

## SPIRITWOOD ENERGY PARK ASSOCIATION, LLC

*Official Minutes  
Meeting of the Members  
July 31st, 2017*

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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, Midwest AgEnergy; Keith Norman, Reporter The Jamestown Sun;. Kelly Rachel, JSDC Board; Katie Andersen, City of Jamestown; Warren Abrahamson, Media

### Previous Meeting Minutes:

*Al Christianson moved to approve the minutes from 7-31-2017 as written, Bill Lytle seconded and motion passes unanimously.*

### Construction Project Status:

Rich Garman & Connie Ova gave an update on the rail project, reviewed the project schedule, and provided the Board with a PowerPoint presentation.

- Tenant Operations Committee: Tenant ops committee will meet following this meeting
- Wetland Mitigation: We are still working with the current wetland to have the appropriate plants growing.
- Maintenance is ongoing and the weed control is underway.

### Dakota Spirit AgEnergy Status Update: Jeff Zueger

Jeff reported that Dakota Spirit AgEnergy will time the next shutdown to coincide with Spiritwood Station. He also reported that the sign up process for Energen (Energy Corn) will begin August 1<sup>st</sup> and DSA will be taking 8 million bushels.

### SEPA Financials:

Connie Discussed the financial update, financial statements were not available and will be sent out to the board and placed in the Dropbox as soon as possible.

Corry discussed adding Bill and Rachel to the list of signatories for the Spiritwood Energy Park.

*Al Christianson moved to place Rachel Retterath and Bill Lytle onto the signatories list. The motion was seconded by Chris Rathjen. A vote was taken as follows; Al – aye, Chris – aye, Bill – aye, Rachel – aye. The motion passed 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 11:40”

**\*\*Executive Session was entered at 11:10a.m.\*\***

**\*\*Open Meeting was reconvened at 11:29a.m.\*\***

The instruction for Connie Ova there will be a meeting held between the JSDC Board of Directors, SEPA Board of Directors, Great River Energy Board of Directors, City of Jamestown and Stutsman County and have counsel available to answer any question so SEPA can move forward with negotiations.

#### New Tenant Update

Connie Discussed possible new tenants.

- Agreement of Key Site Development Terms is currently being completed and was presented to the Board. This allows SEPA and JSDC to take steps in preparation for the new tenant.

#### JSDC Board Representation

This item was removed from the agenda pending JSDC Board Approval.

*Meeting was adjourned at 11:32a.m. (CST).*

# Spiritwood Energy Park

ASSOCIATION

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*Recorder stopped at 11:33a.m.*

Respectfully submitted by,  
Corry Shevlin, Business Development, JSDC