

**SOUTH DAKOTA HEALTH AND EDUCATIONAL
FACILITIES AUTHORITY**

MINUTES OF THE SEPTEMBER 25, 2013 ANNUAL MEETING

Pursuant to due notice, the South Dakota Health and Educational Facilities Authority met on Wednesday, September 25, 2013 at 2:00 p.m., CDT, at the Minnehaha Country Club in Sioux Falls, SD and via telephone conference call. Norbert Sebade, Chairman, instructed the Secretary to call the roll.

Present: Alan "Dick" Dempster (via Telephone)
Gene Lebrun
Norbert Sebade
Dave Timpe
Mack Wyly (via Telephone)

Absent: Dave Fleck
William Lynch

Other staff and representatives of the Authority and other parties present were:

Donald Templeton, Executive Director
Vance Goldammer, Murphy, Goldammer & Prendergast, LLP
Dustin Christopherson, Associate Director
Steve Corbin, Finance Officer
Dan Bacastow, Jones Day
Bert Olson, First National Bank in Sioux Falls

A quorum was declared by the Chairman and the meeting was called to order. The notice of the meeting dated September 10, 2013 was posted at the entrance of the South Dakota Health and Educational Facility Authority prior to the meeting (*see Attachment #1*).

The Chairman asked for consideration of the minutes for the August 27, 2013 special meeting. Mr. Gene Lebrun moved to approve the minutes, seconded by Mr. Dave Timpe. All members present voted aye, motion carried.

Election of Officers

Mr. Templeton reviewed current officers as being Norbert Sebade, Chairman, Mack Wyly, Vice-Chairman, William Lynch, Treasurer, and Don Templeton – Executive Director and Secretary. Mr. Gene Lebrun moved that the officers remain the same and Mr. Dave Timpe seconded. Upon roll call, the ayes were Dempster, Lebrun, Sebade, Timpe and Wyly. Nays: none and abstains: none.

Western Dakota Technology Right of Entry

Mr. Templeton and Mr. Goldammer reviewed the request letter for Western Dakota Technology Right of Entry Agreement with Western Area Power Administration. Mr. Goldammer explained the Resolution (**see Attachment #2**). Mr. Templeton explained that Mark Wilson, President of Western Dakota Technical Institute, has told Mr. Templeton that Western Dakota Technical Institute is in favor of the Right of Entry. Mr. Dick Dempster moved to approve the resolution and Mr. Gene Lebrun seconded. Upon roll call, the ayes were Dempster, Lebrun, Sebade, Timpe and Wyly. Nays: none and abstains: none.

Position Descriptions

Mr. Templeton showed the Board the position descriptions for the South Dakota Health & Educational Facilities Authority staff that are on file at the Authority's office.

Summary of Annual Reviews

Mr. Templeton, Mr. Christopherson and Mr. Corbin explained that the staff had reviewed the financial operations and bond covenant compliance of all borrowers and showed the members the most current audits and quarterly financial statements of each borrower which are on file at the Authority office. Mr. Templeton reported that all borrowers are in good financial position and are in compliance with bond covenants.

Mr. Dave Timpe presented the history, mission, operations and fundraising efforts of the Children's Care Hospital and School. Mr. Timpe also gave a financial review of the entity.

Adjournment

The Chairman stated there being no further business at this meeting, the meeting adjourned at 3:37 p.m., CDT.



SOUTH DAKOTA
HEALTH AND EDUCATIONAL
FACILITIES AUTHORITY

Date: September 10, 2013

To: Members of the South Dakota Health and Educational Facilities Authority

From: Don A. Templeton, Executive Director

Re: Notice of Annual Meeting

You are hereby notified that the Chairman has set **Wednesday**, September 25, 2013 as the date for the annual meeting of the South Dakota Health and Educational Facilities Authority to be held at the Minnehaha Country Club located in Sioux Falls, SD. (See attached map for driving directions.) Our annual meeting will begin **Wednesday**, September 25, 2013 at 2:00 p.m. CDT and 1:00 p.m. MDT. The dress code will be casual for the day.

To participate via phone please dial **1-877-336-1828 and enter your Participant Access Code, which is 4677196 followed by the # key.**

The following members have indicated they will be available for the meeting:

Dick Dempster
David Fleck

Gene Lebrun
Norbert Sebade

Dave Timpe
Mack Wyly

An agenda is enclosed along with a meeting summary. We will mail out meeting information in the near future. Please call if you have any questions.

If your plans change, please contact me as soon as possible so we can make the appropriate changes.

cc: Dan Bacastow
Vance Goldammer
Bert Olson

RESOLUTION authorizing the approval of the request of the Right of Entry by Western Area Power Administration on a tract of land occupied by Western Dakota Technical Institute.

Be it resolved by the Board of the South Dakota Health and Educational Facilities Authority as follows:

1. Findings. The Board of the South Dakota Health and Educational Facilities Authority does hereby realize that the President of Western Dakota Technical Institute hereby requests the approval of the Right of Entry, and find that it is necessary and convenient to agree to the Western Area Power Administration Right of Entry to certain properties financed by South Dakota Health and Educational Facilities Authority bonds which were issued to finance construction of improvements (See Attachment A).

2. Right of Entry. The Chairman and/or Executive Secretary are authorized to execute the Right of Entry in substantially the form attached and made a part hereto (See Attachment A).

Dated this 25th day of September, 2013

Project RC RDC 115-kV Transmission Line

Tract Nos. _____

AGREEMENT FOR RIGHT-OF-ENTRY

(ACCESS ACROSS THE FOLLOWING DESCRIBED PROPERTY IN ORDER TO CONDUCT SURVEYS/GEOLOGICAL/ENVIRONMENTAL AND OTHER STUDIES IN PREPARATION FOR PROPOSED 115-kV TRANSMISSION LINE)

Tract A Marshall Subdivision in Rapid City, South Dakota

Legal Description of Property

South Dakota Health and Educational Facilities Authority

Western Dakota Technical Institute

Owner

Lessee/Tenant (Term of Lease)

P.O. Box 846 - 330 South Poplar Avenue Suite 102 Pierre, SD 57501

Address

(605) 224-9200

Telephone

Present Land Use: Technical Education

The Undersigned, for and in consideration of **\$500.00** payable to ourselves jointly, hereby grants to the WESTERN AREA POWER ADMINISTRATION, UNITED STATES DEPARTMENT OF ENERGY, hereinafter referred to as Western, or its agents, an irrevocable right to enter the property described above at any time **within a period of two years** from the date of this instrument is signed on behalf of the landowner, to perform construction and maintenance of the transmission line and its structures, and conduct environmental and other studies as may be necessary to complete the investigation being made of said lands by Western.

Western agrees to be responsible for damages arising from the exercise of the rights granted in this right-of-entry, either by repairing such damages or at the option of Western by making an appropriate settlement with the undersigned in lieu thereof.

I, _____ hereby consent to the payment of any consideration resulting from this agreement directly to:

Western Dakota Technical Institute
C/O Mark Wilson, President
800 Mickelson Drive
Rapid City, SD 57701

WESTERN AREA POWER ADMINISTRATION

Date

Realty Specialist

Date