

Wyoming Business Council **Board of Directors Meeting**

May 27 & 28, 2015 ▪ Rawlins, Wyo.



#ThinkWYO

Itinerary/Agenda

BOARD OF DIRECTORS AGENDA

May 27 and 28, 2015
Rawlins, Wyoming

WEDNESDAY, May 27, 2015

(Times are tentative and subject to change without notice)

Wednesday dress code is casual attire.

Location: Rawlins Historic Depot, 400 W. Front St.

11:30 AM - 1:00 PM

Joint Meeting with Wyoming Board of Agriculture (lunch provided for Boards and staff)

- Introductions and Opening Remarks
 - Lynne Michelena, WBC Board Co-Chair
 - Cameron Smith, WBA President
- Discussion items (led by staff)
 - Expanding Meat Processing Industry in Wyoming
 - WBC Value-added Loan Program
 - Big Horn Sheep
 - Public Comment
 - Adjourn Joint Meeting

1:30 PM - 2:00 PM

Welcome to Rawlins

Pat Robbins, South Central Regional Director

Mayor Robert Grauberger

Invited:

- John Espy, Carbon County Commissioner
- Cindy Wallace, Carbon County Economic Development Corporation Executive Director
- Elizabeth Hunt, Rawlins-Carbon County Chamber of Commerce Executive Director
- Leslie Jefferson, Carbon County Visitors Council Executive Director
- Pam Thayer, Rawlins DDA/Main Street Executive Director

Itinerary/Agenda

2:00 PM

Bus Tour for Rawlins Projects (Load at Depot)

- Cedar Street Frontage Road (BRC-City)
- Airport Business Park (Airport Joint Powers Board/FAA)
- Airport Road (SLIB-City Water & Sewer Improvements Project)
- Murray Street (City)
- Rawlins Elementary School (School Facilities)
- Sinclair Oil Corporation New Home Project (Private)
- Carbon County Higher Education Center (Carbon County Bond)
- Harshman Street (BRC – County/City Partnership)
- New Rawlins High School (School Facilities and Carbon County Bond)
- Proposed Urban Systems-WYDOT project of finish to Murray St.
- City of Rawlins' Walking Path
- BLM Building – First “Green” building built in the City of Rawlins
- Carbon County Visitors Center @ WFP
(BRC Planning Grant -Joint Powers Board)
- Wyoming Frontier Prison {WFP} (BRC-Joint Powers Board)
- Lions Pavilion at Washington Park (Private)
- Union Wireless Building (Business Committed-County)
- Union Wireless Continuing Project – Additional Fiber Connection (Private)

4:00 P.M.

Walking Tour of Downtown WBC Projects

- Rainbow Te-Ton Entrepreneur Center (BRC-City)
- Multimodal Streetscaping (WMS TA Funds & BRC-City)
- Façade Easement (WMS TA Funds, CDBG & BRC-City)
- Carbon Mercantile (CDBG-County)

5:15 PM

Open Reception - Re-Grand Opening Carbon Mercantile

414 West Cedar St.

(Rawlins/Carbon County Chamber's Business After Hours)

6:00 PM

Hotel Check-In

6:30 PM

Board/Staff Dinner - Bunkerz Restaurant (Rochelle Golf Course)

2808 Rochelle Drive

Transportation: On your own

Itinerary/Agenda

THURSDAY, May 28, 2015

(Times are tentative and subject to change without notice)

Thursday dress code is business.

Location: Jeffrey Center, 315 West Pine St.

- 8:30 AM** **Convene meeting, Lynne Michelena, Co-Chair**
- Welcome & Introductions of Board Members
 - **Action Item:** March 12, 2015 Minutes Approval
- 8:45 AM** **Economic Development Updates - Staff**
- Staff will answer any questions from Board members about reports in Board materials
- 9:00 - 9:20 AM** **Personnel, Budget and Audit Committee Report**
- **Action Item:** Approval of audit contract with McGee, Hearne & Paiz
 - Diane Joyce, CFAO, will provide comments on FY2015 financials
 - **Action Item:** Acceptance of financial statements
- 9:20 - 9:45 AM** **Business Contract and Loan Committee Report**
- Ben Avery, Director of Business and Industry, and Ryan Whitehead, Business Finance Program Manager, will report on:
 - **Action Item:** Approval of draft challenge loan rules
 - **Action Item:** Acceptance of quarterly past due report, charge off balances and loan loss reserve analysis
 - **Action Item:** Acceptance of Challenge Loan Report
 - **Action Item:** Acceptance of Small Business Investment Credit Program report
- 9:45 - 10:00 AM** **Break**
- 10:00 - 11:00 AM** **Sinclair Oil Corporation**
Steve Sondergard, Refinery Manager
- The Sinclair Refinery is one of the largest high conversion refineries in the Rocky Mountain region, with multiple projects recently installed to allow it to process a diverse crude slate, including heavy sour Canadian crude and indigenous Utah Waxy crude. The plant is now processing crude at a rate in excess of 80,000 barrels per day, a significant increase over the refinery's daily average output. This new milestone marks the culmination of a series of ambitious projects encompassing expansions of a crude unit and hydrocracker and the addition of a coker and new sulfur plants. Additionally, equipment has been installed to improve operational stability and safeguards, and to reduce environmental emissions.

Itinerary/Agenda

11:00 - 11:45 AM

Power Company of Wyoming

Roxane Perruso, Vice President and General Counsel

Kara Choquette, Director of Communication

Power Company of Wyoming LLC's Chokecherry and Sierra Madre Wind Energy Project is an up to 1,000-turbine wind farm to be located south of Sinclair and Rawlins in Carbon County, Wyoming. With up to 3,000 megawatts of clean energy, the project will ensure a reliable, cost effective supply of renewable electricity that's unmatched in the West. This output will help America reduce greenhouse-gas emissions, diversify energy sources and meet growing demand for renewable energy. At the same time, the wind project will generate hundreds of good jobs, millions of dollars in tax revenue and other economic benefits for Carbon County. The accompanying Transwest Express project is a 730-mile transmission line that would deliver up to 3,000 megawatts of electric power to major load centers, including Las Vegas, Nevada and San Diego, California, by tapping into abundant wind energy resources in southern Wyoming.

11:45 AM - 1:15 PM

Lunch - Provided for board and staff - on site

- Guests may wish to enjoy one of the local eateries

1:15 - 2:00 PM

Community Grant and Loan Committee Reports

- Molly Spangler, Director of Investment Ready Communities, and Julie Kozlowski, BRC Program Manager, will present staff recommendations for the following applications:
 - Pine Bluffs Veterans Memorial and Community Plaza
 - Jackson Bike Share Feasibility Study
- Consent Agenda for BRC projects
 - Standing Committee Chairman will present a consent agenda. Items may be removed from the consent agenda at the request of any board member.
 - Public comment on consent agenda
 - **Action items:**
 - Vote on consent agenda
 - Approval of staff recommendations for projects on consent agenda
- Other BRC projects
 - Presentation of staff recommendations
 - Board discussion and public comment
 - **Action item:** Consideration of staff recommendations
- BRC rule update

2:00 - 2:45 PM

CEO Update

2:45 - 3:00 PM

Other Board Matters, Chairman

- Other business
- Closing remarks

3:00 PM

Adjournment

3:30 PM

Wheels up for State Plane

Next Meetings:

September 9 & 10 - Sheridan

December 9 & 10 - Cheyenne - Annual Meeting (2 full days)



Board of Directors Meeting

Casper, Wyoming • March 12, 2015

Board Members Present

Jay Anderson, Cactus Covello, Jim Espy, Megan Goetz, Ron Harvey, Allen Hoopes, Pete Illoway, Kelly Lockhart, Lynne Michelena, Pat Schmidt, Aaron Sopko, Mike Sullivan and Mike Wandler.

Board Members Absent

Dick Bratton and Tom Scott

WBC Staff Present

CEO, Shawn Reese; CFAO, Diane Joyce; CPO, Tom Johnson; Directors, Ben Avery, Ron Gullberg, Molly Spangler and Cindy Weibel; Regional Directors, Leah Bruscino, Roger Bower, Kim Rightmer, Pat Robbins, Dave Spencer and Elaina Zempel.

Other staff present included: Andy Greenman, Sherry Hughes, Shaun Jones, Julie Kozlowski, Ben Peterson, Sandy Quinlan and Ryan Whitehead.

Call To Order/Welcome/Introductions

Mr. Schmidt asked for a moment of silence in remembrance of Mick McMurry

Mr. Schmidt called the meeting to order at 8:05 a.m. All present board members introduced themselves. Mr. Schmidt thanked Casper for its hospitality and tours of Casper Crude to Rail (CCR) and High Country Fabrication. Mr. Schmidt was impressed with the cooperative effort between the Casper Area Economic Development Alliance, Downtown Development Authority, Casper Area Convention and Visitors Bureau, the Chamber of Commerce and the Casper-Natrona County Airport, and urged other communities to follow their example of cooperation.

Nominating Committee Report

Mr. Schmidt, speaking on behalf of Nominating Committee Chairman Dick Bratton, provided a report of January 27 meeting of the Nominating Committee. The Nominating Committee recommended the following slate of officers for the coming year: Lynne Michelena, Co-Chair; Mike Wandler, Vice-Chair; and Jim Espy, Secretary/Treasurer.

MOTION: Mr. Illoway moved to accept the proposed slate of officers for the 2015 year. Mr. Lockhart seconded the motion; all voted in favor, motion passed.

Co-Chair Michelena thanked the audience, the Board and the State of Wyoming for the opportunity to serve as Co-Chair. She welcomed new board members; Allen Hoopes and Ron Harvey. Co-Chair Michelena stated, "It's an exciting time for the Wyoming Business Council as we continue to grow and move forward into the future. We should be very proud of where we are and excited about where we are headed. We have been challenged to Think Big, Think Small, Think New, Think Local and Think Global. Our Board, CEO and staff are all up for the challenge to serve Wyoming in that capacity. Before we move on, stay engaged, be proactive-pro-active, be positive and continue to help shape the future of Wyoming in all we do."

Minutes

Minutes from the December board meeting in Lusk were presented for approval. It was noted that Jay Anderson was inadvertently omitted from the list of Board members present and that Diane Joyce was incorrectly listed as the CEO.

MOTION: Mr. Wandler, Vice-Chair, moved to approve with corrections. Mr. Covello seconded the motion; all voted in favor, motion passed.

Resolution to form Standing Committees

Co-Chair Michelena stated that the Wyoming Business Council bylaws require a resolution to Form Standing Committees. CEO Reese introduced a draft resolution to formalize three standing committees and create five advisory committees to review the objectives in accordance with the Strategic Plan. The final recommendation is to add an ad-hoc committee to take a look at the bylaws.

MOTION: Mr. Covello moved to adopt Resolution 2015-01. Mr. Lockhart seconded the motion; all voted in favor, motion passed.

CEO Reese will follow up the Board meeting with an email to each Board member and inquire as to which Committee they would like to serve.

Co-Chair Lynn Michelena appointed Jim Espy as Chairman of the Personnel, Budget and Audit Committee; Cactus Covello as Chairman of the Community Grant and Loan Committee; Mike Wandler as Chairman of the Business Contract and Loan Committee; and Pat Schmidt and Megan Goetz as Co-Chairmen of the Ad-Hoc Committee.

Economic Development Updates – CEO Reese

Reese highlighted staff activities. He discussed work on the WBC operational plan and communication plan. CEO Reese stated the National Main Street Conference will be held this March in Atlanta. Rawlins is set to possibly win a national award. The next Board meeting will be in Rawlins; a portion of the agenda will be the Main Street program.

Air Service Overview

Co-Chair Michelena introduced Dennis Byrne, State of Wyoming Aeronautics administrator, and Sheri Taylor, air service development manager. Mr. Byrne and Ms. Taylor gave an update on air service in Wyoming along with the challenges that small communities face with air service across the country and in Wyoming. The challenges include the impacts from new federal regulations on pilot flight hours, a large number of impending retirements that will affect crew availability among the airlines and the impact of high fuel costs on the profitability of the aircraft that serve Wyoming communities. Other topics included air service funding, and economic impacts. Mr. Byrne stated that he is not asking for anything in specific, but if air service is important to the Council and the Council believes it is important to get involved, he encourages the Council to get in contact with the Congressional delegation and educate people in the communities about the impacts because of the regulatory changes.

Oil and Gas Industrial Overview

Co-Chair Michelena introduced Bruce Hinchey, president of the Petroleum Association of Wyoming. Mr. Hinchey discussed economic considerations, rig counts, and taxes.

Fifty percent of surface ownership of land in Wyoming is owned by the Federal government, two thirds of the minerals in Wyoming are owned by the Federal government. Federal activities have great impacts on the oil and gas industry and other related industries in Wyoming. Hinchey stated that markets for oil and gas products were emerging in both China and India.

In the last 10 years the United States went from importing 60 percent of its needs for oil to importing 20 percent. In the near future Mr. Hinchey feels Wyoming will see fewer jobs, less drilling and reduced tax revenues to the State, cities, towns and counties. Governor Mead mentioned in his State of the State Address that each \$5 drop in the price of oil equals a \$35 million hit to the Wyoming budget.

CEO Reese added additional information about House Bill 53. HB53 created a new Business Council program which will provide a minimum input guarantee to facilities that add value to minerals—likely natural gas to liquid fuels. The legislation allows for a guarantee through a tolling agreement of up to \$50 million, although there is not a current appropriation. The Business Council will work on the rules over the next year. The program will help attract more investment in facilities. After the product has added value, the State will get a portion of the added value which will be deposited into the program account.

COMMITTEE REPORTS

PERSONNEL, BUDGET AND AUDIT COMMITTEE

Chair Espy, Secretary/Treasurer, introduced Diane Joyce, CFAO. Ms. Joyce gave a summary of the financial for the year to date. As of December 31, 2014, the Business Council spent \$8 million out of its current budget, and encumbrances totaled \$30.87 million, which comprises about 44% of the budget for fiscal year 2015. There are funds encumbered in previous bienniums, principally for the BRC, CFP and CDBG programs totaling \$37.4 million. The Economic Development fund (Challenge Loan Program) has approximately \$16.26 million available. The Loan Portfolio for the Business Council is approximately \$8.5 million.

MOTION: Espy, Secretary/Treasurer, asked for a motion to approve the financials as presented. Mr. Covello moved to accept the financials as submitted; Mr. Anderson seconded the motion. All voted in favor; motion passed.

BUSINESS CONTRACT AND LOAN COMMITTEE

Mike Wandler, Vice-Chair, introduced Ben Avery, Business and Industry Division director, and Ryan Whitehead, business finance program manager. Mr. Whitehead noted two accounts up to 30 days late. Those payments have been received and currently there are no loans past due. The Charge Off report shows one account for \$62,000, which has been paid in full and is fully recovered. The Loan Loss Reserve Analysis account showed no changes at this time.

Mr. Avery gave the board a brief summary of current legislative issues. One of the bills discussed with the Joint Minerals, Business and Economic Development Interim Committee was a restructure of the Challenge Loan Program. With the continued low interest rates at the Federal level, the WBC recommended a change of the minimum interest rate from 4 percent to 3 percent. In addition to lowering the rate to 3 percent, it was recommended that the maximum loan amount be increased on a regular participation to \$1 million, and if there is a Federal guarantee, then our portion goes to \$2 million. The bill was approved and signed by the Governor.

Staff will shortly begin work on rules for the Value Added program discussed earlier. Bryan Jefferies with the Pipeline Authority and the Governor's office will help.

The Business Council worked with Dr. Bill Germ, Vice President of Research, Economic Development at the University of Wyoming and the Small Business Innovative Research (SBIR) program on this proposed bill. The bill would have provided general fund dollars to match federal awards for development projects. CEO Reese stated that the failure of this bill is an opportunity to engage the Joint Committee on Economic Development about small business needs, how to develop a technology economy, the importance of research and development and competitiveness with other states. Mr. Sopko clarified the bill passed the Senate but failed the House.

The Legislature extended by six years the sunset date for a tax exemption for servicing of railroad rolling stock. There are reporting requirements in the bill that the Business Council will need to work on with the Department of Revenue.

CEO UPDATE

CEO Reese discussed interim topics that the Legislature's Management Council released last week. There will be a topic in the Joint Corporation Committee related to downtowns. The Revenue Committee will discuss the effectiveness of these tax exemptions. The Joint Subcommittee on Economic Development will continued for another year. In the purpose statement for that committee, the Legislature added air service as an economic development topic.

CEO Reese stated there are a number of personnel changes. Some changes are due to retirements and the changing direction of the Business Council. Ms. Joyce's responsibilities are increased to oversee budget, finance and administrative services. Mr. Johnson is now the chief performance officer; his main charge is to help determine programs' ROI. Staff will use the RPAS model to help calculate ROI. The outputs are direct and indirect job creation and tax benefits.

Mary Randolph retired; she was director for the Wyoming Rural Development Council and the Wyoming Main Street Program. Wyoming Main Street and its advisory board are created by statute. The Wyoming Rural Development Council has been around since the early 1990s and is a product of the Farm Bill. Main Street is a logical fit within the Investment Ready Communities Division. Linda Klinck starts March 18 as Main Street program manager. CEO Reese is evaluating the relationship between the Business Council and the Rural Development Council.

The Wyoming Business Alliance and Bill Schilling elected to make their main initiative for 2015 "Tour 23," which will reach out to all 23 counties. It is structured somewhat like a community assessment and is designed to reinvigorate local economic development efforts that may have been stalled because of lack of funding and/or divestment in local economic development groups.

COMMITTEE REPORTS (continued)

COMMUNITY GRANT AND LOAN COMMITTEE

Chair Covello introduced Sandy Quinlan, the CDBG program manager. Ms. Quinlan gave a brief overview of the 2015 Annual Action Plan that is required annually. This is year three of a five-year consolidated plan. The Wyoming Business Council is the lead agency and responsible for working with the Wyoming Community Development Authority, Wyoming Department of Health and Wyoming Department of Family Services.

The 2015 CDBG budget was presented; Quinlan asked for approval from the Board; if approved, the plan will be presented to HUD for its approval.

MOTION: Mr. Illoway moved to approve the 2015 Annual Action Plan and budget as presented; Mr. Wandler, Vice-Chair, seconded the motion. All voted in favor, motion passed.

An hour and a half recess for lunch was called. The meeting reconvened at 12:55pm.

Chair Covello introduced Molly Spangler, Investment Ready Communities Division director, and Julie Kozlowski, Business Ready Community program manager.

Mr. Covello indicated that staff recommends putting all proposals on a consent list. The consent list included:

- City of Kemmerer – Community Readiness -- \$1,925,500
- Natrona County – Community Readiness -- \$2,578,000
- City of Buffalo – Downtown Development -- \$1,758,961
- Goshen Sr. Care JPB – Senior Care Grant -- \$1,000,000
- Goshen Sr. Care JPB – Senior Care Loan -- \$894,340
- City of Buffalo – Tri-City Marketing Initiative Planning Grant -- \$100,000

MOTION: Mr. Illoway motioned to approve the consent list, minus the Goshen County Senior Care project. Mr. Lockhart seconded. After further discussion, Mr. Sopko asked that the City of Buffalo project also be removed from the consent list. Mr. Schmidt motioned to approve the consent list minus the Goshen County Senior Care project and the City of Buffalo project. Mr. Sopko seconded. All voted in favor, motion passed.

Ms. Kozlowski gave a brief budget program summary. She indicated the balance in the program included the de-obligation of a \$2.5 million loan awarded to Casper Amoco Re-Use Agreement Joint Powers Board for a convention center. If all requests are funded, there would be a program balance of \$47,029,474. She noted business committee applications and loan applications or anything involving a private developer are contingent on a review by the Attorney General's Office.

Ms. Kozlowski said the Goshen Senior Care Center Joint Powers Board was requesting \$1 million in the grant application and \$894,340 in a loan to fund a 6,000 square-foot expansion of the Goshen Senior Care Center, which is located in Torrington. The addition will provide space for therapy services to residents in the transitional unit and outpatient services in the community, and would add a full-service commercial kitchen. Project proponents answered questions about the project.

MOTION: Mr. Espy moved to approve staff's recommendation of a \$1 million senior care grant and a \$894,340 loan. Mr. Wandler seconded the motion. All voted in favor of the motion; motion passed.

Staff presented a request from Buffalo, Sheridan and Gillette labeled as the Tri-City Marketing Initiative. The cities of Buffalo, Sheridan and Gillette requested a \$100,000 Business Ready Community Planning Grant to develop a unified marketing plan for the region. The administration of the grant will be handled by Kaycee, Buffalo, Johnson Economic Joint Powers Board. Project proponents answered questions about the project.

MOTION: Mr. Schmidt motioned to approve staff's recommendation to fund. Mr. Sopko seconded the motion. All voted in favor of the motion, motion passed.

Mr. Covello said staff recommended the Board authorize the staff to incorporate changes to the BRC rules into a strike-and-underline version for public comment. CEO Reese indicated that there are multiple reasons for rule changes including sustainability of the BRC Program and Senate File 100, which requires rules for revenue recapture. The Joint Subcommittee on Economic Development raised many questions about the local economic development entities, ownership of infrastructure and the length of project evaluation. These topics are included in the suggested rule changes.

CEO Reese introduced Tom Johnson, chief performance officer; Molly Spangler, director of Investment Ready Communities and Julie Kozlowski, Business Ready Community program manager, and stated that they were available for any questions. Board and staff discussed changes to the rules for the program, which included child care and senior care, revenue recapture, projects with private developers, loans, deadlines, downtown development projects, operations and maintenance and reporting. Ms. Spangler indicated rule changes would include other editorial changes.

PUBLIC COMMENT

Keith Tyler, a Casper developer, voiced concern about the 100 percent recapture. Carmen Rideout, executive director of the Sheridan Senior Center, said there is data that can justify child care and senior care investments. Andy Nelson, Casper metropolitan planning manager, said excessive recapture will stifle private developers' interest in partnering. Phil Christopherson, CEO, Campbell County Development Corp., commented on the headache the suggested match tiers could create. He agreed with suggested recapture provisions for private developers. He commented on community development organizations, loans and child care/senior care projects. Dave Simonsen, executive director, Kaycee/Buffalo/Johnson County Economic Development Joint Powers Board, commented on various aspects of the suggested rule changes including revenue recapture and the .5 percent servicing fee.

MOTION: Mr. Espy proposed to accept the rule changes with the exception that staff create a Community Development projects category that would include Child Care/Senior Care and the minor edits that the staff has consented to and move these rules on to promulgation of public comment. Mr. Illoway seconded the motion.

Mr. Lockhart proposed an amendment to incorporate in the proposed rule change 100 percent recapture for the developer that the language that the AG be consulted and that language be incorporated into the proposed rule changes. The purpose would be to ensure consistency with legal guidance. Seconded by Mr. Schmidt. All voted in favor; motion passed.

MOTION: Mr. Illoway motioned to accept Mr. Espy motion and the Amendment by Mr. Lockhart, seconded by Mr. Wandler. All voted in favor, motion passed.

OTHER BOARD MATTERS

Co-Chair Michelena stated CEO Reese will send emails for the appointments to the Standing Committees, the Advisory and the Ad-Hoc.

The next meeting will be May 27 and 28 in Rawlins.

MOTION: Mr. Schmidt motioned to adjourn. Seconded by Mr. Espy, Secretary/Treasurer. All voted in favor, motion passed.

The meeting adjourned at 3:55 pm.

Respectfully Submitted

Sherry Hughes, Recorder

Date

Mike Wandler, Secretary/Treasurer

Date





WELCOME TO RAWLINS 2.0

National award-winning city reinvents itself.

More than 10 years ago, the knocks on Rawlins were harsh.

"It's not safe to stop there."

"The schools need work."

"The downtown is rundown."

"I want the job but my family doesn't want to live here."

The community of about 10,000 people could have taken offense to the insults and opted for an insular, decaying existence at the crossroads of Interstate 80 and U.S. Highway 287 in south-central Wyoming.

Instead, what transpired this past decade is a great community economic development comeback story.

"Ten years ago, everybody was like, 'Eww, Rawlins,'" Wyoming Business Council South Central Regional Director Pat Robbins said. "Now everybody goes, 'Oh, wow, Rawlins!'"

Efforts to rebrand Rawlins as livable reached a watershed moment on March 29 when Rawlins Downtown Development Authority/Main Street Executive Director Pam Thayer was handed the 2015 Great American Main Street Award (GAMSA) during the National Main Streets Conference in Atlanta. Rawlins became the first community in the northern Rocky Mountain region to win the coveted downtown economic development award - in just its ninth year as a member of the Wyoming Business Council's Wyoming Main Street program. Equally impressive, only 88 out of more than 2,000 National Main Street Center



communities have won the award since its inception in 1995.

This year's three GAMSAs-winning cities had to make presentations during the Atlanta conference. Thayer, who spoke last, didn't sugarcoat Rawlins' rags-to-riches story.

"The other two GAMSAs winners (from Missouri and New Jersey) said, 'We have a river to build off of' and 'We're just 42 miles from New York,'" Thayer said. "When I made my presentation, I opened with, 'What do you do when the wind blows 50 miles an hour, plastic bags blow around and people call you the armpit of the state?'"

"Everyone was shocked by my frankness. But it showed what we had to overcome."

Rawlins has long been in the enviable position of having such major employers as Union Pacific Railroad, Sinclair Wyoming Refinery Company, the Wyoming State Penitentiary, Memorial Hospital of Carbon County and the Carbon County School District 1 headquarters, among others.

Trouble was, the city's poor reputation impeded its promising employment and growth opportunities.

The agreed-upon solution was a quality-of-life-themed renaissance made possible by unusually successful collaborative efforts and uniquely Rawlins projects.

"Our best attribute in this county and in Rawlins is the people," Thayer said.

Today, downtown Rawlins has an improved appearance and is bustling; the historic Wyoming Frontier Prison is refurbished for increased tourism and a new high school is in the works, among other projects.

"If you look at what Rawlins has been doing, most of their (Business Council) grants have been quality-of-life projects," Robbins said.

Thayer benefits from a supportive mayor's office and city council, an engaged business sector, involved education leaders and a steady stream of volunteers.

"I have 16 communities but the collaboration in Rawlins is the strongest I've ever seen," Robbins said.

Robbins said it's not uncommon to have 10 to 15 people at every Rawlins site visit because stakeholders such as education officials attend Main Street visits and



vice versa. The stakeholders meet monthly and cross-promote each other's projects and events.

Such widespread support for the common good was evident in the community's passage of a \$26.5 million bond for enhancements to the new high school, which included an aquatics center and vocational classrooms. Students will receive advanced industrial and nursing employment training at the new Carbon County Higher Education Center and Technical Education Center.

In Rawlins and Carbon County, preparing for the future is about preparing now for the large industrial development to come.

Power Company of Wyoming is nearing the start of construction on the 1,000-turbine Chokecherry and Sierra Madre Wind Energy Project to be located south of Rawlins and Sinclair. It will be the largest wind farm in the country.

Construction is also expected to begin this year on Power Company of Wyoming's TransWest Express transmission line from south of Rawlins to southern Nevada.

Combined, these projects will create approximately 2,000 jobs during the next few years. The hope is many workers will find Rawlins to their liking and make it their permanent home.

East of Rawlins, Sinclair Wyoming Refinery Company plans to hire 100 additional workers for its "turnaround" project, which involves shutting down portions of the refinery and performing preventative maintenance and upkeep.

Meanwhile, a new Fairfield Inn is expected to open in June near a recently opened Walmart on Rawlins' expanding east side. Unlike some communities, Rawlins welcomed Walmart as an opportunity to curb retail leakage to places such as Laramie and, thus, drive the likelihood of people staying home to shop not only at the retail behemoth but at the specialty stores and boutiques in the city's refurbished downtown.

In the late 1990s, Rawlins' downtown vacancy rate surpassed 50 percent. Today it is 10 percent.

"We didn't have a lot of shopping downtown, we didn't have a lot of things to do," Thayer said. "Now we have that. We have a music academy and a cinema club and many other things. So many things have happened in the last 10 years."

RELATIVE INCOME

- Carbon County benefits from a strong middle class.
- The county's median income is \$55,347 – just \$2,059 less than the state average.
- Its 20th percentile income is \$26,437, or \$1,231 more than the state average. Meanwhile, its 80th percentile income is \$99,634, or \$5,553 less than the state average.



WYOMING BUSINESS COUNCIL FUNDED RAWLINS PROJECTS

Frontier Prison Blight Abatement

Purpose: Installation of irrigation system.

BRC Award: \$31,363 Community Enhancement grant (\$49,505 cash match).

Date of Award: Jan. 25, 2005.



Industrial Area Street Paving

Purpose: Pave all unpaved streets in city's industrial area originally platted and partially developed in 1980s.

BRC Award: \$234,900 Community Readiness grant (\$37,360 local contribution).

Date of Award: June 23, 2005.

Impact: New industrial area near existing park, completion of Rochelle Ranch Golf Course, \$1 million expansion by Wyoming Diesel, new Oak Tree Motel, construction of new credit union office, Hyland Enterprises expansion, Energy Construction (contractor) expansion, Wilson Supply returned to area, among other improvements.

Rainbow Te-ton Entrepreneur Center

(pictured above)

Purpose: **Phase I** – Rehabilitate two downtown historic buildings to create entrepreneur center. Phase I provided work necessary to occupy ground level and basement, as well as stabilize second floor. **Phase II** – Create shared work space, break room, conference room, telecommunication infrastructure and parking lot upgrades.

BRC Awards: **Phase I** - \$1,485,000 Community Readiness grant (\$50,000 cash match, \$114,373 in-kind). **Phase II** - \$99,945 Community Readiness Downtown Development grant (\$21,375 in-kind).

Dates of Awards: **Phase I** – Jan. 8, 2009. **Phase II** – June 16, 2011.

Skyline Acres Industrial Subdivision Cleanup

Purpose: Rid 30-acre subdivision south of Interstate 80 between Rawlins and Sinclair of years' worth of junk and trash. Carbon County acquired property in 2009 with intention of cleaning it up.

BRC Award: \$94,050 Community Enhancement grant (\$94,050 cash match; \$93,421 in-kind).

Date of Award: April 7, 2011.

Union Wireless Retail Store

Purpose: Rehabilitate vacated gas station at Rawlins' west entrance for Union Wireless retail store and coffee/pastry shop. Improve west gateway entrance and encourage development in immediate area.

CDBG Award: \$277,187 Economic Development Infrastructure funds (more than \$136,000 in private funding by Union Wireless).

Date of Award: Dec. 1, 2011.

Downtown Façade Easement Program

(pictured below)

Purpose: Rehabilitate facades of up to 64 properties in Rawlins Downtown Development Authority/Main Street district. Project funded with three Business Council grants.

Phase I – CDBG Award: \$250,000 Downtown Development funding.

Phase I – BRC Award: \$1 million Community Readiness grant.

Phase II – CDBG Award: \$250,000.

Dates of Awards: Phase I CDBG - May 23, 2013; Phase I BRC – Jan. 16, 2014; Phase II – May 29, 2014.

Total Project: \$1,625,000 with \$125,000 local-private contribution.

Eligible Improvements: Exterior signage; lighting; windows; awnings; storefronts and entrances; doors; brick work; stone work; painting and repair or replacement of decorative details, cornices or spot blight.

Harshman Street Extension

Purpose: Construct new road to connect Harshman Street with Aberdeen Boulevard and provide direct access to several recreational venues, planned new high school and Carbon County Higher Education Center and Technical Education Center, which opened in August 2014.

BRC Award: \$849,715 Community Readiness grant (\$150,000 local match).

Date of Award: June 20, 2013.

Infrastructure: 3,200 linear feet of road and associated curb, gutter and sidewalk; installation of 1,500 linear feet of six-inch water main; lighting, benches and trash receptacles.

Wayfinding System

Purpose: Complete community's wayfinding system to include vehicular directional signs, trailblazer signs, parking lot identification signs, kiosks, pedestrian directional signs and destination identification signage.

BRC Award: \$297,475 Community Enhancement grant (\$152,525 cash match; \$144,950 in-kind).

Date of Award: June 20, 2013.

In Addition: Project will include Rawlins Interpretive Trail wayfinding system installation. Historic trail runs from Rawlins Spring to Rawlins Peak with interpretive signage installed along route.

Visitors Center Feasibility Study

Purpose: Study feasibility of Wyoming Frontier Prison Guard Quarters building as a visitor and interpretive center.

BRC Award: \$18,750 Planning grant (\$6,250 cash match).

Date of Award: April 10, 2014.

Details: Includes structural analysis and professional opinion of integrity and suitability of building, usable floor space (how much can be developed and for what purposes), a floor plan, cost estimates, determination of potential community partners and landscaping design.





Downtown Multimodal Project

(pictured above)

Purpose: Develop streetscape on Cedar Street from 3rd to 6th streets in downtown Rawlins and just beyond U.S. highways 30 and 287.

BRC Award: \$680,000 Community Readiness Downtown Development grant.

Date of Award: Jan. 17, 2013.

Details: Convert three-block area of Cedar Street from four lanes to three lanes and add stop sign at corner of 4th and Cedar streets. Add virtual median lane for loading/unloading and turning on to Cedar Street. Grant funds paid for 7,150 square yards of pavement removal, 1,170 cubic yards of concrete, 30 signs, benches, trash receptacles and street/crosswalk painting.

Frontier Prison Stabilization

(pictured below)

Purpose: Enhancements to Wyoming Frontier Prison.

BRC Award: \$102,813 Community Enhancement grant (\$74,187 cash match; \$28,626 in-kind).

Date of Award: June 20, 2013.

Details: Repair, tuck point and plaster south exterior wall of cell block A, tuck point north exterior wall of cell block A and tuck point and reinforce historic laundry building located at 500 W. Walnut St.

Roadway Connection Improvements

Purpose: Construct new roadway to connect Airport Road to Comfort Inn entrance off Cedar Street on east entrance to Rawlins, enable much-needed commercial development and improved fire protection and complement construction of Fairfield Inn.

BRC Award: \$442,000 Community Readiness grant (\$52,200 cash match; \$28,000 in-kind).

Proposed Revenue Recapture: \$1,563,567.

Date of Award: June 19, 2014.

Infrastructure: 550 linear feet of road including curb and gutter, sidewalk, landscaping, street lights, fire hydrants and 12-inch PVC water main in front of three lots currently vacant; water line will supplement a six-inch line located one block south from most hotels and retail businesses along that side of Cedar Street.



BY THE NUMBERS

AGRIBUSINESS

16



Number of producers from Carbon County who participated in the Wyoming Business Council's Wyoming Verified program the past four years, enrolling a total of 10,415 head of cattle. Additional revenue generated for the producers was an estimated \$106,907.

4

Current Wyoming
First members in
Carbon County.



5

People from
Carbon County
have graduated
from the Wyoming
L.E.A.D. program.

\$104,125

CHALLENGE LOAN PROGRAM

WBC participation, in L&L Ventures (High Desert Welding, LLC) building purchase. Total loan, with participation from Rawlins National Bank, was \$297,500. Date of funding: July 23, 2013.

\$34,000,000

INDUSTRIAL DEVELOPMENT BOND PROGRAM

for Lost Creek, ISR, LLC (UR Energy) Industrial Development Bond toward acquisition of property, plant and equipment for Sweetwater County/Carbon County in-situ mine and processing facility. Majority of employees reside in Carbon County/Rawlins. Date of funding: Oct. 23, 2013.

STATE ENERGY OFFICE

The following projects were made possible through the American Recovery and Reinvestment Act of 2009:

\$247,640

Grant funds, the city of Rawlins applied for and received through the Wyoming Business Council, State Energy Office, Energy Efficiency and Conservation Block Grant for Rawlins Recreation Center energy savings measures: five windows were replaced, 16 doors were replaced, spray foam insulation was added to the underside of the steel roof deck and lighting retrofits were implemented. Estimated annual energy savings: 18,000 kWh.

\$43,264

Grant funds, Carbon County School District 2 received for energy audits at Encampment K-12, Hanna-Elk Mountain Junior/Senior High School and Saratoga Elementary.

\$20,682

Grant funds, the town of Sinclair applied for and received through the Wyoming Business Council, State Energy Office for Town Hall energy savings measures: three original furnaces and condenser units were replaced. Estimated annual energy savings: 141,027 kWh.



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INCREASING WYOMING'S PROSPERITY



Think **BIG**



Think **SMALL**



Think **NEW**



Think **LOCAL**



Think **GLOBAL**

INCREASING WYOMING'S PROSPERITY

Think BIG. Wyoming has the potential to add value to its vast natural resources. Capital investment, revenue and good-paying jobs increase as a result of processing, refining and converting minerals. The WBC should understand industry's regulatory, infrastructure and workforce needs. Industrial-readiness requires a coordinated, long-term commitment.

Wyoming in spotlight at business recruitment conference

Wyoming Business Council staff attended the LiveXchange business recruitment conference for the first time on May 3-5 in Las Vegas. The conference, hosted by Business Facilities magazine, is in its 11th year.

Business and Industry Division Director Ben Avery and Business Recruitment and Development Manager Brandon Marshall met with companies, site selectors and Brent Pollina of Pollina Corporate Real Estate, Inc.

In July, Wyoming ranked No. 2 nationally in the Pollina Pro-Business State rankings. Wyoming was given high marks for its business-friendly environment and practices, but the study criticized the state's marketing and recruiting efforts. The Business Council spoke by phone with Pollina last winter for tips on how to improve its marketing and recruiting practices, and some of his suggestions can be seen in the agency's new Communications Plan.

Avery said Pollina was pleased in May to hear about the Business Council's proactive efforts and offered continued support as the Communications Plan is put into action.

Pollina also delivered the keynote speech, focusing on the top 10 states in the Pro-Business rankings. Avery said most of the follow-up Q&A focused on the buzz generated about Wyoming.

"People who were not on our interview list asked, 'Can I get a bit of your time?'" Avery said. "I want to learn more about Wyoming."

Avery said a site selector from Texas, who was critical of Wyoming's No. 2 ranking at the start of the conference, later told him, "I've got a different perspective now."

"In my eight years as division director, these were absolutely the highest-quality meetings, and we have specific projects we can work on," Avery said.

Please see the complete 2014 Pollina report at <http://aedi.us/data/documents/Monograph-AEDI-Pollina-Corporate-Full-Report-of-Top-10-Pro-Business-States-for-2014.pdf>



Pollina report points pathway to success

Wyoming is a solid Pollina Corporate Top 10 Pro-Business State, placing No. 2 in 2014 after moving up from No. 5 the prior year. It has been a consistent pro-business winner, ranking among the Top 10 Pro-Business States since the study began in 2004. The state has consistently shown extremely well in terms of Stage I, Labor, Taxes and Other Factors, placing in the top two positions for 11 consecutive years (Figure 5).

Governor Matt Mead and the Wyoming Legislature recognize that a competitive tax policy encourages businesses to create jobs, innovate and invest. The state's substantial revenue from mineral production has helped keep taxes at a minimum. About two-thirds of Wyoming's tax income comes from mineral severance and property taxes and from federal mineral royalties. The mineral industry also pays most of the property taxes in the state in addition to the severance taxes.

From a corporate tax burden (Figure 19) perspective, Wyoming is an excellent choice for doing business, far exceeding such other Western states as California, Washington and Oregon. There is little question that from a tax burden perspective, Wyoming is an excellent choice for doing business.

Today, the mineral extraction industry and travel and tourism sector are the main drivers behind Wyoming's economy. The state needs to diversify its economy to provide a wider range of jobs and to withstand slumps in its key industries.

In terms of Stage I, Labor, Taxes and Other Factors, Wyoming ranked No. 2. The state scored highly in High School Completion (A), Average Teacher Compensation (B) and College Funding Per-Student (A). The state also scored strongly across most tax categories such as Corporate Taxes (A), Individual Income Taxes (A) and Sales & Gross Receipt Tax (B) and Business Inventory Taxes (A). Wyoming had a strong showing relative to Unemployment Rate (A), Workers Compensation (B), Right-to-Work legislation (A), Regulatory Environment (B), Litigation Environment (A), Transportation Infrastructure (A), Electric Cost (B), Crime Rate (A) and Long Term Budget Planning (A). The three areas where Wyoming has room for improvement under Stage I are College Completion (D), Unemployment Insurance (D), and Property Taxes (D).

In terms of Stage II, Incentives and Economic Development Agency Factors, Wyoming ranked No. 18. The state has some catching up to do with its competition. Wyoming scored poorly for Incentives (F) and Marketing/Website/Response to new and existing employers (D). Wyoming really must begin to look at its Stage II, Incentives and Economic Development Agency Factors scores, and particularly its incentive program. Other states in the region are working hard to improve theirs, which will put Wyoming at a growing disadvantage. Incentives do matter. Improvements in its Stage II ranking can convert this state into a real economic powerhouse, which will allow the state greater diversification of its economy. With diversification will also come the ability to add quality jobs for its high school and college graduates, thereby keeping them from migrating out of state. With a better incentive program, Wyoming would substantially improve its ability to lure high tech operations and manufacturing from West Coast states.

INCREASING WYOMING'S PROSPERITY

Think LOCAL. Most economic development is initiated at the local level. Successful local efforts have several common denominators: Leadership, dedication and fortitude are matched with infrastructure and effective community development.

Main Street project, funding ideas inspire Wyo group

Eighty economic development professionals from around the state, including Wyoming Business Council staff, participated in the Eighth Annual Wyoming Main Street Best Practices Workshop on March 26-28 in Georgia.

The group witnessed and discussed Main Street best practices in Greensboro, Rome and Cartersville. Projects studied included historic theatre renovation funding opportunities, public-private loft apartment partnerships, public plazas and wayfinding signage, among other examples.

"I have a ton of project and funding ideas to take back to my board," Guernsey Community Development Coordinator Bruce Heimbeck said.

Much of the group stayed in Georgia to attend the National Main Streets Conference on March 30-April 1 in Atlanta. They attended workshops, networked and cheered on Rawlins, which became the first northern Rocky Mountain region community to win the coveted Great American Main Street Award.

Tour attendees also challenged each other to post on social media throughout the trip, leading to robust information and images and engaged audiences nationally and back home in the Cowboy State.

For more coverage about the Georgia trip, go to <http://www.rawlinstimes.com/news/2015/04/home-from-atlanta/>



Tour 23 drives state, local economic development discussions

Much like a Rolling Stones barnstorming tour, Wyoming's own Tour 23 began with a bang on April 13 in Sundance and has only gained momentum heading into the closing date on June 25 in Kemmerer.

All of the state's 23 counties will have participated in the economic development discussions during the 74-day stretch.

The event is conducted by the Wyoming Business Alliance and supported by Governor Matt Mead, the Wyoming Business Council, state agencies and business and government associations.

Topics discussed during tour stops include:

- State and local economic development historical context.
- National, state and local economic overviews provided by University of Wyoming Associate Dean of Outreach Anne Alexander.
- Group and breakout work sessions.
- Is the county holding its own or slipping?
- What is economic development at the local level?
- What makes local economic development sustainable?
- Gaps and wish lists.
- Action steps necessary to realize goals.

Tour 23 discussions are meant to be positive, allowing counties to develop road maps for what they need to do in order to drive economic development.

Reports are prepared after each session, with final conclusions and recommendations presented at this year's Governor's Wyoming Business Forum on Nov. 17-18 in Cheyenne. Regular updates are also provided to state legislators.

Please go to <http://www.wyomingbusinessalliance.com/> for more information.



INCREASING WYOMING'S PROSPERITY

Think NEW. The burgeoning technology sector has many of the same requirements as traditional businesses — and many new ones. Wyoming and its open spaces, temperate climate and relatively cheap energy costs are a great fit for technology, from mega data centers to small Internet-based companies. The state can capitalize on its investments in broadband infrastructure and help grow this new economy by creating vibrant communities attractive to new breeds of entrepreneurs and workforce.

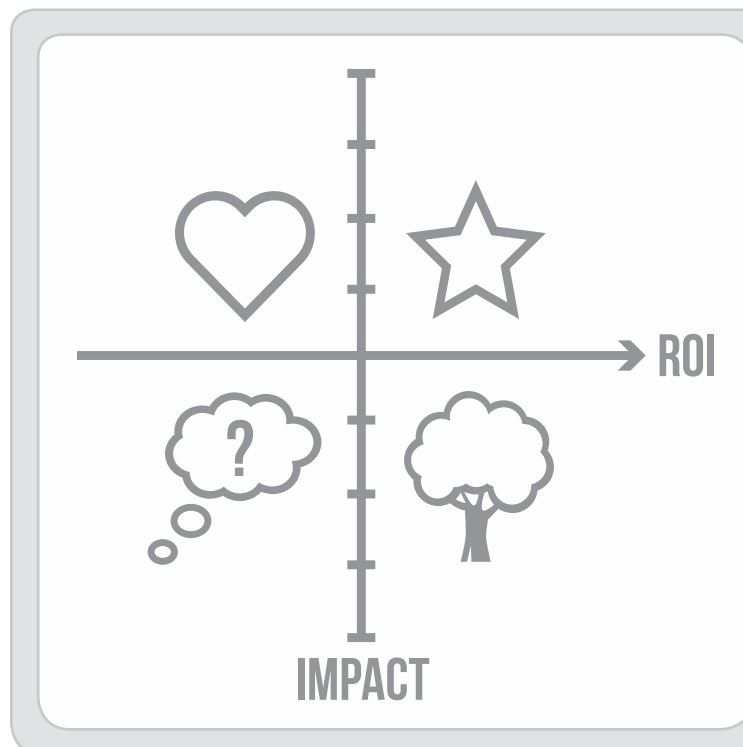
ROI tool on track for July 1 launch

The Wyoming Business Council is developing an ROI tool to capture quantitative and qualitative analytics for agency and Wyoming Business Resource Network programs and services.

Chief Performance Officer Tom Johnson and division directors are spearheading the effort, which is expected to launch July 1, 2015.

Discussions are currently underway about the best data gathering approach for the model.

"With this model, we hope to be able to tell all of our stakeholders - the Governor's Office, the Legislature, and the citizens of Wyoming - the return on their investment into economic development programs," Johnson said. "It's an exciting step in the evolution of our programs at the Business Council."



HOW IT WORKS

IMPACT

The seven economic development building blocks create the y-axis. Most economic development professionals work on developing all tiers simultaneously.

RETURN ON INVESTMENT - ROI

The state of Wyoming's return on a program as the ratio of the program's benefits (measured in the form of tax benefits as a result of jobs, payroll, capital expenditures, and sales) over the program's cost to the tax payers (including labor).

See next page for economic building blocks and ROI ratio.

Economic development building blocks create a continual cycle

The first two levels provide a foundation for the third and fourth tiers. The third and fourth tiers generate wealth and create dollars for investing in tiers one and two.



$$\text{ROI} = \frac{(\text{Program's Benefits})}{(\text{Program's Cost})}$$

INCREASING WYOMING'S PROSPERITY

Think GLOBAL. Business development is not confined to Wyoming's borders. Wyoming business and industry can be competitive nationally and internationally.

The WBC should understand new markets and provide tools to reach customers across the country and overseas.

Digital audience growing, but room for national/international engagement

Efforts to better tell the Wyoming Business Council's story and to grow and engage audiences via www.wyomingbusiness.org and social media are paying off.

With in-state audience and engagement growing at a substantial rate across our digital channels, one of the next steps is to increase our national and international presence. This is important because economic development agency websites are the No. 1 source for information among site selectors and business owners looking to expand or relocate.

From March 2 to April 12, Cheyenne produced the most desktop users on our website, followed by Casper every week but March 23-29 (Laramie). However, Denver overtook Cheyenne in the No. 1 spot among mobile users beginning March 9 and remained there through May 10 (the latest data captured for this report).

Currently, mobile use of www.wyomingbusiness.org sways toward a national audience. Salt Lake City is a consistent No. 2 or 3 among mobile users. Other top-10 mobile-use cities outside Wyoming from March 2 to May 10 included New Orleans, Nashville, Los Angeles, Washington, Dallas, Louisville, Atlanta (during the National Main Street Conference), Oklahoma City, Myrtle Beach, Chicago, San Francisco and Houston.

There are opportunities to promote the desktop version of www.wyomingbusiness.org nationally and internationally for audience growth, while using mobile advertising tools to further engage national audiences already there.

We are developing strategies to improve our "bounce rate," which is when a user clicks on one page, then leaves the site. This is happening about 60 percent of the time among desktop users and about 73 percent of the time among mobile users.

On the Facebook front, the Business Council gained 95 "likes," or followers, from April 22 to May 13, including 45 from just May 1 to 13. We currently are gaining 10 to 15 followers per week. Prior to April, we were fortunate to gain two to three per week.

Meanwhile, we continue to develop strategies for steady Twitter growth rather than the current trend of high and low engagement. For example, we collected 8,100 impressions (user views) the week of March 23-29 (Wyoming Best Practices Workshop/National Main Street Conference) and dipped to 4,900 the week of April 13-19. We collected 7,600 impressions the week of May 4-10, which was highlighted by Business Council help wanted posts and our daily National Small Business Week posts promoting Wyoming First testimonials and free Small Business Administration webinars.

Wyoming Business Council Website Analytics

Desktop	Users	Pageviews	Duration	New Visitors	Bounce Rate
March 2-8	1,434	4,497	2:44	62%	59%
March 9-15	1,258	3,714	2:22	63%	60%
March 16-22	1,464	4,396	2:01	61%	63%
March 23-29	1,823	4,436	2:26	65%	60%
March 30-April 5	1,090	3,403	2:18	62%	59%
April 6-12	1,266	4,454	2:52	58%	59%
April 13-19	1,279	4,183	2:40	60%	59%
April 20-26	1,415	4,189	2:20	62%	62%
April 27-May 3	1,378	4,034	2:07	62%	61%
May 4-10	1,484	4,833	2:23	59%	59%

Mobile	Users	Pageviews	Duration	New Visitors	Bounce Rate
March 2-8	239	524	1:11	80%	78%
March 9-15	224	616	1:02	74%	74%
March 16-22	261	716	:49	78%	81%
March 23-29	255	896	1:30	79%	65%
March 30-April 5	287	639	1:02	77%	77%
April 6-12	232	593	1:01	75%	71%
April 13-19	219	667	1:41	74%	68%
April 20-26	227	495	:58	77%	77%
April 27-May 3	247	740	1:00	81%	70%
May 4-10	320	849	1:34	77%	71%

Users

Users that have had at least one session. Includes both new and returning users.

Pageviews

Total number of pages viewed. Repeated views of a single page are counted

Duration

The average length of a session.

New Visitors

An estimate of the percentage of first time visits.

Bounce Rate

Percentage of single-page visits (i.e. visits in which the person left your site from the entrance page without interacting with the page).

PERSONNEL, BUDGET, AND AUDIT COMMITTEE



TM

PERSONNEL REPORT

May 8, 2015

Farewells:

Elsie Manzanares-Barajas, Administrative Assistant WRD/MS – March 31, 2015

Positions Filled:

Administrative Assistant

Ashley Cannon – March 16, 2015

Southeast Regional Director

Lisa Johnson – April 13, 2015

Promotions:

Melinda Johnson, Salesforce Administrator – April 1, 2015

Current Recruitments:

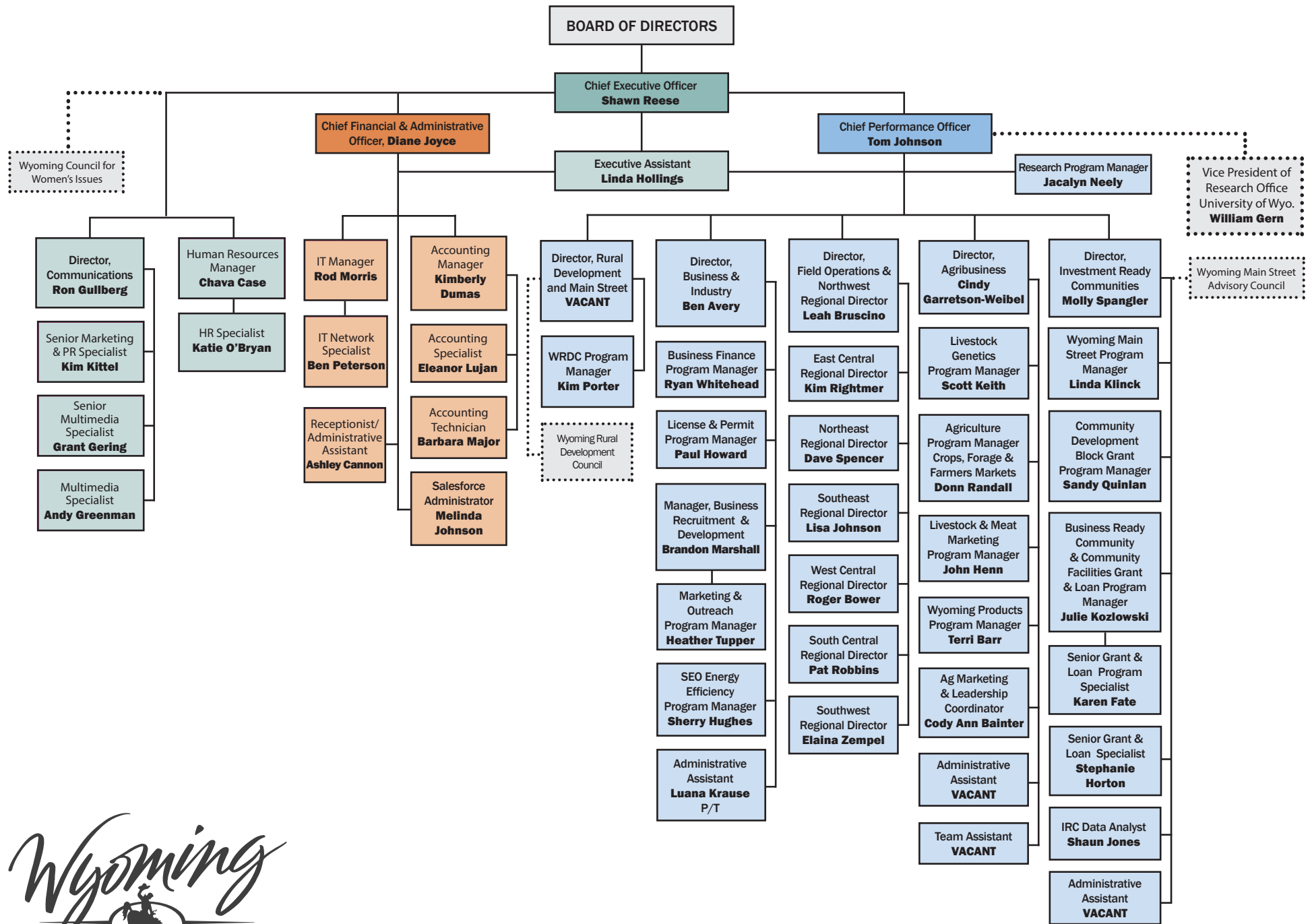
IRC Administrative Assistant

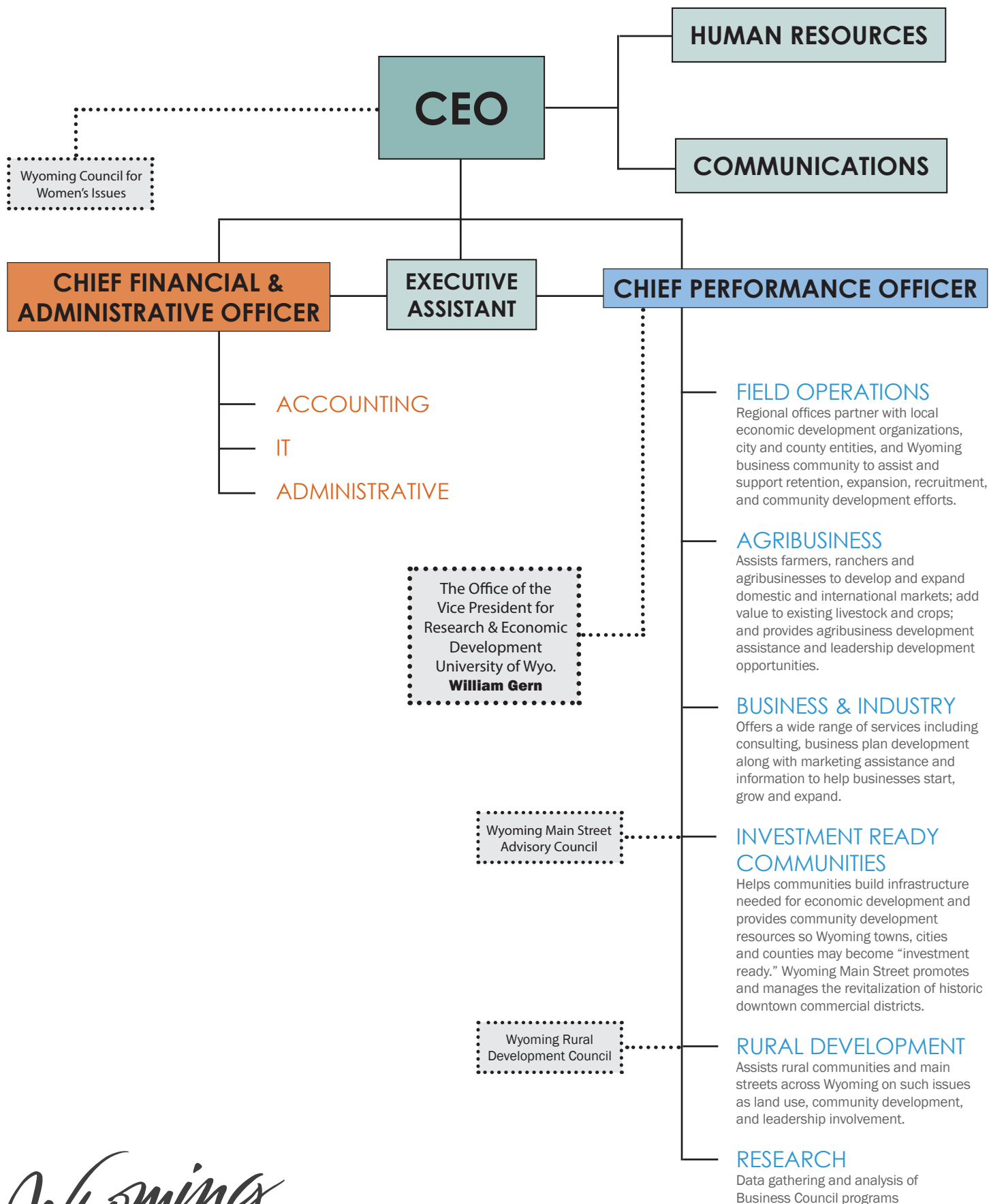
Agribusiness Administrative Assistant

Agribusiness Team Assistant (seasonal position)

Under Review:

Director, Wyoming Rural Development/Main Street







WYOMING BUSINESS COUNCIL

FY2015 Comments on Financial Statements

Nine months ended March 31, 2015 - UNAUDITED

Comparative YTD Expenditures

- FY2015 is the first of 2 years in the 2015-16 biennium which started July 1, 2014 (see Note 1)
- Total expenditures and encumbrances for the current year-to-date is 52.04% of the budget as compared to 63.01% for the previous year-to-date; this is primarily due to the timing of activity in grants
 - The Business Ready Community Program has \$12.44 million in projects approved by WBC board and SLIB but not yet encumbered as of 03/31/15; as those grants agreements become effective, they will be encumbered.
 - The Community Facilities Program has \$1,000,000 in projects approved by WBC board and SLIB but not yet encumbered as of 03/31/15; as those grants agreements become effective, they will be encumbered.
- Amounts spent and encumbered in the current year for personal services (i.e. wages and benefits) and support services are comparable to amounts in prior year (cumulatively 69.88% in FY15 vs. 69.36% in FY14)
- Amounts for data services are lower compared to the previous year (49.83% in FY15 vs. 61.51% in FY14) due to a decrease in the overall costs of services and one time services in FY14.
- Non-operating expenses and encumbrances in the current year include the funding of one loan to Star Valley Natural Gas LLC totaling \$225,000; \$737,236 encumbered and \$2.26 million expended for City of Cheyenne Swan Ranch Rail Spur Development, and \$150,000 expended for City of Lander Community Center Enhancements loans.
- Professional service expenditures and encumbrances for the current year are roughly comparable to the previous year (85.40% vs. 90.74%).
- Total amount spent in the current fiscal year against encumbrances from previous bienniums is \$27 million (see Note 2).

Encumbrances

- \$25 million encumbered in current fiscal year, primarily for BRC and CFP projects.
- \$27.42 million remains encumbered in previous bienniums, primarily for BRC, CFP and CDBG projects.

Cash Balances

- Economic Development fund has \$16.61 million in cash after obligations; year-to-date receipts total \$593,767.07 which is comprised of principal and interest payments received on loans and investment income earned through the State Treasurer's office on the cash in the fund.

Loans Receivable

- Total loans outstanding net of allowances, are \$8.38 million as of 03/31/15; total principal and interest received since 7/1/2014 is \$678,845.

Dues and Memberships

- Total paid year-to-date for dues and memberships is \$28,177 vs. \$39,428 for the previous year.

WYOMING BUSINESS COUNCIL
CONTRACT FOR AUDIT SERVICES

Background

- Last time that a RFP was solicited for Audit Services was 2012
- RFP covers 3 years of audits: FY2015, 2016 and 2017
- Cost of FY2014 audit - \$37,000

Process

- Request for Proposal mailed to Wyoming companies by the State Procurement office
- Closing date for proposals – 4/13/2015

Proposals submitted

- McGee, Hearne & Paiz, LLP (audit services provider since 1999)
- RLR, LLP

Proposal pricing

Comparison of Audit Proposals

	<u>MHP</u>	<u>RLR</u>
FY2015	\$ 36,400	\$ 34,200
FY2016	37,300	35,575
FY2017	<u>38,300</u>	<u>36,970</u>
Total proposed fees	<u>\$ 112,000</u>	<u>\$ 106,745</u>

Proposal evaluation

- Both firms qualified to perform the audits
- A contract with the successful proposer requires an indemnification clause (State required language); unable to enter into an contract with RLR because they would not sign a contract with an indemnification clause. MHP has no problem with the indemnification clause.
- Draft contract with MHP attached

Board action requested: approval of a 3 year contract with McGee Hearne & Paiz, LLP

**CONTRACT BETWEEN THE
WYOMING BUSINESS COUNCIL AND
MCGEE, HEARNE & PAIZ, LLP**

1. Parties. The parties to this Contract are the Wyoming Business Council, an agency of the State of Wyoming, whose address is 214 West 15th Street, Cheyenne, Wyoming 82002 (Council); and McGee, Hearne & Paiz, LLP, whose address is 314 West 18th Street, Cheyenne, Wyoming 82001 (Contractor).

2. Purpose of Contract. This Contract is the result of a Request for Proposal No. 0310-Z dated April 13, 2015. The purpose of this Contract is to set forth the terms and conditions by which the Contractor shall provide audit services for the Council as of and for each of the fiscal years ending June 30, 2015, 2016 and 2017.

3. Term of Contract and Required Approvals. This Contract is effective when all parties have executed it and all required approvals have been granted (Effective Date). The term of this Contract is from the Effective Date through January 31, 2018, unless otherwise amended or terminated in accordance with the terms and conditions specifically provided herein. All services shall be completed during this term.

By law, contracts for professional or other services must be approved as to form by the Attorney General, Wyo. Stat. § 9-1-403(b)(v).

4. Payment. The Council agrees to pay Contractor for the services described in Section 5 below and in Attachment A, which is attached to and made part of this Contract by reference. The total payment under this Contract shall not exceed one hundred twelve thousand dollars (\$112,000). The fee for each fiscal year audit under the terms of this Contract shall not exceed thirty six thousand four hundred dollars (\$36,400) for fiscal year 2015, thirty seven thousand three hundred dollars (\$37,300) for fiscal year 2016 and thirty eight thousand three hundred dollars (\$38,300) for fiscal year 2017. This fee may be adjusted for significant changes in the scope of the Contractor's work; any such adjustments shall require the written approval of the Council.

Payment shall be in conformance with the budgeted amounts in Attachment A and will be made upon submission of an invoice(s) pursuant to Wyo. Stat. § 16-6-602. No payment shall be made for work performed prior Effective Date of to this Contract. The monetary proceeds of this Contract are specifically for the project(s)/program(s) specified in this Contract and shall not be used for any lobbying efforts. Should the Contractor fail to perform in a manner consistent with the terms and conditions set forth in this Contract, payment under this Contract may be withheld until such time as the Contractor performs its duties and responsibilities to the satisfaction of Council.

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5. Responsibilities of Contractor. The services to be provided by Contractor are described as follows:

A. To conduct an audit of the basic financial statements (i.e. governmental activities, major funds and aggregate remaining fund information) of the Council as of and for each of the years ending June 30, 2015, 2016 and 2017.

B. To conduct an audit in accordance with the Single Audit Act and the U.S. Office of Management and Budget Circular No. A-133 of the Council as of and for each of the years ending June 30, 2015, 2016 and 2017.

C. To conduct the audits in accordance with auditing standards generally accepted in the United States of America (GAAS), *Government Auditing Standards* issued by the Comptroller General of the United States (GAS), the provisions of the Single Audit Act OMB Circular A-133 and OMB's Compliance Supplement.

D. To issue the following compliance reports required by *Government Auditing Standards* and the OMB Circular A-133:

(i). A report on the fairness of the presentation of the Council's schedule of expenditures of Federal awards.

(ii). A report on the Council's compliance with laws, regulations and the provisions of contracts or grant agreements. To report on any noncompliance which could have a material effect on the financial statements and any noncompliance which could have a direct and material effect on each major program.

(iii). A schedule of findings and questioned costs.

(iv). A Data Collection Form for Reporting on Audits of States, Local Governments and Non-Profit Organizations, as required by OMB Circular A-133.

E. To review and report on the Council's internal control structure related to the financial statements and major programs. These reports will describe the scope of testing of internal control and the results of the tests of internal controls.

F. To review and report on the overall operations of the Council in a letter to management which will include comments and suggestions for consideration, including deficiencies or opportunities for accounting and reporting improvements.

G. To inform the Board of Directors and its Personnel, Budget and Audit Committee about significant matters related to the conduct of the annual audit.

H. To conduct a post-audit meeting with Council's management, the Board of Directors and/or Personnel, Budget and Audit Committee to discuss the audit report, letters and suggestions.

I. To specify what audit workpapers the Council shall be responsible to prepare.

J. To complete the audits and submit draft reports to the Council by November 15 of each year; final reports are due to the Council by December 1.

6. Responsibilities of Council.

A. To prepare the Council's financial statements in accordance with accounting principles generally accepted in the United States.

B. To prepare the Management's Discussion and Analysis (MDA), required supplementary information (RSI), and supplementary information.

C. To design, implement and maintain effective internal controls relevant to the preparation and fair presentation of financial statements and to inform the Contractor of all significant deficiencies and material weaknesses in the design or operation of such controls over which the Council has knowledge.

D. To make the Contractor aware of significant vendor relationships where the vendor is responsible for program compliance.

E. To follow up and take corrective action on audit findings, including the preparation of a summary schedule of prior audit findings and a corrective action plan.

F. To make all information available to the Contractor that is relevant to the preparation and presentation of the financial statements such as records, documentation, and other additional information that may be requested by the Contractor for the purpose of the audit.

G. To provide unrestricted access to persons within the Council from whom he Contractor determines is necessary to obtain audit evidence.

H. To identify and ensure that the Council complies with the laws and regulation applicable to its activities.

I. To design and implement programs and controls to prevent and detect fraud or abuse, and to inform the Contractor about all known or suspected fraud or abuse affecting the Council involving management, employees and others where the fraud or abuse could have a material effect on the financial statements or compliance.

J. To provide certain written representations to the Contractor about the financial statements and matters related thereto.

K. To provide schedules and analyses of accounts as requested by the Contractor in a timely and accurate manner.

L. To review the prior year's systems understanding and provide any applicable

updates.

7. Special Provisions.

A. Records. During the course of this Contract, the Contractor may accumulate records containing data that should be reflected in the Council's books and records. The Council will determine that all such data, if necessary, will be so reflected. Accordingly, the Council does not expect the Contractor to maintain copies of such records in their possession.

B. Reproduced Materials. The Contractor's report on the financial statements is not to be included in an official statement or other document involved with the sale of debt instruments without the prior consent of the Contractor. Additionally, if the Council intends to publish or otherwise reproduce the financial statements and make reference to the Contractor or their audit, the Council agrees to provide the Contractor with printer's proofs or master for review and consent before printing. The Council also agrees to provide the Contractor with a copy of the final reproduced material for their consent before it is distributed. The Contractor's fees for any additional services that may be required under the Contractor's quality assurance system as a result of the above will be established with the Council at the time such services are determined to be necessary.

C. Termination. This Contract may be terminated, without cause, by either party upon thirty (30) days written notice. The Council may terminate this Contract immediately for cause if the Contractor fails to perform in accordance with the terms and conditions of this Contract.

If circumstances arise relating to the condition of the Council's records, the availability of sufficient, competent evidential matter, or indications of a significant risk of material misstatement of the Council's financial statements because of error, fraudulent financial reporting, or misappropriation of assets which in the Contractor's professional judgment prevents them from completing the audit, the Contractor retains the unilateral right to take any course of action permitted by professional standards, including terminating this Contract.

D. Subsequent Fees. In the event that the Contractor is requested or authorized by the Council or is required by government regulation, subpoena, or other legal process to produce the Contractor's documents or personnel as witnesses with respect to work performed under the terms of this Contract, the Council will, so long as the Contractor is not a party to the proceeding in which the information is sought, negotiate with the Contractor the fee for responding to such requests.

8. General Provisions.

A. Amendments. Any changes, modifications, revisions or amendments to this Contract which are mutually agreed upon by the parties to this Contract shall be incorporated by written instrument, executed and signed by all parties to this Contract.

B. Applicable Law/Venue. The construction, interpretation and enforcement of this Contract shall be governed by the laws of the State of Wyoming. The Courts of the State of Wyoming shall have jurisdiction over this Contract and the parties, and the venue shall be the First Judicial District, Laramie County, Wyoming.

C. Assignment/Contract Not Used as Collateral. Neither party shall assign or otherwise transfer any of the rights or delegate any of the duties set forth in this Contract without the prior written consent of the other party. The Contractor shall not use this Contract, or any portion thereof, for collateral for any financial obligation, without the prior written permission of the Council.

D. Audit/Access to Records. The Council and any of its representatives shall have access to any books, documents, papers, and records of the Contractor which are pertinent to this Contract. The Contractor shall, immediately upon receiving written instruction from the Council, provide access to any independent auditor, accountant, or accounting firm, all books, documents, papers and records of the Contractor which are pertinent to this Contract. The Contractor shall cooperate fully with any such independent auditor, accountant, or accounting firm during the entire course of any audit authorized by the Council.

E. Availability of Funds. Each payment obligation of the Council is conditioned upon the availability of government funds which are appropriated or allocated for the payment of this obligation. If funds are not allocated and available for the continuance of the services performed by the Contractor, the Contract may be terminated by the Council at the end of the period for which the funds are available. The Council shall notify the Contractor at the earliest possible time of the services which will or may be affected by a shortage of funds. No penalty shall accrue to the Council in the event this provision is exercised, and the Council shall not be obligated or liable for any future payments due or for any damages as a result of termination under this section. This provision shall not be construed to permit the Council to terminate this Contract in order to acquire similar services from another party.

F. Award of Related Contracts. The Council may undertake or award supplemental or successor contracts for work related to this Contract. The Contractor shall cooperate fully with other contractors and the Council in all such cases.

G. Certificate in Good Standing. Contractor shall provide Certificate of Good Standing verifying compliance with the unemployment insurance and workers' compensation programs prior to performing work under this Contract.

H. Compliance with Laws. The Contractor shall keep informed of and comply with all applicable federal, state and local laws and regulations in the performance of this Contract.

I. Confidentiality of Information. All documents, data compilations, reports, computer programs, photographs, and any other work provided to or produced by the Contractor in the performance of this Contract shall be kept confidential by the Contractor unless written permission is granted by the Council for its release. If and when Contractor receives a request for information subject to this Contract, Contractor shall notify Council within ten (10) days of

such request and not release such information to a third party unless directed to do so by Council.

J. Conflicts of Interest.

(i) Contractor shall not engage in providing consultation or representation of clients, agencies or firms which may constitute a conflict of interest which may result in a disadvantage to the Council or a disclosure which may adversely affect the interests of the Council. Contractor shall notify the Council of any potential or actual conflicts of interest arising during the course of the Contractor's performance under this Contract. This Contract may be terminated in the event a conflict of interest arises. Termination of this Contract will be subject to a mutual settlement of accounts. In the event this Contract is terminated under this provision, the Contractor shall take steps to insure that all files, evidence, evaluations and data are provided to the Council or its designee. This provision does not prohibit or affect the Contractor's ability to engage in consultations, evaluations or representation under agreement with other agencies, firms, facilities, or attorneys so long as no conflict exists.

(ii) A conflict of interest warranting termination of this Contract may include, but is not necessarily limited to, acting on behalf of a client in an adversarial proceeding against the State of Wyoming, its agencies, boards, commissions or the University of Wyoming, or initiating suits in equity including injunctions, declaratory judgments, writs of prohibition or quo warranto.

K. Entirety of Contract. This Contract, consisting of nine (9) pages, and Attachment A, consisting of one (1) page, represents the entire and integrated Contract between the parties and supersedes all prior negotiations, representations, and agreements, whether written or oral.

L. Ethics. Contractor shall keep informed of and comply with the Wyoming Ethics and Disclosure Act (Wyo. Stat. § 9-13-101, et seq.), and any and all ethical standards governing Contractor's profession.

M. Extensions and Renewals. Nothing in this Contract shall be interpreted or deemed to create an expectation that this Contract will be extended beyond the term described herein. Any extension of this Contract shall be initiated by the Council, and shall be accomplished through a written amendment between the parties entered into before the expiration of the original Contract or any valid amendment thereto, and shall be effective only after it is reduced to writing and executed by all parties to the Contract.

N. Force Majeure. Neither party shall be liable for failure to perform under this Contract if such failure to perform arises out of causes beyond the control and without the fault or negligence of the nonperforming party. Such causes may include, but are not limited to, acts of God or the public enemy, fires, floods, epidemics, quarantine restrictions, freight embargoes, and unusually severe weather. This provision shall become effective only if the party failing to perform immediately notifies the other party of the extent and nature of the problem, limits delay in performance to that required by the event, and takes all reasonable steps to minimize delays. This provision shall not be effective unless the failure to perform is beyond the control and

without the fault or negligence of the nonperforming party.

O. Indemnification. The Contractor shall indemnify, defend and hold harmless the State of Wyoming, the Council, and their officers, agents, employees, successors and assignees from any and all claims, lawsuits, losses and liability arising out of Contractor's failure to perform any of Contractor's duties and obligations hereunder or in connection with the negligent performance of Contractor's duties or obligations, including but not limited to any claims, lawsuits, losses or liability arising out of Contractor's malpractice or malfeasance.

P. Independent Contractor. The Contractor shall function as an independent contractor for the purposes of this Contract and shall not be considered an employee of the State of Wyoming for any purpose. Consistent with the express terms of this Contract, the Contractor shall be free from control or direction over the details of the performance of services under this Contract. The Contractor shall assume sole responsibility for any debts or liabilities that may be incurred by the Contractor in fulfilling the terms of this Contract and shall be solely responsible for the payment of all federal, state, and local taxes which may accrue because of this Contract. Nothing in this Contract shall be interpreted as authorizing the Contractor or its agents and/or employees to act as an agent or representative for or on behalf of the State of Wyoming or the Council or to incur any obligation of any kind on the behalf of the State of Wyoming or the Council. The Contractor agrees that no health/hospitalization benefits, workers' compensation, unemployment insurance, and/or similar benefits available to State of Wyoming employees will inure to the benefit of the Contractor or the Contractor's agents and/or employees as a result of this Contract.

Q. No Finder's Fees. No finder's fee, employment agency fee, or other such fee related to the procurement of this Contract shall be paid by either party.

R. Notices. All notices arising out of, or from, the provisions of this Contract shall be in writing either by regular mail, e-mail or delivery in person at the addresses provided under this Contract. Notice provided by e-mail shall be delivered as follows:

Council: Diane Joyce, diane.joyce@wyo.gov

Contractor: Wayne Herr, wherr@mhpllp.com

S. Notice and Approval of Proposed Sale or Transfer of the Contractor. The Contractor shall provide the Council with the earliest possible advance notice of any proposed sale or transfer or any proposed merger or consolidation of the assets of the Contractor. Such notice shall be provided in accordance with the notices provision of this Contract. If the Council determines that the proposed merger, consolidation, sale or transfer of assets is not consistent with the continued satisfactory performance of the Contractor's obligations under this Contract, then the Council may, at its option, terminate or renegotiate the Contract.

T. Prior Approval. This Contract shall not be binding upon either party, no services shall be performed under the terms of this Contract, and the Wyoming State Auditor shall not draw warrants for payment on this Contract, until this Contract has been reduced to

writing and approved as to form by the Office of the Attorney General.

U. Severability. Should any portion of this Contract be judicially determined to be illegal or unenforceable, the remainder of this Contract shall continue in full force and effect, and either party may renegotiate the terms affected by the severance.

V. Sovereign Immunity. The State of Wyoming and the Council do not waive sovereign immunity by entering into this Contract, and specifically retain immunity and all defenses available to them as sovereigns pursuant to Wyo. Stat. § 1-39-104(a) and all other applicable law. Designations of venue, choice of law, enforcement actions, and similar provisions should not be construed as a waiver of sovereign immunity. The parties agree that any ambiguity in this Contract shall not be strictly construed, either against or for either party, except that any ambiguity as to sovereign immunity shall be construed in favor of sovereign immunity.

W. Subcontracts. The Contractor shall not enter into any subcontract for any of the work contemplated under this Contract without the prior written authorization of the Council.

X. Taxes. The Contractor shall pay all taxes and other such amounts required by federal, state and local law, including but not limited to federal and social security taxes, workers' compensation, unemployment insurance and sales taxes.

Y. Third Party Beneficiary Rights. The parties do not intend to create in any other individual or entity the status of third party beneficiary, and this Contract shall not be construed so as to create such status. The rights, duties and obligations contained in this Contract shall operate only between the parties to this Contract, and shall inure solely to the benefit of the parties to this Contract. The provisions of this Contract are intended only to assist the parties in determining and performing their obligations under this Contract.

Z. Time is of the Essence. Time is of the essence in all provisions of the Contract.

AA. Titles Not Controlling. Titles of paragraphs are for reference only, and shall not be used to construe the language in this Contract.

BB. Waiver. The waiver of any breach of any term or condition in this Contract shall not be deemed a waiver of any prior or subsequent breach. Failure to object to a breach shall not constitute a waiver.

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9. Signatures. The parties to this Contract, either personally or through their duly authorized representatives, have executed this Contract on the dates set out below, and certify that they have read, understood, and agreed to the terms and conditions of this Contract.

The effective date of this Contract is the date of the signature last affixed to this page.

WYOMING BUSINESS COUNCIL

Shawn Reese, CEO

Date

Diane M. Joyce, CFAO

Date

MCGEE, HEARNE & PAIZ, LLP

Wayne R. Herr, Partner

Date

ATTORNEY GENERAL'S OFFICE APPROVAL AS TO FORM

S. Jane Caton, Senior Assistant Attorney General

Date

	<u>FY 2015 Budget</u>		<u>FY 2016 Budget</u>		<u>FY 2017 Budget</u>	
	Hours	Dollars	Hours	Dollars	Hours	Dollars
Financial Statement Audit and A-133 Planning/Report (1) (2)	274	\$30,900	274	\$31,800	274	\$32,800
A-133 - Community Development Block Grant Program	45	\$ 5,500	45	\$ 5,500	45	\$ 5,500
Total Financial and Compliance Audits	319	\$36,400	319	\$37,300	319	\$38,300

(1) Hours and fees assume that the Council's staff will:

- a. Prepare the Council's financial statements, including the Management's Discussion and Analysis.
- b. Review the prior year's systems understanding and provide any applicable updates.

(2) No hours or fees have been included related to the review and evaluation of the Council's data processing systems as a result of the extensive review performed on the State of Wyoming's information systems by McGladrey & Pullen, LLP, which the Contractor will rely on for the Council's audit.

(3) Any new major programs will be at a set fee of \$5,500.

The Contractor's fees relative to the scope of services described for the fiscal years ending June 30, 2015, 2016 and 2017 will not exceed the amounts included in the schedule above, unless there are findings in or changes to major programs.

Should there be a change in the number of Federal programs or should the scope of the audit services change significantly, the Contractor will meet with the Council to discuss and agree upon an adjustment in the Contractor's fees.

The OMB A-133 fees are for the following major programs and Catalog of Federal Domestic Assistance (CFDA) numbers:

<u>Name of Federal Program or Cluster</u>	<u>CFDA Numbers</u>
Community Development Block Grants	14.228
State Energy Program	81.041

WYOMING BUSINESS COUNCIL

Comparative Year to Date Expenditures - Unaudited

	Current fiscal year to date: 7/1/2014 - 03/31/15					Previous fiscal year to date: 7/1/2013 - 03/31/14				
	BUDGETED	EXPENDED	ENCUMBERED	BALANCE	%	BUDGETED	EXPENDED	ENCUMBERED	BALANCE	%
PROGRAM EXPENDITURE SUMMARY										
Agribusiness	\$ 1,236,076.74	\$ 786,398.35	\$ 21,971.74	\$ 427,706.65	65.40%	\$ 1,209,685.77	\$ 807,645.24	\$ 17,009.00	\$ 385,031.53	68.17%
Business & Industry Development	\$ 9,043,673.51	\$ 3,209,777.56	\$ 1,363,897.70	\$ 4,469,998.25	50.57%	\$ 9,162,237.41	\$ 3,692,483.18	\$ 1,765,878.74	\$ 3,703,875.49	59.57%
Regional Offices	\$ 1,181,778.00	\$ 819,361.10	\$ 2,962.00	\$ 359,454.90	69.58%	\$ 1,174,418.00	\$ 815,891.33	\$ 12,990.00	\$ 345,536.67	70.58%
Investment Ready Communities	\$ 73,287,886.10	\$ 13,936,144.63	\$ 23,383,468.00	\$ 35,968,273.47	50.92%	\$ 105,633,095.12	\$ 17,016,597.27	\$ 49,411,980.34	\$ 39,204,517.51	62.89%
Rural Development/Mainstreet	\$ 959,911.00	\$ 499,923.13	\$ 167,662.38	\$ 292,325.49	69.55%	\$ 1,314,654.44	\$ 569,791.99	\$ 407,581.78	\$ 337,280.67	74.34%
Executive	\$ 1,087,532.00	\$ 741,228.23	\$ 16,605.00	\$ 329,698.77	69.68%	\$ 1,083,886.98	\$ 709,390.62	\$ 29,027.64	\$ 345,468.72	68.13%
Accounting & Compliance	\$ 463,601.00	\$ 300,998.07	\$ -	\$ 162,602.93	64.93%	\$ 507,840.63	\$ 353,443.86	\$ 37,130.00	\$ 117,266.77	76.91%
Support Services	\$ 1,028,617.99	\$ 646,663.99	\$ 48,311.15	\$ 333,642.85	67.56%	\$ 999,329.17	\$ 613,137.20	\$ 32,955.80	\$ 353,236.17	64.65%
TOTAL	\$ 88,289,076.34	\$ 20,940,495.06	\$ 25,004,877.97	\$ 42,343,703.31	52.04%	\$ 121,085,147.52	\$ 24,578,380.69	\$ 51,714,553.30	\$ 44,792,213.53	63.01%

LINE ITEM EXPENDITURE SUMMARY

Personal services	100.00	\$ 4,844,607.04	\$ 3,457,387.66	\$ -	\$ 1,387,219.38	71.37%	\$ 4,753,756.59	\$ 3,362,531.69	\$ -	\$ 1,391,224.90	70.73%
Support services	200.00	\$ 1,568,115.60	\$ 1,000,242.73	\$ 23,859.00	\$ 544,013.87	65.31%	\$ 1,638,630.50	\$ 1,027,122.64	\$ 43,941.94	\$ 567,565.92	65.36%
Central data services	400.00	\$ 107,867.00	\$ 53,751.07	\$ -	\$ 54,115.93	49.83%	\$ 134,148.07	\$ 74,206.75	\$ 8,310.62	\$ 51,630.70	61.51%
Grants	600.00	\$ 69,969,609.19	\$ 11,353,331.00	\$ 22,723,394.50	\$ 35,892,883.69	48.70%	\$ 99,260,817.74	\$ 15,228,394.98	\$ 44,989,793.00	\$ 39,042,629.76	60.67%
Non-operating expenses	800.00	\$ 6,988,001.46	\$ 2,487,796.35	\$ 737,236.00	\$ 3,762,969.11	46.15%	\$ 9,515,585.07	\$ 1,815,815.25	\$ 4,496,215.00	\$ 3,203,554.82	66.33%
Professional services	900.00	\$ 4,810,876.05	\$ 2,587,986.25	\$ 1,520,388.47	\$ 702,501.33	85.40%	\$ 5,782,209.55	\$ 3,070,309.38	\$ 2,176,292.74	\$ 535,607.43	90.74%
TOTAL		\$ 88,289,076.34	\$ 20,940,495.06	\$ 25,004,877.97	\$ 42,343,703.31	52.04%	\$ 121,085,147.52	\$ 24,578,380.69	\$ 51,714,553.30	\$ 44,792,213.53	63.01%

EXPENDITURES BY FUNDING SOURCE

General Funds	\$ 79,889,347.55	\$ 19,656,384.76	\$ 22,478,456.36	\$ 37,754,506.43	52.74%	\$ 111,900,441.75	\$ 22,572,617.73	\$ 48,357,387.53	\$ 40,970,436.49	63.39%
Other Funds	\$ 356,510.00	\$ 207,274.30	\$ -	\$ 149,235.70	58.14%	\$ 456,924.06	\$ 305,310.70	\$ -	\$ 151,613.36	66.82%
Federal Funds	\$ 3,928,784.81	\$ 792,826.19	\$ 2,319,615.64	\$ 816,342.98	79.22%	\$ 4,540,931.73	\$ 1,141,242.78	\$ 3,061,737.12	\$ 337,951.83	92.56%
Agency Funds	\$ 4,114,433.98	\$ 284,009.81	\$ 206,805.97	\$ 3,623,618.20	11.93%	\$ 4,186,849.98	\$ 559,209.48	\$ 295,428.65	\$ 3,332,211.85	20.41%
TOTAL	\$ 88,289,076.34	\$ 20,940,495.06	\$ 25,004,877.97	\$ 42,343,703.31	52.04%	\$ 121,085,147.52	\$ 24,578,380.69	\$ 51,714,553.30	\$ 44,792,213.53	63.01%

Note 1 - Current fiscal year of 2015 ends June 30, 2015 and is the first year of the 2015/16 biennium which ends June 30, 2016.

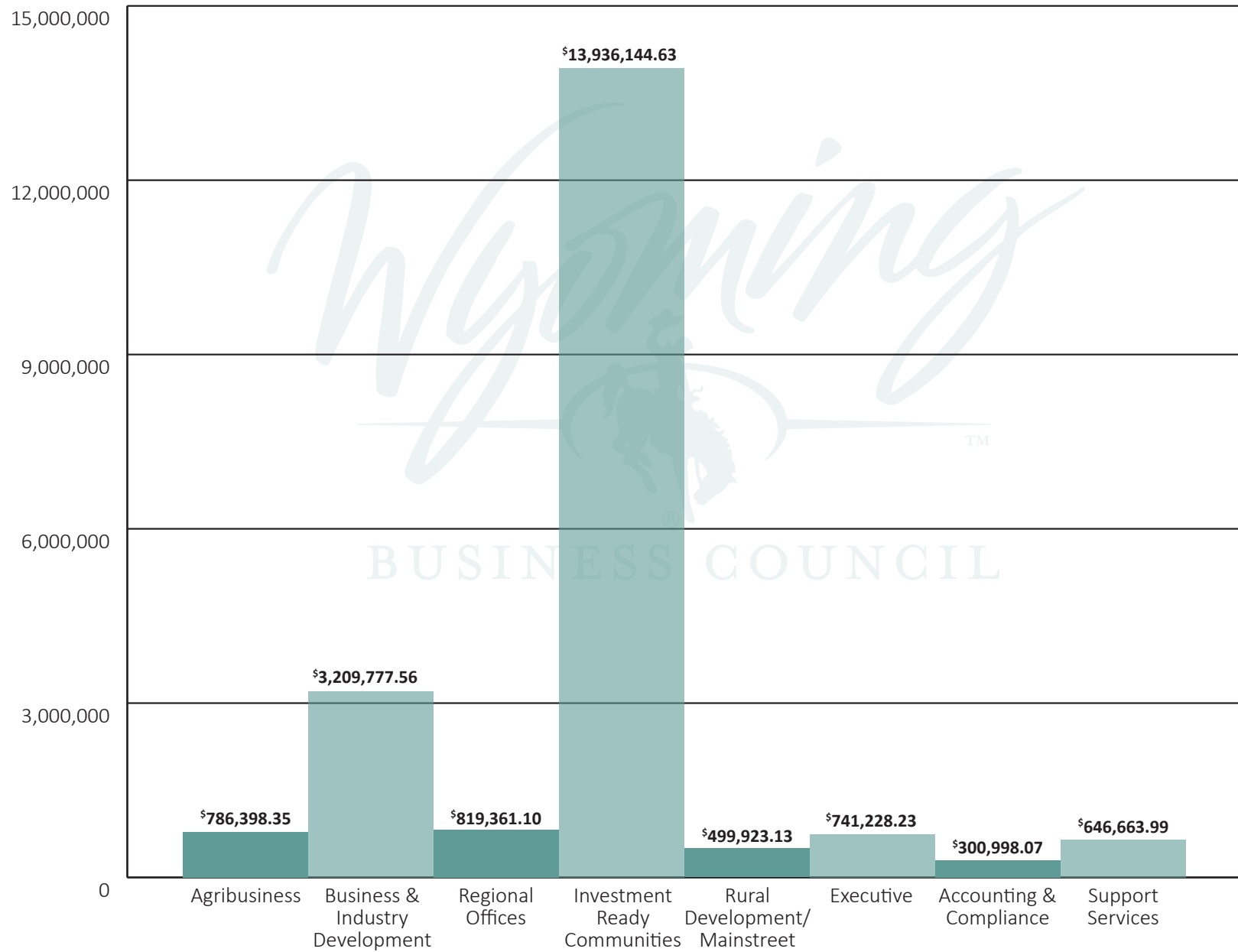
For comparative purposes, following is the total appropriation for the WBC, excluding tourism, for these bienniums:

2015/16	\$ 92,202,246.00
2013/14	\$ 83,838,005.00
2011/12	\$ 87,093,216.00
2009/10	\$ 119,594,084.00
2007/08	\$ 141,827,683.00
2005/06	\$ 67,583,125.00
2003/04	\$ 20,855,289.00
2001/02	\$ 11,277,264.00
1999/00	\$ 11,564,998.00

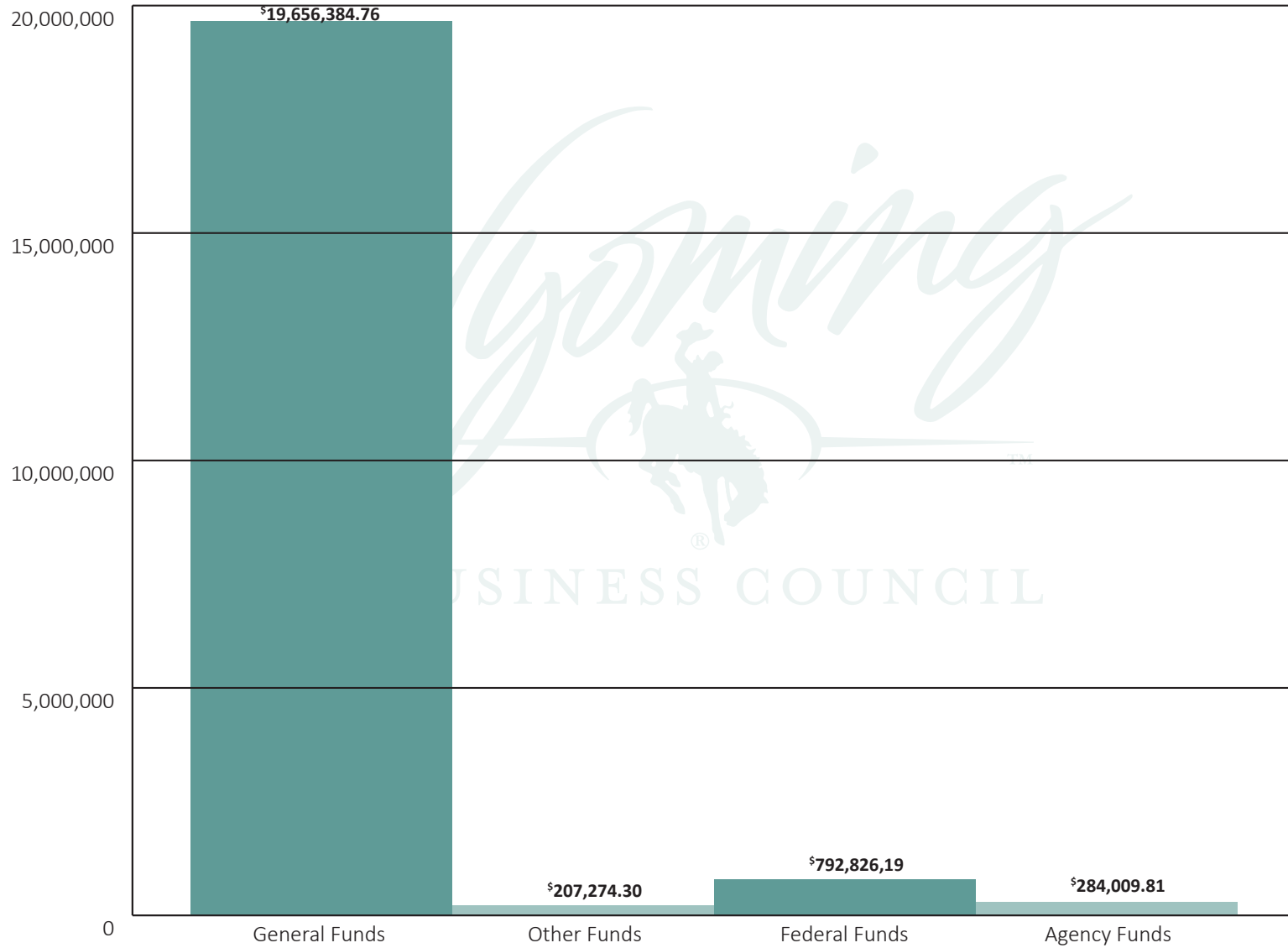
Note 2 - Current year expenditures against prior biennium encumbrances are not included in the FY15 amounts. The total amount of FY15 expenditures made out of prior biennium encumbrances is \$27,286,328 and is comprised of the following:

Investment Ready Communities (BRC/CFP/CDBG)	\$ 26,090,567
Other	\$ 1,195,761
	<u>\$ 27,286,328</u>

Expenditures by Program



Expenditures by Funding Source



WYOMING BUSINESS COUNCIL											
Comparative Year to Date Expenditures											
		Current fiscal year to date: 7/1/2014 - 12/31/2014 (Note 1)					Previous fiscal year to date: 7/1/2013 - 12/31/2013				
		BUDGETED	EXPENDED	ENCUMBERED	BALANCE	%	BUDGETED	EXPENDED	ENCUMBERED	BALANCE	%
PROGRAM SUMMARY											
<i>ARRA Stimulus Federal Funds</i>											
State Energy Plan		\$ 450,208.94	\$ -	\$ -	\$ 450,208.94	0.00%	\$ -	\$ -	\$ -	\$ -	N/A
Energy Efficiency Community Block Grant		\$ -	\$ -	\$ -	\$ -	N/A	\$ 20,857.12	\$ 4,307.15	\$ -	\$ 16,549.97	20.65%
		\$ -	\$ -	\$ -	\$ -	N/A	\$ 20,857.12	\$ 4,307.15	\$ -	\$ 16,549.97	20.65%
TOTAL		\$ -	\$ -	\$ -	\$ -	N/A	\$ 20,857.12	\$ 4,307.15	\$ -	\$ 16,549.97	20.65%
LINE ITEM SUMMARY											
Personal services	100.00	\$ -	\$ -	\$ -	\$ -	N/A	\$ -	\$ -	\$ -	\$ -	N/A
Support services	200.00	\$ -	\$ -	\$ -	\$ -	N/A	\$ -	\$ -	\$ -	\$ -	N/A
Central data services	400.00	\$ -	\$ -	\$ -	\$ -	N/A	\$ 20,857.12	\$ 4,307.15	\$ -	\$ 16,549.97	20.65%
Grants	600.00	\$ -	\$ -	\$ -	\$ -	N/A	\$ -	\$ -	\$ -	\$ -	N/A
Non-operating expenses	800.00	\$ 450,208.94	\$ -	\$ -	\$ 450,208.94	0.00%	\$ -	\$ -	\$ -	\$ -	N/A
Professional services	900.00	\$ -	\$ -	\$ -	\$ -	N/A	\$ -	\$ -	\$ -	\$ -	N/A
TOTAL		\$ 450,208.94	\$ -	\$ -	\$ 450,208.94	0.00%	\$ 20,857.12	\$ 4,307.15	\$ -	\$ 16,549.97	20.65%
Note 1 - Current fiscal year budget is carryforward of unspent funds as of 6/30/14 and principal and interest payments collected BFY15 for revolving loan fund.											

WYOMING BUSINESS COUNCIL
List of Encumbrances
March 31, 2015 - Unaudited

Vendor Name	Division	End Date	Total	Outstanding Encumbrances		Description	Prior Bienium or Expired Encumbrance Status
			Encumbrance	Current BFY	Prior BFY		
Civic Resource Group LLC	Administration	30-Jun-15	\$ 14,400	\$ 9,600	\$ -	Maintenance of WBC website	
Climate Control Company LLC	Administration	30-Jun-15	\$ 971	\$ 971	\$ -	HVAC system servicing	
Donna Playton	Administration	31-Dec-16	\$ 3,000	\$ 3,000	\$ -	Review and update WCWI handbook	
Eightcloud	Administration	31-Oct-15	\$ 33,600	\$ 21,200	\$ -	Consulting and support for Salesforce	
Green House Data Inc.	Administration	30-Jun-15	\$ 7,136	\$ 2,676	\$ -	Hosting WBC website	
Land Investment	Administration	30-Jun-15	\$ 99,432	\$ 16,572	\$ -	Office Lease	
Kleen Sweep Janitorial Inc.	Administration	30-Jun-15	\$ 19,703	\$ 6,568	\$ -	Janitorial Services	
University of Wyoming	Administration	30-Jun-15	\$ 17,316	\$ 4,329	\$ -	Advertising targeting Wyoming area	
End of year encumbrances	Administration		\$ -	\$ -	\$ -	Telecommunications, Central Mail, Motor Vehicles, Copiers, Workers' Comp., etc.	
			\$ 195,558	\$ 64,916	\$ -		
Mike Ridenour	Agribusiness	30-Jun-15	\$ 5,000	\$ 5,000	\$ -	Ag diversification specialist	
Trade Show Incentive grants	Agribusiness	Various	\$ 16,972	\$ 16,972	\$ -	Various	
End of year encumbrances	Agribusiness		\$ -	\$ -	\$ -	Telecommunications, Central Mail, Motor Vehicles, Copiers, Workers' Comp., etc.	
			\$ 21,972	\$ 21,972	\$ -		
Bizwest Media LLC	Business & Industry	30-Jun-15	\$ 27,200	\$ 6,450	\$ -	Publishing services	
Brentwood Inn LLC	Business & Industry	30-Jun-15	\$ 5,000	\$ 5,000	\$ -	Small business energy audit and retrofit	
Cheyenne Family YMCA	Business & Industry	30-Jun-15	\$ 5,000	\$ 5,000	\$ -	Small business energy audit and retrofit	
Clifford D. Root	Business & Industry	30-Jun-16	\$ 10,000	\$ -	\$ 9,515	Analysis, research and planning to improve rail service in Wyoming	
Eightcloud Inc.	Business & Industry	31-Oct-15	\$ 840	\$ 560	\$ -	Consulting and support for Salesforce	
High West Energy Inc.	Business & Industry	30-Jun-15	\$ 5,000	\$ 5,000	\$ -	Small business energy audit and retrofits	
HMC Global Limited	Business & Industry	31-Aug-15	\$ 81,800	\$ -	\$ 62,900	Recruit european companies interested in expanding in Wyoming	
Idea Inc.	Business & Industry	30-Jun-15	\$ 5,000	\$ 5,000	\$ -	Small business energy audit and retrofit	
Kleen Sweep Janitorial Inc.	Business & Industry	30-Jun-15	\$ 637	\$ 212	\$ -	Janitorial services	
Land Investment	Business & Industry	30-Jun-15	\$ 6,120	\$ 1,020	\$ -	Office Lease	
Laramie Peak Museum Association Inc.	Business & Industry	31-Mar-15	\$ 5,000	\$ -	\$ 1,345	Level 2 Energy audit and retrofits	To be closed out
Markee Escrow Services Inc.	Business & Industry	30-Jun-15	\$ 25,000	\$ 15,410	\$ -	Loan servicing and reporting	
McCallum Sweeney Consulting Inc.	Business & Industry	30-Jun-15	\$ 50,000	\$ -	\$ 9,108	To create guidelines for a shovel-ready site evaluation and certificate program	
Management Network Group Inc	Business & Industry	30-Jun-16	\$ 15,000	\$ -	\$ 5,376	Statewide assessment of infrastructure necessary for data centers	
Mediaworks Inc.	Business & Industry	30-Jun-15	\$ 5,000	\$ 3,428	\$ -	Small business energy audit and retrofit	
National Council for Community Development	Business & Industry	30-Jun-15	\$ 10,000	\$ 3,333	\$ -	Reviewing, structuring, and financing projects for the Council	
P. Olen Snider	Business & Industry	30-Jun-16	\$ 20,000	\$ 16,810	\$ -	Prepare loan documents	
Powder River Energy Corp	Business & Industry	31-Dec-15	\$ 5,100	\$ -	\$ 5,100	Renewable energy credits	
Queen Bee Gardens LLC	Business & Industry	30-Jun-15	\$ 5,000	\$ 1,813	\$ -	Small business energy audit and retrofit	
Sbuns LLC	Business & Industry	30-Jun-15	\$ 5,000	\$ 4,484	\$ -	Small business energy audit and retrofit	
Steel Market Analysis Corporation	Business & Industry	30-Jun-16	\$ 22,541	\$ -	\$ 17,784	To determine feasibility of expanding iron mining and steel processing in Wyoming	
Taco John's International Inc.	Business & Industry	30-Jun-15	\$ 20,000	\$ 20,000	\$ -	Small business energy audit and retrofit-various locations	
Terrell Industries Inc.	Business & Industry	31-Mar-15	\$ 5,000	\$ -	\$ 3,125	Level 2 Energy audit and retrofits	To be closed out
The Tannery Inc.	Business & Industry	30-Jun-15	\$ 5,000	\$ 5,000	\$ -	Small business energy audit and retrofit	
Trident Energy Services Inc.	Business & Industry	30-Jun-15	\$ 100,000	\$ 47,791	\$ -	WYECIP	
Trinity Evangelical Lutheran Church	Business & Industry	30-Jun-15	\$ 5,000	\$ 2,705	\$ -	Small business energy audit and retrofit	
University of Wyoming	Business & Industry	30-Jun-15	\$ 175,000	\$ 174,586	\$ -	Manufacturing works	
University of Wyoming	Business & Industry	30-Jun-15	\$ 304,128	\$ 123,532	\$ -	SBIR-research and development products	
University of Wyoming	Business & Industry	30-Sep-15	\$ 806,278	\$ 264,671	\$ -	Small Business Development Centers-training for new and existing business	
University of Wyoming	Business & Industry	30-Jun-15	\$ 702,150	\$ 256,040	\$ -	High capacity internet connectivity service to WY Tech Business Center	
University of Wyoming	Business & Industry	30-Jun-15	\$ 312,476	\$ 138,637	\$ -	Market Research Center	
University of Wyoming	Business & Industry	31-Aug-15	\$ 133,887	\$ 49,836	\$ -	PTAC-procurement technology assistance center	
University of Wyoming	Business & Industry	30-Jun-15	\$ 98,295	\$ 35,207	\$ -	Research Product Center	
Voltedge Inc.	Business & Industry	30-Jun-15	\$ 2,000	\$ 311	\$ -	Training for local economic development organizations	
Wyoming Bearing and Supply	Business & Industry	30-Jun-15	\$ 5,000	\$ 5,000	\$ -	Level 2 Energy audit and retrofits	
Wyoming Department of Transportation	Business & Industry	31-Dec-15	\$ 50,000	\$ -	\$ 25,134	Update rail plan and an economic development component	
Wyoming Chamber of Commerce	Business & Industry	30-Jun-15	\$ 25,650	\$ 5,503	\$ -	Conduct professional development	
Wyoming Economic Development	Business & Industry	30-Sep-15	\$ 56,785	\$ 20,730	\$ -	Provide services to local economic development organizations	
Wyoming Women's Business Center	Business & Industry	30-Sep-15	\$ 194,136	\$ 140,828	\$ -	Assist small business & entrepreneurs throughout Wyoming	
End of year encumbrances	Business & Industry		\$ -	\$ -	\$ -	Telecommunications, Central Mail, Motor Vehicles, Copiers, Workers' Comp., etc.	
			\$ 3,315,023	\$ 1,363,898	\$ 139,387		
Albany County Treasurer	Invest. Ready Commun.	30-Jun-19	\$ 500,000	\$ 500,000	\$ -	BRC grant: BBBS Mentoring Center Renovation(Nellie Isles School Bldg.)	
Albany County Treasurer	Invest. Ready Commun.	30-Jun-19	\$ 829,754	\$ 821,377	\$ -	CFP grant: BBBS Mentoring Center Renovation(Nellie Isles School Bldg.)	
Albany County Treasurer	Invest. Ready Commun.	31-Aug-16	\$ 408,744	\$ 408,744	\$ -	CDBG grant: Hospice project	
Albany County Treasurer	Invest. Ready Commun.	30-Nov-16	\$ 25,000	\$ 25,000	\$ -	BRC grant: Albany County Event Center plan	
Albany County Treasurer	Invest. Ready Commun.	30-Jun-19	\$ 1,000,000	\$ 1,000,000	\$ -	BRC grant: Hospice House	

Big Horn County	Invest. Ready Commun.	30-Jun-18	\$ 500,000	\$ -	\$ 314,978	BRC grant: Big Horn County multi-purpose fairgrounds building	
Big Horn County	Invest. Ready Commun.	30-Jun-16	\$ 37,500	\$ -	\$ 3,230	BRC grant: County wide economic development	
Buffalo Johnson Commerce JPB	Invest. Ready Commun.	30-Nov-16	\$ 20,212	\$ 20,212	\$ -	BRC grant: East Corridor Feasibility Study	
Buffalo Johnson Commerce JPB	Invest. Ready Commun.	30-Jun-19	\$ 1,000,000	\$ 294,045	\$ -	CFP grant: Renovate portion of former Clear Creek Elementary School	
Campbell County Treasurer	Invest. Ready Commun.	30-Jun-17	\$ 2,100,000	\$ -	\$ 246,510	BRC grant: Southern Industrial Roads	
Carbon County Treasurer	Invest. Ready Commun.	30-Jun-18	\$ 849,715	\$ -	\$ 57,359	BRC grant: CCECH Harshman Road extension	
Carbon CO Joint Tourism Promotion Board	Invest. Ready Commun.	30-Nov-15	\$ 18,750	\$ 4,125	\$ -	BRC grant: Visitors Center planning grant	
City of Buffalo	Invest. Ready Commun.	30-Jun-18	\$ 250,000	\$ -	\$ 20,837	BRC grant: Buffalo Crazy Women Square Revitalization	
City of Buffalo	Invest. Ready Commun.	30-Nov-16	\$ 24,338	\$ 24,338	\$ -	BRC grant: Eastern Corridor Tech Park study	
City of Casper	Invest. Ready Commun.	30-Jun-18	\$ 185,580	\$ -	\$ 137,053	BRC grant: Casper downtown public restroom	
City of Casper	Invest. Ready Commun.	30-Jun-18	\$ 1,000,000	\$ -	\$ 1,000,000	BRC grant: Old Yellowstone District Infrastructure	
City of Casper	Invest. Ready Commun.	30-Jun-19	\$ 500,000	\$ 500,000	\$ -	BRC grant: Platte River revival	
City of Cheyenne	Invest. Ready Commun.	30-Jun-16	\$ 2,250,000	\$ -	\$ 1,102,584	BRC grant: Thought Equity in Motion Data Center	
City of Cheyenne	Invest. Ready Commun.	30-Jun-26	\$ 3,000,000	\$ 737,236	\$ -	BRC grant: Loan Rail Spur development with Swan Ranch Development	
City of Cody	Invest. Ready Commun.	30-Jun-18	\$ 2,531,424	\$ -	\$ 1,241,756	BRC grant: Cody Laboratories Expansion	
City of Cody	Invest. Ready Commun.	30-Jun-16	\$ 25,000	\$ -	\$ 9,903	BRC grant: Gunsmithing School	
City of Cody	Invest. Ready Commun.	31-Oct-15	\$ 395,000	\$ -	\$ 395,000	CDBG grant: Mountain Spirit Habitat for Humanity infrastructure	
City of Evanston	Invest. Ready Commun.	30-Jun-18	\$ 1,000,000	\$ -	\$ 7,941	CFP grant: Cultural Center Renovation project	
City of Evanston	Invest. Ready Commun.	31-Dec-15	\$ 50,000	\$ -	\$ 50,000	CDBG grant: Evanston Rail Access Business Park Plan	
City of Evanston	Invest. Ready Commun.	30-Jun-19	\$ 498,655	\$ 498,655	\$ -	BRC grant: Bear Meadows Enhancement Plan	
City of Evanston	Invest. Ready Commun.	22-Aug-16	\$ 179,746	\$ 179,746	\$ -	CDBG grant: Evanston Early Childhood building	
City of Gillette	Invest. Ready Commun.	30-Nov-15	\$ 50,000	\$ -	\$ 50,000	BRC grant: Broadband Study	
City of Gillette	Invest. Ready Commun.	30-Jun-19	\$ 500,000	\$ 500,000	\$ -	BRC grant: Gillette Convertible ST-Public Plaza	
City of Gillette	Invest. Ready Commun.	30-Jun-19	\$ 867,670	\$ 867,670	\$ -	CFP grant: Gillette Youth Learning Center	
City of Gillette	Invest. Ready Commun.	30-Jun-20	\$ 1,645,046	\$ 1,645,046	\$ -	BRC grant: Electrical Infrastructure So. Industrial Addition Annex	
City of Green River	Invest. Ready Commun.	30-Jun-18	\$ 162,500	\$ -	\$ 162,500	BRC grant: Clocktower Plaza	
City of Green River	Invest. Ready Commun.	30-Jun-17	\$ 25,000	\$ -	\$ 25,000	BRC grant: Greater Green River intergalactic airport feasibility study	
City of Kemmerer	Invest. Ready Commun.	30-Jun-19	\$ 500,000	\$ 500,000	\$ -	BRC grant: Sports Field Access & Packing Facilities	
City of Kemmerer	Invest. Ready Commun.	31-Dec-15	\$ 15,000	\$ 15,000	\$ -	CDBG grant: Wilcox Building feasibility study	
City of Laramie	Invest. Ready Commun.	30-Jun-18	\$ 5,466,331	\$ -	\$ 852,082	BRC grant: Cirrus Sky Technology Park	
City of Laramie	Invest. Ready Commun.	30-Jun-18	\$ 2,400,000	\$ -	\$ 798,371	BRC grant: HIVIZ Corporate Headquarters	
City of Laramie	Invest. Ready Commun.	30-Jun-15	\$ 519,477	\$ -	\$ 519,477	BRC grant: HIVIZ Corporate Headquarters	
City of Laramie	Invest. Ready Commun.	30-Nov-16	\$ 50,000	\$ 50,000	\$ -	BRC grant: Retail leakage analysis	
City of Powell	Invest. Ready Commun.	30-Jun-19	\$ 946,404	\$ -	\$ 938,401	BRC grant: GFO Inc.- phase 2	
City of Rawlins	Invest. Ready Commun.	30-Jun-17	\$ 99,945	\$ -	\$ 63,660	BRC grant: Rainbow Teton Entrepreneur Center	
City of Rawlins	Invest. Ready Commun.	30-Jun-18	\$ 297,475	\$ -	\$ 297,475	BRC grant: Rawlins Wayfinding	
City of Rawlins	Invest. Ready Commun.	30-Jun-19	\$ 1,000,000	\$ -	\$ 1,000,000	BRC grant: Downtown Façade Easement Program	
City of Rawlins	Invest. Ready Commun.	30-Apr-16	\$ 250,000	\$ -	\$ 250,000	CDBG grant: Downtown Façade Easement Program	
City of Rawlins	Invest. Ready Commun.	22-Sep-16	\$ 250,000	\$ 250,000	\$ -	CDBG grant: Downtown Façade Easement Program phase 2	
City of Rawlins	Invest. Ready Commun.	30-Jun-19	\$ 442,000	\$ 279,552	\$ -	BRC grant: Rawlins Road Improvements/Fairfield Inn	
City of Riverton	Invest. Ready Commun.	30-Jun-18	\$ 1,500,000	\$ -	\$ 1,104,963	BRC grant: site work and infrastructure for Wind River Job Corps	
City of Riverton	Invest. Ready Commun.	31-Dec-14	\$ 15,000	\$ -	\$ 6,375	CDBG grant: Dementia Facility Study	To be closed out
City of Rock Springs	Invest. Ready Commun.	30-Jun-19	\$ 500,000	\$ 500,000	\$ -	BRC grant: Community and Visitors Center	
City of Rock Springs	Invest. Ready Commun.	23-Sep-16	\$ 300,000	\$ 300,000	\$ -	CDBG grant: Community and Visitor's Center	
City of Sheridan	Invest. Ready Commun.	30-Jun-18	\$ 1,000,000	\$ -	\$ 273,006	BRC grant: NW infrastructure project	
City of Sheridan	Invest. Ready Commun.	30-Jun-16	\$ 25,000	\$ -	\$ 1,688	BRC grant: Downtown Entrepreneur Study	
City of Sheridan	Invest. Ready Commun.	31-Dec-15	\$ 15,000	\$ 15,000	\$ -	CDBG grant: Sheridan Administration and Bain injury study (planning)	
City of Sheridan	Invest. Ready Commun.	30-Jun-19	\$ 500,000	\$ 500,000	\$ -	BRC grant: Daybreak Facility Senior Center	
City of Sundance	Invest. Ready Commun.	30-Jun-18	\$ 1,356,780	\$ -	\$ 142,029	BRC grant: Croell Redi-mix Infrastructure Development	
City of Torrington	Invest. Ready Commun.	30-Jun-18	\$ 957,830	\$ -	\$ 815,768	BRC grant: 21st and Main Street Downtown Development project	
City of Torrington	Invest. Ready Commun.	30-Jun-19	\$ 1,887,101	\$ 1,887,101	\$ -	BRC grant: Cold Springs Substation	
City of Worland	Invest. Ready Commun.	31-Jul-15	\$ 33,750	\$ -	\$ 10,061	CDBG grant: Comprehensive ED/CD Master Plan	
Converse County Treasurer	Invest. Ready Commun.	30-Jun-17	\$ 22,500	\$ -	\$ 12,600	BRC grant: NEWEDC plastics pellet study	
Converse County Treasurer	Invest. Ready Commun.	30-Nov-15	\$ 18,750	\$ 18,750	\$ -	BRC grant: Fiber Feasibility Study	
Eightcloud	Invest. Ready Commun.	31-Oct-15	\$ 3,360	\$ 2,240	\$ -	CDBG grant: Consulting and support for Salesforce	
Fremont County Treasurer	Invest. Ready Commun.	21-Aug-16	\$ 150,000	\$ 150,000	\$ -	CDBG grant: Fremont County Courthouse and Extension building ADA	
Goshen County Treasurer	Invest. Ready Commun.	30-Jun-17	\$ 345,819	\$ -	\$ 257,229	BRC grant: Schlager Manufacturing Inc. expansion	
Hot Springs County Treasurer	Invest. Ready Commun.	31-Dec-14	\$ 500,000	\$ -	\$ 4,969	CDBG grant: Owl Creek Water District	To be closed out
Hyattville Cemetery District	Invest. Ready Commun.	30-Jun-18	\$ 397,780	\$ -	\$ 6,358	CFP grant: Community Center	
Jackson Hole Airport Board	Invest. Ready Commun.	30-Jun-18	\$ 3,000,000	\$ -	\$ 1,500,000	BRC grant: Loan for Jackson Hole Airport project	
Jackson Hole Energy Sustainability Project	Invest. Ready Commun.	30-Jun-18	\$ 766,665	\$ 766,665	\$ -	BRC grant: Compressed natural gas fueling station	
Johnson County Treasurer	Invest. Ready Commun.	31-Dec-14	\$ 15,000	\$ -	\$ 39	CDBG Grant: Buffalo Senior Center Study	To be closed out
Laramie County Treasurer	Invest. Ready Commun.	30-Jun-18	\$ 5,000,000	\$ -	\$ 4,000,000	BRC grant: Microsoft	

Laramie County Treasurer	Invest. Ready Commun.	30-Jun-18	\$ 2,250,000	\$ -	\$ 1,500,000	BRC grant: Microsoft 2013 expansion	
Laramie County Treasurer	Invest. Ready Commun.	30-Jun-18	\$ 2,250,000	\$ -	\$ 966,337	BRC grant: Green House Data Center CHY2 Data Center	
Laramie County Treasurer	Invest. Ready Commun.	30-Jun-16	\$ 50,000	\$ -	\$ 27,480	BRC grant: Regional Fiber-Broadband plan	
Laramie County Treasurer	Invest. Ready Commun.	31-Dec-15	\$ 3,750	\$ -	\$ 1,237	CDBG grant: Homeless youth TA	
Laramie County Treasurer	Invest. Ready Commun.	30-Nov-16	\$ 25,000	\$ 10,810	\$ -	BRC grant: ED fees and regulations feasibility study	
Lincoln County Treasurer	Invest. Ready Commun.	30-Jun-19	\$ 1,401,456	\$ 1,401,456	\$ -	BRC grant: Fiber Optics Extension	
Natrona County Treasurer	Invest. Ready Commun.	30-Jun-18	\$ 1,500,000	\$ -	\$ 410,172	BRC grant: CCR water and sewer infrastructure	
Natrona County Treasurer	Invest. Ready Commun.	30-Jun-19	\$ 905,249	\$ -	\$ 905,249	BRC grant: Mountain West Data Center cost reduction	
Osage Improvement and Service District	Invest. Ready Commun.	30-Jun-18	\$ 1,000,000	\$ -	\$ 5,959	CFP grant: Kitty Moats Complex	
Park County	Invest. Ready Commun.	30-Jun-16	\$ 25,000	\$ -	\$ 14,085	BRC grant: George Farms Value-Added Dairy	
Park County	Invest. Ready Commun.	30-Jun-19	\$ 485,391	\$ 485,391	\$ -	BRC grant: Park County Fairgrounds Facility	
Platte County Treasurer	Invest. Ready Commun.	30-Nov-16	\$ 50,000	\$ 50,000	\$ -	BRC grant: S.E. Wyoming Energy and Transmission Plan	
Rock Springs Sweetwater County Airport	Invest. Ready Commun.	30-Jun-17	\$ 1,000,000	\$ -	\$ 7,188	BRC grant: Airport water infrastructure project	
Sheridan Economic & Educational Development	Invest. Ready Commun.	30-Nov-15	\$ 50,000	\$ -	\$ 50,000	BRC grant: Arts and Cultural Economy Sheridan and Johnson County	
Sublette County Treasurer	Invest. Ready Commun.	31-Dec-15	\$ 50,000	\$ -	\$ 50,000	CDBG grant: ED master plan	
Sweetwater County Treasurer	Invest. Ready Commun.	30-Jun-18	\$ 1,500,000	\$ -	\$ 30,500	BRC grant: County Road 4-23 upgrades	
Sweetwater County Treasurer	Invest. Ready Commun.	31-Dec-15	\$ 25,000	\$ -	\$ 1,440	CDBG grant: Sweetwater County Judicial Development Plan	
Teton County	Invest. Ready Commun.	30-Jun-18	\$ 889,173	\$ -	\$ 872,001	BRC grant: Adams Canyon Sewer Project	
Town of Afton	Invest. Ready Commun.	30-Jun-19	\$ 3,000,000	\$ 3,000,000	\$ -	BRC grant: Afton Transformation Initiative	
Town of Alpine	Invest. Ready Commun.	30-Jun-18	\$ 550,250	\$ -	\$ 411,239	BRC grant: Snake River Transmission Line	
Town of Alpine	Invest. Ready Commun.	30-Jun-19	\$ 2,949,425	\$ 2,202,182	\$ -	BRC grant: Melvin Brewing Expansion	
Town of Baggs	Invest. Ready Commun.	30-Jun-18	\$ 749,003	\$ -	\$ 15,166	BRC grant: Little Rascals Preschool	
Town of Basin	Invest. Ready Commun.	21-Aug-16	\$ 38,800	\$ 38,800	\$ -	CDBG grant: Town Hall ADA	
Town of Bear River	Invest. Ready Commun.	31-Dec-15	\$ 37,500	\$ 37,500	\$ -	CDBG grant: Bear River Strategic Plan	
Town of Cowley	Invest. Ready Commun.	30-Jun-19	\$ 500,000	\$ 470,830	\$ -	BRC grant: Cowley Recreation Complex	
Town of Dubois	Invest. Ready Commun.	30-Nov-16	\$ 25,000	\$ 25,000	\$ -	BRC grant: Wind River Discoveries	
Town of Edgerton	Invest. Ready Commun.	30-Jun-19	\$ 243,800	\$ 1,869	\$ -	BRC grant: Edgerton sewer water project	
Town of Glendo	Invest. Ready Commun.	30-Jun-17	\$ 754,294	\$ -	\$ 29,155	BRC grant: Glendo Business Park	
Town of Granger	Invest. Ready Commun.	30-Jun-18	\$ 1,000,000	\$ -	\$ 873,230	CFP grant: George Patton Community Center	
Town of Greybull	Invest. Ready Commun.	30-Jun-19	\$ 320,000	\$ 320,000	\$ -	BRC grant: Herb Asp Recreation Center renovation	
Town of Greybull	Invest. Ready Commun.	31-Dec-15	\$ 15,000	\$ 15,000	\$ -	CDBG grant: Housing planning	
Town of Guernsey	Invest. Ready Commun.	30-Jun-17	\$ 1,485,000	\$ -	\$ 18,627	BRC grant: Guernsey Industrial Park infrastructure expansion	
Town of Guernsey	Invest. Ready Commun.	30-Jun-16	\$ 7,500	\$ -	\$ 5	BRC grant: Guernsey-Hartville BRC planning	
Town of Guernsey	Invest. Ready Commun.	22-Aug-16	\$ 197,792	\$ 197,792	\$ -	CDBG grant: Guernsey Fire Hall addition	
Town of Guernsey	Invest. Ready Commun.	30-Nov-16	\$ 22,500	\$ 22,500	\$ -	BRC grant: Rollins Road Designs	
Town of Guernsey	Invest. Ready Commun.	30-Jun-20	\$ 437,650	\$ 437,650	\$ -	BRC grant: Electrical Substation	
Town of Jackson	Invest. Ready Commun.	30-Jun-18	\$ 1,500,000	\$ -	\$ 1,500,000	BRC grant: Vertical Harvest of JH	
Town of Kirby	Invest. Ready Commun.	22-Sep-16	\$ 86,000	\$ 86,000	\$ -	CDBG grant: Town Hall ADA retrofit	
Town of Lingle	Invest. Ready Commun.	30-Jun-18	\$ 236,832	\$ -	\$ 236,832	BRC grant: Electric Substation expansion	
Town of Lovell	Invest. Ready Commun.	30-Jun-19	\$ 31,695	\$ 31,695	\$ -	BRC grant: Lovell Camper Park Improvements	
Town of Marbleton	Invest. Ready Commun.	30-Jun-18	\$ 250,000	\$ -	\$ 40,447	BRC grant: Sleepy Hollow Industrial Park Waterline Extension	
Town of Mills	Invest. Ready Commun.	30-Sep-15	\$ 347,828	\$ -	\$ 329,933	CDBG grant: Wyoming Blvd. water main replacement	
Town of Mills	Invest. Ready Commun.	22-Aug-16	\$ 462,280	\$ 462,280	\$ -	CDBG grant: Water storage tank and water main upgrade	
Town of Ranchester	Invest. Ready Commun.	30-Jun-19	\$ 977,500	\$ -	\$ 938,224	BRC grant: Ranchester Merchantile (formerly Commercial Development)	
Town of Saratoga	Invest. Ready Commun.	31-Dec-15	\$ 49,500	\$ 49,500	\$ -	CDBG grant: Saratoga master plan	
Town of Thayne	Invest. Ready Commun.	30-Nov-16	\$ 46,875	\$ 46,875	\$ -	BRC grant: High Tech Regional targeted industry study	
Town of Thayne	Invest. Ready Commun.	30-Jun-20	\$ 1,141,086	\$ 661,086	\$ -	BRC grant: Thayne Business Ready Lots	
Town of Thermopolis	Invest. Ready Commun.	31-Oct-15	\$ 469,170	\$ -	\$ 81,024	CDBG grant: HOPE agency facility	
Town of Upton	Invest. Ready Commun.	30-Jun-18	\$ 1,377,247	\$ -	\$ 64,676	BRC grant: Upton Industrial Park-water and sewer	
Town of Upton	Invest. Ready Commun.	30-Nov-16	\$ 18,750	\$ 18,750	\$ -	BRC grant: Multi-purpose Facility Feasibility Study	
Town of Wheatland	Invest. Ready Commun.	30-Jun-15	\$ 15,000	\$ -	\$ 15,000	CDBG grant: Wheatland Commercial Kitchen Study	
Town of Wheatland	Invest. Ready Commun.	30-Jun-18	\$ 120,326	\$ -	\$ 19,192	BRC grant: Wild West Splash Park	
Town of Wheatland	Invest. Ready Commun.	30-Nov-16	\$ 50,000	\$ 50,000	\$ -	BRC grant: 16th Street reconstruction plan	
Town of Wright	Invest. Ready Commun.	31-Dec-14	\$ 45,000	\$ -	\$ 31,356	CDBG grant: Wright Comprehensive Plan	To be closed out
Weston County Treasurer	Invest. Ready Commun.	30-Jun-16	\$ 25,000	\$ -	\$ 12,873	BRC grant: Upton Logistics Center traffic study	
End of year encumbrances	Invest. Ready Commun.		\$ -	\$ -	\$ -	Telecommunications, Central Mail, Motor Vehicles, Copiers, Workers' Comp., etc.	
			\$ 86,020,223	\$ 23,383,468	\$ 27,137,829		
Barbara Bader PHD	Rural Devel./Main Street	15-May-15	\$ 18,650	\$ 18,650	\$ -	Grantwriting training	
Buffalo Development Association	Rural Devel./Main Street	30-Jun-15	\$ 18,700	\$ 12,058	\$ -	Technical assistance	
Cheyenne Downtown Development Authority	Rural Devel./Main Street	30-Jun-15	\$ 20,000	\$ 20,000	\$ -	Technical assistance	
City of Evanston	Rural Devel./Main Street	30-Jun-15	\$ 7,000	\$ 7,000	\$ -	Technical assistance	
City of Green River	Rural Devel./Main Street	30-Jun-15	\$ 22,000	\$ 2,000	\$ 3,000	Technical assistance	

City of Kemmerer	Rural Devel./Main Street	30-Jun-15	\$ 34,000	\$ 7,000	\$ 23,795	Technical assistance	
City of Rawlins	Rural Devel./Main Street	30-Jun-15	\$ 60,000	\$ 20,000	\$ 40,000	Technical assistance	
City of Rock Springs	Rural Devel./Main Street	30-Jun-15	\$ 20,000	\$ 18,825	\$ -	Technical assistance	
Converse Area New Development	Rural Devel./Main Street	31-Dec-15	\$ 14,000	\$ 7,000	\$ 37	Technical assistance	
Evanston Urban Renewal Agency	Rural Devel./Main Street	31-Dec-14	\$ 20,000	\$ -	\$ 20,000	Technical assistance	Final invoices processing-to be closed out
Gillette Main Street	Rural Devel./Main Street	30-Jun-15	\$ 34,000	\$ 7,000	\$ 17,613	Technical assistance	
Hein Bond LLC	Rural Devel./Main Street	28-Feb-15	\$ 15,000	\$ 15,000	\$ -	Historic Architecture Assistance	To be closed out
Kleen Sweep Janitorial Inc.	Rural Devel./Main Street	30-Jun-15	\$ 1,440	\$ 480	\$ -	Janitorial Services	
Land Investment	Rural Devel./Main Street	30-Jun-15	\$ 14,004	\$ 2,334	\$ -	Office Lease	
Laramie Main Street Alliance	Rural Devel./Main Street	30-Jun-15	\$ 39,535	\$ 6,168	\$ 5,217	Technical assistance	
Main Street Pinedale	Rural Devel./Main Street	30-Jun-15	\$ 27,000	\$ -	\$ 22,000	Technical assistance	
Southeast Wyoming Economic Development District	Rural Devel./Main Street	30-Jun-15	\$ 33,943	\$ 8,000	\$ 4,764	Technical assistance	
Town of Glenrock	Rural Devel./Main Street	30-Jun-15	\$ 2,000	\$ 1,792	\$ -	Technical assistance	
Uptown Sheridan Association	Rural Devel./Main Street	30-Jun-15	\$ 19,180	\$ 14,355	\$ -	Technical assistance	
End of year encumbrances	Rural Devel./Main Street		\$ -	\$ -	\$ -	Telecommunications, Central Mail, Motor Vehicles, Copiers, Workers' Comp., etc.	
			\$ 420,452	\$ 167,662	\$ 136,426		
City of Cody	Regional Offices	30-Jun-15	\$ 2,000	\$ -	\$ 2,000	Sponsorship of Cody Citizens Academy	
Roy Markegard	Regional Offices	30-Jun-15	\$ 3,600	\$ 600	\$ -	Office lease	
University of Wyoming	Regional Offices	30-Jun-15	\$ 5,280	\$ 1,350	\$ -	Office lease	
Wells Fargo Bank Northwest	Regional Offices	30-Jun-15	\$ 6,072	\$ 1,012	\$ -	Office lease	
End of year encumbrances	Regional Offices		\$ -	\$ -	\$ -	Telecommunications, Central Mail, Motor Vehicles, Copiers, Workers' Comp., etc.	
			\$ 16,952	\$ 2,962	\$ 2,000		
			\$ 89,990,181	\$ 25,004,878	\$ 27,415,641		

WYOMING BUSINESS COUNCIL Statement of Cash Balances March 31, 2015 - Unaudited						
Wyoming Business Council Funds						
	Petty Cash	Economic Development (Note 1)	WBC	Seed Capital (Note 2)	Rural Rehabilitation (Note 3)	Business Ready Communities
Cash balance before obligations	\$ 250.00	\$ 18,743,338.20	\$ 259,275.78	\$ 601,672.57	\$ 4,441,312.79	\$ 120,153.40
Obligated funds:						
Undistributed WIDC challenge loan LOC	\$ -	\$ (1,100,000.00)	\$ -	\$ -	\$ -	\$ -
Encumbered funds**	\$ -	\$ (206,805.97)	\$ -	\$ -	\$ -	\$ (105,444.00)
Accounts payable & other liabilities, and deferred revenue	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Unobligated 2015/2016 biennium budget	\$ -	\$ (829,993.11)	\$ (18,496.65)	\$ -	\$ (29,539.30)	\$ (14,709.00)
Total obligated funds	\$ -	\$ (2,136,799.08)	\$ (18,496.65)	\$ -	\$ (29,539.30)	\$ (120,153.00)
Cash balance	\$ 250.00	\$ 16,606,539.12	\$ 240,779.13	\$ 601,672.57	\$ 4,411,773.49	\$ 0.40
Year-to-date receipts	\$ -	\$ 593,767.07	\$ 14,439.07	\$ 83,644.41	\$ 60,286.18	\$ -
Note 1 - Amendment IV, Challenge and Bridge loans						
Note 2 - STEA and Seed Capital Fund						
Note 3 - Funds must be spent according to the terms of an agreement with the US Farmers Home Administration						
Governor's Office Funds - Petroleum Violation Escrows -- as of 03/31/15						
	Exxon	Diamond Shamrock	Stripper Wells			
Cash balance before obligations	\$ 3,377,754.86	\$ 38,176.01	\$ 1,075,505.74			
Obligated funds:						
Encumbered funds**	\$ (78,920.32)	\$ -	\$ (72,497.40)			
Accounts payable & other liabilities, and deferred revenue	\$ -	\$ -	\$ -			
Unspent State Energy Plan	\$ (445,000.00)	\$ -	\$ (818.52)			
Total obligated funds	\$ (523,920.32)	\$ -	\$ (73,315.92)			
Cash balance	\$ 2,853,834.54	\$ 38,176.01	\$ 1,002,189.82			
Year-to-date receipts	\$ 46,179.28	\$ 516.11	\$ 14,576.42			
** does not include contracts that have not been fully executed (i.e. - all signatures obtained)						

WYOMING BUSINESS COUNCIL

Loans Receivable - Unaudited

	Balances as of March 31, 2015					Cash Receipts Since 7/01/14		Comments
	Origination Date	Loan Balance	Allowance	Write-off	Net Balance	Principal	Interest	
Economic Disaster loans (see Notes 1 and 2)								
Bean growers (see attached detail)		\$ -	\$ -	\$ -	\$ -	\$ 27,451	\$ 1,275	
Beet growers (see attached detail)		\$ 405,216	\$ 42,548	\$ -	\$ 362,669	\$ 199,356	\$ 27,160	
		\$ 405,216	\$ 42,548	\$ -	\$ 362,669	\$ 226,806	\$ 28,435	
Challenge loans								
Ascent 2000 (see Note 1)	12/19/06	\$ 24,418	\$ 25,093	\$ -	\$ (675)	\$ 2,006	\$ 683	100% reserve against loan balance
		\$ 24,418	\$ 25,093	\$ -	\$ (675)	\$ 2,006	\$ 683	
Bridge loans (see Note 1)								
BH, Inc.	9/28/07	\$ -	\$ -	\$ -	\$ -	\$ 4,527	\$ 25	loan balance paid 10/2014
Cowboy Inn	8/22/13	\$ 176,310	\$ -	\$ -	\$ 176,310	\$ 17,226	\$ 6,833	
Gluten Free Oats	12/2/09	\$ 123,676	\$ -	\$ -	\$ 123,676	\$ 8,118	\$ 4,247	
L & L Ventures LLC	7/23/13	\$ 96,118	\$ -	\$ -	\$ 96,118	\$ 3,716	\$ 3,000	
Triphyto, LLC	6/12/06	\$ 35,912	\$ -	\$ -	\$ 35,912	\$ 2,562	\$ 1,075	
		\$ 432,016	\$ -	\$ -	\$ 432,016	\$ 36,148	\$ 15,181	
Mainstreet loans (see Note 1)								
65Coffee LLC	1/27/10	\$ 14,569	\$ -	\$ -	\$ 14,569	\$ 2,172	\$ 473	
Grimshaw Investments LLC	4/20/10	\$ 43,524	\$ -	\$ -	\$ 43,524	\$ 5,541	\$ 1,393	
		\$ 58,093	\$ -	\$ -	\$ 58,093	\$ 7,713	\$ 1,866	
Amendment IV loans (see Note 1)								
Tenupah, LLC	5/12/95	\$ 393,381	\$ 200,000	\$ -	\$ 193,381	\$ 25,447	\$ 2,812	
		\$ 393,381	\$ 200,000	\$ -	\$ 193,381	\$ 25,447	\$ 2,812	
Natural Gas Infrastructure loans								
Star Valley Natural Gas LLC	9/22/14	\$ 225,000	\$ -	\$ -	\$ 225,000	\$ -	\$ -	
		\$ 225,000	\$ -	\$ -	\$ 225,000	\$ -	\$ -	
BRC loans (see Note 2)								
City of Cheyenne (Swan Ranch)	12/22/14	\$ 2,262,764	\$ -	\$ -	\$ 2,262,764	\$ -	\$ -	
City of Lander	10/21/14	\$ 150,000	\$ -	\$ -	\$ 150,000	\$ -	\$ -	
Jackson Hole Airport Board-1	1/7/10	\$ 768,649	\$ -	\$ -	\$ 768,649	\$ 149,196	\$ 10,795	
Jackson Hole Airport Board-2	2/20/14	\$ 1,500,000	\$ -	\$ -	\$ 1,500,000	\$ -	\$ -	
Teton County	12/6/10	\$ 931,882	\$ -	\$ -	\$ 931,882	\$ 147,579	\$ 9,178	
		\$ 5,613,294	\$ -	\$ -	\$ 5,613,294	\$ 296,775	\$ 19,973	
ARRA SEP loans (see Note 3)								
Town of Basin	5/8/12	\$ 100,000	\$ -	\$ -	\$ 100,000	\$ -	\$ -	
Lower Valley Energy	6/27/12	\$ 1,500,000	\$ -	\$ -	\$ 1,500,000	\$ -	\$ 15,000	
		\$ 1,600,000	\$ -	\$ -	\$ 1,600,000	\$ -	\$ 15,000	
Unallocated allowance								
		\$ -	\$ 107,492	\$ -	\$ (107,492)			
Total		\$ 8,751,419	\$ 375,133	\$ -	\$ 8,376,286	\$ 594,896	\$ 83,949	
Note 1 - does not include pymts received by Markee (loan service provider) but not yet remitted to WBC; pymts received by Markee in the current month are remitted to WBC after the end of the month								
Note 2 - annual principal and interest payments								
Note 3 - interest only payments for 2 years; principal and interest annually thereafter								

WYOMING BUSINESS COUNCIL
Loans Receivable - Economic Disaster Loans Detail - Unaudited

Balances as of March 31, 2015							Cash Receipts Since 7/1/14	
	Origination Date	Loan Balance	Allowance	Write-off	Net Balance	Principal	Interest	
Bean Grower Loans								
CH&M, Inc.	12/14/05	\$ -	\$ -	\$ -	\$ -	\$ 6,361	\$ 295	
Foss, Jack	12/2/05	\$ -	\$ -	\$ -	\$ -	\$ 3,015	\$ 145	
Four 'F' Farms	12/12/05	\$ -	\$ -	\$ -	\$ -	\$ 9,651	\$ 440	
Hort, Ernest	12/8/05	\$ -	\$ -	\$ -	\$ -	\$ 4,630	\$ 220	
John Meier & Son, Inc.	12/14/05	\$ -	\$ -	\$ -	\$ -	\$ 2,592	\$ 120	
W4, Inc.	12/8/05	\$ -	\$ -	\$ -	\$ -	\$ 1,203	\$ 55	
Allowance against loan pool (non-specific loans)		\$ -	\$ -	\$ -	\$ -			
Total Bean Grower loans		\$ -	\$ -	\$ -	\$ -	\$ 27,451	\$ 1,275	
Beet Grower Loans								
Adobe Butte Ranch	4/25/07	\$ 4,789	\$ -	\$ -	\$ 4,789	\$ 2,256	\$ 313	
Berthod, Michael	4/27/07	\$ 5,048	\$ -	\$ -	\$ 5,048	\$ 2,385	\$ 337	
Big Horn Land/Livestock	4/26/07	\$ 2,286	\$ -	\$ -	\$ 2,286	\$ 1,062	\$ 160	
Christensen, Dennis	4/27/07	\$ 6,804	\$ -	\$ -	\$ 6,804	\$ 3,182	\$ 460	
Christensen, Kent	8/3/07	\$ 5,007	\$ -	\$ -	\$ 5,007	\$ 2,359	\$ 334	
Clark Enterprises	4/25/07	\$ 3,412	\$ -	\$ -	\$ 3,412	\$ 6,835	\$ 456	
Craft, Lloyd	4/26/07	\$ 5,060	\$ -	\$ -	\$ 5,060	\$ 2,385	\$ 334	
Dellos Farms	4/26/07	\$ 7,757	\$ -	\$ -	\$ 7,757	\$ 3,631	\$ 511	
Edwards Ranch	4/25/07	\$ 14,131	\$ -	\$ -	\$ 14,131	\$ 6,602	\$ 948	
Eugene Miller & Sons	4/26/07	\$ 17,390	\$ -	\$ -	\$ 17,390	\$ 8,467	\$ 1,164	
Foss, Lucas	8/2/07	\$ 5,964	\$ -	\$ -	\$ 5,964	\$ 2,753	\$ 412	
Foss, Jerry	8/2/07	\$ 3,174	\$ -	\$ -	\$ 3,174	\$ 1,476	\$ 213	
Geis, Nick	4/25/07	\$ 13,943	\$ -	\$ -	\$ 13,943	\$ 6,526	\$ 903	
Haun Farms	4/26/07	\$ 5,578	\$ -	\$ -	\$ 5,578	\$ 2,596	\$ 387	
Jennings, James	4/27/07	\$ 1,178	\$ -	\$ -	\$ 1,178	\$ 1,393	\$ 116	
Jordan Farms	4/26/07	\$ 14,772	\$ -	\$ -	\$ 14,772	\$ 7,082	\$ 1,021	
Keller Farms	4/26/07	\$ 10,687	\$ -	\$ -	\$ 10,687	\$ 5,177	\$ 731	
Keller, Kevin	4/25/07	\$ 12,788	\$ -	\$ -	\$ 12,788	\$ 5,888	\$ 893	
Madden, Danny	8/2/07	\$ 11,644	\$ -	\$ -	\$ 11,644	\$ 5,763	\$ 689	
Mendez Brothers	4/25/07	\$ 12,283	\$ -	\$ -	\$ 12,283	\$ 5,739	\$ 838	
Michael Vigil Farms	4/25/07	\$ 8,604	\$ -	\$ -	\$ 8,604	\$ 4,053	\$ 562	
Ondo, Mike	4/26/07	\$ 5,704	\$ -	\$ -	\$ 5,704	\$ 2,672	\$ 376	
Palesk Farms	4/26/07	\$ 30,769	\$ -	\$ -	\$ 30,769	\$ 14,448	\$ 2,046	
Pince, Daniel	4/27/07	\$ 19,214	\$ -	\$ -	\$ 19,214	\$ 8,996	\$ 1,262	
Propp Farms	4/25/07	\$ 7,940	\$ -	\$ -	\$ 7,940	\$ 3,739	\$ 526	
Sage Creek Land & Cattle Co.	4/25/07	\$ 15,340	\$ -	\$ -	\$ 15,340	\$ 7,257	\$ 997	
Sage Creek Land & Cattle Partnership	4/25/07	\$ 13,481	\$ -	\$ -	\$ 13,481	\$ 6,545	\$ 884	
South Flat Land & Livestock	4/26/07	\$ 33,411	\$ -	\$ -	\$ 33,411	\$ 15,769	\$ 2,116	
TD Farms	4/26/07	\$ 24,189	\$ -	\$ -	\$ 24,189	\$ 11,373	\$ 1,596	
Taylor, Dustin	4/27/07	\$ 8,053	\$ -	\$ -	\$ 8,053	\$ 3,896	\$ 473	
Wildman, Howard	4/25/07	\$ 17,217	\$ -	\$ -	\$ 17,217	\$ 8,853	\$ 1,147	
Weber & Sons	4/25/07	\$ 9,475	\$ -	\$ -	\$ 9,475	\$ 4,447	\$ 633	
Weber Ag	4/26/07	\$ 33,333	\$ -	\$ -	\$ 33,333	\$ 16,856	\$ 2,339	
Weliever, Jearld	4/27/07	\$ 14,795	\$ -	\$ -	\$ 14,795	\$ 6,896	\$ 981	
Allowance against loan pool (non-specific loans)		\$ -	\$ 42,548	\$ -	\$ (42,548)			
Total Beet Grower loans		\$ 405,216	\$ 42,548	\$ -	\$ 362,669	\$ 199,356	\$ 27,160	

WYOMING BUSINESS COUNCIL
FY2015 Dues and Memberships Expenditures
Nine months ended March 31, 2015 - Unaudited

		Current	Previous
		Year to	Year
Vendor Name	Division	Date	Totals
American Society for Training and Development	Administration	\$ -	\$ 229
Corenet Global Inc.	Administration	\$ -	\$ 1,795
EdutainmentLIVE IPro.TV	Administration	\$ -	\$ 285
ISC2-Certified Information Systems Security Professional	Administration	\$ 85	\$ -
CXO Executives Network	Administration	\$ 379	\$ 379
Government Finance Officer Association	Administration	\$ 160	\$ 320
Grant Station	Administration	\$ 249	\$ -
Information System Security Association	Administration	\$ -	\$ 115
International Economic Development Council	Administration	\$ -	\$ 315
Mountain States Employers Council Inc.	Administration	\$ 5,100	\$ 5,000
National Association of Commissions for Women-WCWI	Administration	\$ -	\$ 150
National Council for Public Private Partnerships	Administration	\$ -	\$ 238
Society for Human Resource Management Organization	Administration	\$ 185	\$ 355
The Council for Community and Economic Research	Administration	\$ -	\$ 300
Wyoming Association of Broadcasters	Administration	\$ 125	\$ -
Wyoming Association of Municipalities	Administration	\$ 350	\$ 325
Wyoming Association of Non Profit Organizations	Administration	\$ 300	\$ -
Wyoming Economic Development Association	Administration	\$ 800	\$ 800
Wyoming Taxpayers Association	Administration	\$ 195	\$ 195
Wyoming Press Association	Administration	\$ -	\$ 85
		\$ 7,928	\$ 10,886
CattleFax	Agribusiness	\$ 400	\$ 400
International Organic Inspectors Association	Agribusiness	\$ 160	\$ 160
Livestock Publications Council	Agribusiness	\$ 160	\$ 150
Nebraska Alfalfa Marketing Association	Agribusiness	\$ 75	\$ -
North American Agricultural Marketing Officials	Agribusiness	\$ -	\$ 300
National Association of Rural Rehabilitation Corporations	Agribusiness	\$ -	\$ 150
National Cattlemen's Beef Association	Agribusiness	\$ 100	\$ 100
National Western Stock Show	Agribusiness	\$ -	\$ 850
Samson LLC (previously Ag Info Link)	Agribusiness	\$ 1,000	\$ 1,000
Stockgrowers Association	Agribusiness	\$ 100	\$ -
Western U.S. Agricultural Trade Association	Agribusiness	\$ 2,369	\$ 1,000
Wyoming Cowboy Hall of Fame	Agribusiness	\$ 1,000	\$ -
Wyoming Crop Improvement Association	Agribusiness	\$ 10	\$ 10
Wyoming Economic Development Association	Agribusiness	\$ 85	\$ 85
Wyoming Farmers Market Assoc./Buy Fresh Buy Local	Agribusiness	\$ -	\$ 45
Wyoming Stockgrowers Association	Agribusiness	\$ -	\$ 100
Wyoming Wheat Growers Association	Agribusiness	\$ -	\$ 250
		\$ 5,459	\$ 4,600

American Wind Energy Association	Business & Industry	\$ -	\$ 500
Business Retention and Expansion International	Business & Industry	\$ 100	\$ -
Corenet Global	Business & Industry	\$ 340	\$ 340
Council of Development Finance	Business & Industry	\$ 400	\$ 400
Energy Services Coalition	Business & Industry	\$ 140	\$ 120
Industrial Asset Management Council	Business & Industry	\$ 1,495	\$ 1,495
International Code Council	Business & Industry	\$ 350	\$ 350
International Economic Development Council	Business & Industry	\$ 1,295	\$ 1,095
National Association of State Energy Officials	Business & Industry	\$ -	\$ 3,349
National Rural Economic Developers Association	Business & Industry	\$ 1,250	\$ -
National Shooting Sports Foundation Inc.	Business & Industry	\$ 200	\$ 200
Wyoming Bankers Association	Business & Industry	\$ 300	\$ 300
Wyoming Economic Development Association	Business & Industry	\$ 340	\$ 340
		\$ 6,210	\$ 8,489
Council of State Community Development Agencies	Investment Ready Communities	\$ -	\$ 3,000
International Economic Development Council	Investment Ready Communities	\$ -	\$ 950
Wyoming Association of Housing and Redevelopment	Investment Ready Communities	\$ 75	\$ 75
Wyoming Economic Development Association	Investment Ready Communities	\$ 340	\$ 425
		\$ 415	\$ 4,450
Community Development Society	Rural Development/Main Street	\$ -	\$ 130
Gillette Main Street	Rural Development/Main Street	\$ 350	\$ -
National Main Street Center Inc.	Rural Development/Main Street	\$ 4,100	\$ 5,950
National Trust for Historic Preservation	Rural Development/Main Street	\$ 250	\$ 700
Partnership for Rural America	Rural Development/Main Street	\$ 100	\$ 100
Wyoming Association of Municipalities	Rural Development/Main Street	\$ 350	\$ 325
Wyoming Economic Development Association	Rural Development/Main Street	\$ 375	\$ 375
Wyoming Planning Association	Rural Development/Main Street	\$ 110	\$ -
		\$ 5,635	\$ 7,580
Basin Chamber of Commerce	Regional Offices	\$ 40	\$ -
Casper Area Chamber of Commerce	Regional Offices	\$ -	\$ 220
Casper Area Economic Development Association	Regional Offices	\$ 250	\$ -
Forward Casper-Casper Area Economic Development Association	Regional Offices	\$ -	\$ 250
Cody County Chamber of Commerce	Regional Offices	\$ 150	\$ 150
International Economic Development Council	Regional Offices	\$ 495	\$ 660
Lovell Area Chamber of Commerce	Regional Offices	\$ 85	\$ 85
Meeteetse Visitor Center/Chamber of Commerce	Regional Offices	\$ 30	\$ 30
Niobrara Chamber of Commerce	Regional Offices	\$ -	\$ 94
Powell Economic Partnership Inc.	Regional Offices	\$ 150	\$ 150
Powell Valley Chamber of Commerce	Regional Offices	\$ 150	\$ 150
Platte County Economic Development Corporation	Regional Offices	\$ -	\$ 400
Thermopolis-Hot Springs Chamber of Commerce	Regional Offices	\$ 175	\$ 175
Washakie Development Association	Regional Offices	\$ 100	\$ 100
Worland-Ten Sleep Chamber of Commerce	Regional Offices	\$ 225	\$ 225
Wyoming Economic Development Association	Regional Offices	\$ 680	\$ 680
Wyoming Planning Association	Regional Offices	\$ -	\$ 55
		\$ 2,530	\$ 3,424
Total		\$ 28,177	\$ 39,428



BUSINESS CONTRACT AND LOAN COMMITTEE



LOAN PORTFOLIO AGENDA ITEMS

WBC Board Meeting • May 28, 2015

Administrative:

- Challenge Loan Rules (Action Item)

Reports (Action requested: Approval of Reports):

- Challenge Loan Reporting Requirements
- Challenge Loan Report of Examination
- Small Business Investment Credit Program (SBIC)





BUSINESS COUNCIL

214 W. 15th Street

Cheyenne, WY 82002

Tel: (307) 777-2800 Fax: (307) 777-2838

www.wyomingbusiness.org

Memorandum

To: Wyoming Business Council Board of Directors
From: Ryan Whitehead
Subject: Challenge Loan Rules
Date: May 28, 2015

W.S. 9-12-302 (a). Authorizes rule making authority by the Wyoming Business Council

During the 2015 Legislative session, Senate File 26 passed. The amendments to the existing statute are described as follows:

1. The limit of the “Bridge Loan Participation” program increased from \$500,000 to \$1,000,000. **Page 1-2 and 1-6**
2. The limit of the “Loan Guarantee Participation” program increased from \$1,000,000 to \$2,000,000. **Page 1-2 and 1-6**
3. The statutorily interest rate decreased from 4% to 3%. **Page 1-7, 2-4, 4-3, and page 5-3**

Staff recommends the following additional changes:

1. An increase in the maximum amortization from 20 years to 25 years. Commercial Banks are exhibiting interest in 25 amortizations. This change will help the WBC conform to the policy of commercial lenders. **Page 1-7**
2. Reporting requirements. **Page 1-5**

Staff recommends approval of the draft rules.

STATE OF WYOMING
WYOMING PARTNERSHIP CHALLENGE LOAN PROGRAM
RULES AND REGULATIONS

Prepared by:
WYOMING BUSINESS COUNCIL
214 West 15th Street
Cheyenne, WY 82002

Draft

STATE OF WYOMING
WYOMING PARTNERSHIP CHALLENGE LOAN PROGRAM

Rules and Regulations

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STATE OF WYOMING
WYOMING PARTNERSHIP CHALLENGE LOAN PROGRAM

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STATE OF WYOMING
WYOMING PARTNERSHIP CHALLENGE LOAN PROGRAM

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WYOMING PARTNERSHIP CHALLENGE LOAN PROGRAM

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STATE OF WYOMING
WYOMING PARTNERSHIP CHALLENGE LOAN PROGRAM

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STATE OF WYOMING
WYOMING PARTNERSHIP CHALLENGE LOAN PROGRAM

Rules and Regulations

CHAPTER 1– WYOMING PARTNERSHIP CHALLENGE LOAN PROGRAM

Section 1. Purpose.

a. These rules are adopted in order to implement W.S. 9-12-301 through 9-12-307, which provide for the making of loans to eligible community development organizations, state development organizations, and businesses. The rules provide for a method of application, review and recommendation, the establishment of terms and conditions of loans, and a hearing process;

b. Language in this chapter applies to all chapters 1-5 unless otherwise specified.

Section 2. Authority.

a. Authority for the promulgation of these rules is granted in W.S. 9-12-302.

Section 3. Definitions

a. “Board of Directors” means the Board of Directors of the Council;

b. “Borrower” means the community development organization or a state development organization, which applies for, commits to, and is responsible for repayment of funds provided under this program;

c. “Business” means any existing enterprise which employs people within the state, provides services within the state, uses resources within the state or otherwise adds economic value to goods, services or resources within the state, and includes farm and ranch operations;

d. “Cash or cash equivalent” means liquid assets including savings, checking and money market accounts, CDs, stocks, bonds or cash value life insurance or other similar assets. Equity in real estate holdings and other fixed assets is not to be considered liquid assets;

e. “Community development organization” means a group of private citizens organized as a business entity authorized to do business in this state for the purpose of providing financing for new, existing, or expanding businesses and other economic or community development purposes in Wyoming, and which may take equity positions and shall take security positions in its borrowers’ businesses and appropriate personal guarantees from the owners thereof;

- f. "Council" means the Wyoming Business Council;
- g. "Economic development account" means the economic development enterprise account within the revolving investment fund created under article XVI, section 12 of the Wyoming constitution. The account shall consist of funds from payments as provided in W.S. 9-12-306 and other funds as provided by law;
- h. "Guarantee loan participation" means a provision of financing by the Council in which the Council participates with a bank that has secured a federal guaranteed loan to guarantee repayment of a loan made to a business. The maximum participation by the Council shall be fifty percent (50%) of the loan or ~~one million dollars (\$1,000,000.00)~~ two million dollars (\$2,000,000), whichever is less;
- i. "Servicing agent" means the qualified entity contracted by the Council to service the loans in the portfolio and to provide administrative services for the program;
- j. "State development organization" means a corporation organized under W.S. 17-11-101 through 17-11-120 with the authority to provide financing for new, existing or expanding businesses, and to fulfill other economic or community development purposes throughout the state of Wyoming, and which may take equity positions and shall take security positions in its borrowers' businesses and appropriate personal guarantees from the owners thereof;
- k. "Third-party loan(s)" means loans made by a community development organization or a state development organization to a business, where such loans are funded partially by the Challenge Loan Program;
- l. "Bridge financing" means a provision of financing for that portion of the total project cost which is calculated by subtracting from the total project cost the sum of ownership debt and equity. The Council shall not consider a proposal in which the bridge financing component exceeds thirty-five percent (35%) of the total project cost or ~~Five Hundred Thousand Dollars (\$500,000.00)~~ one million dollars (1,000,000) which ever is less; and the business does not contribute less than fifteen percent (15%) of the total project cost. The financing is intended to be a participation with a commercial lender with the lender and state sharing a proportionate first lien position on all collateral. In the event of a default the lender will restructure, or proceed with the appropriate legal remedy with proceeds received to be shared proportionately with the state;
- m. "Commercial Lender" means commercial institutions that loan money, including banks, credit unions, mutual savings banks, savings and loan associations, stock savings banks, or trust companies;
- n. "Economic Disaster Area" means as defined in W.S. 9-12-301 (a)(v);
- o. "Economic Disaster Loan(s)" means loans made to eligible businesses, up to a maximum of five hundred thousand dollars (\$500,000.00), where such loans are funded by the Challenge Loan Program;

p. “Lost revenues” shall only include actual losses incurred and shall not include any future losses;

q. “Loan guarantee” means a provision of financing by the Council in which the Council guarantees a portion of a bank loan made to a business;

r. “Wyoming main street loan participation” means a provision of financing by the council in which the council participates with a Commercial Lender that has made a loan to a business for building improvements to maintain the structure’s historical character. The maximum participation by the Council shall be seventy-five (75%) of the loan or one hundred thousand dollars (\$100,000), whichever is less;

s. “Renovation: means construction or reconstruction-type work on a building including: façade, roof, exterior wall assembly, foundation, windows, doors, cornice treatment, awnings and canopies; and

t. “Natural gas fueling infrastructure loan” means a loan issued by the Council for the costs of the engineering, design, real property, equipment and labor necessary to install a functioning natural gas filling station to fuel motor vehicles, which operate on natural gas as a transportation fuel.

Section 4. Eligible Applicants.

a. Any community development organization, state development organization, business requesting “bridge financing” as defined under section 3(m), or a business requesting a “guarantee loan participation” as defined under section 3(h) may submit an application to the Council for review and recommendation to the Board of Directors, as defined by legislation. Only complete applications shall be submitted to the Council.

Section 5. Application Process.

a. All applications for loans shall be submitted on the required forms. Applications will be accepted at any time and scheduled for final review and recommendation by the Board of Directors on a first-come, first-served basis.

b. One (1) copy of the application shall be submitted to the Council offices at:

Wyoming Business Council
214 West 15th Street
Cheyenne, WY 82002

c. Every application for a community development or state development organization shall include, unless waived by the Council:

(i) three (3) years of financial statements (of the community development organization or state development organization and business receiving the third party loan), plus current financial statements;

(ii) pro-forma financial projections (income statement, balance sheet, and cash-flow statement) of the community development organization or state development organization, and the recipient of the third-party loan(s) for two (2) years;

(iii) certificate of incorporation of the community development organization or state development organization;

(iv) by-laws of the community development organization or state development organization;

(v) resolution to borrow by the community development organization or state development organization;

(vi) in the case of a community development organization, demonstrate the use of funds will stimulate economic development in the community or county, or in the case of a state development organization, demonstrate the use of funds will stimulate economic or community development throughout the state of Wyoming, and that such funds for financing the Business(es) are not available from the private-sector or in the case of a business(es) a letter of recommendation from the city, county or economic development organization where they are located;

(vii) business plan of the community development organization, state development organization or the ultimate recipient of the third-party loan(s);

(viii) in the case of a community development organization, a resolution of support from the legislative body of its municipality or county, or in the case of a state development organization, a resolution of support from the Council;

(ix) certification by the community development organization or state development organization that all statutory requirements will be met;

(x) certification that the community development organization or state development organization will contribute an amount of cash or cash equivalent at least equal to the amount of the loan it receives, plus documented evidence of the cash or cash equivalent reserves which will be pledged for such matching;

(xi) proposed collateral for the loan shall be at a loan to value of no more than 85%;

(xii) proposed collateral and collateral value;

(xiii) proposed use of loan funds (majority of funds cannot be used to refinance existing debt);

(xiv) proposed personal guarantees; and

(xv) certification that the business will allow an examination of its books and

records as required in W.S. 9-12-306(a).

d. Applications for “bridge financing” and “guarantee loan participations” shall include, unless waived by the Council:

(i) complete copy of the originating lender’s analysis, recommendation and approval;

(ii) three (3) years of financial and tax statements (or in the case of a new business the most recent statements available since start-up), plus detailed and complete current financial statements of the Business and owner(s);

(iii) pro-forma cash flow statement projections, if required by the commercial lender, of the Business for a minimum of two (2) years;

(iv) proposed collateral and collateral value;

(v) proposed use of loan funds (majority of funds cannot be used to refinance existing debt);

(vi) proposed personal guarantees;

(vii) in the case of a “guaranteed loan participation” as defined in section 3(h), certification that the loan will be guaranteed by a federal program;

(viii) certification by the lender and business that all statutory requirements will be met; and

(ix) certification that the business will allow an examination of its books and records as required in W.S. 9-12-306(a) ~~and-~~

(x) certification that the business will report jobs, wages, and capital expenses at the request of the council.

Section 6. Review and Recommendation.

a. Completed applications shall be reviewed by Council staff to determine eligibility, completeness, and credit-worthiness.

b. Applications that are determined by Council staff to be incomplete shall be provided an explanation of the findings in writing within fifteen (15) working days of their receipt where practical.

c. Council staff will formulate a recommendation for complete applications to the Board of Directors utilizing the criteria in W.S. 9-12-303 and 9-12-304;

(i) to include:

A. if the total loan amount to a single community development organization does not exceed five hundred thousand dollars (\$500,000.00) or three million five hundred thousand dollars (\$3,500,000.00) to a state development organization;

B. if the total loan amount to a business applying for “bridge financing” does not exceed 35% of the total project costs or ~~five hundred thousand dollars (\$500,000.00)~~ one million dollars (\$1,000,000) whichever is less or a loan to a business qualifying for a “guarantee loan participation” shall not exceed 50% of the loan or ~~one million dollars (\$1,000,000.00)~~ two million dollars (\$2,000,000), whichever is less;

C. if there are sufficient funds in the economic development enterprise account to fully fund it and all other outstanding commitments and loans;

D. if funds provided by the state are adequately collateralized. The adequacy of the collateral shall be determined by Council staff at no more than 85% loan to value;

E. if the application for the loan or loan commitment is submitted on or after September 1, 1996;

(ii) and will also take into consideration the following additional criteria:

A. if all appropriate legal documents are executed;

B. if the community development organization or state development organization contributes an amount of cash or cash equivalent at least equal to the loan it receives to a program of investment in its local economic development;

C. if the community development organization or state development organization has consolidated the loan it receives and its required contribution and makes Third-party loans to Businesses and investments in support of Wyoming business;

D. if the Board of Directors has taken into consideration that the Third-party loan does not cause unfair competition with existing businesses in the area;

E. if the Board of Directors has taken into consideration that the Third-party loan does not cause unfair competition with existing lenders in the area;

F. if the Board of Directors has taken into consideration the likelihood that the Borrower will be able to make sound underwriting decisions in its provision of the Third-party loans, and the Borrower’s ability to ultimately repay the Challenge Loan; and

G. if the Council’s portion of the loan is less than the Commercial Lender’s.

d. Applicants shall be notified of the time and place of the Board of Directors meeting at which time their application will be evaluated.

e. At the meeting, the Board of Directors shall consider each application, allowing for comments from the applicant and Council staff. The Board of Directors will then approve or deny each application subject to the terms and conditions considered necessary by the Board of Directors. In the event the application is denied the Board of Directors will disclose to the applicant the reason for denial in writing and any remedial steps for the application to be reconsidered.

Section 7. Terms, Conditions, and Repayment.

a. In making loans, the Council shall:

(i) establish an up-front fee and/or a per annum administrative fee of at least one percent (1%) each of the total loan amount; this fee may be reduced or waived upon approval of the Board of Directors for “guarantee loan participations”;

(ii) establish a commitment fee of 0.25% per annum of the amount of the unused commitment; to be assessed at the first anniversary of the loan date;

(iii) establish a commitment period for disbursement of loan proceeds not to exceed two years;

(iv) set an interest rate (minimum ~~4%~~ 3% per annum) after considering:

- A. the dollar-for-dollar match;
- B. the proposed source(s) and use(s) of the funds, and specifically, the percentage of owner’s equity;
- C. other interest rates associated with total project financing;
- D. projected cash flows and business plan of the Borrower as well as the Business;
- E. credit risk of the community development organization or state development organization and the underlying Third-party loans;
- F. current and projected market interest rates; and
- G. collateral and security package.

(v) establish the terms of repayment not to exceed ten (10) years, with an additional ten (10) year renewal upon approval by the Board of Directors of the Council;

(vi) establish an amortization not to exceed twenty ~~(20)~~ (25) years;

(vii) establish that whenever a draw-down of funds is requested by the Borrower, provide to the Council for each Third-Party loan under consideration by the Borrower, a written loan application made by the Borrower and approved by its board, which is a detailed due-diligence analysis on the creditworthiness of the proposed Third-party loan. Such loan application shall at a minimum address and analyze the proposed financings: sources and uses of funds, commercial viability of the business/project, risks and mitigants, rationale for lending (i.e. why the Business can not obtain funding from the private sector and why the public sector should assume the risk), economic development impact, the

collateral package, terms of the security agreement, and terms and conditions of the Third-party loan, etc;

(viii) establish that whenever a draw-down of funds is requested by the Borrower, provide to the Council for each Third-party loan under consideration by the Borrower, unless waived by the Council, the Business' business plan, three (3) years of historical financial statements and current year-to date financial statements; three (3) years of tax statements; and pro-forma financial projections (income statement, balance sheet, and cash-flow statement);

(ix) establish other terms and conditions determined to be necessary by the Board of Directors, such as, that all Third-party loans shall be reviewed by and are subject to the approval of the Council and the terms of the loan documents, prior to the release of funds to the Borrower, as well as other customary and prudent terms and conditions;

(x) require written permission from the Borrower agreeing to allow the Wyoming Department of Audit and an auditor designated by the Board of Directors to examine its books and records, upon request;

(xi) reserve the right to terminate the agreement to ensure funds loaned or committed are invested by the community development organization or state development organization in local economic development within twenty-four (24) months; and

(xii) require all statutory requirements regarding the loan be met.

Section 8. Servicing Agents.

a. The Council may undertake to act either directly or indirectly as the loan-servicing agent, or to contract for that service.

b. The Servicing agent may be responsible for loan packaging, closing, documentation, loan portfolio management, collection and reporting, and other duties as required under the loan servicing agreement.

c. It will remain the responsibility of the Council to monitor the performance of the portfolio through frequent meetings with the Servicing agent.

Section 9. Board of Directors Meeting.

a. The Board of Directors shall meet at the call of the chairman, the secretary or upon request of the majority of its members in accordance with W.S. 16-4-401 through 16-4-407, Public Meetings, and in accordance with W.S. 9-12-103 (d).

b. The Board of Directors shall conduct application reviews at a public meeting with a quorum of the Board of Directors. Board members may be physically present or participate through tele- or video-conference. Loans shall be approved by a majority, affirmative vote

of the members of the Board of Directors voting on the matter. The Board of Directors reserves the right to go into Executive Session should it determine matters to be discussed are proprietary or confidential in nature.

c. The Board of Directors shall reserve the right to vote on requests for changes in loan commitments, internal policy matters, or other similar internal business affairs of the Board of Directors, by tele- or video-conference. Minutes will be kept of the tele- or video-conference discussion and the vote duly recorded and made a part of the minutes.

d. The Board of Directors reserves the right to declare a moratorium upon the acceptance of applications.

Section 10. Reporting and Audit.

a. The Council shall submit to the State Banking Commissioner a portfolio report of all loans as of December 31 no later than January 15. The State Banking Commissioner shall schedule an audit of the loan portfolio report on or before April 1 with a completed audit report presented to the Council on or before May 1.

b. On or before July 15 of each year, the Council shall submit a written report to the Joint Minerals, Business and Economic Development Interim Committee reviewing rules adopted by the Council during the reporting period, presenting a portfolio of loans made under the programs and presenting a risk analysis of the portfolio of loans prepared by the State Banking Commissioner.

STATE OF WYOMING
WYOMING PARTNERSHIP CHALLENGE LOAN PROGRAM

Rules and Regulations

CHAPTER 2– ECONOMIC DISASTER LOANS

Section 1. Purpose.

a. These rules are adopted in order to implement W.S. 9-12-301 through 9-12-307, in order to permit loans to business affected by economic disaster, specifically, W.S. 9-12-301 (a) (i) (v), 9-12-302 (a), 9-12-304 (a) (intro). (b) (i) and (c). The rules provide for a method of application, review and recommendation, the establishment of terms and conditions of loans, and a hearing process.

Section 2. Eligible Applicants.

a. Any business or group of businesses may apply to the Council for designation of an area of the state as an area in which an economic disaster as defined in W.S. 9-12-301 (a) (v) has occurred, through the submission of an application to the Council, as defined by legislation. Only complete applications shall be submitted to the Council.

b. Any business which has been directly impacted in the form of lost revenues, by an economic disaster, as determined by the Council to have occurred in Wyoming, may apply for an Economic Disaster Loan, through the submission of an application to the Council or its Servicing agent, as defined by legislation. Only complete applications shall be submitted to the Council.

Section 3. Application Process for Designation Of An Economic Disaster Area.

a. All applications for declaration of an Economic Disaster Area shall be submitted on the required forms. Complete applications will be accepted at any time and scheduled for final review and approval or denial by the Board of Directors on a first-come, first-served basis.

b. One (1) copy of the application shall be submitted to the Council offices at:

Wyoming Business Council
214 West 15th Street
Cheyenne, Wyoming 82002

c. Every application shall include:

- (i) a detailed description of the economic disaster event which has occurred, which has resulted in lost revenues to directly affected Businesses;
- (ii) documentation which substantiates the lost revenues, the geographic area in which the economic disaster has occurred, and that the event was not within the control of the affected businesses; and
- (iii) certification that all statutory requirements will be met.

Section 4. Application Process For An Economic Disaster Loan.

a. All applications for Economic Disaster Loans shall be submitted on the required forms. Complete applications will be accepted at any time and scheduled for final review and approval or denial by the Board of Directors on a first-come, first-served basis.

b. One (1) copy of the application shall be submitted to the Council offices at:

Wyoming Business Council
214 West 15th Street
Cheyenne, Wyoming 82002

c. Every application shall include, unless waived by the Council, the following at a minimum:

(i) three (3) years of financial and tax statements, plus detailed and complete current financial statements of the Business and the owner(s);

(ii) pro-forma cash-flow statement projections of the Business for a minimum of one (1) year;

(iii) a statement that such funds for the Economic disaster loan are not available from the private-sector at a like term and interest rate;

(iv) a detailed repayment plan of the Borrower;

(v) certification that all statutory requirements will be met; and

(vi) proposed collateral and personal guarantees for the loan.

Section 5. Review and Recommendation.

a. Completed requests for declaration of an Economic Disaster Area shall be reviewed by Council staff to determine eligibility and completeness. The Council may require whatever documentation is necessary to verify the extent of the economic impact, and may use good faith estimates of lost revenues to Businesses in determining whether an event qualifies as an economic disaster.

b. Completed Economic Disaster Loan application shall be reviewed by Council staff to determine eligibility, completeness, and credit-worthiness. Incomplete applications will not be forwarded to the Board of Directors.

c. Applications that are determined by Council staff to be incomplete shall be returned to the applicant with an explanation of the findings in writing within fifteen (15) working days of their receipt where practical.

d. Council staff will formulate a recommendation for complete applications to the Board of Directors. The Board of Directors will take into account the statutory requirements and the criteria in W.S. 9-12-303 and 9-12-304,

(i) to include:

A. if the total loan amount to a single eligible Business does not exceed five hundred thousand dollars (\$500,000.00);

B. if there are sufficient funds in the economic development enterprise account to fully fund it and all other outstanding commitments and loans;

C. if funds provided by the state are adequately collateralized. The adequacy of the collateral shall be determined by the Board of Directors;

D. if the application for the loan or loan commitment is submitted on or after September 1, 1996;

(ii) and will also take into consideration the following additional criteria:

A. if all appropriate legal documents are executed;

B. if the Board of Directors has taken into consideration that the loan does not cause unfair competition with existing Businesses in the area;

C. if the Board of Directors has taken into consideration that the loan does not cause unfair competition with existing lenders in the area; and

D. if the Board of Directors has taken into consideration the likelihood that the Borrower has the ability to ultimately repay the loan per the terms and conditions of the loan agreement.

e. Applicants shall be notified of the time and place of the Board of Directors meeting at which time their application will be evaluated.

f. At the meeting, the Board of Directors shall consider each application, allowing for comments from the applicant. The Board of Directors will then approve or deny each application subject to the terms and conditions considered necessary by the Board of

Directors. In the event the application is denied, the Board of Directors will disclose to the applicant the reasons and any remedial steps, if any, for the application to be reconsidered.

Section 6. Terms, Conditions, and Repayment.

a. In making loans, the Board of Directors shall:

(i) establish for recovery of filing fees and other administrative fees at cost, which are required for the perfection of security interests;

(ii) set an interest rate (minimum ~~4%~~ 3% per annum) after considering:

A. the availability, likelihood of receipt, and the pledging of potential federal grants and/or loans, and insurance and legal proceeding proceeds, if any, for the immediate repayment of the Economic Disaster Loan, to the extent proceeds are available;

B. the extent of the Borrower's financial assets which could be used to meet its financial needs.

C. the extent of the verified uninsured economic disaster loss and the financial needs of the potential Borrower;

D. the proposed use of funds;

E. other interest rates associated with Borrowers existing indebtedness;

F. projected cash flows and repayment plan of the Borrower;

G. credit risk of the Borrower;

H. current and projected market interest rates;

I. collateral and security package;

J. personal guarantee(s) with a blanket lien;

K. whether the event was beyond the control of the Business or the result of poor management decisions and planning; and

L. the availability of a non-judicial foreclosure agreement with the Borrower's existing lenders.

(iii) establish the terms of repayment, not to exceed ten (10) years;

(iv) establish other terms and conditions determined to be necessary by the Board of Directors, as well as other customary and prudent terms and conditions, negative and affirmative covenants, cross-default, conditions precedent, security agreements, etc.;

(v) require written permission from the Borrower agreeing to allow the Department of Audit and an auditor designated by the Board of Directors to examine its books and records, upon request; and

(vi) require all statutory requirements regarding the loan be met.

STATE OF WYOMING
WYOMING PARTNERSHIP CHALLENGE LOAN PROGRAM
Rules and Regulations

CHAPTER 3 – LOAN GUARANTEE PROGRAM

Section 1. Purpose.

a. These rules are adopted in order to implement W.S. 9-12-301 through 9-12-307, which provide for the issuance of loan guarantees, specifically, W.S. 9-12-301 (a) (i) (vii), 9-12-302 (a), 9-12-304 (a) (intro) (b), (b)(i) (f) and (f)(i) . The rules provide for a method of application, review and recommendation, the establishment of terms and conditions of loan guarantees, and a hearing process.

Section 2. Eligible Applicants.

a. Any business requesting a loan guarantee as defined in section 3(g) may submit an application to the Council for review and recommendation to the Board of Directors, as defined by legislation. Only complete applications shall be submitted to the Council.

Section 3. Application Process.

a. All applications for a Loan Guarantee shall be submitted on the required forms. Complete applications will be accepted at any time and scheduled for final review and approval or denial by the Board of Directors on a first-come, first-served basis.

b. One (1) copy of the application shall be submitted to the Council offices at:

Wyoming Business Council
214 West 15th Street
Cheyenne, Wyoming 82002

c. Every application shall include, unless waived by the Council, the following at a minimum:

(i) complete copy of the originating Commercial Lender's analysis, recommendation and approval;

(ii) three (3) years of financial and tax statements (or in the case of a new business the most recent statements available since start-up), plus detailed and complete current financial statements of the Business and owner(s);

(iii) pro-forma cash flow statement projections of the Business for a minimum of three

(3) years;

(iv) proposed collateral and collateral value;

(v) proposed use of loan funds (majority of funds cannot be used to refinance existing debt);

(vi) proposed personal guarantees;

(vii) certification by the originating lender that this "Loan Guarantee" is a greater benefit to the business than a traditional "Federal Guaranteed Loan" or the "Loan Guarantee Participation" as outlined in Chapter 1 of these rules;

(viii) certification by the lender and business that all statutory requirements will be met;

(ix) certification that the business will allow an examination of its books and records as required in W.S. 9-12-306(a).

Section 4. Review and Recommendation.

a. Completed applications shall be reviewed by Council staff to determine eligibility, completeness, and credit-worthiness.

b. Applications that are determined by Council staff to be incomplete shall be provided an explanation of the findings in writing within fifteen (15) working days of their receipt where practical.

c. Council staff will formulate a recommendation for complete applications to the Board of Directors utilizing the criteria in W.S. 9-12-303 and 9-12-304.

(i) to include:

A. if the total guarantee shall not exceed one hundred thousand dollars (\$100,000.00) per loan guaranteed or eighty percent (80%) of any net loan loss by the bank, whichever is less;

B. if there are sufficient funds in the economic development enterprise account to fully fund it and all other outstanding commitments and loans;

C. if the loan guarantee provided by the state is adequately collateralized by the originating bank and further secured by the personal guarantee of the owners of the business. The adequacy of the collateral and personal guarantees shall be determined by the Council staff;

D. if there is no more than one (1) guarantee issued and outstanding per business at any time;

(ii) and will also take into consideration the following additional criteria:

A. if all appropriate legal documents are executed;

B. if the Board of Directors has taken into consideration that the loan guarantee does not cause unfair competition with existing businesses in the area;

C. if the Board of Directors has taken into consideration that the loan guarantee does not cause unfair competition with existing lenders in the area; and

D. Applicants shall be notified of the time and place of the Board of Directors meeting at which time their application will be evaluated.

E. At the meeting, the Board of Directors shall consider each application, allowing for comments from the applicant and Council staff. The Board of Directors will then approve or deny each application subject to the terms and conditions considered necessary by the Board of Directors. In the event the application is denied the Board of Directors will disclose to the applicant the reason for denial in writing and any remedial steps for the application to be reconsidered.

Section 5. Terms and Conditions.

a. In issuing guarantees, the Council shall:

(i) establish an up-front fee of at least one percent (1%) of the total loan amount;

(ii) establish that the maximum amount of each guarantee shall not exceed one hundred thousand dollars (\$100,000.00) per loan guaranteed or eighty percent (80%) of any net loan loss by the bank, whichever is less;

(iii) establish the terms of the guarantee shall not to exceed ten (10) years;

(iv) establish that whenever a guarantee is requested by the Business, provide to the Council for each loan guarantee under consideration, a written loan application made by the Business and approved by the originating bank, which is a detailed due-diligence analysis on the creditworthiness of the proposed loan. Such loan application shall at a minimum address and analyze the proposed financings: sources and uses of funds, commercial viability of the business/project, risks and mitigants, rationale for lending (i.e. why the Business can not obtain a traditional Federal Guarantee and/or why the State of Wyoming Guarantee provides a greater benefit to the Business), economic development impact, the collateral package, terms of the security agreement, and terms and conditions of the guarantee, etc;

(v) establish that whenever a guarantee is requested by the Business, provide to the Council for each Guarantee under consideration by the Business, the Business' business plan, three (3) years of historical financial statements and current year-to date financial statements; three (3) years of tax statements (or in the case of a new business the most

recent statements since start-up); and pro-forma financial projections (income statement, balance sheet, and cash-flow statement), for;

(vi) establish other terms and conditions determined to be necessary by the Board of Directors, such as, that all loan guarantees shall be reviewed by and are subject to the approval of the Board of Directors and the terms of the loan documents, prior to the release of funds to the Borrower, as well as other customary and prudent terms and conditions;

(vii) require written permission from the Business agreeing to allow the Department of Audit and an auditor designated by the Board of Directors to examine its books and records, upon request;

(viii) require all statutory requirements regarding the guarantee be met;

(ix) establish that in the event of default by a Business, on a loan made by a bank, guaranteed by the provisions of these rules the following shall be met before payment may be requested under provisions of the guarantee;

A. written notification shall be given to the Council, by the originating bank, that a guaranteed loan is in default and that the bank intends to begin liquidation;

B. complete liquidation of all collateral securing the loan;

C. complete recovery against any personal guarantees;

D. a summary of liquidation and general ledger of the note documenting net loan loss may be submitted to the Council requesting payment under the guarantee;

E. calculation of net loan loss is principal less recovery from liquidation of collateral, personal guarantees and accrued interest not to exceed sixty (60) days, recovery of attorney fees and other legal costs are not allowed to be included in the net loan loss;

F. notwithstanding the maximum guaranteed payment of one hundred thousand dollars (\$100,000.00) or eighty percent (80%) of any net loan loss, whichever is less, shall be approved by the Board of Directors.

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STATE OF WYOMING
WYOMING PARTNERSHIP CHALLENGE LOAN PROGRAM
Rules and Regulations

CHAPTER 4 – WYOMING MAIN STREET LOAN PARTICIPATION

Section 1. Purpose.

a. These rules are adopted in order to implement W.S. 9-12-301 through 9-12-307, which provide for the making of loans to eligible community development organizations, state development organizations, and businesses. The rules provide for a method of application, review and recommendation, the establishment of terms and conditions of loans, and a hearing process.

Section 2. Eligible Applicants.

a. Any commercial lender requesting “Wyoming main street loan participation” as defined under section 3(h) may submit an application to the Council for review and recommendation to the Board of Directors, as defined by legislation. Only complete applications shall be submitted to the Council.

Section 3. Application Process.

a. All applications for loans shall be submitted on the required forms. Applications will be accepted at any time and scheduled for final review and recommendation by the Board of Directors on a first-come, first-served basis.

b. One (1) copy of the application shall be submitted to the Council offices at:

Wyoming Business Council
214 West 15th Street
Cheyenne, WY 82002

c. Applications for “Wyoming main street loan participation” shall include, unless waived by the Council:

(i) complete copy of the originating lender’s analysis, recommendation and approval;

(ii) three (3) years of financial and tax statements (or in the case of a new business the most recent statements available since start-up), plus detailed and complete current financial statements of the Business and owner(s);

- (iii) pro-forma cash flow statement projections, if required by the commercial lender, of the Business for a minimum of two (2) years;
- (iv) proposed collateral and collateral value;
- (v) proposed use of loan funds (majority of funds cannot be used to refinance existing debt);
- (vi) proposed personal guarantees;
- (vii) architect/engineer design of renovation or a statement of intended use of funds to begin design process;
- (viii) certification by the lender and business that all statutory requirements will be met; and
- (ix) certification that the business will allow an examination of its books and records as required in W.S. 9-12-306(a).

Section 4. Review and Recommendation.

- a. Completed applications shall be reviewed by Council staff to determine eligibility, completeness, and credit-worthiness.
- b. Applications that are determined by Council staff to be incomplete shall be provided an explanation of the findings in writing within fifteen (15) working days of their receipt where practical.
- c. Council staff will formulate a recommendation for complete applications to the Board of Directors utilizing the criteria in W.S. 9-12-303 and 9-12-304;
 - (i) to include:
 - A. if the total loan amount to a commercial lender applying for “Wyoming main street loan participation” does not exceed 75% of the total loan amount or one hundred thousand dollars (\$100,000.00) whichever is less;
 - B. if there are sufficient funds in the economic development enterprise account to fully fund it and all other outstanding commitments and loans; and
 - C. if funds provided by the state are adequately collateralized. The adequacy of the collateral shall be determined by the Council staff at no more than 85% loan to value;
 - (ii) and will also take into consideration the following additional criteria:
 - A. if all appropriate legal documents are executed;

B. if the Board of Directors has taken into consideration that the Third-party loan does not cause unfair competition with existing businesses in the area;

C. if the Board of Directors has taken into consideration that the Third-party loan does not cause unfair competition with existing lenders in the area; and

D. Applicants shall be notified of the time and place of the Board of Directors meeting at which time their application will be evaluated.

E. At the meeting, the Board of Directors shall consider each application, allowing for comments from the applicant and Council staff. The Board of Directors will then approve or deny each application subject to the terms and conditions considered necessary by the Board of Directors. In the event the application is denied the Board of Directors will disclose to the applicant the reason for denial in writing and any remedial steps for the application to be reconsidered.

Section 5. Terms, Conditions, and Repayment.

a. In making loans, the Council shall:

(i) establish an up-front fee and/or a per annum administrative fee of at least one percent (1%) each of the total loan amount;

(ii) establish a commitment fee of 0.25% per annum of the amount of the unused commitment; to be assessed at the first anniversary of the loan date;

(iii) establish a commitment period for disbursement of loan proceeds not to exceed two years;

(iv) set an interest rate (minimum ~~4%~~ 3% per annum) after considering:

A. the dollar-for-dollar match;

B. the proposed source(s) and use(s) of the funds, and specifically, the percentage of owner's equity;

C. other interest rates associated with total project financing;

D. projected cash flows and business plan of the Borrower as well as the Business;

E. credit risk of the community development organization or state development organization and the underlying Third-party loans;

F. current and projected market interest rates; and

G. collateral and security package.

(v) establish the terms of repayment not to exceed twenty (20) years;

(vi) require written permission from the Borrower agreeing to allow the Wyoming Department of Audit and an auditor designated by the Board of Directors to examine its books and records, upon request;

(vii) reserve the right to terminate the agreement to ensure funds loaned or committed are invested within twenty-four (24) months: and;

(viii) require all statutory requirements regarding the loan be met.

STATE OF WYOMING
WYOMING PARTNERSHIP CHALLENGE LOAN PROGRAM

Rules and Regulations

CHAPTER 5– NATURAL GAS FUELING INFRASTRUCTURE LOANS

Section 1. Purpose.

a. These rules are adopted in order to implement W.S. 9-12-301 through 9-12-307, in order to permit loans to any business that may apply to the council for a natural gas fueling infrastructure loan as defined in W.S. 9-12-301 (a)(x). The rules provide for a method of application, review and recommendation, the establishment of terms and conditions of loans, and a hearing process.

Section 2. Eligible Applicants.

a. Any business may apply to the council for a natural gas fueling infrastructure loan as defined in W.W. 9-12-301 (a)(x).

Section 3. Application Process For A Natural Gas Fueling Infrastructure Loan.

a. All applications for natural gas fueling infrastructure loans shall be submitted on the required forms. Complete applications will be accepted at any time and scheduled for final review and approval or denial by the Board of Directors on a first-come, first-served basis.

b. One (1) copy of the application shall be submitted to the Council offices at:

Wyoming Business Council
214 West 15th Street
Cheyenne, Wyoming 82002

c. Every application shall include, unless waived by the Council, the following at a minimum:

(i) three (3) years of financial and tax statements (or in the case of a new business the most recent statements available since start-up), plus detailed and complete current financial statements of the business and owner(s);

(ii) pro-forma cash-flow statement projections of the Business for a minimum of five (5) years;

(iii) proposed collateral value;

(iv) proposed personal and corporate guarantees of the business;

(v) proposed use of loan funds (funds must be used for the costs of the engineering, design, real property, equipment and labor necessary to install a functioning natural gas fueling station;

(vi) certification that all statutory requirements will be met;

(vii) certification that the business will allow an examination of its books and records as required in W.S. 9-12-306(a).

Section 4. Review and Recommendation.

a. Completed applications shall be reviewed by Council staff to determine eligibility, completeness, and credit-worthiness.

b. Applications that are determined by Council staff to be incomplete shall be provided an explanation of the findings in writing within (15) working days of their receipt where practical;

c. Applications that are determined by Council staff to be incomplete shall be returned to the applicant with an explanation of the findings in writing within fifteen (15) working days of their receipt where practical;

d. Council staff will formulate a recommendation for complete applications to the Board of Directors. The Board of Directors will take into account the statutory requirements and the criteria in W.S. 9-12-303 and 9-12-304;

(i) to include:

A. if the amount to a business for a “natural gas fueling infrastructure loan” does not exceed 75% of the total costs of land building and equipment or one million dollars (\$1,000,000), whichever is less;

B. if the total amount of all “natural gas fueling infrastructure loans” issued do not exceed five million dollars (\$5,000,000);

C. if there are sufficient funds in the economic development enterprise account to fully fund it and all other outstanding commitments and loans;

D. if funds provided by the state are adequately collateralized. The adequacy of the collateral shall be determined by the Council;

(ii) and will also take into consideration the following additional criteria:

A. if all appropriate legal documents are executed;

B. if the Board of Directors has taken into consideration that the loan does not cause unfair competition with existing Businesses in the area;

C if the Board of Directors has taken into consideration that the loan does not cause unfair competition with existing lenders in the area; and

D. if the Board of Directors has taken into consideration the likelihood that the Borrower has the ability to ultimately repay the loan per the terms and conditions of the loan agreement.

e. In evaluating applications for natural gas fueling infrastructure loan(s), the council shall consider whether:

(i) the geographic area in which the proposed natural gas fueling infrastructure will be located is currently served by existing natural gas fueling infrastructure; and

(ii) the location of the proposed natural gas fueling infrastructure has a significant number of government or private fleet vehicles with the potential to convert to natural gas.

f. Applicants shall be notified of the time and place of the Board of Directors meeting at which time their application will be evaluated.

g. At the meeting, the Board of Directors shall consider each application, allowing for comments from the applicant. The Board of Directors will then approve or deny each application subject to the terms and conditions considered necessary by the Board of Directors. In the event the application is denied, the Board of Directors will disclose to the applicant the reasons and any remedial steps, if any, for the application to be reconsidered.

Section 5. Terms, Conditions, and Repayment.

a. In making loans, the Board of Directors shall:

(i) establish a loan administration fee of at least one percent (1%) of the total loan amount;

(ii) establish for recovery of filing fees and other administrative fees at cost, which are required for the perfection of security interests, at cost;

(iii) set an interest rate at a minimum ~~4%~~ 3% per annum after considering:

A. the extent of the Borrower's financial assets which could be used to meet its financial needs;

B. the proposed source(s) and use(s) of the funds, and specifically, the percentage of owner's equity;

- C. other interest rates associated with Borrower's existing indebtedness;
- D. projected cash flows and repayment plan of the Borrower;
- E. credit risk of the Borrower;
- F. current and projected market interest rates;
- G. collateral and security package;
- H. personal and business guarantee(s)

(iv) establish terms of repayment not to exceed ten (10) years, with an additional ten (10) year renewal upon approval by the Board of Directors of the Council;

(v) establish an amortization not to exceed twenty (20) years.

(vi) establish the terms of repayment for a "natural gas fueling infrastructure loan" of no interest or principal payments shall be due for the first two (2) years of the term loan. All deferred interest during the first two (2) years of the loan term shall accrue to the principal balance;

(vii) establish other terms and conditions determined to be necessary by the Board of Directors, as well as other customary and prudent terms and conditions, negative and affirmative covenants, cross-default, conditions precedent, security agreements, etc.;

(viii) require written permission from the Borrower agreeing to allow the Department of Audit and an auditor designated by the Board of Directors to examine its books and records, upon request; and

(ix) require all statutory requirements regarding the loan be met.





Memorandum

To: Wyoming Business Council Board of Directors
From: Ryan Whitehead
Subject: Challenge Loan Reporting Requirements
Date: May 28, 2015

1. **Past Due Report.** Challenge Loan Policy requires quarterly reporting of all loans 30 days or more past due.
 - There are no loans past due during the quarter ending March 31, 2015.
2. **Loan Loss Reserve Analysis.** Challenge Loan Policy requires a review of all loans that are delinquent (over 30 days past due) and a specific reserve will be allocated if the review warrants. There will be an additional unallocated reserve of one-half of one percent of the total portfolio balance.
 - As of March 31, 2015 no loans were 30 days or more past due.
 - Council staff recommends a reserve allocation of 10% for the combined balance of the Economic Emergency Loans (Seed Grower, Bean Grower and Beet Grower Loans). The current balance in that reserve is 10% or \$40,522.
 - The unallocated reserve is more than adequate with a balance of \$107,492 while policy requires a minimum of \$42,429.
 - There are no identified credits that are not past due but could present collection problems in the future.
3. **Charge off balances.**
 - None to report.

Staff Recommendation: Staff recommends acceptance of this report.





BUSINESS COUNCIL
214 W. 15th Street
Cheyenne, WY 82002
Tel: (307) 777-2800 Fax: (307) 777-2838
www.wyomingbusiness.org

Memorandum

To: Joint Minerals, Business and Economic Development Interim Committee
From: Shawn Reese, CEO
Subject: Challenge Loan Report
Date: May 28, 2015

W.S. 9-12-306. Audit; report

(b) On or before July 15 of each year, the council shall submit a written report to the Joint Minerals, Business and Economic Development Interim Committee reviewing rules adopted by the council during the reporting period, presenting a portfolio of the loans made under the program and presenting a risk analysis of the portfolio of loans prepared by the state banking commissioner. The report, portfolio of loans and risk analysis required under this subsection shall be public record. The risk analysis prepared by the state banking commissioner shall not be subject to the limitations of W.S. 9-1-512.

Exhibit A – Rules adopted by the council during the reporting period

- No new rules were promulgated during the reporting period

Exhibit B – Portfolio of loans in the program as of 12-31-14

- New loan(s) during reporting period
 - Star Valley Natural Gas, LLC - \$225,000

Exhibit C – Report of Examination by the State of Wyoming, Department of Audit
Division of Banking

- The WBC is administrating the loans it has funded under the Program in a satisfactory manner.

Exhibit D – Wyoming Business Council Loan Report of Examination Summary and
Management Corrective Actions

- The Challenge Loan Program has made or participated in 168 loans since 1998
- Total loans have been \$49,523,605 with the State's portion being \$17,174,961
- Interest collected over last 15 fiscal years (2000- 2014) totals \$3,813,627
- Estimated jobs created or retained of 621

Exhibit E – Cumulative Loan Loss & History of Challenge Loan Portfolio

- 10 loans totaling \$311,185 have been charged off (1.79% loan loss)

Exhibit “A”

Rules adopted by the Council during the reporting period

Exhibit A of the Challenge Loan Report to the Joint Minerals, Business and Economic Development Interim Committee (current rules) is not included in these materials.

Refer to rules as previously presented in the agenda.

Exhibit “B”

Portfolio of loans made under the program as of 12-31-14

Wyoming Business Council
Loan Servicing Report
December 31, 2014

Loan			Lead		Int	Orig	Amount	Next Pymt	Pymt	Original	Current	Principal	Interest	Total	Date Last	Interest
<u>Loan #</u>	<u>Proj #</u>	<u>Program</u>	<u>Lender</u>	<u>Borrower</u>	<u>Rate</u>	<u>Date</u>	<u>Due</u>	<u>Date</u>	<u>Freq</u>	<u>Balance</u>	<u>Balance</u>	<u>Pymt</u>	<u>Pymt</u>	<u>Payment</u>	<u>Payment</u>	<u>To Date</u>
100001	201	CHALLENGE	WBC	ASCENT 2000	4.00%	12/19/2006	\$308.67	1/10/2015	M	\$96,000.00	\$24,867.31	\$226.17	\$72.19	\$298.36	12/15/2014	12/15/2014
Totals										\$96,000.00	\$24,867.31	\$226.17	\$72.19	\$298.36		
200017	202	BRIDGE	FBW	GLUTEN FREE OATS LLC	4.50%	12/2/2009	\$1,350.00	1/5/2015	M	\$174,000.00	\$125,405.76	\$840.24	\$491.08	\$1,331.32	12/5/2014	12/3/2014
200018	202	BRIDGE	PVB	BH INC	4.50%	9/28/2007	\$1,125.00	10/1/2014	M	\$100,000.00	\$0.00	\$0.00	\$0.00	\$0.00	9/2/2014	9/2/2014
200029	202	BRIDGE	RNB	L & L VENTURES LLC	4.50%	7/23/2013	\$500.00	12/30/2015	M	\$103,831.37	\$96,898.76	\$486.29	\$281.32	\$767.61	11/26/2014	11/26/2014
200030	202	BRIDGE	CNB	COWBOY INN LLC	4.50%	8/22/2013	\$1,300.00	1/14/2015	M	\$209,925.49	\$178,411.37	\$2,104.67	\$1,183.39	\$3,288.06	12/12/2014	12/12/2014
Totals										\$587,756.86	\$400,715.89	\$3,431.20	\$1,955.79	\$5,386.99		
300001	203	GUARANTEE	SEC 1ST	TRIPHYTO LLC AND OTHERS	4.25%	6/12/2006	\$400.00	1/20/2015	M	\$55,694.54	\$36,480.03	\$287.12	\$122.55	\$409.67	12/22/2014	12/20/2014
Totals										\$55,694.54	\$36,480.03	\$287.12	\$122.55	\$409.67		
400100	210	BEET	WBC	ADOBE BUTTE RANCH LLC	4.50%	4/25/2007	\$2,568.52	12/1/2015	A	\$18,670.00	\$4,789.30	\$0.00	\$0.00	\$0.00	11/20/2014	11/20/2014
400101	210	BEET	WBC	MICHAEL T BERTHOD	4.50%	4/27/2007	\$2,722.33	12/1/2015	A	\$19,788.08	\$5,048.07	\$2,385.09	\$299.77	\$2,684.86	11/28/2014	11/28/2014
400102	210	BEET	WBC	BIG HORN LAND & LIVESTOCK	4.50%	4/26/2007	\$1,222.24	12/1/2015	A	\$8,884.23	\$2,285.83	\$1,062.09	\$142.36	\$1,204.45	12/15/2014	12/15/2014
400103	210	BEET	WBC	DENNIS E CHRISTENSEN	4.50%	4/27/2007	\$3,642.28	12/1/2015	A	\$26,475.00	\$6,804.22	\$3,181.83	\$409.29	\$3,591.12	12/1/2014	12/1/2014
400104	210	BEET	WBC	CLARK ENTERPRISES INC	4.50%	4/25/2007	\$7,291.45	12/1/2016	A	\$53,000.00	\$3,411.88	\$0.00	\$0.00	\$0.00	11/21/2014	11/21/2014
400105	210	BEET	WBC	LLOYD,JR &TERRY CRAFT	4.50%	4/26/2007	\$2,719.18	12/1/2015	A	\$19,765.17	\$5,059.50	\$0.00	\$0.00	\$0.00	11/20/2014	11/20/2014
400106	210	BEET	WBC	DELLOS FARMS INC	4.50%	4/26/2007	\$4,142.11	12/1/2015	A	\$30,108.16	\$7,757.16	\$3,631.04	\$454.29	\$4,085.33	12/3/2014	12/3/2014
400107	210	BEET	WBC	EDWARDS RANCH INC	4.50%	4/25/2007	\$7,550.47	12/1/2015	A	\$54,882.78	\$14,130.79	\$6,602.15	\$842.95	\$7,445.10	11/28/2014	11/28/2014
400108	210	BEET	WBC	EUGENE MILLER AND SONS	4.50%	4/26/2007	\$9,630.21	12/1/2015	A	\$70,000.00	\$17,390.40	\$8,466.64	\$1,034.28	\$9,500.92	12/2/2014	12/2/2014
400109	210	BEET	WBC	NICK E GEIS II	4.50%	4/25/2007	\$7,429.02	12/1/2015	A	\$54,000.00	\$13,942.66	\$6,525.61	\$803.03	\$7,328.64	12/3/2014	12/3/2014
400110	210	BEET	WBC	HAUN FARMS INC	4.50%	4/26/2007	\$2,983.30	12/1/2015	A	\$21,685.00	\$5,578.04	\$2,596.31	\$343.99	\$2,940.30	12/3/2014	12/3/2014
400111	210	BEET	WBC	JAMES W JENNINGS	4.50%	4/27/2007	\$1,437.65	12/1/2015	A	\$10,450.00	\$1,178.06	\$1,393.19	\$103.41	\$1,496.60	12/1/2014	12/1/2014
400112	210	BEET	WBC	JORDAN FARMS INC	4.50%	4/26/2007	\$8,103.14	12/1/2015	A	\$58,900.00	\$14,772.23	\$7,081.98	\$907.70	\$7,989.68	12/11/2014	12/11/2014
400113	210	BEET	WBC	KELLER FARMS INC	4.50%	4/26/2007	\$5,908.09	12/1/2015	A	\$42,944.65	\$10,686.83	\$5,176.63	\$650.18	\$5,826.81	12/1/2014	12/1/2014
400114	210	BEET	WBC	KEVEN KELLER FARMS	4.50%	4/25/2007	\$6,781.49	12/1/2014	A	\$49,293.20	\$18,676.37	\$0.00	\$0.00	\$0.00	12/16/2013	12/16/2013
400117	210	BEET	WBC	LOUIS WEBER AND SONS	4.50%	4/25/2007	\$5,080.44	12/1/2015	A	\$36,928.68	\$9,474.55	\$0.00	\$0.00	\$0.00	11/26/2014	11/26/2014
400118	210	BEET	WBC	MENDEZ BROTHERS	4.50%	4/25/2007	\$6,576.18	12/1/2015	A	\$47,800.84	\$12,283.11	\$5,738.54	\$744.57	\$6,483.11	12/1/2014	12/1/2014

Loan			Lead		Int	Orig	Amount	Next Pymt	Pymt	Original	Current	Principal	Interest	Total	Date Last	Interest
Loan #	Proj #	Program	Lender	Borrower	Rate	Date	Due	Date	Freq	Balance	Balance	Pymt	Pymt	Payment	Payment	To Date
400119	210	BEET	WBC	MICHAEL VIGIL FARMS INC	4.50%	4/25/2007	\$4,614.25	12/1/2015	A	\$33,540.00	\$8,603.80	\$0.00	\$0.00	\$0.00	11/20/2014	11/20/2014
400120	210	BEET	WBC	MIKE ONDO	4.50%	4/26/2007	\$3,048.38	12/1/2015	A	\$22,158.04	\$5,703.77	\$2,672.48	\$334.13	\$3,006.61	11/28/2014	11/28/2014
400121	210	BEET	WBC	PALESK FARMS INC	4.50%	4/26/2007	\$16,493.75	12/1/2015	A	\$119,889.63	\$30,768.62	\$0.00	\$0.00	\$0.00	11/24/2014	11/24/2014
400122	210	BEET	WBC	DANIEL J PINCE	4.50%	4/27/2007	\$10,258.45	12/1/2015	A	\$74,566.54	\$19,213.77	\$8,995.97	\$1,122.20	\$10,118.17	12/3/2014	12/3/2014
400124	210	BEET	WBC	PROPP FARMS	4.50%	4/25/2007	\$4,264.81	12/1/2015	A	\$31,000.00	\$7,940.12	\$0.00	\$0.00	\$0.00	11/21/2014	11/21/2014
400125	210	BEET	WBC	SAGE CREEK LAND & CATTLE	4.50%	4/25/2007	\$8,254.47	12/1/2015	A	\$60,000.00	\$15,339.76	\$7,257.11	\$886.54	\$8,143.65	11/28/2014	11/28/2014
400126	210	BEET	WBC	SAGE CREEK LAND & CATTLE	4.50%	4/25/2007	\$7,429.02	12/1/2015	A	\$54,000.00	\$13,480.51	\$6,545.15	\$785.66	\$7,330.81	11/28/2014	11/28/2014
400127	210	BEET	WBC	SOUTH FLAT LAND &	4.50%	4/26/2007	\$17,884.68	12/1/2015	A	\$130,000.00	\$33,410.88	\$0.00	\$0.00	\$0.00	11/24/2014	11/24/2014
400128	210	BEET	WBC	DUSTIN L TAYLOR	4.50%	4/27/2007	\$4,369.18	12/1/2014	A	\$31,758.68	\$11,948.90	\$0.00	\$0.00	\$0.00	2/18/2014	2/18/2014
400129	210	BEET	WBC	TD FARMS INC	4.50%	4/26/2007	\$12,968.69	12/1/2015	A	\$94,266.70	\$24,188.92	\$0.00	\$0.00	\$0.00	11/24/2014	11/24/2014
400130	210	BEET	WBC	WEBER AG LLC	4.50%	4/26/2007	\$19,195.21	12/1/2015	A	\$139,525.93	\$33,332.92	\$16,856.26	\$2,079.07	\$18,935.33	12/10/2014	12/10/2014
400131	210	BEET	WBC	JEARLD W WELIEVER	4.50%	4/27/2007	\$7,877.28	12/1/2015	A	\$57,258.27	\$14,794.69	\$6,895.86	\$872.38	\$7,768.24	12/1/2014	12/1/2014
400132	210	BEET	WBC	HOWARD WILDMAN	4.50%	4/25/2007	\$9,630.21	12/1/2015	A	\$70,000.00	\$17,216.66	\$0.00	\$0.00	\$0.00	11/26/2014	11/26/2014
400133	210	BEET	WBC	LUCAS FOSS	4.50%	8/2/2007	\$3,164.21	12/1/2015	A	\$23,000.00	\$5,963.80	\$2,752.63	\$365.85	\$3,118.48	12/17/2014	12/17/2014
400134	210	BEET	WBC	JERRY FOSS	4.50%	8/2/2007	\$1,688.42	12/1/2015	A	\$12,272.77	\$3,174.44	\$1,475.72	\$189.07	\$1,664.79	12/5/2014	12/5/2014
400135	210	BEET	WBC	KENT A CHRISTENSEN	4.50%	8/3/2007	\$2,693.12	12/1/2015	A	\$19,575.74	\$5,006.54	\$2,358.95	\$297.04	\$2,655.99	11/28/2014	11/28/2014
400136	210	BEET	WBC	DANNY J MADDEN	4.50%	8/2/2007	\$6,451.83	12/1/2015	A	\$46,897.00	\$11,643.67	\$0.00	\$0.00	\$0.00	11/19/2014	11/19/2014
Totals										\$1,643,285.09	\$415,000.77	\$109,651.23	\$13,667.76	\$123,318.99		
500001	205	BEAN	WBC	CH&M ENTERPRISES INC	4.50%	12/14/2005	\$6,655.93	12/15/2015	A	\$48,600.00	\$0.00	\$6,361.06	\$262.11	\$6,623.17	12/9/2014	12/15/2014
500002	205	BEAN	WBC	JACK FOOS	4.50%	12/2/2005	\$3,159.90	12/15/2015	A	\$23,424.35	\$0.00	\$3,014.58	\$129.17	\$3,143.75	12/9/2014	12/15/2014
500003	205	BEAN	WBC	FOUR F FARMS INC	4.50%	12/12/2005	\$10,090.89	12/15/2015	A	\$79,248.80	\$0.00	\$9,650.66	\$391.31	\$10,041.97	12/12/2014	12/15/2014
500004	205	BEAN	WBC	ERNEST HORT	4.50%	12/8/2005	\$4,849.94	12/15/2015	A	\$35,816.06	\$0.00	\$4,630.17	\$195.35	\$4,825.52	12/3/2014	12/15/2014
500005	205	BEAN	WBC	JOHN MEIER & SON	4.50%	12/14/2005	\$2,711.64	12/15/2015	A	\$19,891.84	\$0.00	\$2,591.51	\$106.78	\$2,698.29	12/9/2014	12/15/2014
500008	205	BEAN	WBC	W4 INC	4.50%	12/8/2005	\$1,257.28	12/15/2015	A	\$9,200.00	\$0.00	\$1,202.57	\$48.63	\$1,251.20	12/17/2014	12/15/2014
Totals										\$216,181.05	\$0.00	\$27,450.55	\$1,133.35	\$28,583.90		
600001	206	AMEND IV	WBC	TENUPAH	1.00%	1/26/2006	\$3,000.00	1/10/2015	M	\$800,000.00	\$398,684.99	\$2,659.13	\$170.43	\$2,829.56	12/15/2014	12/15/2014
Totals										\$800,000.00	\$398,684.99	\$2,659.13	\$170.43	\$2,829.56		
700001	0	NAT GAS	WBC	STAR VALLEY NATURAL GAS	4.50%	9/22/2014	\$1,662.10	10/20/2016	O	\$225,000.00	\$225,000.00	\$0.00	\$0.00	\$0.00		9/22/2014
Totals										\$225,000.00	\$225,000.00	\$0.00	\$0.00	\$0.00		
900011	211	MAIN ST	WBC	65 COFFEEN LLC	4.50%	1/27/2010	\$301.00	1/26/2015	M	\$28,000.00	\$15,058.96	\$242.52	\$51.98	\$294.50	12/26/2014	12/26/2014
900012	211	MAIN ST	WBC	GRIMSHAW INVESTMENTS LLC	4.50%	4/20/2010	\$790.00	1/20/2015	M	\$76,200.00	\$44,768.98	\$622.12	\$149.23	\$771.35	12/12/2014	12/12/2014
Totals										\$104,200.00	\$59,827.94	\$864.64	\$201.21	\$1,065.85		
Grand Totals										\$3,728,117.54	\$1,560,576.93	\$144,570.04	\$17,323.28	\$161,893.32		

Exhibit “C”

**Report of Examination by the State of Wyoming, Department of Audit
Division of Banking**



STATE OF WYOMING
DEPARTMENT OF AUDIT

DIVISION OF BANKING

(307) 777-7793 Fax (307) 777-3555 Email: jeff.vogel@wyo.gov

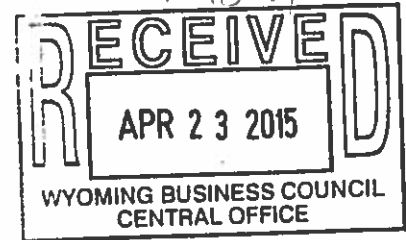
Matthew H. Mead
Governor

Jeffrey C. Vogel
Director

Albert L. Forkner
Commissioner

April 21, 2015

Shawn Reese, Chief Executive Officer
Wyoming Business Council
214 West 15th Street
Cheyenne, Wyoming 82002-0240



Dear Mr. Reese:

Enclosed please find the Report of Examination of the Wyoming Business Council Challenge Loan Program made by examiners of the Department of Audit, Division of Banking, pursuant to Wyoming Statute 9-12-306. This office concurs with the findings and comments of the examiners.

If you have any questions regarding the Report of Examination, please do not hesitate to contact my office.

Sincerely,

Jeffrey C. Vogel
Director

Enclosure



Report of Examination

Wyoming Business Council's

Wyoming Partnership Challenge Loan Program

consisting of

Loans to Development Organizations,

Bridge Financing,

Guarantee Loan Participations,

Economic Disaster Loans,

Loan Guarantee Program Loans,

Main Street Loan Participations, and

Natural Gas Fueling Infrastructure Loans.

Prepared by:

**Division of Banking
Department of Audit, State of Wyoming**

March 16, 2015

EXAMINATION SCOPE

The purpose of this examination is to review loans funded by the Wyoming Business Council (WBC) under the Wyoming Partnership Challenge Loan Program (Program) and the credit administration of those loans. Loans made under the Program were examined for compliance with statutes and regulations as well as prudent underwriting standards. Additionally, loans were reviewed for proper documentation and compliance with WBC's loan policy.

Wyoming Statute 9-12-306 mandates the examination of the Program by the Department of Audit. The Director of the State of Wyoming's Department of Audit or designee is required to annually examine loans made under the Program and submit a Report of Examination to the Governor, the Legislature, and the WBC. Per the Program's Rules and Regulations, a portfolio report of all loans as of December 31 is to be submitted to the State Banking Commissioner no later than January 15. The State Banking Commissioner is then required to complete an audit of the loan portfolio on or before April 1, with a completed audit report presented to the WBC on or before May 1.

This examination was completed on March 16, 2015. The loan review included all loans made under the Partnership Challenge Loan Program (Development, Bridge, and Guarantee Loan Participations), a sample of Economic Disaster Loans (Seed/Beet/Bean Growers), and the Natural Gas Fueling Infrastructure Loan. This equated to one Development loan, three Bridge loans, one Guarantee Participation loan, five Beet loans, and one Natural Gas Fueling Infrastructure loan. Two of the past-due Beet loans (Keven Keller Farms and Dustin Taylor) paid current prior to the on-site portion of the examination.

PROGRAM OVERVIEW

Article 3 of the Wyoming Economic Development Act

The Program is governed by Wyoming Statutes 9-12-301 through 9-12-307. The Program is funded through the Economic Development Enterprise Fund Account and is administered by the WBC. The WBC has adopted the Rules and Regulations of the Program in order to implement Article 3. These rules include Chapter 1, Wyoming Partnership Challenge Loan Program (Loans to Development Organizations, Bridge Financing, and Guarantee Loan Participations); Chapter 2, Economic Disaster Loans; Chapter 3, Loan Guarantee Program; Chapter 4, Wyoming Main Street Loan Participation; and Chapter 5, Natural Gas Fueling Infrastructure Loans.

Chapter 1 – Wyoming Partnership Challenge Loan Program

Loans made under Chapter 1 of the WBC's Rules and Regulations consist of loans made to community or state development organizations, loans for bridge financing, and guarantee loan participations. As defined by statutes, a community development organization is a group of private citizens organized as a business entity for the purpose of providing financing for new, existing, or expanding businesses and other economic or community development purposes throughout Wyoming. A state development organization is a corporation with the authority to provide financing for new, existing, or expanding businesses and to fulfill other economic or

community development purposes throughout the state. Bridge financing is for projects where a commercial lender makes the loan and the state participates in the loan. Guarantee loan participations are for projects where a bank has a federal guaranteed loan to guarantee repayment of a loan to a business.

The total amount of loans and loan commitments made to a single community development organization is limited to \$500,000. Total loans and loan commitments made to state development organizations are limited to \$3,500,000. Total bridge financing loans and loan commitments to a business are limited to \$500,000. Loans to a business qualifying for guarantee loan participation are limited to \$1,000,000.

<u>Chapter 1 Challenge Loans</u>			
<u>Loan Type</u>	<u>12/31/2014</u>	<u>12/31/2013</u>	<u>12/31/2012</u>
Development Loans	\$ 24,867	\$ 27,522	\$ 30,073
Bridge Loans	400,716	869,250	1,123,574
Guarantee Loan Participations	36,480	544,348	562,786
Total Loans	\$462,063	\$1,441,120	\$1,716,433
Loans 30 Days or More Past Due	\$0	\$0	\$0

At year-end 2014, there were five Challenge loans made pursuant to Chapter 1 compared to nine loans at year-end 2013, resulting in a reduction of \$979,057. The Challenge Loans include one Development Loan totaling \$24,867; three Bridge Loans totaling \$400,716; and one Guarantee Loan Participation totaling \$36,480. No new Challenge loans were originated in 2014.

Chapter 2 – Economic Disaster Loans

Loans made under Chapter 2 of the Rules and Regulations are intended for businesses that have been adversely affected by an economic disaster. The statutes define an economic disaster as an event occurring in Wyoming that has an economic impact with total lost revenues to impacted businesses in a twelve calendar-month period of at least \$4,000,000, or an economic impact with total lost revenues of impacted businesses in four or less counties in a twelve calendar-month period of at least \$1,000,000.

<u>Disaster Loans</u>			
	<u>12/31/2014</u>	<u>12/31/2013</u>	<u>12/31/2012</u>
Seed/Bean/Beet Grower Loans	\$415,001	\$640,935	\$794,861
Loans 30 Days or More Past Due	\$30,625	\$38,268	\$0

At year-end 2014, there were 34 Disaster loans outstanding. This compares to 40 outstanding loans as of year-end 2013. Payments and pay-offs resulted in a reduction of \$225,934. There were no new Disaster loans originated in 2014. Additionally, there are no Seed or Bean loans on the WBC's books. Two Beet loans were 30 days past due as of year-end 2014 but both were brought current prior to the onsite portion of this examination.

Chapter 3 – Loan Guarantee Program

Chapter 3 is for loan guarantees in which the WBC guarantees a portion of a bank loan made to a business. Such loan guarantees are not to exceed \$100,000 per loan guaranteed or 80 percent of any net loan loss by the bank, whichever is less. The WBC has not guaranteed any loans under this program.

Chapter 4 – Wyoming Main Street Loan Participation

Chapter 4 is for loans in which the WBC participates with a commercial lender that has made a loan to a business for building improvements to maintain the structure's historical character. The maximum participation is limited to 75 percent of the loan or \$100,000, whichever is less.

<u>Main Street Loans</u>			
	<u>12/31/2014</u>	<u>12/31/2013</u>	<u>12/31/2012</u>
Main Street Loans	\$0	\$0	\$0
Loans 30 Days or More Past Due	\$0	\$0	\$0

At year-end 2014, there were no loans funded under this program.

Chapter 5 – Natural Gas Fueling Infrastructure Loans

Loans made under Chapter 5 of the Rules and Regulations are intended for direct loans made by the WBC for natural gas fueling infrastructure. This program resulted from 2013 legislation. As defined by statutes, a natural gas fueling infrastructure loan is for the costs of the engineering, design, real property, equipment, and labor necessary to install a functioning natural gas filling station to fuel motor vehicles which operate on natural gas as transportation fuel. Loans issued under this chapter may not exceed 75 percent of the total project cost or \$1,000,000, whichever is less.

<u>Natural Gas Fueling Infrastructure Loans</u>		
	<u>12/31/2014</u>	<u>12/31/2013</u>
Natural Gas Fueling Infrastructure Loans	\$225,000	\$0
Loans 30 Days or More Past Due	\$0	\$0

At year-end 2014, there was one loan funded in the amount of \$225,000 under this program.

Administration

The program is administered by the Business and Industry Division of the WBC, and it is supervised by the Business Finance Program Manager, Ryan Whitehead. Mr. Whitehead was named the program manager in August 2012.

Servicing

The WBC contracts with Markee Escrow Services, Inc., of Cheyenne, WY for servicing of the loan portfolio.

FINDINGS

Overall, the WBC is administering the loans it has funded under the Program in a satisfactory manner. WBC staff completes a cash flow analysis on loans as new financial information is obtained as well as on new loan requests.

Borrower Creditworthiness

Loans funded under the Program continue to be financially sound.

Loans with Documentation Exceptions

Loan file documentation exceptions are measured by dividing the dollar amount of exceptions found by the total volume of loans reviewed. The table below details the dollar amounts of documentation exceptions cited at this examination. The dollar volume of total documentation exceptions increased since the prior examination but only one note was listed for having an exception (which was corrected during the examination). There were no financial statement exceptions at this examination or the prior examination. Overall, the volume of exceptions remains manageable.

<u>Loan File Documentation Exceptions</u>		
<u>Category</u>	<u>Amount</u>	<u>Percentage</u>
All Exceptions – Initial	\$178,000	21.24%
All Exceptions – After Corrections	\$0	0.00%
Financial Statement Exceptions – Initial	\$0	0.00%
Financial Statement Exceptions – After Corrections	\$0	0.00%
Total Dollar Volume of Loans Reviewed	\$838,000	

Items marked with an asterisk (*) were corrected during the examination.

Cowboy Inn, LLC

- No loss payee listed on the insurance certificate*

Exit Meeting

On March 16, 2015, a meeting was held to discuss the examination's findings. Representing the WBC was Business Finance Manager Ryan Whitehead and representing Markee Escrow Services, Inc., the Program's loan servicer, was Operations Manager Ken Sherman. Representing the Wyoming Division of Banking were Senior Bank Examiner Cliff Collins and Bank Examiner Betty Morgando.



Albert L. Forkner, Commissioner

Exhibit “D”

Wyoming Business Council Challenge Loan Report of Examination Summary and Management Corrective Actions

**Wyoming Business Council (WBC) Staff Comments on Department of Audit,
Division of Banking Report (April 21, 2015) - Challenge Loan Report of Examination**

WBC staff comments address findings that begin on page 4 of the report.

1. **General Comments in the Report (beginning on page 4 under FINDINGS):**
 - **Overall, the WBC is administering the loans it has funded under The Program in a satisfactory manner. WBC staff completes a cash flow analysis on loans as new financial information is obtained as well as on new loan requests. (page 4)**
 - Staff Response:
The Challenge Loan program has been successful in helping Wyoming businesses expand and relocate to the state. There were no violations of law and the portfolio performs very well with low delinquency, minimal charge offs, interest generated to make more loans and jobs created across the state. WBC staff is diligent in carrying out its fiscal responsibility while working hard to assist new and expanding businesses.
2. **Borrower Creditworthiness (page 4): Loans funded under the Program continue to be financially sound.**
3. **Loans not in Apparent Compliance with Rules and Regulations: None noted at the end of the examination.**
4. **Loans with Documentation Exceptions (page 4&5): There were no financial statement exceptions at this examination or the prior examination. Overall, the volume of exceptions remains manageable.**
 - Staff Response:
WBC staff works throughout the year to minimize documentation exceptions. As the portfolio size decreases, one exception on a large loan significantly affects the percentage calculations. WBC staff will address documentation exceptions loan by loan. If the documentation exception(s) was cleared during the examination and noted with an asterisk (*), staff won't address it in the comments.

Additional Challenge Loan Program Information (as of 12/31/14):

- a. The Challenge Loan Program has made or participated in 168 loans since 1998
- b. Total loans have been \$49,523,605 with the State's portion being \$17,174,961
- c. Interest collected over last 15 fiscal years (2000- 2014) totals \$3,813,627
- d. 10 loans totaling \$311,185 have been charged off (1.79% loan loss)
- e. Estimated jobs created or retained of 621

Exhibit “E”

Cumulative Loan Loss Reserve & Challenge Loan Portfolio History and Current Status

Wyoming Business Council
Challenge Loan Activity as of 12/31/14

<u>County</u>	<u>Loans Made</u>		<u>Loans Charged Off</u>	
	<u># of Loans</u>	<u>Amount</u>	<u># of Loans</u>	<u>Amount</u>
Albany	4	\$ 696,132	0	\$ -
Carbon	2	\$ 314,125	0	\$ -
Converse	1	\$ 48,000	0	\$ -
Fremont	10	\$ 1,378,803	1	\$ 25,141
Goshen	2	\$ 636,755	1	\$ 78,275
Laramie	6	\$ 1,314,750	0	\$ -
Lincoln	5	\$ 1,081,500	1	\$ 19,469
Natrona	3	\$ 3,750,000	0	\$ -
Park	4	\$ 861,500	0	\$ -
Platte	5	\$ 980,000	0	\$ -
Sheridan	2	\$ 272,750	1	\$ 104,099
Weston	1	\$ 17,250	0	\$ -
Economic Disaster	123	\$ 6,048,396	6	\$ 84,201
Totals	168	\$ 17,399,961	10	\$ 311,185
Charge off %		1.79%		

Challenge Loan Portfolio History and Current Status (As of 12-31-2014)							
Loan Original Date	Total Loan	Challenge Loan Portion	Borrower Equity After 7/1/09	Originating Lender	Business/Location	Reported Jobs Created	Loan Status
Albany County							
6/24/2005	\$ 271,150	\$ 104,650		American National Bank	Delta NU / Laramie	9	Loan paid in full
5/10/2006	\$ 113,000	\$ 56,500		Security First Bank	Triphyto, LLC / Laramie	2	Loan is current and paying as agreed
9/21/2009	\$ 4,502,761	\$ 500,000	\$15,062,900	First National Bank	Hotel Investment Services, Inc. / Laramie	24	Loan paid in full
6/2/2011	\$ 160,250	\$ 34,982	\$ 78,750	First Interstate Bank	Historic Investments, LLC / Laramie		Loan paid in full
Totals	\$ 5,047,161	\$ 696,132	\$ 15,141,650			35	4
Carbon County							
7/23/2013	\$ 297,500	\$ 104,125	\$ 52,500	Rawlins National Bank	L&L Ventures/ Rawlins	3	Loan is current and paying as agreed
8/9/2013	\$ 609,793	\$ 210,000	\$ 168,699	Bank of Colorado	Cowboy Inn, LLC/ Baggs	13	Loan is current and paying as agreed
Totals	\$ 907,293	\$ 314,125	\$ 221,199			16	2
Converse County							
10/1/2002	\$ 96,000	\$ 48,000		Converse County	AsCent 2000/ Douglas	2	Loan is current as paying as agreed
	\$ 96,000	\$ 48,000				2	1
Fremont County							
9/12/2007	\$ 700,000	\$ 250,000		1st Interstate Bank	Intermountain Electric / Riverton	20	Loan paid in full
4/1/2004	\$ 1,300,000	\$ 50,000		IDEA, Inc.	Pertech / Riverton	90	Loan paid in full
11/13/2007	\$ 74,605	\$ 37,306		Wind River Development Fund	Proform Technologies, Inc. / Riverton	2	Loan paid in full
6/29/2006	\$ 256,588	\$ 94,000		Wyo National Bank	Rocky Mtn. Agronomy / Riverton	1	Loan paid in full
8/20/2005	\$ 3,336,000	\$ 250,000		1st Interstate Bank	Wind River Mushrooms / Shoshoni	10	Business closed. Charge off \$25,141.30
5/20/2008	\$ 100,000	\$ 44,997		Wind River Development Fund	Wind River Health System, Inc.	9	Loan paid in full
8/4/2008	\$ 383,824	\$ 131,250		1st Interstate Bank	Lloyd Haslam DBA Crowheart Store	2	Loan paid in full
11/17/2008	\$ 976,685	\$ 250,000		First State Bank	Brent, LLC - Brown Co. building	3	Loan paid in full
12/15/2008	\$ 425,000	\$ 148,750		Wyo National Bank	Hede Living Trust - Bob Hede	2	Loan paid in full
3/11/2009	\$ 350,000	\$ 122,500		Wyo National Bank	Fremont Communications	2	Loan paid in full
Totals	\$ 7,902,702	\$ 1,378,803				141	10

Goshen County							
10/30/2006	\$ 410,264	\$ 136,755		Pinnacle Bank Torrington	Goshen County Econ. Dev. / Torrington	1	Loan paid in full
10/30/2006	\$ 5,000,000	\$ 500,000		Pinnacle Bank Torrington	Heartland BioComposites / Torrington	20	Business closed. Charge off \$78,275.41
Totals	\$ 5,410,264	\$ 636,755				21	10

Loan Original Date	Total Loan	Challenge Loan Portion	Borrower Equity After 7/1/09	Originating Lender	Business/Location	Reported Jobs Created	Loan Status
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Laramie County							
4/4/2002	\$ 6,449,000	\$ 250,000		1st Interstate Bank	Plains Hotel / Cheyenne	75	Loan paid in full
6/26/2006	\$ 171,820	\$ 72,250		Security First Bank	WoodenWorks / Cheyenne	2	Loan paid in full
5/1/2008	\$ 1,100,000	\$ 250,000		Central Bank & Trust	Emause, LLC	4	Loan paid in full
9/17/2008	\$ 185,000	\$ 92,500		Security First Bank	Countryside Disposal, LLC	1	Loan paid in full
6/29/2009	\$ 800,000	\$ 250,000	\$ 1,000,000	Wyoming Bank & Trust	Emergency Medical Physicians, P.C.	3	Loan paid in full
4/16/2012	\$ 2,207,913	\$ 400,000	\$ 392,087	Wyoming Bank & Trust	JR Properties, LLC	4	Loan paid in full
Totals	\$ 10,913,733	\$ 1,314,750	\$ 1,392,087			89	6

Lincoln County							
1/19/2007	\$ 650,000	\$ 227,500		Bank of Star Valley	805, LLC / Thayne	5	Business Closed. Charge off \$19,469
11/13/2007	\$ 180,194	\$ 63,000		Bank of Star Valley	Bowers, John & Teri / Afton	3	Loan paid in full
10/18/2006	\$ 392,500	\$ 137,000		Bank of Star Valley	Carlisle, Scott / Afton	2	Loan paid in full
8/14/2006	\$ 459,000	\$ 179,000		Bank of Star Valley	Star Valley Wellness / Thayne	3	Loan paid in full
5/8/2006	\$ 750,000	\$ 250,000		Bank of Star Valley	Thomas Drilling / Afton	7	Loan paid in full
9/22/2014	\$ 225,000	\$ 225,000		N/A Dirct Loan	Star Valley Natural Gas/Afton	0	Loan is current and paid as agreed
Totals	\$ 2,656,694	\$ 1,081,500				20	5

Natrona County							
3/22/2002	\$ 929,355	\$ 250,000		Community 1st Bank	Const. Careers / Casper	4	Loan paid in full
2/10/2000	\$ 1,000,000	\$ 1,000,000		Amendment IV/ Challenge Loan	WIDC / Casper	5	Loan paid in full
5/31/2002	\$ 2,500,000	\$ 2,500,000		Challenge Loan	WIDC / Casper	250	Line of credit used for relending - 1 loan in portfolio
Totals	\$ 4,429,355	\$ 3,750,000				259	3

Park County

2/25/1998	\$ 375,000	\$ 187,500		Powell Inc.	Allied Seed / Powell / Park County	Business closed in '03	Collateral was sold loan paid in full (2004)
5/7/2008	\$ 974,994	\$ 250,000		1st National Bank & Trust	Team'd Up, LLC	5	Loan paid in full
7/13/2009	\$ 931,764	\$ 250,000	\$ 318,236	Pinnacle Bank	Silvertip Realty, LLC	4	Loan paid in full
12/2/2009	\$ 595,000	\$ 174,000	\$ 127,000	1st National Bank & Trust	Gluten Free Oats, LLC	3	Loan is current and paying as agreed
Totals	\$ 2,876,758	\$ 861,500	\$ 445,236			12	4

Loan Original Date	Total Loan	Challenge Loan Portion	Borrower Equity After 7/1/09	Originating Lender	Business/Location	Reported Jobs Created	Loan Status
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Platte County							
5/13/1998	\$ 500,000	\$ 250,000		Wheatland Area Economic Dev.	Assisted Living / Wheatland	4 full-time; 9 (30-40 hr/wk)	Loan paid in full
9/28/2007	\$ 288,000	\$ 100,000		Platte Valley National Bank	BH, Inc. / Wheatland / Platte County	10	Loan paid in full
11/2/2006	\$ 560,000	\$ 230,000		First State Bank Wheatland	Lockhaven, LLC / Wheatland / Platte County	2	Loan paid in full
6/20/2006	\$ 354,250	\$ 150,000		Platte Valley Bank	Tillman & Witt / Wheatland	1	Loan paid in full
8/31/2006	\$ 785,000	\$ 250,000		Platte Valley Bank	Wheatland COOP / Wheatland	8	Loan paid in full
Totals	\$ 2,487,250	\$ 980,000				21	5

Sheridan County							
9/1/2002	\$ 285,000	\$ 92,750		Sheridan State Bank	SAR, Inc / Sheridan	5	Loan paid in full (2005)
1/25/2002	\$ 450,000	\$ 180,000		Cowboy State Bank	XL2,LLC / Sheridan / Sheridan County		Charge off \$104,099; Owner convicted of fraud by U.S. District Court
Totals	\$ 735,000	\$ 272,750				5	2

Weston County							
5/19/2010	\$ 23,000	\$ 17,250	\$ 120,561	Pinnacle Bank	William & Heidi Cleveland	0	Loan paid in full
Totals	\$ 23,000	\$ 17,250	\$ 120,561			0	1

Economic Disaster Loan Program							
2000	\$ 3,941,758	\$ 3,941,758		WBC Emergency Loan Program	78 Farmers Big Horn Basin / Big Horn, Hot Springs, Park & Washakie Counties		5 charge off's total \$66,160
2005	\$ 346,614	\$ 346,614		WBC Emergency Loan Program	8 Goshen County Farmers/Goshen County		Loans are current and paying as agreed
2007	\$ 1,750,024	\$ 1,750,024		WBC Emergency Loan Program	37 Big Horn Basin Beet Growers / Big Horn, Hot Springs, Fremont Washakie Counties		1 charge off totaling \$18,041
Totals	\$ 6,038,396	\$ 6,038,396					115

Loan Original Date	Total Loan	Challenge Loan Portion	Borrower Equity After 7/1/09	Originating Lender	Business/Location	Reported Jobs Created	Loan Status

Overall Totals	\$ 49,523,605	\$ 17,389,961	\$17,413,659			621	168
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Memorandum

To: Joint Minerals, Business and Economic Development Interim Committee
From: Shawn Reese, CEO
Subject: Small Business Investment Credit Program (SBIC) Annual Report
Date: May 28, 2015

W.S. 9-12-1312. Reports to the governor and legislature

(a) The council shall make an annual report to the governor, the joint appropriations interim committee and the joint minerals, business and economic development interim committee for review and comment.

Exhibit A – Wyoming Business Council Annual Report

- \$30MM total allocation
 - Enhanced Capital Wyoming Fund, LLC -\$25MM
 - Petros Wyoming Fund, LLC - \$5MM

Exhibit B – Enhanced Capital Wyoming Fund, LLC Annual Review

- 50 jobs created as of 12/31/2014
- Total follow-on capital of \$14MM

Exhibit C – Petros Wyoming Fund I, LLC Annual Review

- No qualified investments as of 12/31/14

Exhibit D – Wyoming SBIC Program Overview

Exhibit E – SBIC Flow Chart

Exhibit “A”

Wyoming Business Council Annual Report of the Small Business Investment Credit Program (SBIC) Annual Report

**SBIC Program
Wyoming Business Council Annual Report**

1. The number of Wyoming small business investment companies holding designated capital;

- Enhanced Capital Wyoming Fund, LLC was certified as a WY Small Business Investment company by the WBC board on December 1, 2011.
- Petros Wyoming Fund I, LLC was certified as a WY Small Business Investment Company by the WBC board on February 27, 2014.

2. The amount of designated capital invested in each Wyoming small business investment company;

- Enhanced Capital Wyoming Fund, LLC – twenty five million dollars (\$25,000,000)
- Petros Wyoming Fund I, LLC – five million dollars (\$5,000,000)

3. The cumulative amount that each Wyoming small business investment company has invested;

- As of 12-31-2014, Enhanced Capital Wyoming Fund, LLC invested \$7,371,429.
- As of 12-31-2014, Petros Wyoming Fund I, LLC did not close any qualified investments

4. The cumulative amount of follow-on capital that the investments of each Wyoming small business investment company have created in terms of capital invested in qualified businesses at the same time or subsequent to investments made by a Wyoming small business investment company in such businesses by sources other than Wyoming small business investment companies.

- Enhanced Wyoming Fund, LLC (as of 12-31-14)
 - Wyoming Authentic Products received a total of \$2,507,023 in follow-on capital.
 - WRJ Design Associates, Ltd received a total of \$100,000 in follow-on capital.
 - Teton Gravity Research, LLC received a total of \$33,000 in follow-on capital.
 - Sci Apps, Inc. received a total of \$8,994,886 in follow-on capital.
 - CK Mechanical Plumbing and Heating, Inc. received a total of \$1,523,338 in follow on capital.
 - Solving Tech, Inc. / Fuzion Energy received a total of \$1,000,000 in follow on capital
 - Please see exhibit B for more detail.
- Petros Wyoming Fund I, LLC
 - No qualified investments were made as of the date of this report.

5. The total amount of investment tax credits applied under this article for each year. A participating investor may claim in the year immediately following a credit under this section for tax years 2013, 2014, 2015, 2016, 2017, 2018 and 2019 in an amount equal to

fourteen and two thousand eight hundred fifty-seven ten –thousandths percent (14.2857%) of the participating investor’s investment of designated capital;

- Enhanced Capital - Zero tax credits were applied for 2014
- Petros Wyoming Fund, LLC - \$459,184 in tax credits were applied for 2014

6. The performance of each Wyoming small business investment company with regard to the requirements for continued certification;

- Enhanced Capital Wyoming Fund, LLC is in good standing and meets the requirements for continuance of certification as defined under W.S. 9-12-1307.
- Petros Wyoming Fund I, LLC is in good standing and meets the requirements for continuance of certification as defined under W.S. 9-12-1307.

7. The classification of the companies in which each Wyoming small business investment company has invested according to industrial sector and size of company;

- Enhanced Capital Wyoming Fund, LLC
 - Wyoming Authentic Products, LLC - Meat Processing – NAICS 311612
 - Fireside Glamping, LLC – Campgrounds – NAICS 721211
 - WRJ Design Associates, Ltd – Decorating Consulting Services Interior – NAICS 541410
 - Teton Gravity Research, LLC – Motion Picture and Video Industries – NAICS 512100
 - Peak Builders, Inc. – New Single Family Construction – NAICS 236115
 - Flowtech Fueling, LLC- Support Activities for Coal Mining – NAICS 213113
 - SciApps, Inc. – Design, manufacture, and sale of portable analytical instruments – NAICS 334516
 - Vacuum Technologies Corporation – Other Commercial and Service Industry Machinery Manufacturing – NAICS 333318
 - CK Mechanical Plumbing and Heating, Inc. – Plumbing, Heating & Air Conditioning – NAICS 238220
 - Solving Tech/ Fuzion Energy – Support Activities for Oil & Gas Services – NAICS 213112
- Petros Wyoming Fund I, LLC – No qualified investments were made as of the date of this report.

8. The gross number of jobs created by investments made by each Wyoming small business investment company and the number of jobs retained;

- Enhanced Capital Wyoming Fund, LLC
 - Wyoming Authentic Products, LLC – 9 new, 1 retained
 - Fireside Glamping, LLC - 4 new, 4 retained
 - WRJ Design Associates, Ltd – 6 new, 4 retained
 - Teton Gravity Research, LLC – 0 new, 20 retained
 - Peak Builders, Inc. – 0 new, 20 retained
 - Flowtech Fueling, 0 new, 5 retained
 - SciApps, Inc. – 0 new, 10 retained

- Vacuum Technologies Corporation – 27 new, 60 retained
- CK Mechanical Plumbing and Heating, Inc. 28 new, 42 retained
- Solving Tech, Inc / Fuzion Energy. 0 new, 55 retained
- Petros Wyoming Fund I , LLC
 - No qualified investments were made as of the date of this report.

9. The location of the companies in which each Wyoming small business investment company has invested;

- Enhanced Capital Wyoming Fund, LLC
 - Wyoming Authentic Products, LLC - Cody
 - Fireside Glamping, LLC – Wilson
 - WRJ Design Associates, Ltd - Jackson
 - Teton Gravity Research, LLC - Jackson
 - Peak Builders, Inc. – Jackson
 - Flowtech Fueling, LLC- Moorcraft
 - SciApps, Inc. – Laramie
 - Vacuum Technologies Corporation – Sheridan
 - CK Mechanical Plumbing and Heating, Inc. – Casper
 - Solving Tech, Inc. Fuzion Energy - Gillette
- Petros Wyoming Fund I, LLC
 - No qualified investments were made as of the date of this report

10. Those Wyoming small business investment companies that have been decertified, including the reasons for decertification; and

- None

11. Other related information as necessary to evaluate the effect of this article on economic development.

- Ryan Whitehead, Business Finance Program Manager, continues to work with WBC Regional Directors to promote the program across the State.

Exhibit “B”

Enhanced Capital Wyoming Fund, LLC Annual Review “SBIC”

Annual Review

Enhanced Capital Wyoming Fund, LLC (The Company)

April 15, 2014

As specified in W.S. 9-12-1310, the council shall conduct an annual review of each Wyoming small business investment company to determine if each Wyoming small business investment company is abiding by the requirements of the article and to ensure that no investment has been made in violation of the article.

W.S. 9-12-1307 specifies the requirements for continuance of certification.

To maintain certification a Wyoming small business investment company shall make qualified investments as follows:

1. Within two (2) years after allocation date, a Wyoming small business company shall invest an amount equal to at least twenty-five percent of its designated capital in qualified investments.

- The allocation date is 8-13-2012; therefore, by 8-13-2014, twenty-five percent of its designated capital needed be invested into qualified investments.
- As of 8/13/14, Enhanced Capital invested 29% of its designated capital in qualified investments.

2. Within four (4) years after the allocation date, a Wyoming small business investment company shall invest an amount equal to at least fifty percent (50%) of its designated capital in qualified investments.

- Not applicable as of this review.
- As of 12/31/2014, Enhanced Capital invested 29.50% of its designated capital in qualified investments

3. Approved Qualified Businesses as of 12-31-14. Were there any investments made without approval of the council?

- Wyoming Authentic Properties, LLC determined by council on 11-7-12
- Fireside Glamping, LLC determined by council on 12-5-12
- WRJ Design Associates, Ltd determined by council on 12-26-2012
- Teton Gravity Research, LLC determined by council on 2-11-2013
- Peak Builders, Inc. determined by council on 2-27-2013
- Flowtech Fueling, LLC determined by council on 5-29-2013
- SciApps, Inc. determined by council on 5-10-2013
- Vacuum Technologies Corporation on 6-26-2013
- CK Mechanical Plumbing and Heating, Inc. determined by council on 8-2-2013
- Solving Tech, Inc. / Fuzion Energy determined by council on 12-19-2013
- No investments were made without approval of the council

4. In addition to the reporting requirements specified in the article, each Wyoming small business investment company shall report to the Council the following:

- **The North American Industry Classification System (NAICS) code for each qualified business that receives a qualified investment.**

○ Wyoming Authentic Properties, LLC ;	NAICS 311612
○ Fireside Glamping, LLC;	NAICS 721211
○ WRJ Design Associates, Ltd;	NAICS 541410
○ Teton Gravity Research, LLC;	NAICS 512100
○ Peak Builders, Inc. ;	NAICS 236115
○ Flowtech Fueling, LLC;	NAICS 213113
○ SciApps, Inc.;	NAICS 334516
○ Vacuum Technologies Corporation;	NAICS333318
○ CK Mechanical Plumbing and Heating, Inc.;	NAICS 238220
○ Solving Tech, Inc. / Fuzion Energy;	NAICS 213112

- **A complete copy of the most recent tax return filed with the Internal Revenue Service for each qualified business that receives a qualified investment as soon as practicable after receiving it from the qualified business.**

○ Wyoming Authentic Properties, LLC ;	2013 TR Received
○ Fireside Glamping, LLC;	2013 TR Received
○ WRJ Design Associates, Ltd;	2012 TR Received (paid off 06/27/14)
○ Teton Gravity Research, LLC;	2013 TR Received
○ Peak Builders, Inc. ;	2013 TR Received
○ Flowtech Fueling, LLC;	2012 TR Received (paid off 7/7/14)
○ SciApps, Inc.;	2013 TR Received
○ Vacuum Technologies Corporation;	2013 TR Received
○ CK Mechanical Plumbing and Heating, Inc.;	2013 TR Received

5. Any designated capital not invested in qualified investments by a Wyoming small business investment company shall be held or invested in such manner as the Wyoming small business investment company in its discretion deems appropriate.

- At December 31, 2014, Enhanced Capital had \$5,641,005 on deposit with Vulcan Enhancement, LLC , a subsidiary of Vulcan Capital for the future investment in qualified investments. The balance of designated capital in the amount of \$12,785,563 is held in the form of a Long term investment contract with Vulcan Capital used to make qualified investments in Wyoming small businesses and for debt service on the qualified debt instrument outstanding.

6. Designated capital and proceeds of designated capital returned to a Wyoming small business investment company after being originally invested in qualified investments may be invested again in qualified investments. Any investments reinvested?

- Enhanced Capital Wyoming Fund, LLC has reinvested \$471,428 in 2014.

7. If, within six (6) years after its allocation date, a Wyoming small business investment company has not invested at least seventy percent (70%) of its designated capital in qualified investments, neither the Wyoming small business investment company nor its affiliates shall be permitted to receive management fees.

- Not applicable as of this review.

8. If, within eight (8) years after its allocation date, a Wyoming small business investment company has not invested on e hundred percent (100%) of its designated capital in qualified investments, neither the Wyoming small business investment company nor its affiliates shall be permitted to receive management fees.

- Not applicable as of this review.

9. A Wyoming small business investment company shall not invest more than twenty percent (20%) if it's designated capital in any one (1) qualified business without the specific approval of the council.

- Existing Qualified investments are less than 20% of designated capital.

10. Annual Audited Financial Statement Received within 90 days of the close of its fiscal year?

- Yes
- Staff reviewed the financial statement and indicates no violations of law or rules after the review.
- Per W.S. 9-12-1302 (viii) (B), an annual management fee not to exceed three percent (3%) of designated capital on an annual basis to offset the costs and expenses of managing and operating a Wyoming small business investment company. In 2014, the Fund paid \$250,000 of the \$750,000 annual management fee). The balance of what has not been paid to date is represented in the Due to Related Party line item of the balance sheet and will be paid at a later time.
- The notes to the financial statements included a section titled Regulatory Matters, which accurately address reporting requirements as defined in Wyoming Statute.
- It is common for funds under this type of economic development program to have a negative equity value in the early years of its life cycle. Similar to other state economic development programs, the Wyoming statute allows for recapture and/or forfeiture of premium tax credits if the Fund does not achieve certain investment milestones. The Wyoming investment milestones are 25% of Designated Capital by the 2nd anniversary and 50% by the 4th anniversary. If the Fund does not achieve these milestones, then premium tax credits allocated to the Fund are subject to recapture and forfeiture by the State. Since tax credits are subject to recapture, GAAP does not allow the Fund to recognize the credits in its financial statements until all investment milestones have been achieved and premium credits are no longer subject to recapture and/or forfeiture. Once the Fund achieves the 50% investment milestone, the process of earning the tax credits is complete, and accordingly the Fund will recognize the \$25 million of premium tax credits on the balance sheet as an asset called Earned Premium Tax Credits. At the point the earned premium tax credits are recognized as an asset, the value of the tax credits earned will flow through the Fund's income statement. At this

time, the Fund will flip to a positive equity value and represent the true economic picture of the Fund. The tax credits will be utilized to defease the note payable obligation for the Designated Capital raised by the Fund at inception.

11. Annual certification fee received?

- Yes; received - \$25,000.

Enhanced Capital Wyoming Fund, LLC
Schedule of Qualified Investments
as of December 31, 2014

Designated Capital \$25,000,000.00

Qualified Wyoming Business	Investment Date	Investment Amount	% of Designated Capital	Industrial Sector NAIC Code	Description of Industry	Employees at time of Investment	Employees as of 12/2014	Follow-On Capital	Location
Wyoming Authentic Products, LLC	12/13/2012	100,000.00	0.4%	311612	Meat Processed from Carcasses	1	10	\$2,507,023	Cody
Wyoming Authentic Products, LLC	5/28/2013	100,000.00	0.4%	311612	Meat Processed from Carcasses				
Wyoming Authentic Products, LLC	1/17/2014	32,653.06	0.1%	311612	Meat Processed from Carcasses				
Wyoming Authentic Products, LLC	9/15/2014	38,775.50	0.2%	311612	Meat Processed from Carcasses				
Fireside Glamping, LLC	12/14/2012	400,000.00	1.6%	721211	RV Parks and Campgrounds	4	8	0	Wilson
WRJ Design Associates, Ltd	2/11/2013	250,000.00	1.0%	541410	Decorating Consulting Services, Interior	4	10	\$100,000	Jackson
Teton Gravity Research, LLC	3/12/2013	700,000.00	2.8%	512100	Motion Picture and Video Industries	20	20	\$33,000	Jackson
Peak Builders, Inc.	3/13/2013	400,000.00	1.6%	236115	New Single Family Construction	28	20	0	Jackson
Flowtech Fueling, LLC	7/1/2013	250,000.00	1.0%	213113	Support Activities for Coal Mining	5	5	0	Moorcroft
SciApps, Inc.	7/9/2013	1,000,000.00	4.0%	334516	Design, manufacture, and sale of portable analytical instruments	11	10	\$8,994,886	Laramie
Vacuum Technologies Corporation	8/21/2013	750,000.00	3.0%	333318	Other Commercial and Service Industry Machinery Manufacturing	60	87	0	Sheridan
CK Mechanical Plumbing and Heating, In	9/27/2013	750,000.00	3.0%	238220	Plumbing, Heating & Air Conditioning	42	70	\$1,523,338	Casper
SolvingTech, Inc. / Fuzion Energy	2/20/2014	500,000.00	2.0%	213112	Support Activities for Oil & Gas Services	70	55	\$1,000,000	Gillette
SolvingTech, Inc. / Fuzion Energy	3/7/2014	2,100,000.00	8.4%	213112	Support Activities for Oil & Gas Services				
Totals:		7,371,428.56	29.50%			245	295	\$14,158,247	

Program Investment Milestones:

Within 2 years, must invest at least 25% of Designated Capital
Within 4 years, must invest at least 50% of Base Investment Amount

Exhibit “C”

Petros Wyoming Fund I, LLC Annual Review “SBIC”

Annual Review

Petros Wyoming Fund I, LLC (The Company)

April 14, 2015

As specified in W.S. 9-12-1310, the council shall conduct an annual review of each Wyoming small business investment company to determine if each Wyoming small business investment company is abiding by the requirements of the article and to ensure that no investment has been made in violation of the article.

W.S. 9-12-1307 specifies the requirements for continuance of certification.

To maintain certification a Wyoming small business investment company shall make qualified investments as follows:

1. Within two (2) years after allocation date, a Wyoming small business company shall invest an amount equal to at least twenty-five percent of its designated capital in qualified investments.

- The allocation date is 7-17-2014; therefore, by 7-17-2016, twenty-five percent of its designated capital needed be invested into qualified investments.
- As of 12/31/2014, Petros Wyoming Fund I,LLC did not make any qualified investments

2. Within four (4) years after the allocation date, a Wyoming small business investment company shall invest an amount equal to at least fifty percent (50%) of its designated capital in qualified investments.

- Not applicable as of this review.

3. Approved Qualified Businesses as of 12-31-14. Were there any investments made without approval of the council?

- As of 12/31/2014, Petros Wyoming Fund I,LLC did not make any qualified investments

4. In addition to the reporting requirements specified in the article, each Wyoming small business investment company shall report to the Council the following:

- **The North American Industry Classification System (NAICS) code for each qualified business that receives a qualified investment.**
- As of 12/31/2014, Petros Wyoming Fund I,LLC did not make any qualified investments
- **A complete copy of the most recent tax return filed with the Internal Revenue Service for each qualified business that receives a qualified investment as soon as practicable after receiving it from the qualified business.**
- As of 12/31/2014, Petros Wyoming Fund I,LLC did not make any qualified investments

5. Any designated capital not invested in qualified investments by a Wyoming small business investment company shall be held or invested in such manner as the Wyoming small business investment company in its discretion deems appropriate.

- Cash is held at a national bank that management believes has low credit risk. As of December 31, 2014 the Company had \$1,267,727 in an escrow trust fund restricted for payment of interest on notes payable. In addition as of December 31, 2014 the Company had \$2,583,071 in an escrow trust fund designated for fund investments in accordance with the WY SBIC program.

6. Designated capital and proceeds of designated capital returned to a Wyoming small business investment company after being originally invested in qualified investments may be invested again in qualified investments. Any investments reinvested?

- None as of 12/31/14

7. If, within six (6) years after its allocation date, a Wyoming small business investment company has not invested at least seventy percent (70%) of its designated capital in qualified investments, neither the Wyoming small business investment company nor its affiliates shall be permitted to receive management fees.

- Not applicable as of this review.

8. If, within eight (8) years after its allocation date, a Wyoming small business investment company has not invested on e hundred percent (100%) of its designated capital in qualified investments, neither the Wyoming small business investment company nor its affiliates shall be permitted to receive management fees.

- Not applicable as of this review.

9. A Wyoming small business investment company shall not invest more than twenty percent (20%) if it's designated capital in any one (1) qualified business without the specific approval of the council.

- As of 12/31/2014, Petros Wyoming Fund I, LLC did not make any qualified investments

10. Annual Audited Financial Statement Received within 90 days of the close of its fiscal year?

- Yes
- Staff reviewed the financial statement and indicates no violations of law or rules after the review.
- Per W.S. 9-12-1302 (viii) (B), an annual management fee not to exceed three percent (3%) of designated capital on an annual basis to offset the costs and expenses of managing and operating a Wyoming small business investment company. The Company paid management fees of \$150,000 (3%) during the year ended December 31, 2014 to Petros Wyoming Manager, LLC, an affiliate company.
- Income from premium tax credits is recognized as the Company fulfills its statutory minimum investment thresholds, causing the premium tax credits to become nonrecapturable. After certification of the Company as a SBIC company, the state allocates an aggregate dollar amount of premium tax credits to the Company. In this case, \$5,000,000 was allocated to Petros Wyoming Fund I, LLC. However, such amount is neither recognized as income nor otherwise recorded in the financial statement because it has yet to be earned by the Company. The company is legally entitled to earn premium tax credits upon satisfying defined investment percentage thresholds within

specified time requirements and corresponding nonrecapture percentages. The state statutes require that the Company invest a threshold percentage of designated capital in qualified businesses within the time frames specified. As the Company meets these requirements, it avoids grounds under the state statutes for its disqualification from continued participation in the WY SBIC program. As the Company progresses its investments in qualified businesses and accordingly, places an increasing proportion of the premium tax credits beyond recapture, it earns an amount equal to the nonrecapture premium tax credits and records such amount as income with a corresponding asset called “earned premium tax credits” in the balance sheet.

11. Annual certification fee received?

- Yes; received - \$5,000.

Exhibit “D”

Wyoming SBIC Program Overview

Wyoming SBIC Program

The Wyoming Small Business Investment Credit Program was implemented on January 3, 2011 and was enacted by the Wyoming Legislature in 2010. The program is designed to provide an alternative source of capital to Wyoming small businesses and entrepreneurs. In order to enter the program, venture capital or private equity companies must receive certification by the WBC Board to act as a Wyoming Small Business Investment Company (SBIC) to invest designated capital into qualified businesses. The SBIC's investments should stimulate job creation by making capital available to Wyoming businesses. Participating investors in SBICs are insurance companies with premium tax liability to the State of Wyoming. The insurance companies in turn receive a tax credit equal to the amount of their investment. In 2010, the Wyoming Legislature set a limit of \$30 million for this program.

To receive certification, the proposed SBIC will file an application with the WBC and needs to be located, headquartered and licensed to conduct business in Wyoming and have at least two investment managers with a minimum of five years of experience of money management in venture capital, private investment, or an officer in a commercial bank.

When the SBIC receives certification and funding, it will invest money into "qualified businesses". The money is invested in the form of a debt instrument or equity purchase.

Qualified businesses:

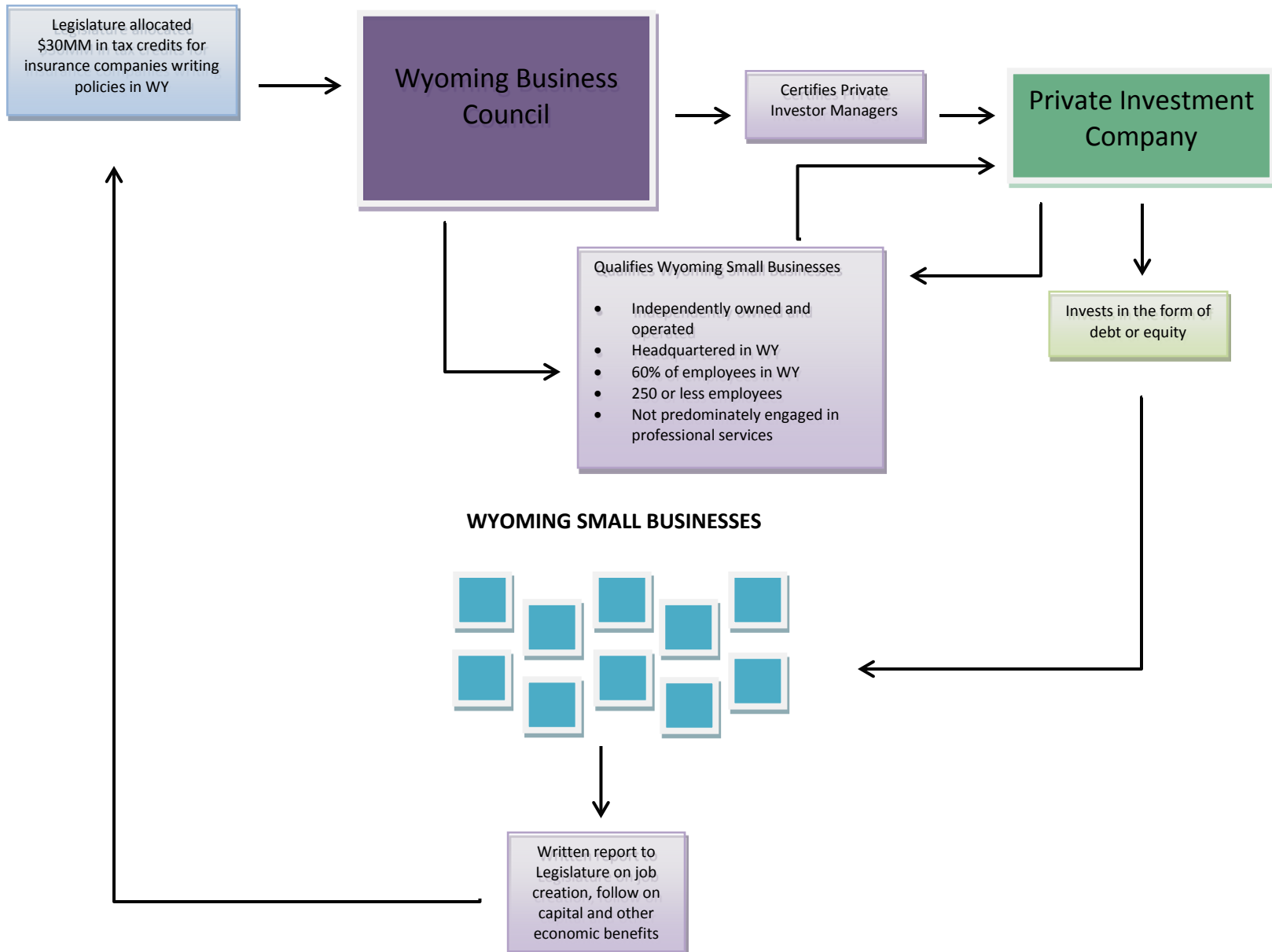
- Are headquartered in Wyoming, its principal operations are located in Wyoming, at least 60 percent of the employees are employed in Wyoming or the business has committed in writing to move to Wyoming as a condition of the investment
- Have provided evidence acceptable to the WBC of its intent to remain in Wyoming after receipt of the qualified investment
- Have 250 employees or less
- Are not a franchise of and has no financial relationship with a Wyoming Small Business Investment Company or any affiliate of a Wyoming Small Business Investment Company prior to a Wyoming Small Business Investment Company
- Are not predominately engaged in:
 - Professional services provided by accountants, doctors, or lawyers
 - Banking or lending
 - Insurance
 - Direct gambling activities

It is the responsibility of the SBICs to make the investments into the qualified businesses. Therefore, the WBC does not fund the capital needs of the small businesses, but acts as a regulator to the SBICs. Specifically, it is the WBC's responsibility to ensure that the SBICs and qualified businesses comply with Wyoming Statute and the designated capital is invested in Wyoming. Further, the SBIC program manager will monitor the qualified businesses on a regular basis including site visits to verify their operations. The SBIC program manager will annually report to the Wyoming Legislature the results of the program including dollar amount of investments, number of jobs created, and the number of jobs retained per investment.

Exhibit “E”

SBIC Flow Chart

Wyoming Small Business Investment Credit Program Flow Chart





COMMUNITY GRANT AND LOAN COMMITTEE





Business Ready Community Grant and Loan Program

Report and Recommendations to the Wyoming Business Council

May 28, 2015

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BRC Financial Summary

Available BRC Funds Summary		
Net Appropriations	\$	361,261,255
BRC Awards Adjusted by Deobligations	\$	315,965,040
BRC Loan Principal and Interest Payments Received to Date	\$	1,428,897
Total BRC Funds	\$	46,725,112

BRC Application and Program Summary

BRC Application Summary				
Applicant	Project	Project Type	Amount Requested	Recommendation
Pine Bluffs, Town of	Veterans' Memorial Park	Enhancement	\$123,935	\$123,935
Jackson, Town of	Bike Share Feasibility Study	Planning	\$25,000	\$25,000
TOTAL			\$148,935	\$148,935
Available BRC Funds				\$46,725,112
Remaining BRC if projects are funded				\$46,576,177

The office of the Attorney General conducts a review of each application and project structure. Awards are contingent on satisfactory execution and administration of previous grants or loans by an applicant. Other contingencies, if any, are spelled out in the project descriptions.



**Business Ready
Community Grant
and Loan Program**

PINE BLUFFS

**\$123,935 Community Enhancement
Grant to create a Veterans Memorial and
Community Plaza in its downtown**

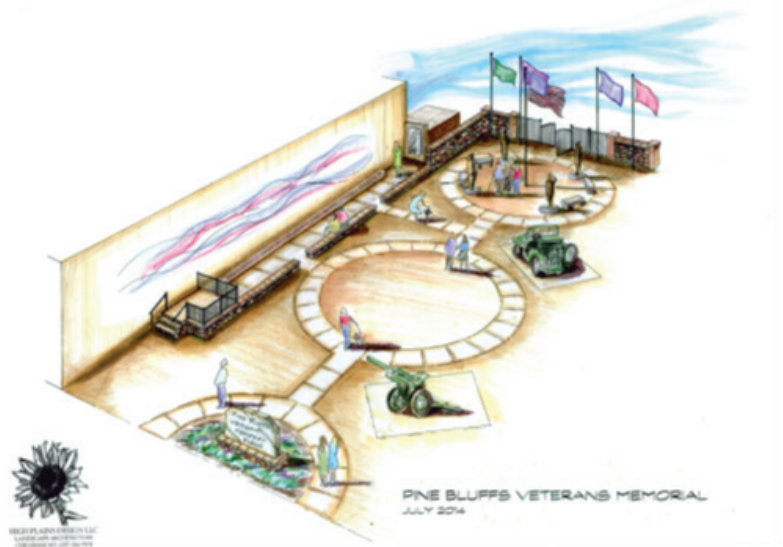
**Staff Recommendation:
Fund as requested**

Project Description

The town of Pine Bluffs requests a \$123,935 BRC Community Enhancement grant to create a Veterans Memorial and Community Plaza in its downtown. The lot, situated between two buildings, is 7,000 square feet. Planned improvements include life-sized statues representing the Army, Navy, Air Force and Marines, a center flag pole, benches and a memorial wall. Marketing will be done via a variety of sources including interstate signage (blue signs that indicate attractions available), the town website and websites that link to the town's site such as the Wyoming Tourism site and Visit Cheyenne. The park will be included in the Pine Bluffs: Wyoming Frontier Crossroads brochure, which provides information on numerous attractions and is available at local establishments, and the Pine Bluffs billboard near Interstate 80 (visible both directions). The town of Pine Bluffs and the Pine Bluffs American Legion post will be responsible for maintenance.

Project Goals and Benefit

The park and plaza will improve a currently vacant lot which will aesthetically improve the downtown and create a tourist attraction and a community gathering space. The community envisions this park as a forum for activities for the general population, as well as a desirable area for youth gatherings and educational and patriotic events. The town hopes the memorial park encourages other renovation and rehabilitation in the downtown, as well.



The community will place a visitor log at the site to get a sense of the number of visitors, where they are from and how they learned of the park.

Project Funding

Funding includes \$123,935 of BRC grant funding, \$30,000 cash from the town's consensus funds and private donations of \$15,874. In-kind contributions include the lot (valued at \$16,500), meals for work days from the Texas Trail market (\$1,200), architectural services (\$1,361) and the artist creating four statues will donate two of them (\$59,000).

Cost estimates for this project were prepared by Jean Vetter, a certified landscape architect working for High Plains Designs, LLC. She estimates the total project cost is \$247,870.

Sources	
BRC amount	\$ 123,935
Cash Match	\$ 45,874
In Kind Match	\$ 78,061
Total eligible project cost	\$ 247,870
BRC % of total eligible project costs	50%
Local % of total eligible project costs	50%
Uses	
Land	\$ 16,500
Non-Construction Costs	\$ 24,000
Architectural and Engineering fees	\$ 5,500
Site work	\$ 18,500
Construction Costs	\$ 207,370
Misc (road improvements, utility conduits)	\$ 194,870
Contingencies (13%)	\$ 12,500
Total Uses	\$ 247,870

Revenue Recapture

This project will not generate revenue.

Regional Comments by Tom Johnson

This project came as a result of several citizens and the town of Pine Bluffs wanting to create an enhancement in downtown Pine Bluffs that would help bring tourists to and retain residents in downtown in order to help increase the size of Pine Bluffs' economy. Further, the town and residents want to beautify the downtown and honor military veterans.

The benefits of the project could include increased visitor and tourist traffic off Interstate 80, beautification of downtown Pine Bluffs through downtown amenities and retention of a bedroom workforce that lives in Pine Bluffs and commutes to Cheyenne.

Staff Recommendation

A Community Enhancement project is a project that improves the quality of life and aesthetics of a community in order to make itself more attractive for business development under a specific strategy or plan of action. This application is accompanied by a marketing plan that considers impacts on business development, workforce and downtown development.

Staff recommends funding the Pine Bluffs Enhancement grant in the amount of \$123,935 as requested. Performance measures will include a list of partnerships identified, reported visitors (visitor log book to be kept at the park) and the number of community events.

Project Overview

Pine Bluffs, Veterans' Park and Community Plaza				
Purpose	The park and plaza will improve a currently vacant lot which will aesthetically improve the downtown, create a tourist attraction and a community gathering space.			
Project Budget	Projected Grant Expenditure Schedule			
		BRC	Cash	In Kind
	Non-Construction Costs	\$ 24,000		\$ 16,500
	Construction Costs	\$ 99,935	\$ 45,874	\$ 61,561
	Total Project Cost	\$ 123,935	\$ 45,874	\$ 78,061
Performance Measures	Measure	Quantity		Notes
	Number of visitors	Unknown		Will be tracked by visitor log at the park
	Number of community events	Unknown		Will be documented by town
	Number of Partnerships	11		There may be others as the project is developed.
	Additional Private Funds Leveraged	Unknown		There may additional donations to the project
Project Infrastructure	Lot to be improved	7,000 square feet		Small Stage, benches, statues, flag pole, parking







JACKSON

\$25,000 Planning Grant to study the feasibility of a bike share program for the community

**Business Ready
Community Grant
and Loan Program**

**Staff Recommendation:
Fund as requested**

Project Description

The town of Jackson requests a \$25,000 Business Ready Community planning grant to study the feasibility of a bike share program for the community.



Bike share is an innovative type of transportation program, ideal for short distance, point A to point B trips. Bike share systems cater to short term transit users, ranging from 30 minutes to three hours. Longer term recreational users are better served by a bike rental shop. This alternative transit provides users the ability to pick up a bicycle at a hub location and return it to another hub within a designated time. Recent technological improvements in the bike share industry have made this prospect more affordable to own and maintain and have reduced the physical footprint of these locations, making placement more flexible.

Bike share is growing in popularity and most systems are set up on a large scale of 100 bikes or more. This plan will help determine the local aspects of the plan such as the appropriate rental charge, optimum locations for the bike stations, and options for storage and redistribution of bikes.

Project Goals and Public Benefit

The goal of this project is to develop a plan which will assist Jackson in determining if a bike share program is feasible and warranted by its current transportation infrastructure, population, commerce districts and seasonal tourism trends. The study will include:

- Capital costs for all products and services need to implement the program
- Operating and administrative costs for the program including bike maintenance, staffing and marketing
- Number of hubs, bikes and specific locations of stations to ensure adequate utilization and effectiveness

- Storage of equipment during the offseason
- Key partnerships necessary for success
- Comparisons with similar communities that have implemented bike share systems
- Public benefit versus the cost of implementation

Bike share has the potential to offer an effective and healthy solution to traffic and parking issues, complementing public transportation and reducing the use of passenger vehicles in areas where roads aren't equipped to handle heavy traffic. This system could also benefit local commerce by accommodating short, quick trips within business areas that have limited parking.

Project Funding

The total project cost is \$33,333 including \$25,000 of BRC grant funding and an \$8,333 cash match from the local nonprofit organization, Friends of Pathways.

Sources	
BRC amount	\$ 25,000
Cash Match	\$ 8,333
Total eligible project cost	\$ 33,333
BRC % of total eligible project costs	75%
Local % of total eligible project costs	25%
Uses	
<u>Planning</u>	\$ 33,333
Total Uses	\$ 33,333

Regional Comments by Roger Bower

Jackson has a history of alternative transportation, more so than Wyoming's other communities. Bike share is a logical option to the working public. Bike lanes and paths are continually being added in the community. It is estimated that Jackson's summertime population increases multiple times the county's base population of 20,000, making parking a significant issue for the locals. Bike share is an idea that should be explored.

Staff Recommendation

Staff recommends funding the Jackson Bike Share planning grant in the amount of \$25,000 as requested. Performance measures will include a completed plan, a list of identified partnerships, a determination whether implementing a bike share plan is feasible and, if so, possible funding sources.





18 November 2014

Wyoming Business Council
Attn: Roger Bower
214 W.15th Street
Cheyenne, WY 82002

On behalf of the START Bus Board of Directors, I am writing to express our support for the proposal from the Town of Jackson to research the feasibility of offering Bike Share as part of Jackson's public transportation.

MICHAEL WACKERLY
Transit Administrator
mwackerly@startbus.com

STEVE AINSLIE
Operations Manager
sainslie@startbus.com

JANICE STEINER
Administrative/
Marketing Coordinator
jsteiner@startbus.com

P.O. Box 1687
Jackson, WY 83001
TEL 307.733.4521
FAX 307.733.1059

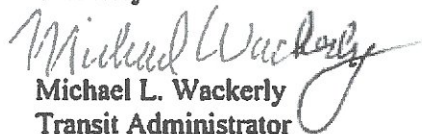
www.startbus.com

First and last mile planning is key to a complete transit infrastructure, making it more convenient for riders to get to and from transit stops. Investment in first and last mile facilities, such as Bike Share are showing to have a positive impact on ridership around many US cities. Because of this, we would like to support a feasibility study on how Bike Share could be integrated START's public transportation offering. For example the town of Aspen, CO has seen an increase in their bus ridership by 40% since the addition of a Bike Share program that launched May 2013.

In conclusion, we fully support the effort to gain funding for this feasibility study proposed by the Town of Jackson. A comprehensive public transportation model is necessary to help decrease automobile congestion, improve air quality, and provide affordable transportation for those who live, work, and visit our community.

If you have any questions or comments, please call me at 307-732-8650.

Sincerely


Michael L. Wackerly
Transit Administrator



Feasibility Study Grant

Business Ready Community Grant

November 7, 2014

Wyoming Business Council
Attn: Shaun Jones
214 W.15th Street
Cheyenne, WY 82002

On behalf of Yellowstone-Teton Clean Energy Coalition, I am writing to express our support for the proposal from the Town of Jackson to research the feasibility of offering a first and last mile option, in addition to the bus system of Teton County.

First and last mile planning is key to a complete transit infrastructure, making it more convenient for riders to get to and from transit stops. Investment in first and last mile facilities, such as Bike Share are showing to have a positive impact on ridership around many US cities. Because of this, we would like to support a feasibility study on how Bike Share could be integrated START's public transportation offering. For example the town of Aspen, CO has seen an increase in their bus ridership by 40% since the addition of a Bike Share program that launched May 2013. The Coalition's mission is to reduce petroleum use in the transportation sector. Understanding the positive increase in bus ridership Aspen has achieved, the Coalition fully supports Bike Share as a means to reduce petroleum, increase energy security and reduce harmful emissions.

In conclusion, we fully support the effort to gain funding for this feasibility study proposed by the Town of Jackson. A comprehensive public transportation model is necessary to help decrease automobile congestion, improve air quality, and provide affordable transportation for those who live, work, and visit our community.

Sincerely,

Alicia Cox

Executive Director

Yellowstone-Teton Clean Energy Coalition



BRC Proposed Rule Changes

Goals: Accessibility, Simplicity, Program and Local Sustainability and Accountability

	Issues	Current Rules	Proposed Rule Changes	Comments
Match	<p>The matching requirements are complex and one-size fits all--rules do not take into account the applicant's ability to match.</p>	<p>Based on the amount of the grant request.</p> <p><u>The first \$1.5MM:</u> Businesses Committed - 10% Community Readiness - 15%</p> <p><u>Above \$1.5MM:</u> 30% match of which half must be cash</p>	<p>Match based on the Total Project Cost, half must be cash</p> <p><u>Category 1 Applicants:</u> Businesses Committed - 10% Community Readiness - 10% Downtown Development - 10% Planning - 25% * Community Enhancements - 50%</p> <p><u>Category 2 Applicants:</u> Business Committed - 5% Community Readiness - 5% Downtown Development - 5% Planning - 25%* Community Enhancements - 50% *planning match must be all cash</p>	<p>Applicants are considered Category 2 if they are a municipality with a population under 4,000 or a county with an assessed value less than the average of all counties in the State of Wyoming. Otherwise they are considered Category 1. In the case of a joint powers board, the project's location will determine its categorization.</p> <p>These break-downs are intended to make match requirements more attainable for those entities who do not have significant tax base or other resources.</p> <p>Assessed Valuations are updated annually from the Wyoming Dept. of Revenue (update available in August), and population figures are updated every five years by the US Census Bureau (next update is 2015). This information will be available on the WBC website and regularly updated.</p>
Revenue Recapture	<p>Revenue recapture is not consistent and varies by project.</p> <p>Recaptured funds are a way to increase BRC program sustainability as well as local sustainability.</p> <p>In 2014, the Legislature passed Senate File 100: "The council shall promulgate rules and regulations to identify the type and maximum amount, as a percentage of the total grant, of the revenue that may be recaptured and credited to the account as a result of grants under this section."</p>	<p>Revenue recapture must be commensurate with the public investment.</p>	<p>Revenue recapture must be commensurate with the public investment. More specifically, a minimum of 50% of all net revenue generated from BRC grant-funded infrastructure must be recaptured back to the Wyoming Business Council (WBC).</p> <p>This proposed change only applies to revenue-generating projects like building leases and land sales, not non-revenue generating project like water, sewer, and roads.</p> <p>Of the total local recaptured funds, 50% may be used for O&M as long as the funds are matched at 100% with other local funds.</p> <p>Grantee/borrower will be required to have a separate account dedicated to economic development for all recaptured funds. An annual accounting of the local recapture funds must be provided to the WBC.</p>	<p>Projects that generate revenue (lease revenues or sales income) will be subject to this recapture provision. Grantee recaptures 50% of revenue generated and the Business Council recaptures the other 50%.</p> <p>A BRC loan is preferred. If a loan is not a feasible and repayment of recapture funds is the only option, a copy of the revenue recapture plan will be filed with the real estate record in the county where the project is located. This will effectively behave as lien on the property.</p>

Projects with Private Developers	<p>The Attorney General has suggested several factors to be considered when determining whether an expenditure comports with Article 16 Section 6 of the Wyoming Constitution. In reviewing projects that involve private developers, the AG advises the following factors should be analyzed:</p> <ul style="list-style-type: none"> *the way in which the public benefits compare to the way in which private parties may benefit * the overall primary effect of the public expenditure *the consideration given for the expenditure *the location or site improvement of a particular project *the creation of employment opportunities *the comparison of private dollars involved in a project to the number of public dollars increased tax and / or other revenues and competition with other localities 	Revenue recapture for private developments have a higher public benefits threshold but vary by project type.	100% recapture of the grant amount and a positive internal rate of return. Recapture may occur through a BRC loan, repayment of funds, tax benefits and donation of real estate. The value of all real estate donations must be verified by an appraisal.	Private developments must recapture 100% of the grant amount and have a positive internal rate of return as calculated by staff.
Community Development Organization (CDO) Dissolution	Some CDO bylaws and IRS codes do not specify that BRC funded assets owned by the CDO revert back to public ownership upon dissolution.	Currently, if CDO dissolves, CDO's bylaws or IRS code govern asset disposal.	A deed restriction on the grant or loan funded asset with a reversionary clause back to the grantee/borrower, joint powers board, city, town or county in the event of dissolution of the CDO.	Ensures BRC funded asset will remain in the ownership of an allowable public entity in the event of the CDO's dissolution.
Loans	Loan structuring lacks consistency.	<p><u>Interest Rate:</u> No to low interest (taken from statute)</p> <p><u>Collateral:</u> To be recommended by the Business Council and determined by the SLIB</p>	<p><u>Interest Rate:</u></p> <ul style="list-style-type: none"> • Non-revenue generating projects - floor of zero percent (0%) • Revenue generating projects - floor of one percent (1%) • All loans will include an annual servicing fee of 0.5% not to exceed \$5,000 <p>No match is required on loans</p> <p><u>Collateral:</u> All loan projects that create a lease or a revenue-based asset must be secured.</p>	Revenue generating projects have the capacity to pay a higher interest rate than non-revenue generating projects. Rates will comport with the intent of the statute to be no to low interest but keeping in mind current interest rates.
Child Care/Senior Care	The program currently allows for child care and senior care projects. There is not significant demand for these types of projects.	Both Senior Care and Childcare projects are accepted once a year with a maximum of \$1 million per project.	Create a new category of community development projects that will include, but not be limited to child care, senior care and community centers.	This change will allow applicants to address quality of life or workforce needs that support a community's economic development efforts.

Deadlines	Difficult for planning at the local level when some applications are accepted only once or twice a year.	Not all types of applications are accepted quarterly. Certain types of applications are accepted on defined deadline dates and limited as follows: Business Committed - 4/fiscal year Data Center - 4/fiscal year Community Readiness - 2/fiscal year Downtown Development - 2/fiscal year Community Enhancement - 2/fiscal year Planning - 2/fiscal year	All types of applications will be accepted on a quarterly basis. Applications are limited by type as follows: Business Committed - 4/calendar year Data Center - 4/calendar year Community Readiness Downtown Development Community Enhancement Planning } 2/calendar year	Flexibility allows applicants to apply when most strategic. In order for this rolling acceptance of applications to be successful it will be important for the board to adopt an allocation plan.
Downtown Development	Downtown development projects are community readiness projects that happen to be located in downtowns, but are not consistent with the same maximum awards.	Downtown Development Grant Awards - \$2 million maximum	Downtown Development Grant Awards - \$3 million maximum and available for projects	The WBC recognizes the rising costs of rehabilitation projects.
Operations and Maintenance (O&M)	Communities do not always have the on-going funds to maintain BRC-funded assets.	O&M is not a formal requirement for every project.	Applicants will be required to adopt an O&M plan for the life of the BRC-funded asset.	This plan will help WBC staff and local communities understand a majority of the costs associated with maintaining and operating projects long term.
Reporting	Staff regularly collects reporting information, but performance measures need to be formally addressed. More accountability is required for revenue recapture at local level.	Grantees/borrowers provide quarterly reports during construction. Following construction, the grantees and borrowers submit an annual report for three years on revenue recapture, job creation, private investment, etc.	Grantees/borrowers will report on each performance measure. Reporting period will be extended from three years to five years for all projects types except Community Enhancement (which will remain at three years) and Planning which are complete with the submission of a final plan.	Allows WBC staff to collect and analyze data to ensure the program continues to meet the goals set forth by the WBC, the legislature and the Governor.
Contingency and Development (C&D) Agreements	C & D agreements differ by project and community. Lack of consistency sometimes delays project development.	An agreement between parties is required, but the rules are vague as to what specifically must be included.	Rules will outline all requirements of the C&D agreement.	Staff will develop a template for applicants, shortening project development phase.
Managed Data Center Cost Reduction	There is a discrepancy between when funds are disbursed and when the match by the company is realized.	The company has five years to realize its match of payroll and capital expenditures. Grant funds are disbursed over three years.	Funds will be disbursed up to five years but only as the match from the company is realized.	A clawback provision requires grant funds be repaid if the company leaves town or goes out of business within five years of first receiving funds. This change allows applicants lessen exposure to clawback as grant funds are drawn down and match is realized.



Think **LIKE A BUSINESS**





2015-2016 Strategic Plan

Increasing Wyoming's Prosperity

WHAT DRIVES US

- We communicate and we are a team.
- We are flexible, collaborative and get the work done.
- We work in an environment of integrity, support and pride.
- We make change happen and we are leaders.

OUR FUTURE

Wyoming's industries are strong, diverse and expanding. Small business is a big deal. Communities have the highest quality of life. Wyoming is the technology center of the High Plains. Wyoming knows no boundaries.

	Think BIG	Think SMALL	Think NEW	Think LOCAL	Think GLOBAL
GOALS	<ul style="list-style-type: none"> • Enhance the value of natural resources • Expand value-added opportunities • Increase transportation accessibility • Improve the business and industrial readiness of our communities 	<ul style="list-style-type: none"> • Encourage business starts • Grow jobs and profitability and assist expansion of small businesses • Maximize business success 	<ul style="list-style-type: none"> • Grow the technology sector to become a significant industry in the state • Improve business innovation, research and commercialization 	<ul style="list-style-type: none"> • Improve livability of communities • Grow and sustain local economic development efforts 	<ul style="list-style-type: none"> • Welcome investment in Wyoming from around nation and world • Increase trade nationally and internationally
ACTIONS	<ul style="list-style-type: none"> • Aid in developing a value-added energy campus and other industry-ready sites • Increase opportunities to expand the meat processing industry • Promote value-added projects • Facilitate plans for improved rail and air service 	<ul style="list-style-type: none"> • Promote entrepreneurship • Increase technology transfer • Streamline permitting processes • Identify and address small business needs • Expand agricultural diversification and market development 	<ul style="list-style-type: none"> • Expand programs for innovation and research • Assist in deploying technologies for small-scale power production and storage • Assist in efforts to develop a skilled workforce • Increase access to broadband 	<ul style="list-style-type: none"> • Improve community infrastructure • Enhance community amenities • Preserve unique character of communities and downtowns • Develop strong regional and local leadership and involvement 	<ul style="list-style-type: none"> • Coordinate and develop foreign trade efforts • Increase national and international awareness of Wyoming • Create an inventory of businesses with international reach • Assist business and industry with accessing national and international markets

COMMUNICATIONS *plan*

Business people are aware of the Wyoming Business Council and its leading role in economic development throughout the state. We deliver a clear, unified message based on the pillars of the "Think" strategy and promote Wyoming as a great place to live and work. Our website is Wyoming's economic development go-to source.

WHAT DRIVES US

- High-quality writing, production and design
- Cultivate and maintain relationships
- Always on the cutting edge
- Coordinated and streamlined team effort



RECEPTION

ESTABLISH CLEAR, UNIFIED MESSAGE

- Assess ROI for sponsorships, in-house publications, trade shows, advertising
- Develop best practices for digital, social media and national-international advertising
- Accommodate new strategies, eliminate underperforming strategies and avoid redundancy
- Require audience data for all proposed advertising
- Establish audience goals for social media and website
- Target communications and marketing audiences



STATION IDENTITY

ENGAGE TARGETED AUDIENCES

- Manage unified WBC logo, brand, design
- Develop comprehensive marketing budget
- Issue multimedia press releases
- Create quarterly agency-wide publication
- Profile projects and communities in coordinated fashion
- Target opportunities to submit columns to media outlets and stakeholders
- Develop ad and storytelling campaign based on "Think" pillars
- Capitalize on opportunities for joint marketing efforts with strategic partners



VOLUME

EXTEND REACH BEYOND MASS MEDIA

- Employ social media channels beyond Facebook and Twitter
- Develop external quarterly digital newsletter for targeted/ subscriber audiences
- Develop text and email direct messaging news and marketing
- Schedule multiple daily posts on social media to promote staff, programs and services
- Assist local and regional marketing efforts
- Target key reporters by subject and develop and maintain professional relationships



CHANNELS

GROW DIGITAL/ SOCIAL MEDIA PRESENCE

- Training plan for software and social media channels
- Grow number of items in website calendar, including stakeholder, partner and Business Resource Network events
- Streamline Facebook pages to create unified, flush, engaging page
- Set highest standard for public meeting and media materials and public participation
- Target opportunities to enhance Wyoming First Facebook user experience
- Refresh website (short term and long term)

