

SPIRITWOOD ENERGY PARK ASSOCIATION, LLC

*Official Minutes
Meeting of the Members
August 29th, 2017*

A meeting of the members of the Spiritwood Energy Park Association, LLC, a North Dakota limited liability company was held at the offices of Jamestown/Stutsman Development Corporation on June 15th, 2017, pursuant to notice duly provided to all members.

SEPA President, Chris Rathjen called the meeting to order at 11:02 a.m. (CST).

In attendance were Chris Rathjen and Bill Lytle, Authorized Member Representative of Jamestown/Stutsman Development Corporation; Al Christianson and Rachel Retterath, Authorized Member Representatives of Great River Energy; Connie Ova, Chief Operations Officer, SEPA; Rich Garman, Senior Project Manager, SEPA; Corry Shevlin, Business Development JSDC; Jeff Zueger and Michael Grosz, Midwest AgEnergy; Keith Norman, Reporter The Jamestown Sun;. Kelly Rachel, JSDC Board; Katie Andersen, City of Jamestown; Eric Olsen, GRE Attorney; John Boyle, SEPA Attorney; Michael Nixt, SEPA Attorney.

Previous Meeting Minutes:

Al Christianson moved to approve the minutes from 8-29-2017 as written, Rachel Retterath seconded and motion passes unanimously.

Mediation with AT&T

Chris Rathjen stated “The next item on the agenda is the ‘Negotiations with AT&T’. this item must be discussed in Executive Session, the legal authority for closing this portion of the meeting is N.D.C.C. 44-04-19-1. The topic or purpose of this executive session is to discuss negotiations on going with AT&T. at this time we will convene Executive Session, the Executive Session will be recorded and all members of the governing body are reminded to limit the discussion during the Executive Session to the topic. Any collective decision or collective commitment must occur after public session reconvenes unless the action is specifically required by law to be taken during the Executive Session.

Under meetings that are closed under N.D.C.C. 44-04-19-1 for attorney consultation or discussion of contract negotiation strategy the prohibition on taking final action during the Executive Session does not apply to providing guidance or instruction to our Attorney or Negotiator. We will now ask the members of the public who are attending the meeting to leave the room. We anticipate adjourning the Executive Session and reconvening the open portion of this meeting at approximately 9:30”

Executive Session was entered at 9:02a.m.

****Open Meeting was reconvened at 9:45a.m.****

Bill Lytle made a motion to give Connie Ova the authority to negotiate on behalf of the Spiritwood Energy Park Association being advised by John Boyle, SEPA Attorney. Al Christianson Seconded the motion.

Al – Aye, Rachel – Aye, Bill – Aye, Chris – Aye.

Section Line Relocation

Corry Shevlin explained there has been a number of discussion on the east half of Section 28 in Spiritwood (Klose Property) being incorporated into the Spiritwood Energy Park. In between the two pieces of land lays public access for a section line. Previously the Board of Directors passed a motion to incorporate the Klose Property into SEPA upon the request of a tenant.

We have gone through the appropriate channels for approval and a new route has been proposed in the interest of cost savings and ease of access. Please see the attached map of the proposed path. The new path will save us from having to go through any environmental assessments and possibly building a crossing which will run into the thousands of dollars.

Al Christianson made a motion to approve the change in the path of the relocation. Bill Lytle Seconded the motion.

All Members voted – Aye.

Meeting was adjourned at 9:49a.m. (CST).

Recorder stopped at 9:50a.m.

Respectfully submitted by,
Corry Shevlin, Business Development, JSDC