

Minutes of a Meeting of the Industrial Commission of North Dakota

Held on December 12th, 2024, beginning at 3:00 p.m.

Governor's Conference Room – State Capitol

Present: Governor Doug Burgum, Chairman
Attorney General Drew H. Wrigley
Agriculture Commissioner Doug Goehring

Also Present: This meeting was open through Microsoft Teams so not all attendees are known.
Agency representatives joined various portions of the meeting.

Governor Burgum called the meeting of the Industrial Commission to order at approximately 3:05 p.m.

Ms. Karen Tyler took roll call, and Governor Burgum, Commissioner Goehring, and Attorney General Wrigley were present.

Governor Burgum invited the room to stand and join the Commission in saying the Pledge of Allegiance.

ND DEPARTMENT OF MINERAL RESOURCES

Mr. Nathan Anderson presented for consideration of approval the 2025 Oil and Gas Division Hearing Schedule.

It was moved by Commissioner Goehring and seconded by Attorney General Wrigley that the Industrial Commission approve the proposed and tentative 2025 Oil and Gas Hearing Schedule as follows:

<u>Hearing Date</u>	<u>Docket Closing Date</u>
January 22, 2025 January 23, 2025	December 18, 2024
February 26, 2025 February 27, 2025	January 22, 2025
March 26, 2025 March 27, 2025	February 19, 2025
April 23, 2025 April 24, 2025	March 19, 2025
May 28, 2025 May 29, 2025	April 23, 2025
June 25, 2025 June 26, 2025	May 21, 2025
July 23, 2025 July 24, 2025	June 18, 2025
August 27, 2025 August 28, 2025	July 23, 2025
September 25, 2025 September 26, 2025	August 20, 2025
October 22, 2025 October 23, 2025	September 17, 2025
November 19, 2025 November 20, 2025	October 15, 2025
December 17, 2025 December 18, 2025	November 12, 2025
January 21, 2025 January 22, 2025	December 17, 2025

On a roll call vote, Governor Burgum, Attorney General Wrigley, and Commissioner Goehring voted aye. The motion carried unanimously.

Mr. Anderson and Mr. Mark Bohrer presented for consideration of approval the following cases:

- i. Order 33550 in Case 30890 – Duke Royalty, overriding royalty interests, drilling, completion, production costs, risk penalty

It was moved by Commissioner Goehring and seconded by Attorney General Wrigley that the Industrial Commission approves Order 33550 issued in Case 30890 approving the petition of Duke Royalty, LLC, for an order providing that Iron Oil Operating, LLC is not entitled to recovery of any drilling, completion, or production costs, or recovery of a risk penalty on Duke Royalty's interests in the Boxcar #1-4-16H well (File No. 37896), located in a spacing unit described as Sections 4, 9, and 16, T.148N., R.102W., McKenzie County, ND, as provided in NDCC § 38-08-08 and for such other relief as may be appropriate.

On a roll call vote, Governor Burgum, Attorney General Wrigley, and Commissioner Goehring voted aye. The motion carried unanimously.

- ii. Orders 33529, 33530, 33531 in Cases 30869, 30870, 30871 – Summit Carbon Storage #1, Storage Facility, Amalgamation, Financial Responsibility

It was moved by Commissioner Goehring and seconded by Attorney General Wrigley that the Industrial Commission approves Orders 33529, 33530, and 33531 proposed in Cases 30869, 30870 and 30871 respectively, regarding the applications of Summit Carbon Storage #1, LLC for the geologic storage of carbon dioxide in the Broom Creek Formation from the Midwest Carbon Express Pipeline and other sources in the storage facility located in Sections 31, 32, 33, and 34, Township 142 North, Range 87 West; Sections 1, 11, 12, 13, 14, 15, 22, 23, 24, 25, 26, 35, and 36, Township 141 North, Range 88 West; Sections 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, and 35, Township 141 North, Range 87 West; Sections 1, 2, 3, and 12, Township 140 North, Range 88 West; and Sections 4, 5, 6, and 7, Township 140 North, Range 87 West, Mercer, Morton, and Oliver Counties, North Dakota, pursuant to North Dakota Administrative Code Chapter 43-05-01; for the amalgamation of the storage reservoir pore space in the aforementioned lands, in which the Commission may require that the pore space owned by nonconsenting owners be included in the geologic storage facility and subject to geological storage, as required to operate the requested storage facility, and granting the Director authority to issue an order establishing the effective date of said amalgamation of pore space pursuant to North Dakota Century Code § 38-22-10; and for requiring financial responsibility instruments consisting of \$1,166,000 for two injection wells, \$5,392,800 for postinjection site care and facility closure, and \$13,795,000 for emergency and remedial response for the geologic storage of carbon dioxide in the Broom Creek Formation covering the requested storage facility, Mercer, Morton, and Oliver Counties, North Dakota pursuant to North Dakota Administrative Code § 43-05-01-09.1.

On a roll call vote, Governor Burgum, Attorney General Wrigley, and Commissioner Goehring voted aye. The motion carried unanimously.

- iii. Orders 33533, 33534, 33535 in Cases 30873, 30874, 30875 – Summit Carbon Storage #2, Storage Facility, Amalgamation, Financial Responsibility

It was moved by Commissioner Goehring and seconded by Attorney General Wrigley that the Industrial Commission approves Order Nos. 33533, 33534, and 33535 proposed in Case Nos. 30873, 30874 and 30875, respectively, regarding the applications of Summit Carbon Storage #2, LLC for the geologic storage of carbon dioxide in the Broom Creek Formation from the Midwest Carbon Express Pipeline and other sources in the storage facility located in Sections 27, 28, 29, 32, 33, 34, and 35, Township 143 North, Range 88 West; Sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 32, 33, 34, 35, and 36, Township 142 North, Range 88 West; Sections 5, 6, 7, 8, 17, 18, 19, 20, 29, 30, and 31, Township 142 North, Range 87 West; and Sections 1, 2, and 3, Township 141 North, Range 88 West, Mercer and Oliver Counties, North Dakota, pursuant to North Dakota Administrative Code Chapter 43-05-01; for the amalgamation of the storage reservoir pore space in the aforementioned lands, in which the Commission may require that the pore space owned by nonconsenting owners be included in the geologic storage facility and subject to geological storage, as required to operate the requested storage facility, and granting the Director authority to issue an order establishing the effective date of said amalgamation of pore space pursuant to North Dakota Century Code § 38-22-10; and for requiring financial responsibility instruments consisting of \$1,166,000 for two injection wells, \$5,577,800 for postinjection site care and facility closure, and \$14,125,000 for emergency and remedial response for the geologic storage of carbon dioxide in the Broom Creek Formation covering the requested storage facility, Mercer and Oliver Counties, North Dakota pursuant to North Dakota Administrative Code § 43-05-01-09.1.

On a roll call vote, Governor Burgum, Attorney General Wrigley, and Commissioner Goehring voted aye. The motion carried unanimously.

- iv. Orders 33537, 33538, 33539 in Cases 30877, 30878, 30879 – Summit Carbon Storage #3, Storage Facility, Amalgamation, Financial Responsibility

It was moved by Commissioner Goehring and seconded by Attorney General Wrigley that the Industrial Commission approves Order Nos. 33537, 33538, and 33539 proposed in Case Nos. 30877, 30878 and 30879, respectively, regarding the applications of Summit Carbon Storage #3, LLC for the geologic storage of carbon dioxide in the Broom Creek Formation from the Midwest Carbon Express Pipeline and other sources in the storage facility located in Section 36, Township 143 North, Range 87 West; Sections 19, 20, 21, 28, 29, 30, 31, 32, 33, 34, 35, and 36, Township 143 North, Range 86 West; Sections 1, 2, 11, 12, 13, 14, and 24, Township 142 North, Range 87 West; Sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 32, 33, 34, and 35, Township 142 North, Range 86 West; and Sections 6, 7, 17, 18, 19, and 20, Township 142 North, Range 85 West, Oliver County, North Dakota, pursuant to North Dakota Administrative Code Chapter 43-05-01; for the amalgamation of the storage reservoir pore space in the aforementioned lands, in which the Commission may require that the pore space owned by nonconsenting owners be included in the geologic storage facility and subject to geological storage, as required to operate the requested storage facility, and granting the Director authority to issue an order establishing the effective date of said amalgamation of pore space pursuant to North Dakota Century Code § 38-22-10; and for requiring financial responsibility instruments consisting of \$1,166,000 for two injection wells, \$5,646,800 for postinjection site care and facility closure, and \$14,005,000 for emergency and remedial response for the geologic storage of carbon dioxide in the Broom Creek Formation covering the requested storage facility, Oliver County, North Dakota pursuant to North Dakota Administrative Code § 43-05-01-09.1.

On a roll call vote, Governor Burgum, Attorney General Wrigley, and Commissioner Goehring voted aye. The motion carried unanimously.

- v. Order 34153 in Case 31229 to reconsider and vacate Order 33918 and approve application of EOG Resources Inc.

It was moved by Commissioner Goehring and seconded by Attorney General Wrigley that the Industrial Commission approve Order No. 34153 in Case No. 31229 to reconsider and vacate Order No. 33918 and approve the application of EOG Resources, Inc. to amend the field rules for the Phaelens Butte-Bakken Pool, McKenzie County, ND, to create and establish an overlapping 960-acre spacing unit comprised of the SW/4 of Section 5, the W/2 of Sections 8 and 17, and the NW/4 of Section 20, T.149N., R.94W., authorizing the drilling, completing and producing of a total not to exceed three wells on said proposed overlapping 960-acre spacing unit, and such other relief as appropriate.

On a roll call vote, Governor Burgum, Attorney General Wrigley, and Commissioner Goehring voted aye. The motion carried unanimously.

ND HOUSING FINANCE AGENCY

Ms. Mindy Piatz with Brady Martz presented the Housing Finance Agency Audit Report dated June 30, 2024 and the Housing Incentive Fund Audit Report dated June 30, 2024.

The Independent Auditor's Report for the Housing Finance Agency states: "In our opinion, the financial statements present fairly, in all material respects, the respective financial position of the business-type activities of the North Dakota Housing Finance Agency, as of June 30, 2024 and 2023, and the respective changes in financial position, cash flows thereof and statement of appropriations for the years then ended in accordance with accounting principles generally accepted in the United States of America."

The Independent Auditor's Report for the Housing Incentive Fund states: "In our opinion, the financial statements present fairly, in all material respects, the financial position for the North Dakota Housing Incentive Fund, a special revenue fund of the State of North Dakota, as of June 30, 2024 and 2023, and the changes in financial position for the years then ended in accordance with accounting principles generally accepted in the United States of America."

Ms. Kayla Axtman presented a report on the NDHFA \$195 million Series 2024D bond issuance pricing.

Mx Axtman's report included the following summary: The fed funds rate is currently sitting at 4.50-4.75%, a level that was last seen in 2023. In September 2024, the Federal Reserve began decreasing the fed funds rate with a decrease of 0.50 with continued decreases following. During this same time, the Agency had moved the tax exempt 30-year mortgage rate 16 times and continues to be well below the current market rate for a 30-year conventional loan. Currently, the average 30-year FHA mortgage rate is 6.22%, and the average 30-year conventional mortgage rate is 6.91%. For the past two months, the Agency is averaging just under \$2 million a day in First Home (tax exempt) reservations and approximately \$175,000 in daily Roots (taxable) reservations. Right now, the average total payment (principal, interest, taxes and insurance) for First Home borrowers is \$1,191 and for Roots borrowers it is \$1,932.

ND PUBLIC FINANCE AUTHORITY

Ms. DeAnn Ament presented for consideration of approval the following loan application:

- i. **Fargo – Drinking Water - \$35,000,000** Lead Service Line Replacement. The purpose of this project is to replace the over 2,500 known lead service lines in the City. The project total is \$35,000,000 and \$23,282,308 of loan forgiveness is applied for a net DWSRF loan of \$11,717,692. The requested loan term for the Drinking Water State Revolving Fund loan is 30 years, and the City will issue revenue bonds payable with sales tax and water fund revenues. The average annual payment for the revenue bonds will be \$390,590.

It was moved by Commissioner Goehring and seconded by Attorney General Wrigley that the Industrial Commission approve the Drinking Water State Revolving Fund loan request for \$35,000,000 for the City of Fargo.

On a roll call vote, Governor Burgum, Attorney General Wrigley, and Commissioner Goehring voted aye. The motion carried unanimously.

A RESOLUTION WAS MADE

RESOLUTION APPROVING

LOAN FROM DRINKING WATER STATE REVOLVING FUND

WHEREAS, the Industrial Commission has heretofore authorized the creation of a Drinking Water State Revolving Fund Program (the "Program") pursuant to N.D.C.C. chs. 6-09.4, 61-28.1, and 61-28.2; and

WHEREAS, the State Revolving Fund is governed in part by the Master Trust Indenture dated as of July 1, 2011 (the "Indenture"), between the North Dakota Public Finance Authority (the "NDPFA") and the Bank of North Dakota (the "Trustee"); and

WHEREAS, the City of Fargo (the "Political Subdivision") has requested a loan in the amount of \$35,000,000 from the Program to replace the over 2,500 known lead service lines in the Political Subdivision; and

WHEREAS, NDPFA's Advisory Committee is recommending approval of the Loan; and

WHEREAS, there has been presented to this Commission a form of Loan Agreement proposed to be adopted by the Political Subdivision and entered into with the NDPFA;

NOW, THEREFORE, BE IT RESOLVED by the Industrial Commission of North Dakota as follows:

1. The Loan is hereby approved, as recommended by the Advisory Committee.
2. The form of Loan Agreement to be entered into with the Political Subdivision is hereby approved in substantially the form on file and the Executive Director is hereby authorized to execute the same with all such changes and revisions therein as the Executive Director shall approve.
3. The Executive Director is authorized to fund the Loan from funds on hand in the Drinking Water Loan Fund established under the Indenture upon receipt of the Municipal Securities described in the

Political Subdivisions bond resolution, to submit to the Trustee a NDPFA Request pursuant to the Indenture, and to make such other determinations as are required under the Indenture.

4. The Commission declares its intent pursuant to Treasury Regulations '1.150-2 that any Loan funds advanced from the Federally Capitalized Loan Account shall be reimbursed from the proceeds of bonds issued by the NDPFA under the Indenture.

Adopted: December 12, 2024

Ms. Ament presented a memo of the State Revolving Fund loans approved by the Advisory Committee:

The committee reviewed the City of Center's Clean Water State Revolving Fund (CWSRF) application for an increase of \$400,000 to the previously approved \$4,930,000 loan (\$5,330,000 total) to reconstruct two cells of the wastewater treatment, including replacing 2 feet of the existing pond bottom with new, locally sourced bentonite clay material or a synthetic liner. The requested term for the loan is 30 years. The City will issue revenue bonds payable with sewer user fees. The City also pledges \$15,000 per month (or \$180,000 annually) of their coal conversion and coal severance tax payments.

The committee reviewed the City of Fessenden's CWSRF application for a \$2,000,000 loan towards a \$4,000,000 project. The City has been awarded a \$2,000,000 FEMA Building Resilient Infrastructure and Communities grant. The project will reconstruct the lagoons within the existing footprint bringing them up to current design standards. The requested term for the loan is 30 years. The City will issue revenue bonds payable water, sewer and garbage user fees and city sales tax.

The committee reviewed the City of Stanley's CWSRF application for a \$1,099,000 loan towards a \$2,371,000 project. The Drinking Water State Revolving Fund (DWSRF) will provide a \$1,272,000 loan. This project will replace water and sanitary sewer lines and replace damaged storm pipe and install new manholes from 5th Street between 3rd and 6th Avenues. Repave and regrade the street and replace curbs and gutters to aid flow to current storm inlets. The requested term for the loan is 30 years. The City will issue improvement bonds payable with special assessments for \$275,000 of the CWSRF project. The improvement bonds will be a contingent general obligation of the City, backed by the statutory requirement that the City will levy a general deficiency tax in the event that the revenues from the collection of special assessments are not sufficient to pay the debt service on the improvement bonds. The City will issue \$824,000 in revenue bonds payable with sewer user fees and city sales tax.

The committee reviewed the City of Stanley's DWSRF application for a \$1,272,000 loan towards a \$2,371,000 project. The CWSRF will provide a \$1,099,000 loan. This project will replace water and sanitary sewer lines and replace damaged storm pipe and install new manholes from 5th Street between 3rd and 6th Avenues. Repave and regrade the street and replace curbs and gutters to aid flow to current storm inlets. The requested term for the loan is 30 years. The City will issue improvement bonds payable with special assessments for \$318,000 of the DWSRF project. The improvement bonds will be a contingent general obligation of the City, backed by the statutory requirement that the City will levy a general deficiency tax in the event that the revenues from the collection of special assessments are not sufficient to pay the debt service on the improvement bonds. The City will issue \$954,000 in revenue bonds payable with water user fees and city sales tax.

The Public Finance Authority's Advisory Committee approved these loans at their December 3, 2024, meeting.

BANK OF NORTH DAKOTA

Mr. Don Morgan presented an update on the draft BND Capital Policy. The policy includes the policy statement, capital policy goals, risk management and capital planning, capital plan stress testing, and capital dividends. A final draft will be brought to the Industrial Commission for consideration of approval at a future meeting.

Mr. Don Morgan presented the Non-Confidential Committee and Advisory Board Minutes for October 2024 meetings for the Commission member's review.

It was moved by Attorney General Wrigley and seconded by Commissioner Goehring that under the authority of North Dakota Century Code Sections 6-09-35, 44-04-19.1, 44-04-19.2, the Industrial Commission enter into executive session for the purpose of Bank of North Dakota confidential business and for the purpose of attorney consultation related to proposals for national monument designation.

On a roll call vote, Governor Burgum, Attorney General Wrigley, and Commissioner Goehring voted aye. The motion carried unanimously.

The Commission is meeting in executive session regarding Bank of North Dakota confidential business pursuant to N.D.C.C. 6-09-35 and 44-04-19.2 to consider those items listed on the agenda under Bank of North Dakota confidential business. Only Commission members, their staff, Commission staff, and BND staff will participate in that executive session.

After the Bank of North Dakota confidential session, the Commission is meeting in executive session for attorney consultation pursuant to N.D.C.C. 44-04-19.1 and 44-04-19.2 for consultation related to the item listed on the agenda. Only Commission members, their staff, and Commission staff will participate in that executive session.

Any formal action taken by the Commission will occur after it reconvenes in open session.

Governor Burgum reminded the Commission members and those present in the executive session that the discussions must be limited to the announced purposes which is anticipated to last approximately 45 minutes.

The executive session began at approximately 5:10 p.m.

Meeting Closed to the Public for Executive Session Pursuant to NDCC 6-09-35, 44-04-19.1, and 44-04-19.2.

BANK OF NORTH DAKOTA EXECUTIVE SESSION

Industrial Commission Members Present

Governor Doug Burgum

Attorney General Drew H. Wrigley

Agriculture Commissioner Doug Goehring

BND Members Present

Don Morgan
Craig Hanson
Kaylen Hausauer
Courtney Heiser
Nicole Koons

Others in attendance

John Reiten	Governor's Office
Zac Greenberg	Governor's Office
Dutch Bialke	Ag Commissioner's Office
Karen Tyler	Industrial Commission Office
Brenna Jessen	Industrial Commission Office
Erin Stieg	Industrial Commission Office

ATTORNEY CONSULTATION EXECUTIVE SESSION

Industrial Commission Members Present

Governor Doug Burgum
Attorney General Drew H. Wrigley
Agriculture Commissioner Doug Goehring

Others in attendance

Phil Axt	Attorney General's Office
John Reiten	Governor's Office
Zac Greenberg	Governor's Office
Dutch Bialke	Ag Commissioner's Office
Karen Tyler	Industrial Commission Office
Brenna Jessen	Industrial Commission Office
Erin Stieg	Industrial Commission Office

The executive session ended at 6:00 p.m. and the Commission reconvened in open session.

During the Bank of North Dakota executive session, the Commission discussed those items listed on the agenda under Bank of North Dakota confidential business and made motions to approve one loan and a resolution.

On a roll call vote, Governor Burgum, Attorney General Wrigley, and Commissioner Goehring voted aye. The motion carried unanimously.

During the Attorney Consultation executive session, the Commission consulted with its attorney regarding the item listed on the agenda. No formal action was taken during this executive session.

CO2 EDUCATION AND OUTREACH PROJECT UPDATES

Mr. Brent Bogar and Mr. Marty Doll with AE2S presented an update on the CO₂ Education and Outreach project.

In early 2024, through the appropriation of the North Dakota legislature, the ND Industrial Commission awarded a \$300,000 grant to develop an Education and Outreach Strategic Plan and materials related to CO₂ capture, sequestration, and utilization in North Dakota. The project does not endorse any specific CO₂-related projects, and the scope of this grant includes plan, recommendation, and materials development through June 30, 2025, but does not include full-scale implementation beyond this date.

The executive team met monthly from March to November 2024 to provide input, direction, and review for all deliverables, serve as industry experts to ensure reliability of the information, and guide the development of appropriate outreach strategies.

The five plan goals are as follows:

1. Provide Factual information to audiences about the science of the CO₂ industry to address safety and landowner concerns, explore the potential benefits of an expanded CO₂ industry, and emphasize the importance of continued exploration and research related to CO₂.
2. Establish reliable sources for audiences to locate current information, in-depth studies, history, and details on North Dakota's role in CO₂ initiatives.
3. Create a library of branded materials for the State of North Dakota to use to communicate with various audiences from an official capacity that can be tailored for outreach needs, while remaining consistent and recognizable.
4. Provide an opportunity for audiences to ask questions, clarify information, and give feedback on CO₂ initiatives in North Dakota, and develop an ongoing education and outreach plan for the State.
5. Provide clarity around CO₂ regulations, industry challenges, and economic impacts.

The key themes if this project are safety, natural preservation, landowner rights, North Dakota pipeline and CO₂ history, and federal regulations and economic impact. The full report of the CO₂ Education and Outreach Project plan can be found on the website.

LEGAL AND REGULATORY UPDATE

- A. Litigation status updates were provided on the following matters:
 - i. NW Landowners v. State
 - ii. EPA Mercury and Air Toxics Rule
 - iii. EPA Carbon Rule
 - iv. EPA Methane OOOO Rule
 - v. BLM Venting and Flaring Rule
 - vi. BLM Conservation Rule
 - vii. CEQ NEPA Phase 2 Rule
 - viii. DAPL Intervention
- B. Other legal updates provided:
 - i. EPA Methane Tax Rule
- C. Federal regulatory update provided:

i. BLM Resource Management Plan

OFFICE OF THE INDUSTRIAL COMMISSION

Ms. Karen Tyler presented for consideration of approval the November 26, 2024, Industrial Commission meeting minutes.

It was moved by Commissioner Goehring and seconded by Attorney General Wrigley that the Industrial Commission approve the November 26, 2024, Industrial Commission meeting minutes.

On a roll call vote, Governor Burgum, Attorney General Wrigley, and Commissioner Goehring voted aye. The motion carried unanimously.

Ms. Tyler presented for consideration of approval the ND Mill President Annual Bonus.

The memo reads as follows:

“Fiscal Year 2024 was another record year for the North Dakota Mill. Profits were \$20,795,168 which was an increase from the prior year's profits of 17,238,265 and an all-time record high for the Mill.

When Vance Taylor was hired by the Industrial Commission in June of 2000, his compensation package included an annual bonus opportunity based on performance, up to 30% of base salary. Thirty percent of Vance’s current base salary of \$379,881.00 is \$113,964.

The Commission has previously determined that the 30% bonus payment provided for in Vance’s contract is to be determined with two components: 20% of the bonus will be based on what had been distributed to Mill employees under the Mill’s gain sharing plan. 10% of the bonus is based on other criteria, with the priority consideration being the achievement of goals established in the Mill Strategic Plan.

The gain sharing payout for FY 2024 for Mill employees was 29.84% as compared to 27.78% in 2023. The maximum bonus amount under this component of the compensation plan is \$75,976. All four gain sharing criteria goals were met, and profits as previously stated were a new record for the Mill. Based on the gain sharing payout portion, it is my recommendation that Vance receive the full amount applicable under the 20% component.

The remaining 10% of the 30% bonus potential is \$37,988. For this component I recommend \$30,000. With Vance’s leadership, and supported by executive management and the entire Mill team, the Mill achieved numerous goals that were established by the Commission in the Mill's 2024 strategic plan including increasing shipment volume by 10%, increasing exports by 40%, the addition of new significant customers, and improving efficiencies and reducing costs across a number of areas including truck scheduling, debt management, and energy efficiencies through their generator installation project. Employee engagement, and modernizing the Mill’s policies related to human resources, information technology, and governance, and management practices related thereto, are areas of focus for improvement going forward.

Vance continues to do an excellent job leading the North Dakota Mill team in the operation of an enterprise that delivers exceptional products and services. **For the 2024 fiscal year I am recommending a bonus totaling \$105,976.00.”**

It was moved by Commissioner Goehring and seconded by Attorney General Wrigley that the Industrial Commission approve a bonus for the North Dakota Mill President in accordance with the applicable employment contract and policy, in the amount of \$105,976.00, with a required bonus calculation formula that is set at 20% related to gain sharing results for Mill employees and 10% based on other criteria, primarily achievement of goals established in the Mill Strategic Plan.

On a roll call vote, Governor Burgum, Attorney General Wrigley, and Commissioner Goehring voted aye. The motion carried unanimously.

Ms. Tyler presented for consideration of approval the Industrial Commission Executive Director Compensation.

The memo reads as follows:

“Since August of 2022, I have held dual roles for the state, serving as both the North Dakota Securities Commissioner and Interim Executive Director for the Industrial Commission, and after June 26, 2024, Executive Director for the Industrial Commission. Effective December 14, 2024, I will hold only the position of Executive Director.

While serving in dual roles for the state, I did not collect the full salary for the Executive Director position. With this upcoming change I respectfully request the Industrial Commission consider the approval of a compensation adjustment at least equal to the full salary previously approved for the Executive Director by the Commission, which is currently \$151,380.00.

Thank you,

Karen Tyler

Industrial Commission Executive Director”

Discussion was held based on the Governor’s recommended salary range, and other Executive Director positions’ salaries, and Attorney General Wrigley gave a recommendation that the new Executive Director salary should be \$169,500 for the remainder of the biennium based on what is available in the budget. Further discussion was held that this was the low end of the salary range for this position and it should be re-evaluated at the start of the next biennium.

It was moved by Attorney General Wrigley and seconded by Commissioner Goehring that the Industrial Commission adjust the Executive Director salary to \$169,500 for the remainder of the current biennium, with a reevaluation based on the increase that Governor Burgum proposed in his budget for the 2025-2027 biennium.

On a roll call vote, Governor Burgum, Attorney General Wrigley, and Commissioner Goehring voted aye. The motion carried unanimously.

Ms. Tyler presented for consideration of approval the 2025 Industrial Commission meeting schedule.

It was moved by Commissioner Goehring and seconded by Attorney General Wrigley that the Industrial Commission approve the proposed 2025 meeting dates as follows:

Tuesday, January 28, 2025

Thursday, February 20, 2025

Tuesday, March 25, 2025

Thursday, April 24, 2025

Thursday, May 22, 2025

Thursday, June 26, 2025

Tuesday, July 29, 2025

Tuesday, August 26, 2025

Tuesday, September 30, 2025

Tuesday, October 28, 2025

Tuesday, November 25, 2025

Wednesday, December 17, 2025

On a roll call vote, Governor Burgum, Attorney General Wrigley, and Commissioner Goehring voted aye. The motion carried unanimously.

Attorney General Wrigley presented a Resolution of Appreciation for Governor Doug Burgum.

A RESOLUTION WAS MADE

**RESOLUTION HONORING GOVERNOR DOUG BURGUM FOR HIS SERVICE AS
CHAIRMAN OF THE INDUSTRIAL COMMISSION OF NORTH DAKOTA**

WHEREAS: Governor Doug Burgum has led the oversight of the Industrial Commission's agencies and programs with distinction and dedication; and,

WHEREAS: During his eight-year tenure of leadership, Industrial Commission agencies and programs have achieved record milestones and impact for our citizens, communities, and the state overall, including:

- 3.4 billion barrels of oil produced under the oversight of the Industrial Commission and Department of Mineral Resources, as North Dakota remains the nation's No. 3 oil producing state.
- Securing the future of Coal Creek Station and the sale of the Nexus HVDC line through innovative Commission agency partnerships with the private sector to retain critical baseload electricity production and transmission.
- The securing by DMR of Class VI primacy for permitting active Carbon Capture Storage projects on April 24, 2018, making North Dakota the first state in the country to hold this status.
- Nearly 500 disaster relief loans produced by Bank of North Dakota totaling \$162 million to help farmers, ranchers, businesses and citizens recover from extreme agriculture drought and unprecedented flooding.

- 123,463,000 hundred weights of flour sold by the North Dakota Mill generating over \$112 million in profits, along with completion of an expansion in 2022 making it the largest single-site flour mill in the country.
- Over \$1 billion in Clean Water and Drinking Water infrastructure projects financed through the Public Finance Authority's State Revolving Fund program, impacting communities large and small across the state.
- The approval of over \$217.4 million in grant awards across the energy research and commercialization grant programs overseen by the Commission, driving critical innovations and private sector investment.
- The approval of more than \$62.9 million in grant awards through the Commission's Outdoor Heritage Fund program supporting conservation, wildlife habitat, and outdoor recreation.
- \$3.2 billion in bonds issued by the Housing Finance Agency to fund construction or rehabilitation of 3,016 single and multi-family housing units and help 11,421 homeowners purchase their first home.
- Overseeing the Geological Survey's expansion of the Fossil Dig program to one of the largest in the nation.

NOW, THEREFOR, BE IT RESOLVED, that the Industrial Commission of North Dakota expresses its deep gratitude to Governor Doug Burgum for his dedicated, innovative leadership of the Industrial Commission agencies, programs, and team members and for his committed service to the people of this great state.

Being no further business, Governor Burgum adjourned the meeting of the Industrial Commission at 7:10 p.m.

North Dakota Industrial Commission



Brenna Jessen, Recording Secretary



Jordan Kannianen, Deputy Executive Director



Karen Tyler, Interim Executive Director