may be considered as having a conflict of interest with SDSTA and SURF Foundation Policies and Procedures must be declined. Cash handling guidance (*reference SDSTA Accounting and Audit Procedure*):

1. The Chief Financial Officer (CFO) or Executive Director will designate an employee to be the originator. The originator will open the mail and photocopy the cash or check item.
2. When cash or checks are delivered in person, the employee who receives it immediately takes it to the originator.
3. The originator will log the source, amount and date received and then the item will be forwarded to the bookkeeper who then prepares a bank deposit slip.
4. The bookkeeper will stamp all checks with a “For Deposit Only” stamp and return the checks and/or cash, along with a completed deposit slip, to the originator.

5. The originator verifies the deposit slip is completed accurately and takes it to the bank holding the SDSTA's account.
6. In addition, the originator will write pre-numbered duplicate receipts for all cash and checks received and will make certain that when cash is involved the original receipt is given to the individual paying the cash. Duplicate receipts are filed in the CFO's office.

SURF Foundation – All donations must be recorded and handled in line with the SURF Foundation management practices and SDSTA and SURF Foundation policies and procedures to ensure proper reporting of all funds and gifts.

1. Review the documentation of the fundraising event or outside sponsorship to assess risk and determine compliance issues.
2. Act as a resource to the hosting department relative to SDSTA and SURF Foundation policies and procedures, forms and internal controls throughout the course of a fundraising event.
3. Review all submitted documentation and provide any needed changes to ensure compliance with policies and procedures.
4. If the fundraising event includes prizes or awards, maintain the listing of all recipients.
5. Provide acknowledgement letters to donors.
6. Provide receipts to all individuals included on the donor listing or donor forms submitted by the department.

It is the responsibility of the SDSTA Finance Office and SURF Foundation to comply with the Internal Revenue Service rules and regulations and all applicable, federal, state, local and county tax laws pertaining to 509(a)(3) organizations, fundraising events and donation receipts.

D. Related Documents and Links

- Accounting and Audit Procedure
- SDSTA Internal Fundraising and Outside Sponsorship Policy
- SDSTA Internal Fundraising and Outside Sponsorship Proposal Authorization Form
- [Internal Revenue Service \(IRS\) Publication 557](#)
- SURF Foundation Charter



INTERNAL FUNDRAISING/OUTSIDE SPONSORSHIP PROPOSAL AUTHORIZATION FORM

Donation - A gift for which no direct benefit is sought. A donation may take various forms including money, goods, facilities or services and can be from an individual, foundation or an organization. Gifts can only be accepted providing that appropriate authority for approval has been secured.

Gift-in-kind - Donation of goods instead of cash.

Outside Sponsorship - A collaboration between SDSTA/SURF and an external organization or company, in which SDSTA/SURF provides money, goods or services in exchange for recognition.

Submitted by:	
Name and Title:	
Department/Group:	
Phone and Email:	
Is this a request for sponsorship? If so, who is requesting sponsorship?	
Or is this a request for a fundraising campaign? If so, who is the recipient of the campaign funds?	

**SURF Mission: We advance world-class science and inspire learning across generations.
SURF Values: Safety, Care for Others, Professional and Team Players.**

<p>1. <i>Please provide a detailed overview of the activity.</i></p>
<p>2. <i>How does the activity benefit SURF? Does it align with SURF's mission and values?</i></p>
<p>3. <i>Please identify the person/organization requesting funding or sponsorship. Include the legal name(s) of each donor and mailing address.</i></p>
<p>4. <i>What is the donation amount or the fair market value of the gift-in-kind? (According to IRS regulations, establishing a dollar value on donated items is the exclusive responsibility of the donor.)</i></p>
<p>5. <i>Timeline (When does the person/organization need the funds and what is the date of the event?)</i></p>

Approved by SDSTA Executive Director or his/her designee:		
Name	Signature	Date

Tobacco and Vapor-Free Property Procedure (new)

The South Dakota Science and Technology Authority (SDSTA) Tobacco and Vapor-Free Property Procedure complements the SDSTA Policy and includes responsibilities, compliance and tobacco cessation opportunities. It provides a list of documents that may be useful for reference.

A. Definitions

Electronic smoking device - any e-cigarette, e-cigar, e-pipe, e-hookah, or vape pen containing or delivering nicotine or any other substance intended for human consumption that may be used by a person in any manner for the purpose of inhaling vapor or aerosol from the product.

Smoke or Smoking - the act of inhaling, exhaling, burning, or carrying any lighted or heated cigar, cigarette, pipe, hookah, or any other lighted or heated tobacco or plant product intended for inhalation, whether natural or synthetic, in any manner or in any form, including the use of an electronic smoking device which creates an aerosol or vapor, in any manner or in any form.

Tobacco product - any item made of tobacco intended for human consumption, including cigarettes, cigars, pipe tobacco, and smokeless tobacco, and vapor products.

Vapor product - any noncombustible product containing nicotine that employs a heating element, power source, electronic circuit, or other electronic, chemical, or mechanical means, regardless of shape or size, that can be used to produce vapor from nicotine in a solution or other form. The term, vapor product, includes any electronic cigarette, electronic cigar, electronic cigarillo, electronic pipe, or similar product or device and any vapor cartridge or other container of nicotine in a solution or other form that is intended to be used with or in an electronic cigarette, electronic cigar, electronic cigarillo, electronic pipe, electronic smoking device, or similar product or device.

B. Tobacco and vapor-free areas

All property owned or operated by the SDSTA shall be tobacco and vapor-free. This includes all buildings, grounds, parking lots, SDSTA-owned motor vehicles on or off SDSTA property and any other motor vehicle on SDSTA property. This applies to all areas on the surface and in the underground. "No Smoking" signs will be clearly posted at all entrances to SDSTA property and buildings and in other prominent places. No ashtrays or other collection receptacles for tobacco trash will be placed or allowed on SDSTA property.

C. Compliance

Enforcement of the tobacco and vapor-free property policy is the shared responsibility of all SDSTA personnel. All employees are authorized and encouraged

to communicate the policy with courtesy, respect and diplomacy, especially with regard to visitors. If difficulties arise with compliance of the policy, notify your supervisor or security.

Employees who violate this policy are subject to disciplinary action, up to and including termination. Employees are reminded that smoking in the workplace is a petty offense under South Dakota law. SDCL §34-46-14 prohibits smoking and SDCL §34-46-20 prohibits vaping in places of employment and public places.

There are numerous benefits of a tobacco and vapor-free workplace. It allows for a safer, healthier and welcoming environment where everyone benefits. It motivates those who smoke to try to quit, and it can reduce the number of individuals who start smoking. For further support in tobacco cessation, the SDSTA encourages employees to reference the resources listed below.

Questions regarding the tobacco and vapor-free procedure should be directed to your immediate supervisor or the SDSTA's Human Resources Administrator.

D. Related Documents and Links

- [Center for Disease Control and Prevention Quitlines and Other Cessation Support](#)
- [South Dakota Department of Health Tobacco Control Program](#)
- [South Dakota QuitLine](#) toll-free number 866-737-8487
- SDSTA Tobacco and Vapor-Free Policy
- SURF Environment, Safety and Health Manual

Executive Session—Chairperson Casey Peterson

Meeting closed to public during executive session. *(See suggested motion below.)*

Recommended Action:

Motion to enter executive session to discuss personnel matters and contractual matters, and to consult with legal counsel concerning contractual and legal matters—SDCL 1-25-2(1), (3), and (4).

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Report from Executive Session—Chairperson Casey Peterson

See suggested motion below.

Recommended Action:

“The board consulted with legal counsel concerning contractual and legal matters. No action was taken.”

OR...(as discussed and stated otherwise).

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**Approval of FY2022 Office of Risk Management Intergovernmental Agreement—
Mr. Mike Headley**

Attached is the FY2022 Intergovernmental Agreement between the Bureau of Administration, Office of Risk Management of the State of South Dakota and SDSTA. *(See suggested motion below.)*

Recommended Action:

Motion to approve FY2022 Intergovernmental Agreement between the Bureau of Administration, Office of Risk Management of the State of SD and SDSTA and authorize SDSTA Executive Director to sign agreement.

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INTERGOVERNMENTAL AGREEMENT
BETWEEN THE
BUREAU OF ADMINISTRATION,
OFFICE OF RISK MANAGEMENT
OF THE STATE OF SOUTH DAKOTA
AND THE
SOUTH DAKOTA SCIENCE AND TECHNOLOGY AUTHORITY

This INTERGOVERNMENTAL AGREEMENT (“AGREEMENT”) is made and effective the 1st day of July, 2021, between the South Dakota Bureau of Administration, Office of Risk Management, 1429 E. Sioux Avenue, Pierre, South Dakota 57501 (“ORM”), and the South Dakota Science and Technology Authority, 630 E. Summit, Lead, South Dakota, 57754 (“SDSTA”) pursuant to SDCL Ch. 1-24 and in particular SDCL 1-24-8.

Introduction and Purpose

The State of South Dakota established SDSTA to facilitate the development of the former Homestake gold mine into an underground science laboratory (the “Sanford Underground Research Facility” or “SURF”) and to lead the operation of SURF. The mission of the SDSTA is “to advance world class science and inspire learning across generations.”

When operating as an active mine, the Homestake gold mine was regulated by the U.S. Mine Safety and Health Administration (“MSHA”) and the South Dakota Department of Environment and Natural Resources (“DENR”)¹. SDSTA received title to the Homestake site in 2006 from Homestake Mining Company of California after the 2003 closure of the mining facility.

MSHA and DENR continued to administer and enforce safety and environmental programs until 2008, at which time the SDSTA sought to clarify MSHA’s regulatory role. MSHA determined at that time it no longer had regulatory jurisdiction over the safety and health operations at the Homestake site due to the completion of mining reclamation and the new function of the site.

The U.S. Occupational Safety and Health Administration’s (“OSHA’s”) 29 CFR 1926² and 29 CFR 1910³ are considered the most applicable of the available standards for safety and health for most activities conducted in support of the development and operation of SURF except for the underground shafts, hoists and ventilation systems. In these instances, MSHA’s 30 CFR⁴ standards are employed (see appendix A).

Although OSHA standards are being applied to the work conducted at SURF, OSHA does not have jurisdictional authority for enforcement of those regulations because SDSTA is for the purposes of OSHA standards and regulation a “political subdivision” as defined in 29 CFR 1975.5 because it is administered by individuals who are appointed by the Governor.

ORM has the responsibility to oversee the state’s risk management activities. Accordingly, ORM is the agency that is mandated to provide the inspection and audit of state institutions and

¹ Pursuant to Executive Reorganization Order 2021-03 DENR was merged with the South Dakota Department of Agriculture and is now referred to as Department of Agriculture and Natural Resources (DANR).

² Title 29 Code of Federal Regulations Part 1926, “Safety and Health Regulations for Construction”

³ Title 29 Code of Federal Regulations Part 1910, “Occupational Safety and Health Standards”

⁴ Title 30 Code of Federal Regulations Parts 15, 49, and 57”

facilities and has been designated to serve as the authority having jurisdiction (“AHJ”) for occupational safety and health at SURF. In cooperation with the SDSTA, ORM also provides leadership in risk management, loss control and insurance matters at SURF.

SDSTA has entered into a lease (the “Lease”) with the United States of America, acting through the Department of Energy (the “Government”), dated March 29, 2016, whereby SDSTA has leased to the Government certain surface and subsurface real estate for the purpose of constructing, operating and maintaining the Long-Baseline Neutrino Facility (“LBNF”) and the Deep Underground Neutrino Experiment (“DUNE”), and related infrastructure (the “Leased Space”). Fermi Research Alliance, LLC (“FRA”) manages the LBNF/DUNE project for the Government through Contract No. DE-AC02-07CH11359 between FRA and the Government for the operation of the Fermi National Accelerator Laboratory (“Fermilab”). ORM’s jurisdiction hereunder shall not include the Leased Space, but SDSTA and ORM shall continue to consult and cooperate concerning occupational safety, health, risk management, loss control and insurance related to the Leased Space.

The purpose of this Agreement is to clarify the roles and responsibilities, expectations and communications for ORM to serve as the AHJ for SDSTA in the implementation of the occupational safety and health standards.

This Agreement is authorized pursuant to SDCL Ch. 1-24 and SDCL 1-16H-32.

Agreement

A. Safety Standards Applicable to SDSTA.

Until amended in writing by ORM, the safety standards applicable to SDSTA’s facilities and operations will be as set out in Appendix A, attached hereto and incorporated herein by this reference. The parties agree that ORM may unilaterally amend Appendix A at any time and in their sole discretion, and all such amendments shall be incorporated herein effective upon 30 days written notice to SDSTA. The parties further acknowledge and agree that the agency having jurisdiction over the enforcement of building (International Building Code) and fire safety (National Fire Protection Association) codes and standards is the City of Lead, South Dakota. ORM shall not have jurisdiction to apply or enforce any building codes or fire safety standards but will identify, notify and consult with the entity having enforcement authority with respect to such codes and standards.

B. Responsibilities of the ORM.

ORM will:

1. Provide for safety, loss control and regulatory compliance audits and inspections of SDSTA’s documentation, records and facilities.
2. Review claims to identify trends or situations requiring loss prevention efforts.
3. Advise SDSTA on applicable laws, regulations and standards which contribute to a safe work environment at SURF.
4. Provide for loss control training.
5. Upon request, review contracts for appropriate risk management language.

6. The Director of ORM and the Board of Directors of SDSTA (which may delegate authority to the Executive Director of SDSTA) have sole authority to select, negotiate and bind insurance coverage.
7. Provide enforcement of the safety standards made applicable to SDSTA's facilities by this Agreement.
8. Identify safety and risk exposures and take appropriate steps to address such safety and risk exposures.
9. Provide copies of the results of safety or compliance reviews, inspections or audits to SDSTA upon completion.
10. Attend quarterly meetings held with SDSTA and FRA through the duration of LBNF construction for discussion of matters related to occupational safety, health, risk management, loss control and insurance.
11. Attend any SDSTA Board meetings wherein there will be considerations regarding safety and insurance.

C. Risk Management Responsibilities of SDSTA.

SDSTA will:

1. Be responsible for coordinating and implementing risk management programs within its departments and at its facilities with the assistance of ORM. SDSTA will provide a safe workplace and conduct operations in a manner that protects employees, contractors, visitors and the public from harm. The SDSTA shall conform to its safety policy: "Perform all work safely, with full regard to the well-being of all stakeholders and the environment."
2. Perform all activities at SURF in a safe and environmentally sound manner.
3. Pursuant to Section 6.7 of the Property Donation Agreement⁵ between SDSTA and Homestake, undertake all measures necessary to comply with federal, state, and local laws and regulations, including, without limitation, laws relating to workers' compensation, mine health and safety, and all Environmental, Health and Safety Laws (as defined in the Property Donation Agreement), and shall apply in a timely manner for all Environmental Permits (as defined in the Property Donation Agreement) and all other permits, licenses and approvals necessary for its operations.
4. Assist ORM in identifying, measuring and minimizing exposures to loss by:
 - a. Conducting facility inspections to identify and address safety hazards;
 - b. Conducting services and operations in accordance with applicable laws, regulations and safety standards;
 - c. Properly reporting accidents, incidents and unsafe conditions;
 - d. Reviewing losses to identify trends or situations requiring loss prevention efforts;
 - e. Ensuring policies and procedures remain current, are communicated to all employees and enforced;
 - f. Drafting all contracts with the appropriate risk management language;
 - g. Communicating changes in exposures to ORM; and
 - h. Evaluating ORM's recommendations.

⁵ Property Donation Agreement Between and Among Homestake Mining Company of California, The State of South Dakota and the South Dakota Science and Technology Authority, April 14, 2006.

5. Comply with all safety and enforcement directives and actions given by ORM.
6. The Board of Directors of SDSTA (which may delegate its authority to the Executive Director of SDSTA) and the Director of ORM have sole authority to select, negotiate, and bind insurance coverage.
7. Arrange quarterly meetings between SDSTA, ORM and FRA through the duration of LBNF construction for discussion of matters related to occupational safety, health, risk management, loss control and insurance.
8. Invite ORM to all SDSTA Board meetings, supply ORM copies of the agendas and specifically advise ORM whether the Board will be considering matters of safety and insurance.
9. Provide ORM with a schedule of any outside inspections and calendar events reasonably in advance.
10. Comply with requests from ORM for information and documents related to safety or compliance reviews, inspections or audits, including, to the extent available to SDSTA, any such reviews, inspections or audits related to activities in the Leased Space.

D. Agreement Administration.

The cooperative undertaking herein described shall be administered by the Parties through their risk management contact persons: ORM through its Director and SDSTA through its Executive Director or authorized designees as contemplated in SDCL 1-24-5.

E. Reporting.

SDSTA employees and SURF users and contractors may contact ORM directly and without risk of retaliation if they feel there is substantial risk of harm to persons or the environment that is not being addressed by SDSTA management. SDSTA will communicate this procedure to all employees and will post notifications regarding this throughout SDSTA facilities. The notification will include ORM's phone number and email addresses as designated by ORM.

F. Site Access Rules.

1. SDSTA will provide accommodations for ORM to have unencumbered access to SDSTA facilities and operations.
2. The parties acknowledge and agree that representatives of ORM conducting activities relating to this Agreement are "Authorized Entrants" as that term as used in the Property Donation Agreement.
3. Access to underground and other hazardous environments shall be provided.

G. Right to Inspect.

1. ORM has the right to inspect SDSTA facilities at will and with no advance notification when there is cause.
2. ORM will otherwise provide reasonable notification in advance of scheduled visits.
3. ORM may require SDSTA to undertake third party inspections or oversight visits, or may

contract for such inspection and oversight visits in its own right at SDSTA's expense. ORM will consult and coordinate with SDSTA in advance concerning unanticipated expenses relating to inspection or oversight visits.

4. SDSTA will provide timely notifications to ORM when third party inspections or oversight visits are scheduled, and ORM may observe such third-party inspections or oversight visits at ORM's discretion.
5. SDSTA will provide ORM the results and any findings from all third-party reviews or inspections that are related to the ORM's scope as stated in this agreement.

H. Payment of Costs.

SDSTA will upon request reimburse ORM for services and related charges at the rates shown in Appendix B and actual expenses and other costs incurred by ORM in connection with ORM's responsibilities hereunder. Costs of travel, lodging and meals will be reimbursed at state rates as established by the State Board of Finance. ORM shall provide or cause to be provided to SDSTA a written invoice, on no less than a quarterly basis, for costs and services incurred by ORM under this Agreement. SDSTA will contest any portions of the invoice it deems unreasonable and pay any uncontested amount within thirty (30) days of receipt of the invoice. SDSTA agrees to pay all uncontested costs and expenses within forty-five (45) days of receipt of invoice.

I. Indemnification and Insurance.

SDSTA will indemnify and hold the officers, agents and employees of the State of South Dakota ("Indemnified Parties") harmless from and against any and all claims, causes, actions or causes of action made or asserted against the Indemnified Parties arising out of related to ORM's duties and responsibilities under this Agreement. SDSTA shall cause the Indemnified Parties to be named as additional insureds under SDSTA's general liability policy. The limits of liability of SDSTA's general liability policy shall not be less than \$75 million. SDSTA shall provide such proof of the existence and enforceability of the insurance required by this paragraph as ORM may from time to time reasonably request. Nothing in this paragraph (I) shall require SDSTA to indemnify ORM or its officers, employees or agents against any claims or losses resulting solely from the negligence or intentional acts of its officers, employees or agents of ORM.

J. Exclusion of Leased Space.

ORM hereby acknowledges receipt of a copy of the Lease. For so long as the Lease remains in force or the parties agree otherwise, ORM's jurisdiction hereunder shall not include the Leased Space. SDSTA and ORM will continue to consult and cooperate concerning occupational safety and health related to the Leased Space.

K. Duration of Agreement.

This Agreement shall be in effect from July 1, 2021, through June 30, 2022.

L. Remedies - Enforcement.

ORM is entitled to all remedies necessary to carry out the terms of this Agreement and enforcement of the environment, safety and health standards made applicable to SDSTA and its facilities by this Agreement. Without limiting the generality of the foregoing, ORM may pursuant to the terms of this Agreement issue an administrative order directing SDSTA to cease operations and/or close all or any portion of its facilities until such time as the environment, safety and health standards violation giving rise to the administrative order has been resolved to ORM's reasonable satisfaction.

When ORM has identified insurance gaps that ORM believes create risk and exposure to SDSTA and SURF and that have not been resolved to ORM's reasonable satisfaction, the ORM Director will provide written notice to the SDSTA Board Chairperson requesting a timely resolution. The decision of the SDSTA Board of Directors will be final. A copy of all written notices shall also be provided to the Governor's Office.

M. Retention of Records.

Each party hereto agrees to retain all documentation and records relating to the services and inspections provided for hereunder and for payment and reimbursements for expenses under this Agreement for a period of three (3) years after termination of this Agreement. Such records shall be available for inspection at any reasonable time by personnel authorized therefore by the State of South Dakota.

N. Funding Out.

This Agreement depends upon the continued availability of appropriate funds and expenditure authority from the Legislature for this purpose. If for any reason the Legislature fails to appropriate funds or grant expenditure authority, or funds become unavailable by operation of law or federal funds reductions, this Agreement will be terminated by ORM. Termination for any of these reasons is not a default by the ORM nor does it give rise to a claim against ORM.

O. Nature of Agreement.

This Agreement is intended to be an agreement for services by a public agency as contemplated by SDCL 1-24-8. The parties acknowledge that no separate entity as contemplated by SDCL 1-24-4 is being created to implement this Agreement. This Agreement is intended to only govern the rights and interest of the parties named herein. It is not intended to, does not and may not be relied upon to create any rights, substantial or procedural, enforceable at law by any third party in any matters, civil or criminal. SDSTA is authorized to enter this Agreement by virtue of SDCL 1-16H-32.

P. Governing Law-Venue.

This Agreement shall be governed by and construed in accordance with the laws of the State of South Dakota. Any lawsuit pertaining to or affecting this Agreement shall be venued in Circuit Court, Sixth Judicial Circuit, Hughes County, South Dakota.

Q. Notice.

Any notice or other communication required under this Agreement shall be in writing and sent to the address set forth above. Notices shall be given by and to the Director of ORM, and by and to the Executive Director of SDSTA, or such authorized designees as either party may from time to time designate in writing. Notices or communications to or between the parties shall be deemed to have been delivered when mailed by first class mail, provided that the notice of default or termination shall be sent by registered or certified mail, or, if personally delivered, when received by such party.

R. Filing of Agreement.

The parties acknowledge that the ORM will file a true copy of this Agreement with the Office of Attorney General and the Legislative Research Council within fourteen (14) days of the execution hereof, as required by SDCL 1-24-6.1.

S. Alterations and Entire Agreement.

Except as provided in section A. of this Agreement, no amendment, alteration or variation of the terms of this Agreement shall be valid unless made in writing and signed by both parties. No oral understanding or agreement not incorporated herein may be binding on any of the parties hereto. Terms expressly stated within the Agreement constitute the entire agreement between ORM and SDSTA. All other prior discussions, communications and representations concerning the subject matter of this Agreement are superseded by the terms of this Agreement, except as specifically provided herein.

T. Partial Invalidity.

In the event that any court of competent jurisdiction shall hold any provision of this Agreement unenforceable or invalid, such holding shall not invalidate or render unenforceable any other provision hereof.

U. Authorization of Agreement.

By the signature of their representatives below, ORM and SDSTA certify that approval of this Agreement by ordinance, resolution or other appropriate means has been obtained by that governmental body's governing body or officer pursuant to SDCL 1-24-3 and 1-24-6, and that the representative is authorized to sign on the party's behalf. A copy of any SDSTA authorizing resolution or ordinance is attached to this Agreement and incorporated herein by reference.

In Witness hereto the parties signify this Agreement by signatures affixed below:

Mike Headley Date
Executive Director
South Dakota Science and Technology
Authority

Scott W. Bollinger Date
Commissioner
Bureau of Administration
State of South Dakota

Appendix A – SURF Environment, Safety and Health Standards

1.0 Workplace Safety

Below-the-Hook Lifting Devices & Slings/Rigging Hardware	OSHA 1910 / 1926, ASME B30.20
Chemical Labeling and Identification	NFPA 704, 29 CFR 1910.1200
Cranes & Hoists	
(Excludes underground conveyances – See <i>Personnel Hoisting, Wire Ropes, Headframe and Sheaves, Conveyances, Hoisting Procedures, Shafts, Inspection and Maintenance</i>)	29 CFR 1910, Subpart N, OSHA General Industry Standards
Diesel Particulate Matter	30 CFR 7.5060 - .5075
Disablement and Impairment	SURF ESH Manual
Emergency Eyewash and Shower Equipment (Installation, Inspection, Maintenance and Use)	ANSI Z358.1-2009, 29 CFR 1910.151(c)
Escapeways and Refuges	30 CFR 57.11050- .11059
Explosives Materials Management	27 CFR 555, 29 CFR 1926, Subpart U, 29 CFR 1910.109, 30 CFR 15, 30 CFR Part 57.6000 Subpart E, ATF Form 5400.14/5400.15 Part I
MSHA/ATF Agreement, MSHA/ATF Equivalency Agreement	Memorandum of Understanding between the Department of Justice (ATF) and the Department of Labor (MSHA), Metal and Non-Metal General Inspection Procedures Handbook No.PH13-IV-1
State of South Dakota Explosives Permit Application for Permit to Purchase, Use, Transport, Sell or Manufacture Explosives Form	South Dakota Department of Public Safety Office of State Fire Marshal Explosives Permit
Fall Prevention and Protection	29 CFR 1910, Subpart D & F / 1926, Subpart M
Fatigue Management	SURF ESH Manual
Ground Control	30 CFR 57.3200-3401
Hazardous Communications	29 CFR 1910.1200 / 1926.59
Materials Handling and Storage	29 CFR 1910, Subpart N
MSHA Mine Rescue Teams	30 CFR 49, Subpart A
National Fire Alarm Code	NFPA 72
Oxygen Deficiency Hazards (ODH)	Fermilab ES&H Manual (FESHM 5064)
Personal Protective Equipment	29 CFR 1910, Subpart I
Personnel Hoisting, Wire Ropes, Headframe and Sheaves, Conveyances, Hoisting Procedures, Shafts, Inspection and Maintenance	 30 CFR Part 57.19000 - .19134
Quality Assurance	Integrated Management System covering International Organization Standardization (ISO) 9001, 14001, and 45001
Radiation Safety	Nuclear Regulatory Commission License Number 40-35101-01
Respiratory Protection	29 CFR 1910.134 / 1926.10, 30 CFR 57.15030
Scaffolds	29 CFR 1926, Subpart L
Severe Weather Management	NFPA-780, National Weather Service (NWS)
Stairways	29 CFR 1926, Subpart X, IBC 2018
Underground Construction	29 CFR 1926.800 (p) (1,2)
Ventilation and Ventilation Plan	30 CFR 57.22212 - .22229 (b)

Ventilation Underground	30 CFR 57.8518 -.8535
Walking-Working Surfaces	29 CFR 1910, Subpart D

2.0 Building Codes and References

Automatic Sprinklers	NFPA 13
Boilers and Pressure Vessel Code (Sections I through XII including applicable Code Cases)	ASME BPVC
Building Codes	IBC 2018
Building Services Piping	ASME 31.9
Community Noise Exposure	SD Lead City Ordinance
Cranes and Hoist Standards	ASME
Electrical Safety in the Workplace	NFPA 70 E
Emergency and Standby Power Systems	NFPA 110
Personnel Elevators (Refer to Section 1.0 for underground personnel and material hoists)	ASME A17.1
Fire Protection for Laboratories Using Chemicals	NFPA 45
Flammable and Combustible Liquids Code	NFPA 30
Fuel Gas Piping	ASME B31.2 (ii)
Installation of Lightning Protection Systems (and UL86A)	NFPA 780
Life Safety Code	NFPA 101
National Electrical Code	NFPA 70
National Electrical Safety Code	ANSI C2
Pipeline Transportation Systems for Liquid Components	ASME B31.4 (iv)
Portable Fire Extinguishers	NFPA 10
Power Piping	ASME B31.1 (i)
Process Piping	ASME B31.3 (iii)
Recommended Practice for Electrical Equipment Maintenance	NFPA 70 B
Refrigeration Piping and Heat Transfer Components	ASME B31.5 (v)
Storage, Use, and Handling of Compressed Gases and Cryogenic Fluids in Portable and Stationary Containers, Cylinders, and Tanks	NFPA 55
Standpipe and Hose Systems	NFPA 14
Subterranean Spaces	NFPA 520
Ventilation for Acceptable Indoor Air Quality	ANSI/ASHRAE 62-2004

3.0 Environmental and Waste Management

Designation, Reportable Quantities, and Notification	40 CFR 302 (CERCLA)
Hazardous Chemical Reporting, Community Right to Know	40 CFR 370
Hazardous Materials Transportation Act	49 CFR 171-180
Hazardous Waste Determination	40 CFR 262.11
National Emissions Standards for Hazardous Air Pollutants	40 CFR 61, Subpart A
National Environmental Policy Act Implementing Procedures	10 CFR 1021
National Pollution Discharge Elimination System (NPDES) Guidelines Establishing Test Procedures for the Analysis of Pollutants	40 CFR 122
Polychlorinated Biphenyls (PCB)	40 CFR 761

Protection of Environment – Hazardous Waste Management System (Hazardous Waste Regulations)	40 CFR 260-273
Solid Waste	40 CFR 239-259
Spill Prevention, Control and Countermeasure Procedures	40 CFR 112
Universal Waste Management	40 CFR 273
Management of Used Oil	40 CFR 279
Underground Injection Control Program: Criteria and Standards	40 CFR 144 & 146
Underground Storage Tanks	40 CRF 280

3.1 SD-DANR: Codified Law

Administrative Procedure for Appropriation of Water	46-2A, 46-5
Air Pollution Control	34A-1
Asbestos Abatement Training Project	34-44
Definitions and General Provisions (Water Rights)	46-1
Environmental Impact of Government Actions	34A-9
Groundwater and Wells	46-6
Hazardous Waste Management	34A-11
Petroleum Inspection and Release Compensation	34A-13
Safe Drinking Water	34A-3A
Solid Waste Management	34A-6
Water Pollution Control	34A-2
Weed and Pest Control	38-22

3.2 SD Administrative Rule

Administrative Fees	74.08
Air Pollution	74:36:00
Asbestos Control Program	74:31:00
Compliance Procedures for Water Pollution Control	74:50:00
Groundwater Quality	74:54:00
Hazardous Waste	74:28:00
Petroleum Inspection and Release Compensation	74:32:00
Regulated Substance Discharge	74:34:00
Solid Waste	74:27:00
Surface Water Discharge Permits	74:52:00
Surface Water Quality	74:51:00
Underground Injection Control	74:55:00
Water Hygiene	74:04:00
Water Rights	74.02
Water Supply and Treatment Systems	74:53:00
Water System Operators	74.21

4.0 Additional References

The following are a selection of additional trade organizations and references that may govern the SDSTA's selection and installation of products:

ACGIH Threshold Limit Values

American Concrete Institute (ACI) – ACI-318

American Industrial Hygiene Association (AIHA)

American Institute of Steel Construction (AISC) – Manual of Steel Construction

American National Standards Institute (ANSI)

American Society for Testing and Materials (ASTM)

American Society of Heating, Refrigerating and Air Conditioning Engineers (ASHRAE)

American Society of Mechanical Engineers (ASME)

American Water Works Association (AWWA)

Institute of Electrical and Electronics Engineers (IEEE)

National Electrical Manufacturers Association (NEMA)

National Fire Protection Association (NFPA)

National Institute for Occupational Safety and Health (NIOSH)

National Institute of Standards & Technology (NIST)

Underwriters Laboratories, Inc. (UL)

Appendix B – ORM Fee Schedule

SDSTA shall pay for services performed by ORM personnel hereunder for actual hours worked using the following fee schedule, which is subject to change as provided below:

<u>Position Title</u>	<u>Rate</u>
Director	\$ 66.28
State Risk Manager	\$ 45.64
Risk Analyst	\$ 36.93
Risk Analyst	\$ 40.59
Risk Analyst	\$ 35.22
Risk Analyst	\$ 34.22
Risk Analyst	\$ 32.08
Administrative Assistant	\$ 24.66
Legal Counsel	\$ 60.30

The parties acknowledge and agree that the fees payable on account of the above-described personnel are based on their respective rates of compensation paid by ORM, and that in the ordinary course of ORM's business those rates may change during the term of the Agreement. As often as ORM may reasonably request, ORM shall advise SDSTA of any such changes in writing. Absent written objection from SDSTA within thirty (30) days of such notice, the change in rate shall be deemed an amendment to the Agreement. Any notices given under this paragraph shall be attached to the Agreement and absent objection from SDSTA as provided herein shall become a part of the Agreement.

**Approval of Supplemental No. 4 to LBNF TCE Agreement—
Mr. Mike Headley**

Attached is Supplemental No. 4 to the LBNF Temporary Construction Easement Agreement. (see suggested motion below)

Recommended Action:

Motion to approve amendment to the LBNF Temporary Construction Easement and authorize the chairperson to sign Supplemental Agreement No. 4.

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**SUPPLEMENTAL AGREEMENT NO. 4
TEMPORARY CONSTRUCTION EASEMENT
SOUTH DAKOTA SCIENCE AND TECHNOLOGY AUTHORITY (SDSTA)**

This Supplemental Agreement No. 4 is entered into for the revision of the Temporary Construction Easement (TCE) dated October 14, 2016 and amended by Supplemental Agreement No. 1 executed July 18, 2017, Supplemental Agreement No. 2 executed February 28, 2019, and Supplemental Agreement No. 3 executed September 6, 2019 between the UNITED STATES OF AMERICA (hereinafter referred to as the "Grantee,") acting by and through the U. S. DEPARTMENT OF ENERGY (hereinafter referred to as "DOE"), under authority and by virtue of the Atomic Energy Act of 1954, Public Law 83-703, and the Department of Energy Organization Act, Public Law 95-91, as amended and the South Dakota Science and Technology Authority (SDSTA) (hereinafter referred to as the "Grantor"). This Supplemental Agreement shall be effective upon the date of signature of the second signatory.

PURPOSE: The purpose of Supplemental Agreement No. 4 is to amend the Temporary Construction Easement to remove an area of approximately 570 square feet from the TCE to facilitate SDSTA providing an exclusive parking easement to an adjoining residential owner.

NOW THEREFORE, for good and other valuable consideration, the parties agree the above referenced Temporary Construction Easement is modified in the following respects:

1. Supplemental Agreement No. 3, Exhibit A, Page 7 of 7, Updated 08/20/2019 is deleted in its entirety and replaced with attached Exhibit A, Page 7 of 7, Updated 03/17/2021.
2. Except as herein modified, all terms and conditions remain unchanged.

IN WITNESS WHEREOF, the parties hereto have executed this Supplemental Agreement No. 4 to be signed on their behalf by their duly authorized representative.

GRANTOR

GRANTEE

SOUTH DAKOTA SCIENCE AND
TECHNOLOGY AUTHORITY

UNITED STATES OF AMERICA
DEPARTMENT OF ENERGY

By: _____

Casey C. Peterson

Title: Board Chairperson

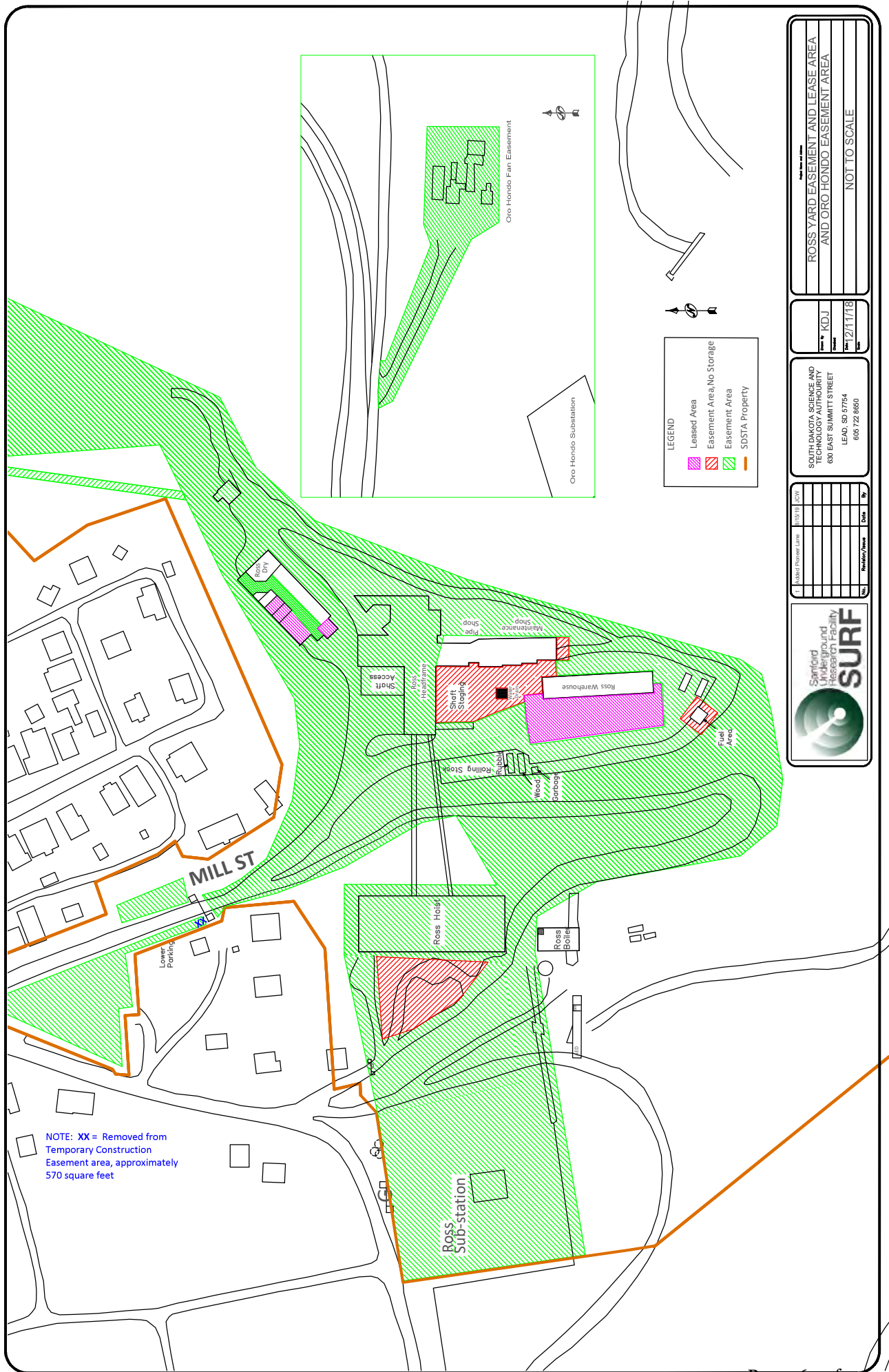
Date: _____

By: _____

Marla J. Larsen-Williams

Title: Real Estate Contracting Officer

Date: _____



NOTE: XX = Removed from Temporary Construction Easement area, approximately 570 square feet

LEGEND

- Leased Area
- Easement Area, No Storage
- Easement Area
- SDSTA Property

**ROSS YARD EASEMENT AND LEASE AREA
AND ORO HONDO EASEMENT AREA**

Drawn by: **KDJ**
Date: **12/11/18**

SOUTH DAKOTA SCIENCE AND TECHNOLOGY AUTHORITY
600 EAST SUMMIT STREET
LEAD, SD 57754
605.722.8650

Sheet Number	Sheet Title	Scale	Date



NOT TO SCALE

Report from Nominating Committee—Mr. Dana Dykhouse

Nominating Committee Report

May 20, 2021

Participants:

Mr. Dana Dykhouse, SDSTA Board of Director and Nominating Committee Chair

Mr. Roger Musick, SDSTA Board of Director and Nominating Committee Member

Mr. Dykhouse and Mr. Musick communicated as the nominating committee on May 20, 2021 for the purpose of nominating the slate officers for the 2020-2021 board year. The slate of officers is as follows:

Chairperson: Mr. Casey Peterson

Vice-Chairperson: Mr. Dana Dykhouse

Secretary Treasurer: Ms. Patricia Lebrun

The nominating committee has contacted all of the candidates and they are each willing to serve in this capacity for another year.

Recommended Action:
Informational.

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Election of Officers—Chairperson Casey Peterson

See suggestion motion below.

South Dakota Science and Technology Authority
Election Procedures Policy

Adopted 6/24/08

The Board of Directors shall follow the following procedure for the nomination and election of officers.

- A. The nomination and election process shall be held in open session.
- B. At the last meeting of the Board before the Annual Meeting, the Chairperson shall appoint a Nominating Committee.
- C. The following procedure shall be utilized at the Annual Meeting:
 1. The Chairperson shall call for the report of the Nominating Committee.
 2. After the Nominating Committee reports, the Chairperson shall ask if any Board member intends to make additional nominations.
 3. If no Board member indicates the intention to make additional nominations, the Chairperson shall call for a motion to elect the slate recommended by the Nominating Committee.
 4. If any Board member indicates the intention to make an additional nomination for any office, the slate recommended by the Nominating Committee shall be deemed rejected and the following procedure shall be utilized:
 - a. The Chairperson shall call for oral nominations for the office of Chairperson. Once it appears that all nominations have been made, a motion that nominations cease would be in order. This motion may be made with or without a call for such motion by the Chairperson.
 - b. If there is only one nominee, a motion that all nominations cease and that the nominee be elected Chairperson would be in order. This motion may be made with or without a call for such motion by the Chairperson.
 - c. If there is more than one nominee, nominations shall continue until there is a successful motion that nominations cease.
 - d. Upon passage of a motion that nominations cease, the Chairperson shall call for a vote. Each Board member shall announce his or her vote out loud. Counsel for the Authority shall tabulate the vote and announce the results.
 - e. The successful candidate shall immediately take office as Chairperson and conduct the remainder of the election and the meeting.
 - f. The Chairperson shall follow the procedure set forth above for each of the remaining offices.
- D. Pursuant to SDCL 1-16H-11, the affirmative vote of no less than four Board members is necessary to elect any officer. If no candidate receives four votes, the Board will vote twice more. If no candidate receives four votes after three attempts, the election for that office will be deemed adjourned until the next meeting of the Board. At the next meeting, the Board shall commence the election procedure set forth above in Section C.4, but only as to any office not filled at the prior meeting. This procedure shall continue from meeting-to-meeting until a candidate receives at least four votes. Pursuant to Article III, Section 1 of the Bylaws, the officers in office as of the commencement of the Annual Meeting shall remain in office until their successors are duly elected.

This policy shall remain in effect until specifically rescinded or modified.

Recommended Action:

Motion to accept the report from the nominating committee and to elect Casey Peterson as Chairperson, Dana Dykhouse as Vice Chairperson and Patricia Lebrun as Secretary/Treasurer, to take office at the end of the June 24, 2021 board meeting.

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Confirm date and time of next meeting—Chairperson Casey Peterson

The next board meeting will be held on Thursday, September 23, beginning at 8:00 AM (Mountain Time).

2021 Board Schedule	
Thursday, March 25 2021	8:00 am (MT)
Thursday, June 24, 2021	8:00 am (MT), annual
Thursday, September 23, 2021	8:00 am (MT)
Thursday, December 16, 2021	9:00 am (MT)

*South Dakota Science and Technology Authority
Sanford Underground Research Facility
Education & Outreach Building (large conference room)
630 E. Summit Street,
Lead SD 57754
Questions? Contact Mandy Knight, mknight@sanfordlab.org
Direct Line: 605.722.4022, Cell: 605.641.0475*

Recommended Action:
Informational.

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Public Comments—Chairperson Casey Peterson

Recommended Action:

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Board Comments—Chairperson Casey Peterson

1. Dr. Ani Aprahamian
2. Mr. Dana Dykhouse, Vice-Chairperson
3. Ms. Pat Lebrun, Secretary-Treasurer
4. Mr. Roger Musick
5. Mr. Casey Peterson, Chairperson
6. Mr. Ron Wheeler, Vice-Chairperson
7. Dr. Robert Wilson
8. Dr. Jim Rankin, Ex-officio member

Recommended Action:

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