

## Board of Directors Agenda | Cheyenne, WY | May 11-12, 2021

*(Times and order of agenda items are tentative and subject to change without notice)*

*SAFETY REMINDER: WBC Staff, Board Members and members of the public are encouraged to maintain social distance of six feet from others wherever possible, and to wear a mask covering the mouth and nose when distancing is not possible. **Individuals with symptoms of illness are asked to attend remotely.** Hand sanitizer, disposable masks and surface sanitizing wipes will be available.*

**Tuesday, May 11:**

**Dress code is business casual** – please wear your WBC name tag and note the safety reminders above

**11:00 a.m. Board of Directors / All-Staff Work Session**  
**Blue World Headquarters ([2401 Pershing Boulevard](#))**

- Entering from Pershing Boulevard, park in the lot to the East of the HQ building and enter through the main lobby.
- Lunch and refreshments will be provided for board and staff
- No action on matters of public business will be taken, public comments **will not** be accepted
- Click this link to [Join by Zoom Webinar](#)

**6:00 p.m. Board/Staff Social Mixer**

- Details by invitation

**Wednesday, May 12:**

**Cheyenne Frontier Days Headquarters Building ([1210 West 8<sup>th</sup> Avenue](#))**

*A map of the CFD campus with parking instructions is included in these materials on Page 4*

Click this link to [Join by Zoom Webinar](#)

**Dress code is business attire** – please wear your WBC name tag and note the safety reminders above

**7:00 a.m. Breakfast for Board and Staff**

**8:00 a.m. Convene Public Meeting – Co-chair Kim DeVore**

- Pledge of Allegiance
- Welcome and Roll Call of Board Members
- **ACTION ITEM:** Consideration of approval of minutes from the March 2021 regular meeting by webinar – Page 5

**8:15 a.m. Welcome to Cheyenne – Southeast Regional Director Heather Tupper**

- Welcome Remarks from Mayor Patrick Collins

**8:30 a.m. CEO Report – Chief Executive Officer Josh Dorrell**

- Recognition of retiring WBC staff members Sherry Hughes (23 years) and Karen Fate (20 years)
- Service awards

**9:00 a.m. Tourism and Economic Update Discussion** – Chief Strategy Officer Sarah Fitz-Gerald

- Diane Shober, Executive Director, Wyoming Office of Tourism: Industry Overview
- Chris Brown, Executive Director, Wyoming Lodging & Restaurant Association: Current Status, Challenges and Opportunities
- Tony O'Brien, General Manager, Little America Cheyenne: Group Sales Trends and Forecasts
- Alex Klein, Vice President and General Manager, Grand Teton Lodge Company: Leisure Travel

**9:45 a.m. Morning Break**

**10:00 a.m. Investments Standing Committee** – Chairman John Coyne III (Page 11)

- **Administrative Rules for the Business Ready Communities Grant and Loan Program, Large Loan Program** – Agency Services Manager Warren Appel
  - **ACTION ITEM:** Consideration of formal adoption of amended rules for the BRC program
  - **ACTION ITEM:** Consideration of adoption of new rules for the Large Loan Program
- **Review of Business Ready Community Budget and Allocation Plan** – Investments Division Director Julie Kozlowski
- **Business Ready Community Projects** - Community Development Manager Noelle Reed will present the following projects for consideration:

BRC Applications Received March 1, 2021				
Applicant	Project	Type	Request	Staff Recommendation
Mills, City of	Riverfront Property Preparations	CD Readiness	\$ 1,919,502	\$ 1,919,502
Laramie County	M2M Fabrication Lab & Concept Forge	CD Enhancement	\$ 500,000	\$ 232,000
<b>Total Requests</b>			<b>\$ 2,419,502</b>	<b>\$ 2,151,502</b>
<b>Total Available BRC Funding</b>				<b>\$ 34,076,118</b>
<b>Funds remaining if awarded</b>				<b>\$ 31,924,616</b>

**Q4 Allocation**

BRC Project Types	Priorities	% of Allocation	Q4 Allocation Available
Business Committed & Managed Data Ctr Cost Reduction	High	45%	\$ 3,833,563
Community Development	Medium	54%	\$ 4,600,276
Planning	Low	1%	\$ 85,190
			<b>\$ 8,519,029</b>

- **ACTION ITEM:** Consideration of staff recommendations for the City of Mills
- **ACTION ITEM:** Consideration of staff recommendations for Laramie County
- **Memorandum regarding Powell Conference Center extension** – Community Development Manager Noelle Reed
  - **ACTION ITEM:** Consideration of staff recommendations
- **FY21 Q3 Challenge Loan Report** – Economic Development Finance Manager Josh Keefe
  - **ACTION ITEM:** Consideration of acceptance of quarterly Challenge Loan report
- **2020 Challenge Loan Program Audit Report**
  - **ACTION ITEM:** Consideration of acceptance of annual Challenge Loan audit report
- **2020 Annual Challenge Loan Report**
  - **ACTION ITEM:** Consideration of acceptance of annual Challenge Loan annual report
- **Small Business Investment Credit Program Report for PY2020**
  - **ACTION ITEM:** Consideration of acceptance of annual SBIC report

**12:00 p.m. Operations Standing Committee** – Chairwoman Kathy Tomassi (Page 38)

- **Culture and Performance Update** – Human Resources Manager Chava Case

- **FY21 Q3 Financial Update** – Accounting Manager Lyndsay Orr
  - **ACTION ITEM:** Consideration of acceptance of quarterly financial statements
- **Amendment Two to the Contract with McGee, Hearne & Paiz, LLP for the FY21 financial audit** – Chief Operating Officer Amy Grenfell
  - **ACTION ITEM:** Consideration of staff recommendations

**12:30 p.m. Lunch Break**

- Lunch will be provided on-site for board members and WBC staff; members of the public are encouraged to sample a local restaurant

**1:30 p.m. Field Operations Updates** – Southeast Regional Director / Team Lead Heather Tupper

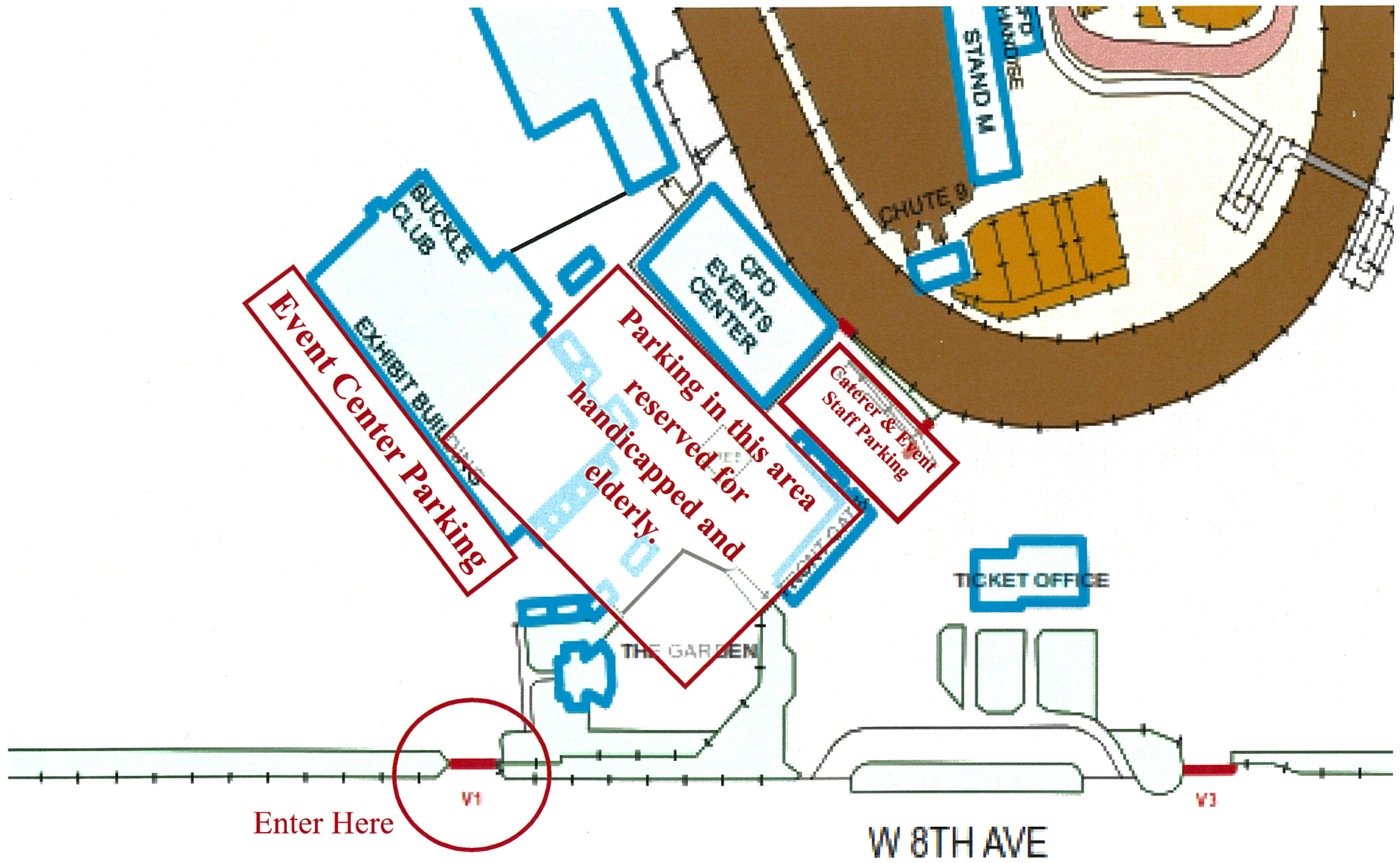
- Northwest Regional Director Amy Quick
- West Regional Director Elaina Zempel
- East-Central Regional Director Kim Rightmer
- Northeast Regional Director Brandi Harlow

**2:15 p.m. Services Standing Committee** – Chairwoman Pam Thayer (Page 46)

- **FY22 Contract with the University of Wyoming for the Business Resource Network** – CSO Sarah Fitz-Gerald
  - **ACTION ITEM:** Consideration of staff recommendations

**2:30 p.m. Other Board Matters**

- **Standing Committees** will meet this quarter during the week of August 10 (invites on Google Calendar):
  - **Investments Committee:** Tuesday, August 10 at 10:00 a.m.
  - **Strategy Execution Committee:** Tuesday, August 10 at 2:00 p.m.
  - **Operations Committee:** Wednesday, August 11 at 10:00 a.m.
  - **Services Committee:** Friday, August 13 at 10:00 a.m.
- **Next Regular Meeting of this Board:** Thursday, September 16 by Webinar



Enter through gate V-1 off of 8th Avenue.

Event Center parking located on the west side of the Exhibit Building.

Parking for event staff, caterer, and bands located in small lot at south end of Event Center.

Parking in front of Event Center reserved for handicapped and elderly.



## REGULAR MEETING of the WYOMING BUSINESS COUNCIL BOARD OF DIRECTORS

Wednesday, March 10, 2021 | 8:00 a.m. | by Zoom Webinar

**BOARD PRESENT:** Erick Arens, Chuck Brown III, John Coyne III, Kim DeVore, Mike Easley, Cindy Johnson, Chuck Kenyon, Jason Kintzler, Alex Klein, Mark Law, Erin Moore, Pam Thayer, Kathy Tomassi

**STAFF PRESENT:** Bert Adam, Sue Akey, Warren Appel, Chava Case, Josh Dorrell, Karen Fate, Sarah Fitzgerald, Amy Grenfell, Ron Gullberg, Brandi Harlow, Sherry Hughes, Josh Keefe, Devin Kenney (AG Counsel) Julie Kozlowski, Wendy Lopez, Justin Mabie, Brandon Marshall, Lyndsay Orr, Marcio Paes-Barreto, Ben Peterson, Amy Quick, Noelle Reed, Kim Rightmer, Jill Tregemba, Heather Tupper, John Wendling, Elaina Zempel

### CONVENE PUBLIC MEETING

Meeting was called to order at 8:00 a.m. by Co-Chair Mike Easley, followed by the Pledge of Allegiance. Mr. Easley clarified the Executive Session/CEO Transition Committee item as being a re-evaluation of Josh Dorrell's hire as CEO at his one-year anniversary. Roll was called and quorum was established.

- **ACTION ITEM:** Motion to approve minutes from December 2020 regular meeting by Ms. DeVore, second by Mr. Klein, and no amendments/corrections or discussion. Motion carried unanimously.

### NOMINATING COMMITTEE FOR 2021 BOARD OFFICERS / STANDING COMMITTEE REALIGNMENT

Committee Chair Alex Klein thanked Mr. Easley for the opportunity to chair the committee and work with fellow board members on this committee. The committee recommends Kim DeVore for 2021 Co-Chair, Erin Moore for 2021 Vice-Chair, and Kathy Tomassi for 2021 Secretary/Treasurer. Mr. Klein concluded by offering his thanks to Mr. Easley for his chairmanship in the particularly challenging 2020 year.

- **ACTION ITEM:** Motion to approve recommendations of the nominating committee by Mr. Kenyon, second by Ms. Johnson, and no discussion. Motion carried unanimously.

Mr. Easley offered brief remarks thanking members for their kind words and support in 2020. Ms DeVore again thanked Mike for his leadership and setting the stage for exciting growth in 2021, which include a realignment of board standing committees to better-reflect the WBC's organizational structure and strategic plan. Accordingly, the WBC standing committees are reorganized as follows:

- The Community Grant and Loan Committee will henceforth be known as the **Investments Committee** focused on the WBC's various investment and funding mechanisms. This committee will be chaired by Mr. Coyne, vice-chair is Mr. Law.
- The Business Contract and Loan Committee will henceforth be known as the **Services Committee** and focused on business services, recruitment, rural development, main street, and agribusiness. This committee will be chaired by Ms. Thayer, vice-chair is Mr. Brown.
- The Personnel, Budget and Audit Committee will henceforth be known as the **Operations Committee** and will be focused on internal WBC operations. This committee will be chaired by Ms. Tomassi, vice-chair is Ms. Johnson.

- The **Strategy Execution Committee** will continue to advise on the strategic plan and overall alignment. This committee will be chaired by Mr. Klein, vice-chair is Mr. Arens.

Ms. DeVore noted that with the reduced size of the board (from 15 to its present 13 members), each board member is encouraged to serve on at least two standing committees, and members of the Executive Committee are encouraged to participate in all committees where possible, subject to quorum limitations.

## **EAST CENTRAL REGIONAL UPDATE**

Regional Director Kim Rightmer led the board on a review of entrepreneurial efforts and successes in the East Central Region. Presentations and Q&A discussion were shared with Director Eric Schlidt and Assistant Director John Glassburn of Impact 307 and CEO Justin Farley of Advance Casper.

## **CEO UPDATE**

Chief Executive Officer Josh Dorrell began with a review of Wyoming's economic status and shifting economic indicators, detailed by Chief Strategy Officer Sarah Fitz-Gerald. Some of these shifts are pandemic-related, and others point to changes in the energy economy and its impacts in Wyoming.

The Board then heard presentations from Dr. Glen Murrell, Executive Director of the Wyoming Energy Authority, Dr. Holly Krutka from the University of Wyoming School of Energy Resources, and Steve Degenfelder of the Kirkwood Companies. The ensuing discussion with the panelists focused on the continued role of energy in Wyoming's economy, the impacts of federal leasing bans, the changing energy environment, and ongoing energy development projects.

## **BUSINESS CONTRACT AND LOAN STANDING COMMITTEE**

Chair Jason Kintzler preview of the committee's work this past quarter, then turned to staff for presentation of each item.

Business Finance Analyst Justin Mabie presented the quarterly Challenge Loan report. Staff reports one past-due Economic Disaster Loan to Weber Ag, LLC which has a high likelihood of charge-off and is being reviewed for a formal complaint by the AG. Staff also reports the successful collection of payment from Brett Weber (unrelated). The Loan Loss Reserve remains adequate, the available balance is \$5,562,391.00, and there are no charge-offs to report this quarter.

- **ACTION ITEM:** Motion to approve quarterly Challenge Loan report by Mr. Coyne, second by Ms. Moore, and no discussion. Motion carried unanimously.

Economic Development Finance Analyst Josh Keefe presented a memorandum on a proposed amendment to the contract with Markee Escrow Services for the continued management of the WBC's loan portfolio. This amendment would add \$65,000.00 to the existing contract to a total of \$160,000.00 which was necessitated by the deferment of the June 2020 payment related to the WyoTech loan which shifted those costs to a future contract, as well as several anticipated loan payments which will result in additional expenses. This contract would not extend the contract, and Keefe will begin negotiation the next contract cycle in the coming months.

- **ACTION ITEM:** Motion to approve amendment to the contract with Markee Escrow Services by Ms. Johnson, second by Ms. Thayer, and no discussion. Motion carried unanimously.

Keefe then presented a review of proposed amendments to the administrative rules for the Large Loan Program, including the history of the program to date and the actions related to these proposed amendments, and the specific changes to the program with the implementation of these rules.

- **ACTION ITEM:** Motion to adopt amendments to Administrative Rules for the Large Loan Program as recommended by staff by Mr. Law, second by Ms. Thayer, and no discussion. Motion carried unanimously.

#### **PERSONNEL, BUDGET AND AUDIT STANDING COMMITTEE**

Chief Operating Officer Amy L. Grenfell presented a status update on the Business Relief Programs and ongoing audits and repayments. Grenfell reports that returns total some \$8.5m and we are working with affected businesses on repayment options and concluding final steps to fully close out this program.

- **ACTION ITEM:** Motion to adjourn to Executive Session for the discussion of Personnel Matters by Mr. Easley, second by Ms. Thayer, and no discussion. Motion carried unanimously.
  - Members of the board recessed to an alternate meeting location for Executive Session, staff and the public were dismissed for the lunch break.

#### **RECONVENE PUBLIC MEETING**

Co-Chairwoman Kim DeVore called the meeting back to order at 12:30pm. Roll was called and quorum established.

- **ACTION ITEM:** Motion to approve CEO Transition Committee recommendations as discussed in Executive Session by Mr. Easley, second by Mr. Kintzler, and no discussion. Motion carried unanimously.

The results of the FY20 financial audit was presented by Mr. Wayne Herr, partner of contracted audit firm McGee, Hearne & Paiz, LLP (MHP) of Cheyenne. Mr. Herr provided an outline of the audit methodology and requirements. There were no findings regarding internal controls, compliance or reporting. Audits were performed of the federal programs (Community Development Block Grant and CARES Act), also with no findings. Herr noted that since much of the funding under the CARES Act occurred in FY21, there will be additional testing of those financials in the upcoming year.

Herr pointed to the difficulty completing the audit timely due to delayed guidance from the federal government on the CARES Act audit requirements. As it pertains to the separate audits performed of Business Relief Program applicants, Herr noted that MHP engaged numerous accounting firms throughout the state to complete those audits within the timeframe required.

- **ACTION ITEM:** Motion to approve the FY20 financial audit results by Mr. Arens, second by Mr. Brown, and no discussion. Motion carried unanimously.

Accounting Manager Lyndsay Orr presented the Q2FY21 financial statements, noting the numbers look slightly different this year due to changes in the way expenditures are encumbered and a reduction in overall expenses due to budget limitations. Notably, Orr reports a 99.79% utilization of the \$506.4m of allocations under the CARES Act, and spoke to ongoing payments under the Energy Rebound Program which are expected to conclude soon.

- **ACTION ITEM:** Motion to approved quarterly financial report by Ms. Moore, second by Mr. Arens, and no discussion. Motion carried unanimously.

Human Resources Manager Chava Case reported on recruitment efforts for a Southwest Regional Director expected to conclude in the coming weeks, and the ongoing engagement between WBC staff and staff of the Wyoming Office of Tourism on the “Enlightenment Series” which focuses on talent development. Beginning with “The Happiness Advantage,” and recently finishing the “Purpose Pyramid” modules, the team will next focus on “The Ideal Team Player.”

CEO Dorrell mentioned that the accounting team continues to be very focused on the CARES funds and ensuring the accounting is completed accurately and the funds which are required for return are processed properly.

Ms. DeVore encouraged the board to review the final written report from the ConnectWyoming program and written reports provided by the Regional Directors. These materials are included in the March 10 meeting materials.

#### **COMMUNITY GRANT AND LOAN STANDING COMMITTEE**

Committee Chair Erin Moore mentioned there will be some upcoming board work sessions to discuss the BRC program and the evaluation and prioritization of projects for recommendation. She then turned to Investments Division Director Julie Kozlowski who provided a brief summary of available BRC funds, funding targets, and the list of projects proposed for consideration this quarter.

#### **City of Lander / Maven Headquarters Grant and Loan**

Community Development Manager Noelle Reed presented the \$3m grant and \$2,705,392 loan request from the City of Lander for the Maven Headquarters project in the LEDA Enterprise Park. Staff spoke to the strategic alignment of this project in supporting manufacturing and outdoor industries as well as skilled jobs creation.

The Board hear comments and Q&A with Rajean Strube Fossen, Assistant Mayor of Lander; Cade Maestas of Maven; and Kendall Heyford of Lander Economic Development Association (LEDA). Staff recommends full funding, as requested.

#### **Laramie County / VM Accel Data Center**

Prior to discussion of this project, Kozlowski reported that there is a familial connection between VM Accel and a WBC employee. This project came to the WBC voluntarily – it was not a recruitment project – and the relationship between the VM Accel employee and the WBC employee not only pre-dates this application but has also been well-documented and does not represent a conflict of interest for either party. Kozlowski noted this unique situation has changed the Investments process for all projects to now include a formal Conflict of Interest review.

Kozlowski then provided the board with a review of the Managed Data Center Cost Reduction grant program and its purposes/uses under statute. Grants Project Manager John Wendling then presented the application submitted by Laramie County which totals \$2.25m.

Comments were received from project representatives, including Greg King and Darrick Horton of VM Accel and Laramie County Grants Manager Sandra Newland. Staff recommends funding as requested.

### **Rock Springs-Sweetwater County Airport Board / Commercial Terminal Modernization**

Noelle Reed presented a \$3m grant request for the modernization and expansion of the commercial air terminal at Rock Springs-Sweetwater Airport. The project would add new space for security and baggage screening, passenger waiting, baggage claim and common use space, as well as bolster infrastructure to support future growth. The existing terminal was constructed in 1978 and is no longer sufficient to support the needs of the growing air service in Rock Springs.

The Board heard comments in support of the project from Southwest Wyoming Regional Airport Director Devon Brubaker. Staff recommends funding as requested.

- **ACTION ITEM:** Motion to approve staff recommendations for the City of Lander / Maven project by Mr. Law, second by Ms. Thayer, and no discussion. Motion carried unanimously.
- **ACTION ITEM:** Motion to approve staff recommendations for the Laramie County / VM Accel project by Ms. DeVore, second by Mr. Coyne, and no discussion. Motion carried unanimously.
- **ACTION ITEM:** Motion to approve staff recommendations for the Rock Springs-Sweetwater County Airport Board terminal modernization project by Ms. Johnson, second by Mr. Kenyon, and no discussion. Motion carried unanimously.

### **WY Malting Grant Payoff Memorandum**

Kozlowski then presented a memorandum regarding the payoff/settlement of the WY Malting Grant and Loan which is proceeding on the advice and recommendation of this committee; no action is required by the Board. Questions were raised by the Board about this development and its impact on revenue recapture, and staff assured the Board this situation is truly unique and this variance to typical procedure is warranted. Derrek Jerred of Cheyenne LEADS spoke to the viability of the business overall and the specific circumstances which precipitated this development.

### **USDA Rural Development Block Grant Application Resolution of Support**

Finally, Kozlowski presented a memorandum regarding a resolution in support of an application for funding under the Rural Development Block Grant from the USDA. This resolution is required as part of the application, which seeks to provide additional funding for the Development Readiness Initiative and Revitalization Road Map services provided to small communities identified by the WBC. Communities supported through the previous funding cycle include Afton, Basin, Shoshoni, Moorcroft and Kemmerer, with Shell and Cody expected to participate in April 2021.

Ms. Thayer commented that she has seen the products of these sessions and they are truly valuable for the communities in charting their economic development goals and that she supports this application.

- **ACTION ITEM:** Motion to adopt resolution in support of USDA RDBG application in the amount of \$47,000.00 by Mr. Kenyon, second by Mr. Klein, and no discussion. Motion carried unanimously.

### **OTHER BOARD MATTERS and ADJOURNMENT**

Ms. DeVore reminded Board members of 2021 standing committee meetings and board meetings, including the upcoming May meeting which we plan to hold live in Cheyenne. Committee meeting calendar invites will be sent once committee members are seated.



Ms. DeVore concluded by wishing CEO Josh Dorrell an early happy birthday.

There being no further business before this board, Ms. DeVore adjourned the meeting at 3:21 p.m.

*Respectfully Submitted,*

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*Kathy Tomassi, Secretary/Treasurer*

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*Warren R. Appel, Agency Services Manager*

**TO:** Wyoming Business Council Board of Directors  
Ms. Kim DeVore, Co-Chair  
Mr. John Coyne III, Investments Committee Chair

**FROM:** Warren R. Appel, Agency Services Manager  
Noelle Reed, Community Development Manager  
Josh Keefe, Economic Development Finance Manager

**DATE:** April 20, 2021

**RE:** Administrative Rules for the Business Ready Community Grant and Loan Program, Large Loan Program

Madam Co-chair,

At its December 10, 2020 and March 10, 2021 public meetings, this Board took action on amendments to the Business Ready Community Grant and Loan Program rules and the Large Project Loan Program rules, respectively. Due to various circumstances, we are compelled to request additional action by the Board to permit full promulgation of these rules. A narrative of the circumstances specific to each rulemaking action and staff recommendations follows.

#### **BACKGROUND ON BRC RULES:**

The WBC is statutorily exempt from the Wyoming Administrative Procedures Act (WAPA) under W.S. § 9-12-102(g)(iii), which, among other things, permits the WBC to promulgate rules without conducting a formal public comment period and/or public hearing. The WBC leverages this exemption to expedite and simplify the rulemaking process as its *de facto* process in most rulemaking.

Notwithstanding this exemption, it is important and worthwhile to note it is common practice for staff to solicit feedback from partners and stakeholders on all rulemaking activities, even those which are not subject to a formal public comment period. Further, staff recognizes there are situations where a formal public comment period is warranted, and in the case of the amended BRC rules, opted to place these proposed amendments out for public comment. The 45-day public comment period opened January 26, 2021 and closed on March 12, 2021, during which time the WBC received two comments:

1. A private citizen seeking funding options for a group housing project/re-entry center in Natrona County which are not germane to the rules or rulemaking process. WBC staff will follow-up with this individual directly to connect them with resources.

2. The Wyoming Telecommunications Association submitted (via counsel) a comment pertaining to exclusive agreements for telecommunications services, the requirements of W.S. § 37-15-413, and the suggestion that these rules either a) be amended to require a BRC applicant to be compliant with this section prior to seeking BRC funding; or b) that WBC include clear notice of required compliance with this statute on the BRC application and include a check for compliance as part of its review process.

Upon conferral with Attorney General Counsel, WBC staff concurs this section of statute is relevant as the amended rules permit for the funding of telecommunication infrastructure projects through the BRC program in certain cases. Accordingly, staff will revise the application process to ensure applicants are aware of this statute's language and restrictions/requirements, and further, will include a review of the applicant's/project's compliance with W.S. § 37-15-413 as part of the project review process.

Whereas this Board's action on December 10, 2020 was to "adopt" these rules and a public comment period was held subsequent to this action, this has created a specific conflict with the provisions of W.S. § 28-9-103(b) which requires the final rulemaking documents to be provided to the Wyoming Secretary of State's Registrar of Rules within ten (10) days of adoption. These rules are entirely unchanged since the time of this Board's prior action to adopt amendments.

## **BACKGROUND ON LARGE PROJECT LOAN PROGRAM RULES:**

This Board's action at its March 10, 2021 public meeting to "adopt amended rules" for the Large Project Loan Program was determined to be flawed inasmuch as there are no existing rules for this program on file with the Wyoming Secretary of State's Registrar of Rules to amend. These rules are derived from and advised by certain portions of rules which are now-defunct as a result of the recent codification of this program – originally created under 2014 Session Laws, Chapter 46, Section 2 – within the Wyoming Partnership Challenge Loan Program's authorizing statutes (W.S. § 9-12-301 *et seq.*).

The appropriate action in this case is promulgation/adoption of new rules pursuant to W.S. § 9-12-308(m). These rules are unchanged in substance since the time of this Board's prior action to adopt amendments; a reference to the Wyoming Administrative Procedures Act was stricken from the first paragraph as the WBC intends to leverage its WAPA exemptions in completing this new rulemaking as per its *de facto* process.

## **RECOMMENDATIONS:**

**Staff recommends and requests the following actions by this Board:**

- 1. The adoption of amended rules for the Business Ready Community Grant and Loan Program; and**
- 2. The adoption of new rules for the Large Project Loan Program.**

**Further, to ensure clarity in future rulemaking, staff will help inform future Board actions on rules such that they are clear as to whether the action “approves rules for public comment” (which will require an additional action by the Board to formally adopt after public comment period concludes), or whether the action is to immediately “adopt” the rules.**

*Respectfully Submitted,*

*/s/*

*Warren R. Appel*

*Noelle Reed*

*Josh Keefe*

**City of Mills**  
**Mills Riverfront Property Preparations Project**  
**Community Readiness grant application**

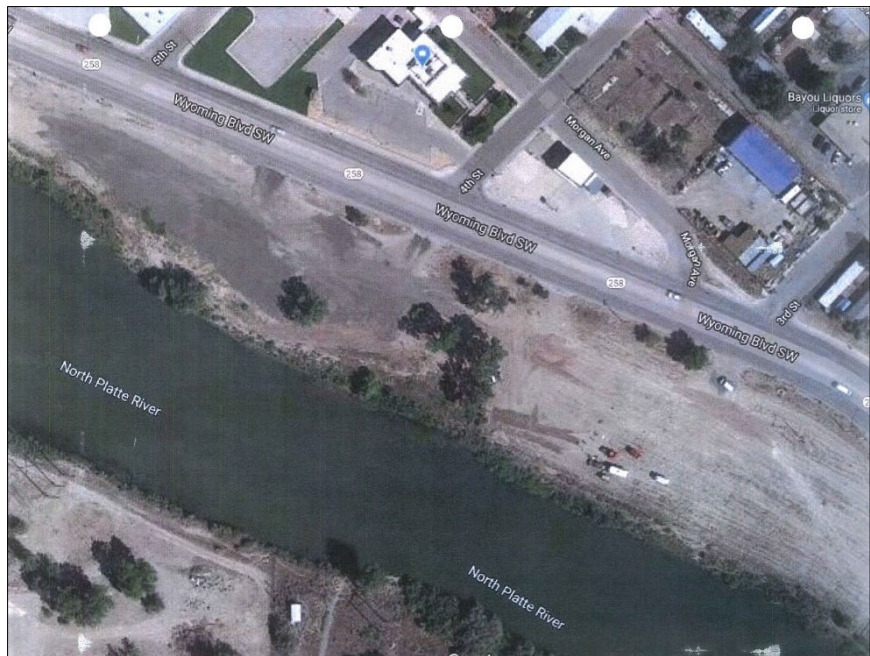
\$1,919,502 Grant Request  
\$213,278 Cash Match  
\$2,132,780 Total Project Costs

**Project Overview:**

The City of Mills requests a \$1.9 million BRC grant to prepare a five-acre site for development. The city owns approximately 10 acres along the North Platte River. This site is located directly south from the Mills City Hall (located at 704 Fourth Street) on SW Wyoming Boulevard.

The City Council and area residents desire to create a business/retail destination which supports job creation, entrepreneurship, and economic development in Mills while featuring outdoor spaces along the river which brand the community as a great place to convene.

Mills has already completed the following in preparation for this next step.



- Demolition of the old city shop building (*paid with City funds*)
- Purchase of new public works shop in 2018 (*paid with SLIB Loan*)
- 200 tons of roto mill was spread along the area directly across from the City Hal building to alleviate muddy, swampy areas during snowmelt and rainfall (*paid with City funds*)
- Purchase of outdoor picnic tables to promote outdoor gatherings and accommodate visitors (*paid with City funds*)
- Geologic Technical Study, November 2020 (*paid with City funds*)

The grant dollars will be used to connect infrastructure such as water and sewer service, and to install fiber optic cable. It also includes some riverbank stabilization and dirt fill to raise the



area above flood plain level to ensure that the site is suitable for development as a shovel ready site.

Once the site preparation is completed, the city will offer the site(s) for sale, partial sale or long-term lease to commercial and business developers through a competitive RFP process.

Considered uses according to a River Front Feasibility Study (funded by CDBG funds in 2016) include development of professional office space or other commercial uses, restaurants, a microbrewery/distillery, public entertainment facilities, public green space, trails connecting to



the regional Platte River Trails system, or access to the North Platte River for river activities and public parking spaces.

This project will provide the City of Mills with a recognizable entrance and will lend to a downtown community atmosphere, a component currently lacking in the primarily industrial city. Other city efforts include a land swap to a local developer in the fall of 2020 where the

developer has a plan for 87 residential housing units. The developer will be breaking ground on utilities in that area in the spring of 2021.

The city of Mills has never requested BRC funding prior to this project. City leadership believes this project will help them establish an economic development foundation to build upon. They are ready to leverage the asset of the river that flows through their community and the view of Casper Mountain to build their future.

### **Partners:**

The city is working with the Casper Area Metropolitan Planning Organization (MPO), as they released an RFP for a planning study for a non-motorized use trail to traverse the Mills riverfront area and connecting with the Platte River Trails system. This RFP was released in February 2021. The city has also received letters of support from various private and public entities for this project.

**Revenue Recapture:**

The City of Mills will repay 33% of net proceeds from the sale of each parcel of property with this 10-acre development to the BRC fund. The City of Mills will first recapture the amount of its local match for this grant application, and then pledges to deposit the remaining net proceeds into a segregated fund for future economic development projects.

**Budget:**

The City of Mills will provide a 10% cash match for this project from their One Cent Funds.

<b>Sources</b>	
BRC amount	\$ 1,919,502
Cash Match	\$ 213,278
In-Kind Match	\$ -
<b>Total eligible project cost</b>	<b>\$ 2,132,780</b>
BRC % of total eligible project costs	90%
Local % of total eligible project costs	10%
<b>Uses</b>	
<b>Non-Construction Costs</b>	
Architectural and Engineering fees	\$ 328,120
<b>Construction Costs</b>	
<i>Site Work:</i>	
Mobilization, Traffic Control, Etc	\$ 179,500
Water Line/Fire Control/Hydrants	\$ 83,500
Sewer Line Extension	\$ 40,000
Pathway Work	\$ 120,250
Riverfront Stabilization	\$ 1,217,350
Contingencies (8%)	\$ 164,060
<b>Total Uses</b>	<b>\$ 2,132,780</b>

**Recommendation:**

The Investments Team recommends funding as requested in the amount of \$1,919,302.

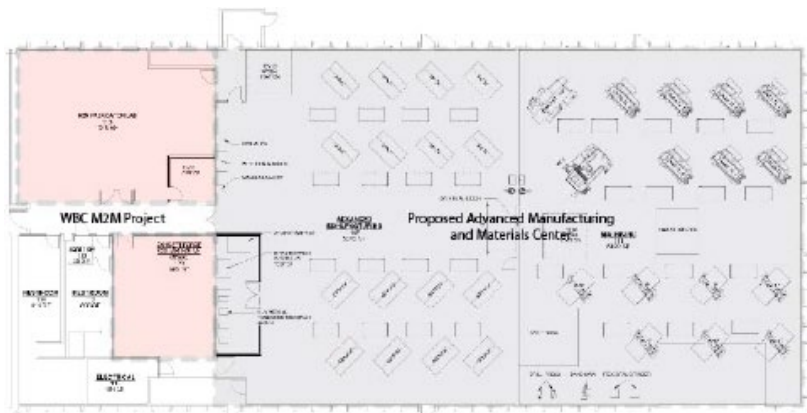
**Laramie County**  
**Maker-to-Market (M2M) Fabrication Lab and Concept Forge – LCCC Campus**  
**Community Readiness grant application**

\$500,000 BRC Request  
\$25,000 Cash Match  
\$25,000 In-Kind Match  
\$550,000 Total Project Costs

**Project Overview:**

Laramie County requests a \$500,000 BRC grant to establish a maker-to-market (M2M) fabrication lab and collaboration space on the Laramie County Community College (LCCC) campus. This project will provide access to affordable fabrication space and resources for community inventors, innovators, crafters, makers, hobbyists, fabricators, and small manufacturers.

Currently, LCCC is undergoing a larger effort with advanced manufacturing and entrepreneurship to address workforce needs. The BRC grant application submitted by Laramie County is a part of their overall initiative towards this effort.



Fabrication labs are small-to-medium scale workshops that offer services and use of equipment that is difficult for entrepreneurs to purchase themselves. Some of the equipment that LCCC currently has available include upholstery sewing machines, light table, plotter printer, drafting table, touchscreen monitors, laser etcher, fume extractor, an oversize material printer, etc. The M2M Fab Lab and Concept Forge will be available to students, as well as community members for a membership fee.

The main goal for LCCC is to address workforce needs. There is a workforce development impact. Fabrication Labs allow entrepreneurs to test their concepts as well as allowing individuals to develop “soft skills” that are needed in the manufacturing industry – critical thinking, problem solving, creativity, innovation, collaboration, and communication. A Cheyenne LEADS Prospect Report shows that approximately 60% of all recent prospects are related to manufacturing and lack of workforce skills accounts for ~50% of all unsuccessful business relocation outcomes.

**Partners:**

LCCC has partnered with many public and private entities on this and other projects. They are currently pursuing EDA funding for a proposed Advanced Manufacturing and Materials Center, which will be targeted towards workforce development for larger businesses but could also support any M2M initiatives that need this scale of expertise.

**Budget:**

<b>Sources</b>	
BRC amount	\$ 500,000
Cash Match	\$ 25,000
In-Kind Match	\$ 25,000
<b>Total eligible project cost</b>	<b>\$ 550,000</b>
BRC % of total eligible project costs	91%
Local % of total eligible project costs	9%
<b>Uses</b>	
<b>Land Acquisition Costs</b>	
Land	\$ 25,000
<b>Non-Construction Costs</b>	
Architectural and Engineering fees	\$ 7,827
<b>Construction Costs</b>	
Site work	\$ 1,000
Demolition and removal	\$ 11,000
<i>Building Components:</i>	
Hazardous Material Abatement	\$ 7,873
Building Floor Slab, Patch, Repair	\$ 2,000
Exterior Enclosure Modifications	\$ 3,300
Interior Partitions/Openings	\$ 54,000
Interior Finishes	\$ 24,000
Bldg Accessories	\$ 6,000
Fire Suppression System	\$ 29,000
Plumbing System	\$ 17,000
HVAC System	\$ 51,000
Electrical System	\$ 34,000
Communications	\$ 9,000
Equipment	\$ 268,000
<b>Total Uses</b>	<b>\$ 550,000</b>

**Recommendation:**

The Investments Team recommends funding in the amount of \$232,000 for the building modifications. The team does not recommend funding requested for the equipment.

Further, the team recommends funding contingent on the possible receipt of other funding that might be forthcoming. Should that funding (which may come from federal stimulus funds) materialize, the BRC funds will be de-obligated.



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INTEROFFICE MEMORANDUM

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TO: WYOMING BUSINESS COUNCIL BOARD OF DIRECTORS

FROM: NOELLE REED

SUBJECT: CITY OF POWELL CONFERENCE CENTER EXTENSION REQUEST

DATE: MAY 12, 2021

The City of Powell is requesting a two-year grant extension for the Business Ready Community (BRC) Community Readiness Conference Center project.

**Project Overview:**

The Wyoming Business Council Board of Directors recommended a BRC Community Readiness grant to the City of Powell at the September 6, 2018, board meeting in the amount of \$2,623,724. The SLIB approved the recommendation at their October 4, 2018 meeting.

The BRC funds were allocated to construct a 10,000-square-foot Conference and Community Center adjacent to a privately financed 70-80 room lodging facility. The Conference Center will have capacity for gatherings of 200-250 people and will contain a commercial kitchen. The facility will be constructed in the Gateway West Business Park (which was developed with BRC funds in 2005). The Park is currently privately owned. Once the grant agreement is in place, the City will proceed through the steps to transfer ownership of the land to them. The Conference Center will also be owned by the City of Powell and leased to the lodging facility. The adjacent lodging facility will operate and maintain the Center.

Stephen Wahrlich, a private developer, has been selected to construct the Best Western Plus Clocktower Inn of Powell. Wahrlich has extensive background and experience in hotel lodging and hospitality. He also owns a 126-room lodging facility in Billings, MT, as well as a lodging facility in northern California. He secured two acres of land in Powell and has an agreement to secure another two acres in the same location from a local resident.

The Clocktower Inn will be obligated to pay a lease for 20 years with the option to purchase after the grant funds are repaid.

The WBC will recapture 29% annually of total net revenues. Total revenue recapture after 10 years will be \$253,627 and total recapture after sale of the building is \$709,760. The additional lease revenue will be allocated to the Powell Economic Development Fund.

**Extension Request:**

The City of Powell is requesting a two-year grant extension for the BRC project due to various delays in construction. These delays include:

- An unforeseen project by the hotel developer to operate a restaurant at an existing property which took time and attention away from this development in 2019.
- Significant COVID impacts on the travel and tourism industry in 2020.

The two-year extension request is needed to reengage investors and realign private financing. The developer intends to break ground in the third quarter of 2022 with an opening 12 months later.

**Attachments:**

- City of Powell Extension Request Letter
- Clocktower Inn Letter
- Powell Economic Partnership (PEP) Letter

**Recommendation:**

The Investment Division recommends and requests the Board approve a two-year grant extension for the City of Powell Conference and Community Center project.

Respectfully submitted,

Noelle Reed  
Community Development Manager

Terms	Annual Lease Rate	Monthly Payment
Years 1-2	\$43,729	\$3,644.08
Years 3-7	\$104,949	\$8,745.75
Years 8-10	\$87,457	\$7,288.00
Years 11-20	\$174,914	\$14,576.24
	<b>\$2,623,723</b>	



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## Memorandum

**To:** Wyoming Business Council Board of Directors  
**From:** Josh Keefe  
**Subject:** Challenge Loan Reporting Requirements  
**Date:** May 12, 2021

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1. **Past Due Report.** Challenge Loan Policy requires quarterly reporting of all loans 30 days or more past due.
  - There were five (5) past due payments on March 31, 2021:
    - **Weber Ag, LLC** (Economic Disaster Loan – 2017) was originated in July of 2017 as part of the Economic Disaster Loan declaration for the Wyoming Sugar Company. Lender has made multiple attempts in the past months to contact the Borrower to no avail. A demand letter was sent on January 13, 2020. The Borrower had until 5:00pm, February 14, 2020 to respond to the letter. No response was received. The Wyoming AG is in the process of filing a formal complaint against Weber Ag, LLC and Damon Weber. This loan is fully reserved and has a very high likelihood of being charged off (\$484,950.00).
    - **Edward Lay** (Economic Disaster Loan – 2020) was originated in March of 2020 as part of the Economic Disaster Loan Declaration for Goshen County Wyoming due to the collapse of the Gering/Ft. Laramie irrigation canal (tunnel). Have contacted borrower and a payment is expected to be received during the week of March 19, 2021. This is the first annual payment due for the borrower and the amount past due is \$3,736.91; loan balance is \$107,892.00.
    - **Ryan Riggs** (Economic Disaster Loan – 2020) was originated in March of 2020 as part of the Economic Disaster Loan Declaration for Goshen County Wyoming due to the collapse of the Gering/Ft. Laramie irrigation canal (tunnel). Have contacted borrower and borrower said that payment was lost in the mail. Another statement was generated and payment is expected soon. This is the first annual payment due for the borrower and the amount past due is \$4,897.32; loan balance is \$140,000.00.
    - **Lyle Bjornsted** (Economic Disaster Loan – 2017) was originated in November of 2017 as part of the Economic Disaster Loan declaration for

the Wyoming Sugar Company. Lender has been in contact with borrower and a payment is expected to be received during the week of March 12, 2021. The amount past due is \$20,382.46; loan balance is \$114,819.19.

- **Cody Easum** (Economic Disaster Loan – 2017) was originated in November of 2017 as part of the Economic Disaster Loan declaration for the Wyoming Sugar Company. Multiple attempts have been made by both the lender and servicer to no avail. A certified letter was mailed in April and WBC is awaiting a response from the borrower. The amount past due is \$11,001.77; loan balance is \$64,067.44.

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.

- The reserve is adequate with a balance of **\$1,909,726**. The allocation includes a 10% loan loss reserve for the Economic Disaster Loans originated, plus 0.5% of the total loan portfolio. The reserve also includes a full reserve of Weber Ag, LLC (\$484,950.00) and Brett Weber (\$61,050.86).
- The resulting available fund balance in the Economic Development Fund is **\$6,789,076**.

3. **Charge off balances.**

- None to report at this time

4. **Other News.**

- Josh is scheduled to attend the 2021 Agricultural Bankers Conference on May 12<sup>th</sup> & 13<sup>th</sup> in Saratoga, Wyoming.

**Staff Recommendation:**

- **Staff recommends acceptance of this report.**



BUSINESS COUNCIL

214 W. 15<sup>th</sup> Street

Cheyenne, WY 82002

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

[www.wyomingbusiness.org](http://www.wyomingbusiness.org)

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## Memorandum

**To:** Joint Minerals, Business and Economic Development Interim Committee  
**From:** Josh Dorrell, CEO  
**Subject:** Challenge Loan Report  
**Date:** May 12, 2021

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### **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**

- Updated Challenge Loan rules/policy were promulgated on December 5, 2019

### **Exhibit B – Portfolio of loans in the program as of 12-31-20**

- Thirty-seven (37) new loans during reporting period totaling \$3,199,131
  - These loans were all originated in response to the collapse of the Gering/Ft. Laramie irrigation canal collapse in August of 2019. All loans were to agricultural producers in Goshen County.

### **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. No exceptions of any kind were found on the last exam completed in March of 2021.

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

- The Challenge Loan Program has made or participated in 268 loans since 1998
- Total loans have been \$75,044,391 with the State's portion being \$36,818,398
- Interest collected over last 20 fiscal years (2000–2020) totals \$5,132,968
- Estimated jobs created or retained of 768

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

- 15 loans totaling \$575,632 have been charged off (1.6% loan loss)





**STATE OF WYOMING**  
**DEPARTMENT OF AUDIT**

**Mark Gordon**  
Governor

**Fred Rife**  
Interim Director

**OFFICE OF THE DIRECTOR**

(307) 777-6605 / [fred.rife@wyo.gov](mailto:fred.rife@wyo.gov)

April 22, 2021

Josh Dorrell, Chief Executive Officer  
Wyoming Business Council  
214 West 15<sup>th</sup> Street  
Cheyenne, Wyoming 82002



Re: Challenge Loan Program Report of Examination (Report)

Dear Mr. Dorrell:

Please find enclosed the Report of Examination of the Wyoming Business Council's Challenge Loan Program. The 2021 Report is issued by the Department of Audit's Division of Banking pursuant to Wyoming Statute 9-12-306, and is being provided to the Wyoming Governor, Wyoming Legislature, and Wyoming Business Council. I concur with the Report's findings.

Please contact the Division of Banking at 307-777-7797 with questions about the Report.

Sincerely,

Fred Rife  
Interim Director

Enclosure



# **Report of Examination**

Wyoming Business Council's

Wyoming Partnership Challenge Loan Program

Consisting of Loans to Development Organizations;

Guarantee Loan Participations; Bridge Financing;

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 22, 2021**

## **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 (W.S.) 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 22, 2021. The loan review included loans made under the Partnership Challenge Loan Program (Development, Bridge, and Guarantee Loan Participations), the Natural Gas Fueling Infrastructure Loan, and Economic Disaster Loans. This equated to, three Bridge loans, 37 Economic Disaster Loans, and one Natural Gas Fueling Infrastructure loan, for a total of 41 loans reviewed or 30 percent of the portfolio. Community Development Loans are not considered part of the portfolio and are not part of the Division of Banking's review.

## **PROGRAM OVERVIEW**

### **Article 3 of the Wyoming Economic Development Act**

The Program is governed by W.S. 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 WBC shares 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. Bridge financing loans and loan commitments to a business are limited to \$1,000,000. Loans to a business qualifying for guarantee loan participation are limited to \$2,000,000.

<b><u>Chapter 1 Challenge Loans</u></b>			
<b><u>Loan Type</u></b>	<b><u>12/31/2020</u></b>	<b><u>12/31/2019</u></b>	<b><u>12/31/2018</u></b>
Development Loans	\$0	\$10,040	\$ 13,521
Bridge Loans	\$6,592,636	\$6,901,749	5,853,828
Guarantee Loan Participations	0	0	0
<b>Total Loans</b>	<b>\$6,592,636</b>	<b>\$6,911,789</b>	<b>\$5,867,349</b>
Loans 30 Days or More Past Due	\$0	\$0	\$0

At year-end 2020, there were five Challenge Loans made pursuant to Chapter 1 compared to nine loans at year-end 2019, resulting in a decrease of \$319,153. The Challenge Loans include one Development Loan that paid off, on March 1 2021, and four Bridge Loans totaling \$6,530,466. The credit made to DBJJDM Enterprises has an outstanding balance of \$5,000,000. This loan is not a part of the Challenge Loan program but it was a legislative decision to use the program's funds to fund the loan. Since this loan is not officially a part of the Challenge Loan program it was not a part of our review.

## **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.

<b><u>Chapter 2 – Economic Disaster Loans</u></b>			
	<b><u>12/31/2020</u></b>	<b><u>12/31/2019</u></b>	<b><u>12/31/2018</u></b>
Seed/Bean/Beet Grower Loans	\$6,449,741	\$7,087,814	\$7,599,348
Number of Loans Outstanding	54	55	55
Hay	\$3,199,131		
Number of Loans Outstanding	37		
Loans 30 Days or More Past Due	\$484,950	\$102,636	\$874,675

At year-end 2020, there was a total of 91 Economic Disaster Loans outstanding. Economic Disaster Loans consists partially of 54 beet loans that have existed since year-end 2016. Additionally, there were 37 new Economic Disaster Loans that originated in 2020 all of which were related to the 2019 irrigation canal collapse on the Gering-Fort Laramie/Goshen Irrigation District canal system. Currently, the total amount of loans 30 days or more past due is \$484,950. This amount consist of two loans, Weber Ag, LLC and Bret Weber. Weber Ag, LLC is in the process of being charged off. Both of these loans have been fully reserved for.

### **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.

At year-end 2020, 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 Natural Gas Fueling Infrastructure (NGFI). As defined by statutes, a NGFI 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.

<b><u>Chapter 5 – Natural Gas Fueling Infrastructure Loans</u></b>			
	<b><u>12/31/2020</u></b>	<b><u>12/31/2019</u></b>	<b><u>12/31/2018</u></b>
NGFI Loans	\$204,904	\$216,220	\$225,063
Loans 30 Days or More Past Due	\$0	\$0	\$0

The single loan has decreased by \$11,316 from the prior year due to normal payments. The business has posted sustained losses for the prior five years and is being closely monitored by WBC staff.

## **Administration**

The Program is administered by the Business and Industry Division of the WBC, and it is supervised by the Economic Development Program Manager, Josh Keefe. Mr. Keefe was named the Program manager on March 7, 2016.

## **Servicing**

The WBC contracts with Marquee 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**

Generally, loans funded under the Program continue to be financially sound. A loan for Weber Ag, LLC was originated in July of 2017 as part of the Economic Disaster Loan declaration for the Wyoming Sugar Company. The borrower has been in communication with the WBC with regard to the delinquent status of the loan. The borrower has stated he is in the process of liquidating assets and has pledged to pay the WBC back. In anticipation of the continued deterioration of this credit the WBC Board voted to fully-reserve for this loan in the loan-loss account on August 31, 2018. WBC is in the process of charging this credit off.

## **Economic Disaster Loan Financial Documentation Requirements**

There are now two loan groups that fall under the economic disaster loan program. The first are loans that were approved and funded for the economic emergency declaration for beet farmers in the Big Horn basin that grow for either the Wyoming Sugar Company (Worland) or the Western Sugar Cooperative (Lovell). These are one-time emergency loans and the WBC has not historically continued collecting financial information on these loans after origination. These loans have a ten-year repayment period. The loans are essentially unsecured as the crop from 2016, which is what the loan is filed upon, also serves as collateral. These loans are considered more “character” loans and have performed well, historically. The second group of loans that was approved and funded under the economic emergency declaration were for farmers and ranchers in the Gering-Fort Laramie/Goshen Irrigation District canal system, due to the irrigation canal collapse in 2019. At the time of our review the first payment had not come due, but all loans included proper documentation and approval. These loans have a nine-year repayment period. The loans are also essentially unsecured as the crop from 2019, which is what the loan is filed upon, also serves as collateral.

## 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 is much less than the prior examination, as there were no documentation exceptions noted in our review.

<b><u>Loan File Documentation Exceptions</u></b>		
<b><u>Category</u></b>	<b><u>Amount (000)</u></b>	<b><u>Percentage</u></b>
All Exceptions – Initial	\$0	0%
All Exceptions – After Corrections	\$0	0%
Financial Statement Exceptions – Initial	\$0	0%
Financial Statement Exceptions – After Corrections	\$0	0%
Total Dollar Volume of Loans Reviewed	\$4,892,479	

## Exit Meeting

On March 25, 2021, discussions were held with the Economic Development Finance Manager Josh Keefe. Representing the Wyoming Division of Banking was Senior Bank Examiner Dylan Smith.

  
Albert L. Forkner, Commissioner

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**INTEROFFICE MEMORANDUM**

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**TO:** WYOMING BUSINESS COUNCIL BOARD OF DIRECTORS

**FROM:** JOSH KEEFE

**SUBJECT:** ANNUAL SBIC REPORT

**DATE:** MAY 12, 2021

Every year, the Wyoming Business Council (WBC) staff is required to report on the current state of the Small Business Investment Credit (SBIC) program. The program was established in 2010 and had two participants: Enhanced Capital and Petros Partners. Five million dollars (\$5,000,000.00) was allocated to Petros Partners and the company's final investment was in 2018. Petros Partners placed all their investments in debt instruments. Enhanced Capital was allocated twenty-five million dollars (\$25,000,000.00) and the company's final investment was in 2018. Enhanced Capital placed ninety-eight (98%) percent of their investments in debt instruments and two (2%) percent in equities. The companies get a dollar-for-dollar tax credit on their investments. These tax credits can be carried forward for up to seven years. Although all the allocations have been invested, the tax credits are still being realized and therefore, I feel it necessary to inform the WBC Board of Directors. The annual/final report is attached to this memorandum.

Respectfully submitted,

Josh Keefe

Economic Development Finance Manager



# 2020 ANNUAL REPORT

## SBIC



The Wyoming Small Business Investment Credit (SBIC) program provides alternative sources of capital to qualifying Wyoming businesses and entrepreneurs. In 2010, the Wyoming Legislature allocated \$30 million to the program in the form of tax credits. The funds are managed by private investment companies certified and regulated by the Wyoming Business Council (WBC) to make investments in Wyoming businesses. The Business Council qualifies participating businesses, manages and markets the program and provides reports to the Legislature.

As of December 31, 2019, cumulative SBIC investments (since 12/2011):

- Total \$30,014,232
- Leveraged \$34,651,272 in follow-on capital
- Helped create 169 jobs
- Financed a total of 26 businesses in Lander, Jackson, Alpine, Cody, Wilson, Moorcroft, Laramie, Sheridan, Casper, Gillette, Pinedale, and Big Piney.
- Financed businesses in the following industries: meat processing, tourism, interior design, motion picture and video industries, construction, energy production service companies, manufacturing analytical instruments, machinery manufacturing, HVAC services, digital media and advertising services, car wash, real estate investment/development, charter buses, pet services, a brewery, a convenience store, and professional guide services.

The WBC Board of Directors certifies venture capital or private equity companies to act as a Wyoming Small Business Investment Company (SBIC). To receive certification, a SBIC must 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 in money management in venture capital, private investment or as an officer in a commercial bank. SBICs invest designated capital into qualified businesses. The SBIC's investments, either in the form of a debt instrument or equity purchase, stimulate job creation by making capital available to Wyoming businesses.

Participating investors in SBICs are insurance companies with premium tax liability owed to the state of Wyoming. Insurance companies, in turn, receive a tax credit equal to the amount of their investment. A participating investor earns credit against any state premium tax liability up to one hundred percent (100%) of the participating investor's investment of designated capital in a Wyoming small business investment company. The total amount of tax credits earned by participating investors totaled \$2,692,500 for the year 2020.

### Per Wyoming Statute 9-12-1307

Years	2	4	6	8
Percentage Invested	25%	50%	70%	100%

\*If percentage isn't met within proper time frame then investment company doesn't receive their management fee.

### Investment Companies

Wyoming Small Business Investment Companies	Designated Capital	Date of Certification	Standing	Amount of Tax Credits for 2019	Investments as a % of Designated Capital
Enhanced Capital Wyoming Fund, LLC	\$25,000,000	12/12011	Good	\$2,692,500	100.0%
Petros Wyoming Fund I, LLC	\$5,000,000	2/27/2014	Good	\$0	100.1%
<b>TOTAL</b>	<b>\$30,000,000</b>			<b>\$2,692,500</b>	

## The Businesses

To be considered for SBIC financing, a business must:

- Be headquartered and principally operated 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)
- Intend to remain in Wyoming after the receipt of the qualified investment
- Have 250 employees or less
- Not be a franchise or an affiliate of an SBIC and not be predominantly engaged in:
  1. Professional services provided by accountants, doctors or lawyers
  2. Banking or lending
  3. Insurance
  4. Direct gambling activities

### Investments made by Enhanced Capital Wyoming Fund LLC

Business	Investment Date	Investment Amount	Debt or Equity	Industrial Classification (NAICS)	Employees at time of Investment	Employees as of 12/31/19	Follow-On Capital	Location
Wyoming Authentic Products, LLC	12/13/2012	\$100,000	Equity	Meat Processed (311612)	1	7	\$7,584,609	Cody
	5/28/2013	\$100,000	Equity					
	1/17/2014	\$32,653	Equity					
	9/15/2015	\$38,775	Equity					
	12/18/2015	\$38,775	Equity					
	7/12/2016	\$1,000,000	Debt					
	9/17/2018	\$300,000	Equity					
Total		\$1,610,204					\$7,584,609	
Fireside Glamping, LLC.	12/14/12	\$400,000	Debt	RV Parks and Campgrounds (721211)	2	15	-	Wilson
Total		\$400,000						
WRJ Design Associates, Ltd	2/11/13	\$250,000*	Debt	Decorating Consulting Services, Interior (541410)	4	18	-	Jackson
Total		\$250,000						
Teton Gravity Research, LLC	3/12/13	\$700,000*	Debt	Motion Picture and Video Industries (512100)	20	20	-	Jackson
Total		\$700,000						
Peak Builders, Inc.	3/13/13	\$400,000*	Debt	New Single Family Construction (235115)	28	38	-	Jackson
Total		\$400,000						
Flowtech Fueling, LLC	7/9/13	\$250,000*	Debt	Coal Mining Support Services (213113)	5	5	-	Moorcroft
Total		\$250,000						
SciApps, Inc.	7/9/2013	\$1,000,000*	Debt	Design, manufacture, and sale of portable analytical instruments (334516)	11	18	\$11,540,825	Laramie
	3/2/2015	\$750,000*	Debt					
	8/17/2015	\$250,000	Debt					
	8/31/2015	\$250,000	Equity					
	Total		\$2,250,000					

\*Indicates loan has been paid in full

### Investments made by Enhanced Capital Wyoming Fund LLC

Business	Investment Date	Investment Amount	Debt or Equity	Industrial Classification (NAICS)	Employees at time of Investment	Employees as of 12/31/17	Follow-On Capital	Location
Vacuum Technologies Corp.	8/21/13	\$750,000*	Debt	Other Commercial and Service Industry Machinery Manufacturing (333318)	60	123	\$4,500,000	Sheridan
<b>Total</b>		<b>\$750,000</b>					<b>\$4,500,000</b>	
CK Mechanical Plumbing & Heating Inc.	9/27/2013 7/28/2016	\$750,000* \$650,000	Debt Debt	Plumbing, Heating & Air Conditioning (238220)	42	90	\$1,523,338	Casper
<b>Total</b>		<b>\$1,400,000</b>					<b>\$1,523,338</b>	
Solving Tech, Inc./Fuzion Energy	2/20/2014 3/7/2014 4/18/2014	\$500,000 \$1,500,000 \$600,000	Debt Debt Debt	Oil & Gas Support Services (213112)	70	48	\$500,000	Gillette
<b>Total</b>		<b>\$2,600,000</b>					<b>\$500,000</b>	
PitchEngine, Inc.	3/16/2015 12/8/2015	\$150,000 \$150,000	Debt Debt	Digital Media & Advertising (519130)	14	5	\$300,000	Lander
<b>Total</b>		<b>\$300,000</b>					<b>\$300,000</b>	
Rocky Mountain Wash, LLC	4/28/2015 4/11/2016	\$70,000 \$1,702,561	Debt Debt	Car Wash & RE Investment (811192)	28	29	-	Pinedale
<b>Total</b>		<b>\$1,772,561</b>						
DogJax, LLC	7/31/15	\$881,500*	Debt	Pet Services (812910)	16	16	-	Jackson
<b>Total</b>		<b>\$881,500</b>						
L2 Development Partners, LLC	8/28/15 10/26/15	\$750,000* \$2,050,000	Debt Debt	RE Acquisition & Development (651201)	3	2	-	Jackson
<b>Total</b>		<b>\$2,800,000</b>						
Mercado, LLC	6/27/2016	\$450,000*	Debt	Market/ Convenience Store (445120)	8	7	-	Jackson
<b>Total</b>		<b>\$450,000</b>						
Brushbuck Guide Services, Inc.	12/9/2016	\$805,000	Debt	Professional Guide Services (812910)	9	10	-	Jackson
<b>Total</b>		<b>\$805,000</b>						
Y2 Consultants, LLC	5/5/2017	\$1,140,000	Debt	Engineering Services (541330)	15	35	-	Jackson
<b>Total</b>		<b>\$1,140,000</b>						
Vertical Harvest, LLC	10/20/2017 5/22/2018 10/22/2018	\$300,000 \$50,000 \$300,000	Debt Debt Debt	Food Crops Grown Under Cover (111419)	23	37	\$2,500,000	Jackson
<b>Total</b>		<b>\$650,000</b>					<b>\$2,500,000</b>	
DMOS Collective, Inc.	11/21/2017	\$50,000	Equity	Hand Tool Manufacturing (332216)	4	4	\$352,500	Jackson
<b>Total</b>		<b>\$50,000</b>					<b>\$352,500</b>	

\*Indicates loan has been paid in full

### Investments made by Enhanced Capital Wyoming Fund LLC

Frost2, LLC	12/21/2017	\$150,000	Debt	Beauty Salon (812112)	6	6	-	Jackson
<b>Total</b>		<b>\$150,000</b>						
Powderhorn Partners, LLC	9/12/2018	\$1,250,000	Debt	Comm. & Ind. Building Operation (651201)	2	2	-	Jackson
<b>Total</b>		<b>\$1,250,000</b>						
Trilipid Research Institute, LLC	3/21/2018	\$2,000,000	Debt	Toilet Manufacturing Preparation (325620)	3	3	\$400,000	Jackson
<b>Total</b>		<b>\$2,000,000</b>						<b>\$400,000</b>
Delcon Partners, LLC	4/19/2018	\$1,400,000	Debt	Plumbing, Heating & Air Conditioning (238220)	26	152	-	Jackson
<b>Total</b>		<b>\$1,400,000</b>						
Echo Transportation, LLC	9/12/2018	\$750,000	Debt	Charter Bus (485510)	7	7	-	Big Piney
<b>Total</b>		<b>\$750,000</b>						

<b>GRAND TOTAL</b>	<b>\$25,009,264</b>	<b>Equity = \$660,203 (2.6%) Debt = \$24,349,061 (97.6%)</b>	<b>407</b>	<b>576</b>	<b>\$29,201,272</b>	
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### Investments made by Petros Wyoming Fund I, LLC

Business	Investment Date	Investment Amount	Debt or Equity	Industrial Classification (NAICS)	Employees at time of Investment	Employees as of 12/31/19	Follow-On Capital	Location
PitchEngine, Inc.	3/16/2015 11/25/2015	\$150,000* \$150,000	Debt Debt	Digital Media & Advertising (519130)	10	14	\$450,000	Lander
<b>Total</b>		<b>\$300,000</b>						<b>\$450,000</b>
Alpine Keg SPE I, LLC	10/23/15	\$259,968*	Debt	Brewery (312120)	3	3	-	Alpine
<b>Total</b>		<b>\$259,968</b>						
L2 Development Partners, LLC	8/11/15	\$1,000,000*	Debt	RE Acquisition & Development (651201)	3	3	\$5,000,000	Jackson
<b>Total</b>		<b>\$1,000,000</b>						<b>\$5,000,000</b>
Incline Real Estate Holdings II, LLC	3/10/16	\$945,000*	Debt	Comm. & Ind. Building Operation (651201)	4	4	-	Jackson
<b>Total</b>		<b>\$945,000</b>						

\*Indicates loan has been paid in full

Mercado, LLC	10/25/2016 4/18/2017	\$250,000* \$310,000*	Debt	Convenience Store (445120)	8	8	-	Jackson
<b>Total</b>		<b>\$560,000</b>						
Powderhorn Partners, LLC	5/9/2018	\$940,000	Debt	Comm. & Ind. Building Operation (651201)	3	3	-	Jackson
<b>Total</b>		<b>\$9,400,000</b>						
1175 Partners, LLC	5/11/2017	\$1,000,000*	Debt	Comm. & Ind. Building Operation (651201)	4	4	-	Jackson
<b>Total</b>		<b>\$1,000,000</b>						
<b>GRAND TOTAL</b>		<b>\$5,004,968</b>	<b>Equity=0%</b> <b>Debt=100%</b>		<b>35</b>	<b>39</b>	<b>\$5,450,000</b>	

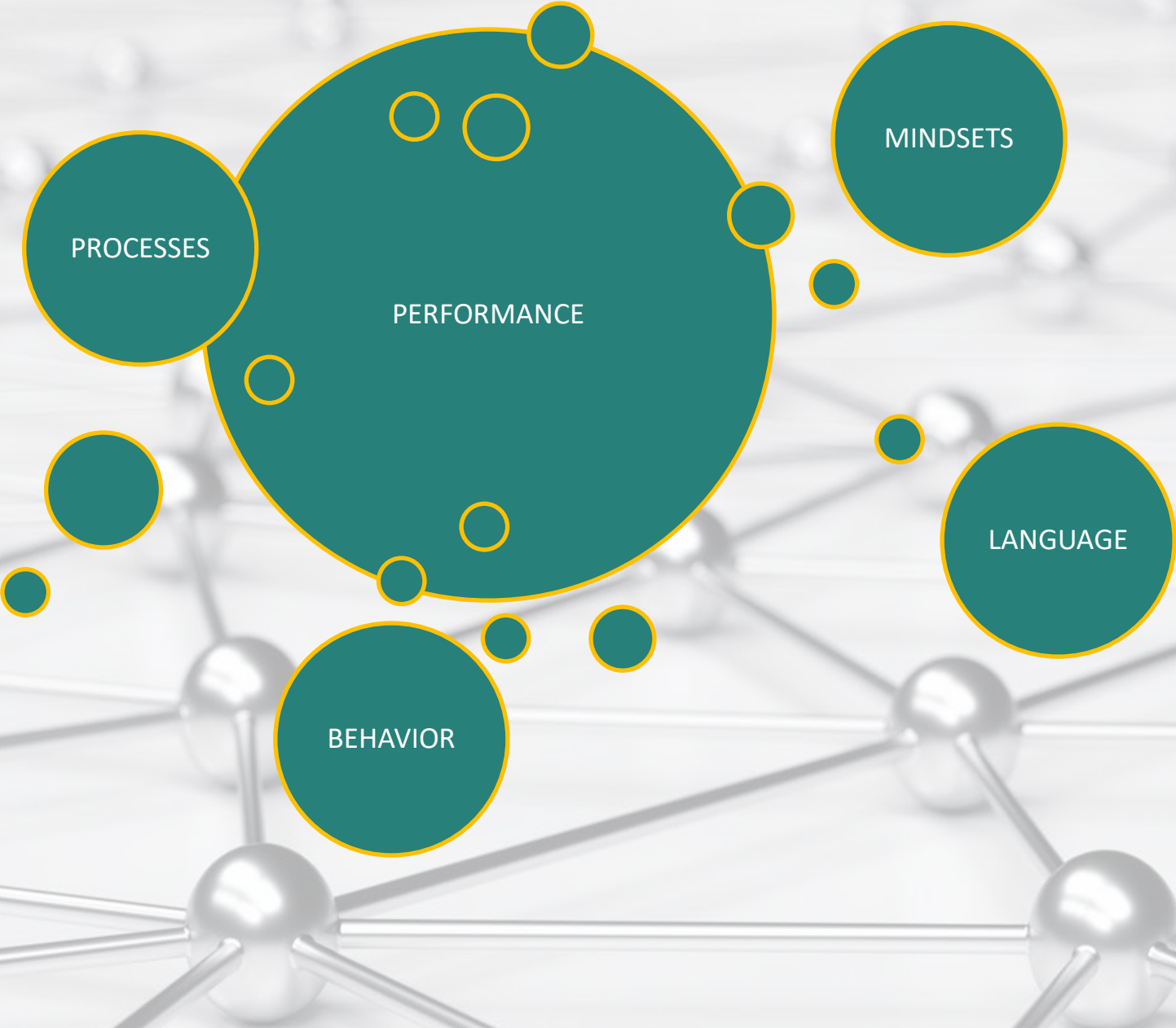
### Combined SBIC Program Totals

Investment Amount	Debt or Equity	Employees at time of investment	Employees as of 12/31/19	Follow-On Capital
<b>\$30,014,232</b>	<b>Equity = \$660,203 (2%)</b> <b>Debt = \$29,354,029 (98%)</b>	<b>442</b>	<b>615</b>	<b>\$34,651,272</b>

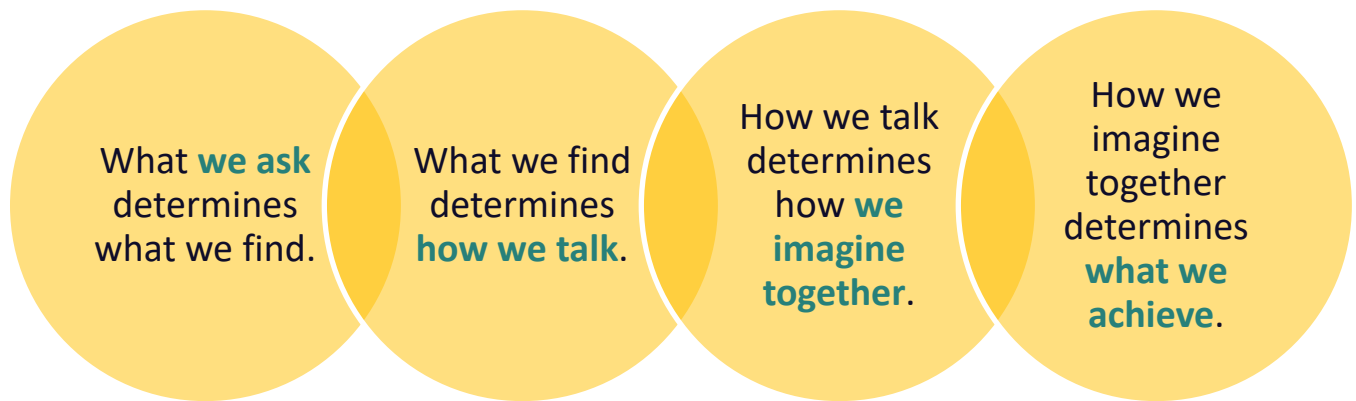
\*Indicates loan has been paid in full

WBC ORGANIZATIONAL CULTURE AND PERFORMANCE

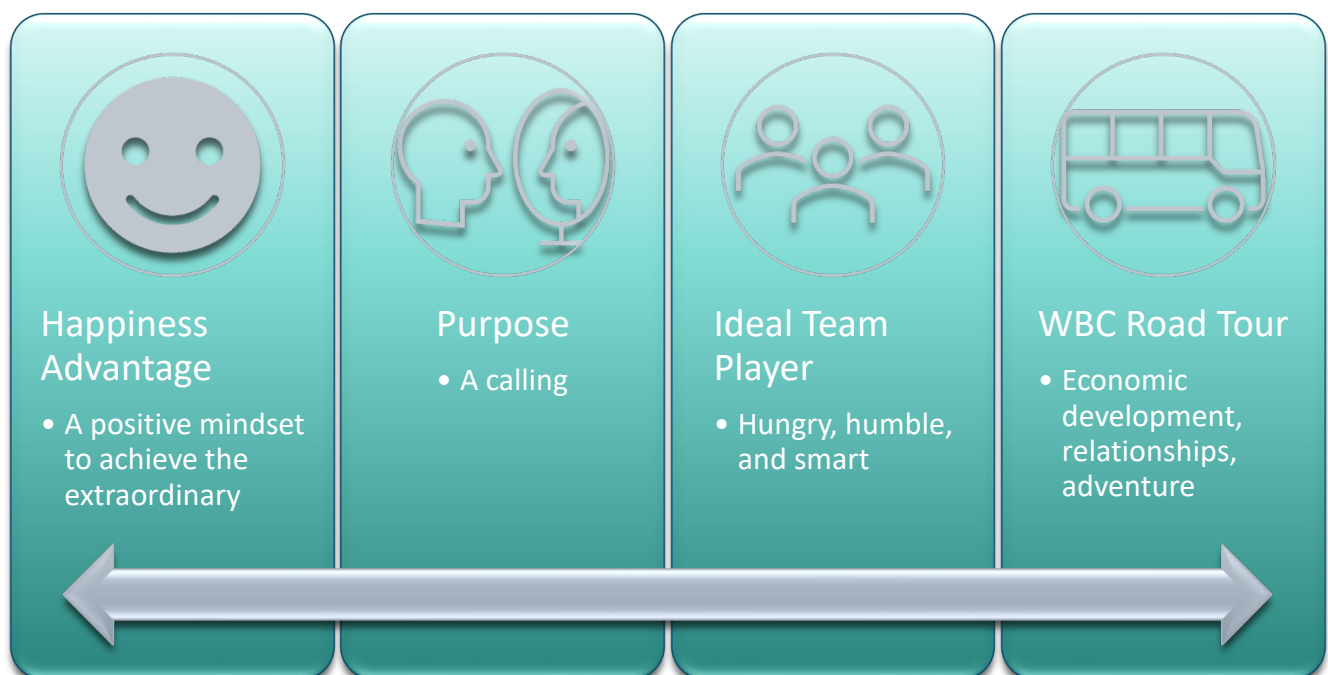
APRIL 2021



# LEARNING



***“Tell me and I forget, teach me and I may remember,  
involve me and I learn.”***  
**-Benjamin Franklin**







### Executive

Leads the organization to realize diverse, broad and lasting economic growth for Wyoming to prosper.



### Services

Expertise, networks, and tools for Wyoming businesses.



### Investments

Go-to for all expertise, tools and products to help Wyoming businesses and communities secure the right financing for sustainable projects.



### Operations

Builds, leads, and maintains support systems that enable and elevate WBC's mission and purpose.



### Regional Delivery

WBC's extended network around the state bringing the pieces of the puzzle together on a regional level.



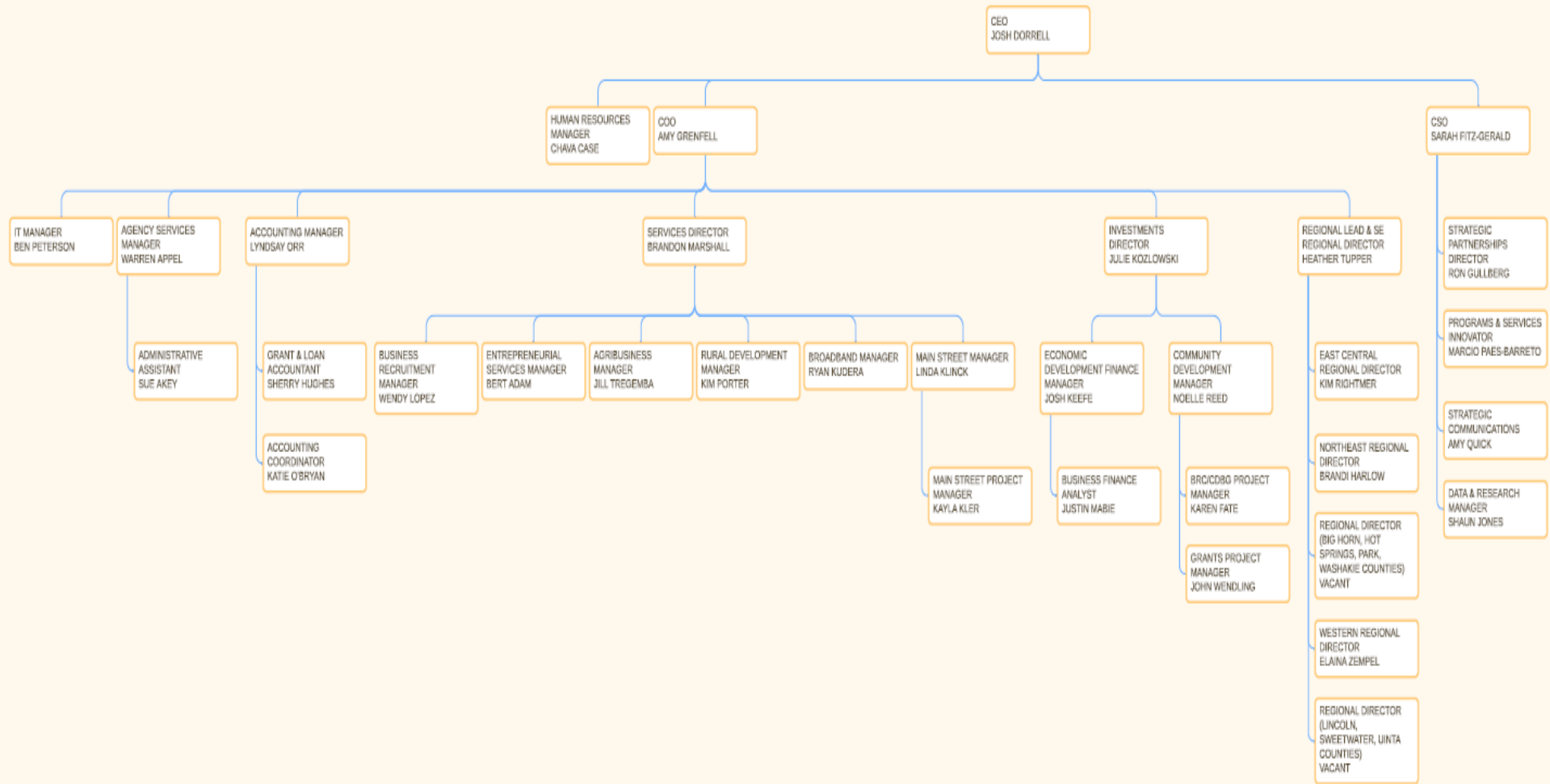
### Strategy

Creates systems and processes that generate impact for Wyoming's economy.





# THE TEAM

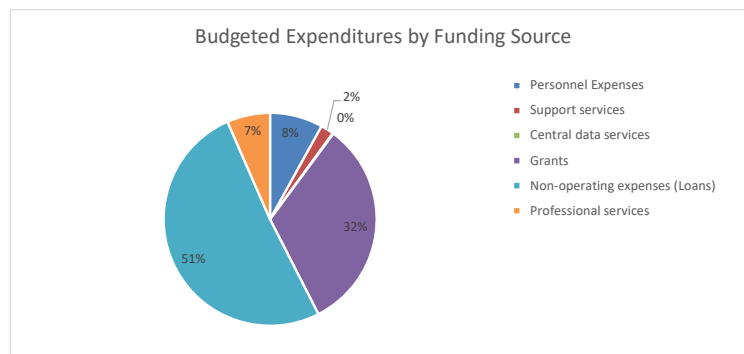


**Wyoming Business Council**  
**Quarter Ending March 31, 2021 (2021/2022 Biennium)**

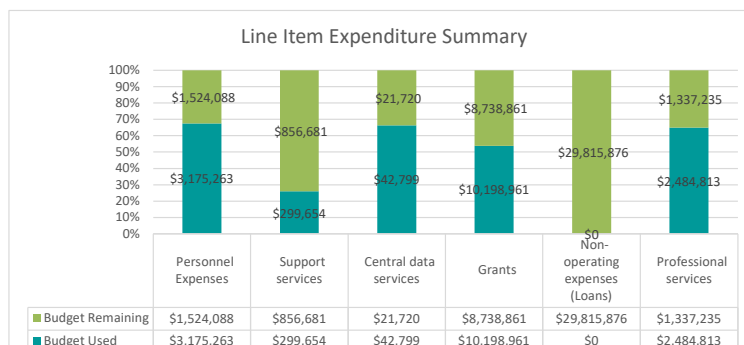
Optimum = 75%

BUDGET SUMMARY	BUDGET	EXPENDED	ENCUMBERED	BALANCE	%	Avail. Cash Balance	YTD Receipts
<b>Economic Diversification</b>							
<b>Investments</b>	<b>\$13,445,772</b>	<b>\$133,844</b>	<b>\$4,170,754</b>	<b>\$9,141,173</b>	<b>32.01%</b>		
General (BRC/CDBG)	\$25,000	\$850	\$0	\$24,150	3.40%		
Economic Loan	\$10,000	\$3,161	\$0	\$6,839	31.61%		
Business Ready Communities (includes MRG)	\$13,410,772	\$129,833	\$4,170,754	\$9,110,185	32.07%		
<b>Services</b>	<b>\$3,445,902</b>	<b>\$1,139,930</b>	<b>\$951,599</b>	<b>\$1,354,373</b>	<b>60.70%</b>		
General	\$2,316,310	\$1,048,048	\$945,399	\$322,863	86.06%		
Broadband Administration (fund 004)	\$213,692	\$1,995	\$0	\$211,697	0.93%		
Entrepreneurship	\$25,000	\$703	\$0	\$24,297	2.81%		
Main Street	\$235,000	\$11,884	\$0	\$223,116	5.06%		
Markets & Expansion	\$350,900	\$66,701	\$6,200	\$277,999	20.78%		
Recruitment	\$242,500	\$10,529	\$0	\$231,971	4.34%		
Rural Development	\$62,500	\$69	\$0	\$62,431	0.11%		
<b>Wyoming Business Council</b>							
<b>Operations</b>	<b>\$5,130,749</b>	<b>\$3,236,247</b>	<b>\$9,632</b>	<b>\$1,884,871</b>	<b>63.26%</b>		
Accounting	\$41,000	\$0	\$0	\$41,000	0.00%		
Agency Services	\$390,040	\$179,053	\$9,632	\$201,354	48.38%		
Board	\$29,050	\$762	\$0	\$28,288	2.62%		
Executive	\$14,250	\$1,815	\$0	\$12,435	12.73%		
HR (Non-Payroll)	\$119,250	\$20,708	\$0	\$98,542	17.37%		
HR (Payroll)	\$4,307,955	\$2,961,497	\$0	\$1,346,459	68.74%		
IT	\$229,205	\$72,412	\$0	\$156,792	31.59%		
<b>Regional Directors</b>	<b>\$90,000</b>	<b>\$6,990</b>	<b>\$0</b>	<b>\$83,010</b>	<b>7.77%</b>		
<b>Strategy</b>	<b>\$353,786</b>	<b>\$49,420</b>	<b>\$130,610</b>	<b>\$173,756</b>	<b>50.89%</b>		
Communications	\$44,000	\$1,821	\$0	\$42,179	4.14%		
Strategic Partnerships	\$309,786	\$47,599	\$130,610	\$131,577	57.53%		
<b>TOTAL GENERAL FUNDS</b>	<b>\$22,466,209</b>	<b>\$4,566,430</b>	<b>\$5,262,595</b>	<b>\$12,637,184</b>	<b>43.75%</b>		
<b>Federal Funds</b>							
Brownfield Revolving Loan Program	\$900,000	\$18,497	\$76,503	\$805,000	10.56%		
CDBG Program	\$8,406,991	\$2,233,759	\$3,815,759	\$2,357,472	71.96%		
Rural Development Block Grant	\$40,000	\$20,000	\$20,000	\$0	100.00%		
Specialty Crop Block Grant	\$21,750	\$8,450	\$13,000	\$300	98.62%		
State Trade and Export Program (STEP)	\$145,125	\$1,095	\$0	\$144,030	0.75%		
<b>TOTAL FEDERAL FUNDS</b>	<b>\$9,513,866</b>	<b>\$2,281,802</b>	<b>\$3,925,262</b>	<b>\$3,306,802</b>	<b>65.24%</b>		
<b>Agency Funds</b>							
Economic Loan Development (fund 039/089)*	\$26,140,876	\$89,723	\$33,227	\$26,017,926	0.47%	\$6,789,076	\$2,631,513
Rural Rehabilitation (fund 499)	\$300,000	\$36,347	\$0	\$263,653	12.12%	\$4,672,414	\$59,137
Wyoming Business Council (fund 085)	\$75,000	\$6,104	\$0	\$68,896	8.14%	\$203,885	\$4,631
<b>TOTAL AGENCY FUNDS</b>	<b>\$26,515,876</b>	<b>\$132,174</b>	<b>\$33,227</b>	<b>\$26,350,475</b>	<b>0.62%</b>		
<b>TOTAL BUDGET</b>	<b>\$58,495,950</b>	<b>\$6,980,406</b>	<b>\$9,221,084</b>	<b>\$42,294,461</b>	<b>27.70%</b>		
<b>CARES Act COVID-19 Relief</b>							
CARES ACT Agriculture Program	\$35,076,312	\$34,617,534	\$0	\$458,778	98.69%		
CARES Act Business Relief Program	\$383,801,521	\$380,805,393	\$0	\$2,996,128	99.22%		
CARES Act Connect Wyoming	\$56,455,806	\$48,392,908	\$8,062,898	\$0	100.00%		
CARES Act Energy Rebound Program	\$30,000,000	\$28,580,135	\$1,411,420	\$8,445	99.97%		
CARES Act Administration Funds	\$1,148,984	\$591,493	\$554,969	\$2,522	99.78%		
<b>TOTAL CARES ACT</b>	<b>\$506,482,623</b>	<b>\$492,987,463</b>	<b>\$10,029,287</b>	<b>\$3,465,873</b>	<b>99.32%</b>		

\* \$25 million reserved for Large Loan Fund



Loan Type	Balance
Economic Disaster	7,874,973
Bridge	1,528,506
Amendment IV	-
Natural Gas Infrastructure	202,943
WyoTech	4,900,000
BRC	12,353,436
Unallocated Allowance	(81,672)
	<u>26,778,186</u>



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

1. **Parties.** This Amendment is made and entered into by and between the Wyoming Business Council (Council), whose address is: 214 West 15<sup>th</sup> Street Cheyenne, WY 82002 and McGee, Hearne & Paiz, LLP (Contractor), whose address is: 314 West 18<sup>th</sup> Street Cheyenne, WY 82001.
2. **Purpose of Amendment.** This Amendment shall constitute the second amendment to the Contract between the Council and the Contractor. The purpose of this Amendment is to: a) Amend the Purpose of the Contract; b) increase the total Contract dollar amount by fifty-two thousand dollars (\$52,000.00) to ninety-four thousand, five hundred dollars (\$94,500.00); c) extend the term of the Contract through June 30, 2022; and d) amend the responsibilities of the Contractor.

The original Contract, dated June 16, 2020, required the Contractor to provide financial audit services for the fiscal year ending June 30, 2020 for a total Contract amount of thirty-six thousand, five hundred dollars (\$36,500.00) with an expiration date of June 30, 2021.

Amendment One, dated August 7, 2020 amended the original Contract to: a) increase the total Contract dollar amount by six thousand dollars (\$6,000.00) to forty-two thousand five hundred dollars (\$42,500.00); and b) amend the responsibilities of the Contractor to include audits of federal CARES Act funds received in FY2020.

3. **Term of the Amendment.** This Amendment shall commence on July 1, 2021 or upon the date the last required signature is affixed hereto, whichever is later (Effective Date), and shall remain in full force and effect through the term of the Contract, as amended, unless terminated at an earlier date pursuant to the provisions of the Contract, or pursuant to federal or state statute, rule, or regulation.
4. **Amendments.**
  - A. Section 2 of the original Contract is hereby amended to read as follows:

“The purpose of this Contract is to set forth the terms and conditions by which Contractor shall provide audit services for the Council for the fiscal years ending June 30, 2020 and June 30, 2021.”
  - B. The second sentence of Section 4(A) of the original Contract is hereby amended to read as follows:

“The total payment under this Contract shall not exceed ninety-four thousand, five hundred dollars (\$94,500.00).”

- B. The second sentence of Section 3 of the original Contract is hereby amended to read as follows:

“The term of this Contract is from June 16, 2020 through June 30, 2022.”

5. **Amended Responsibilities of the Contractor.** Responsibilities of the Contractor are hereby amended as follows:

- A. Section 5 of the original Contract is hereby amended to add Subsection L, which reads as follows:

“L. Perform audits of the financial statements for the fiscal year ending June 30, 2021 consistent with Subsections A through K, above.”

6. **Amended Responsibilities of the Council.** Responsibilities of the Council have not changed.

7. **Special Provisions.**

- A. **Same Terms and Conditions.** With the exception of items explicitly delineated in this Amendment, all terms and conditions of the original Contract, and any previous amendments, between the Council and the Contractor, including but not limited to sovereign immunity, shall remain unchanged and in full force and effect.

- B. **Counterparts.** This Amendment may be executed in counterparts. Each counterpart, when executed and delivered, shall be deemed an original and all counterparts together shall constitute one and the same Amendment. Delivery by the Contractor of an originally signed counterpart of this Amendment by facsimile or PDF shall be followed up immediately by delivery of the originally signed counterpart to the Council.

8. **General Provisions.**

- A. **Entirety of Contract.** The original Contract, consisting of twelve (12) pages; Amendment One, consisting of three (3) pages; and this Amendment Two, consisting of three (3) pages, represent the entire and integrated agreement between the parties and supersede all prior negotiations, representations, and agreements, whether written or oral.

**THE REMAINDER OF THIS PAGE WAS INTENTIONALLY LEFT BLANK.**

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

This Amendment is not binding on either party until approved by A&I Procurement and the Governor of the State of Wyoming or his designee, if required by Wyo. Stat. § 9-2-1016(b)(iv).

**COUNCIL:**  
WYOMING BUSINESS COUNCIL

\_\_\_\_\_  
Joshua J. Dorrell, Chief Executive Officer

\_\_\_\_\_  
Date

**CONTRACTOR:**  
MCGEE, HEARNE & PAIZ, LLP

\_\_\_\_\_  
Wayne R. Herr, Partner

\_\_\_\_\_  
Date

**ATTORNEY GENERAL'S OFFICE: APPROVAL AS TO FORM**

\_\_\_\_\_  
Margaret A. R. Schwartz, Assistant Attorney General

\_\_\_\_\_  
Date

**ATTACHMENT D TO THE AGREEMENT BETWEEN  
WYOMING BUSINESS COUNCIL  
AND  
UNIVERSITY OF WYOMING**

**Modified BRN Budget**

	<b>FY21 WBC Funding 7/1/21 – 6/30/22</b>	<b>UW Funding<sup>1</sup></b>	<b>Federal Funding<sup>2</sup></b>
<b>Manufacturing Works (MW)</b>	<b>\$483,658</b>	\$431,443.62	\$600,000.00
<b>Procurement Technical Assistance Center (PTAC)</b>	<b>\$115,946</b>	\$154,125.33	\$257,761.00
<b>Small Business Development Center (SBDC)</b>	<b>\$631,561</b>	\$538,591.86	\$727,778.00
<b>WY SBIR/STTR Initiative (WSSI)</b>	<b>\$204,054</b>	\$69,378.31	\$0.00
<b>Market Research Center (MRC)</b>	<b>\$253,284</b>	\$86,116.63	\$0.00
<b>Wyoming Technology Business Center (WTBC)</b>	<b>\$287,674</b>	\$510,262.00	\$0.00
<b>Technology Transfer/Research Products Center (WY-TTRPC)</b>	<b>\$0.00</b>	\$1,091,588.00	\$0.00
<b>GRO-Biz Conference</b>	<b>\$0.00</b>	\$0.00	\$0.00
<b>TOTAL</b>	<b>\$1,976,176.00</b>	<b>\$2,881,505.76</b>	<b>\$1,585,539.00</b>

1: The figures in this column include the indirect overhead support provided by the University (calculated using the University's facilities & administrative cost recovery rate of 44.5%) and are presented here for reference only. These figures are not binding upon the Council or the University under the terms of this Agreement.

2: The figures in this column are presented for reference only and are not binding upon the Council or the University under the terms of this Agreement.

3: The WY-TTRPC funding from the WBC reflects spending through Q1 of FY 2021. For the remainder of the FY, UW will provide the resources required to support operations of this unit.

**ATTACHMENT A TO THE AGREEMENT BETWEEN  
WYOMING BUSINESS COUNCIL  
AND  
UNIVERSITY OF WYOMING**

**Scope of Work**

**Scope of Work: Manufacturing-Works**

Assist small and medium size manufacturing businesses throughout the State of Wyoming in enhancing the productivity, technological performance, and competitiveness by acquiring assistance with manufacturing technology and techniques. WBC will provide matching funds for the continuation of Manufacturing Works, located on the campus of the University of Wyoming and administered by the University of Wyoming in conjunction with and leveraging funds from the National Institute of Science and Technology (NIST).

- 0. Innovation:** To promote an innovative culture within individual companies, train, coach, and consult with Wyoming manufacturers about innovation and continuous improvement processes. This will be completed by offering training, one-on-one consulting, and facilitating project management assistance.
- 1. Technology Assistance:** Foster and connect Wyoming manufacturers with new, trending, or innovative technologies and/or resources.

MW will minimally assist with the following:

- Product development and prototype fabrication
  - Working collaboratively with UW College of Engineering programs
  - Facilitate energy efficiency assistance including ASHRAE Level I and II energy audits
  - Facilitate cybersecurity compliance demands that expand beyond the free services offered by other BRN programs
  - Arrange and facilitate experiential learning opportunities through paid internships
- 2. Market Expansion:** Assist with business expansion including but not limited to: diversification of product line, markets, and exporting (domestic and international).
  - 3. Business Advising/Leadership Development and Transition Planning:** Facilitate transitions for manufacturers by exploring the unique features of the family business and assist the family in becoming more engaged and equipped to build value, meet the challenges of both business and family, and create a sustainable workforce for the future.
  - 4. Workforce Development:** Support a quality management culture by promoting quality management training for individual small manufacturing entities (SMEs) and certification and audit assistance, e.g. International Organization for Standardization (ISO) or Underwriters Laboratories (UL) programs for SMEs.

- 5. Collaboration:** Work collaboratively with members of the Business Resource Network to provide the greatest value and resources to manufacturers.

### **Scope of Work: Market Research Center**

#### **1. Technical Market Research Assistance**

The Market Research Center provides technical marketing research assistance to existing business development, research, and service organizations; provides service to new entrepreneurial startups as well as existing firms being assisted by development organizations desiring significant market expansion. Specific technical marketing research topics may include but are not limited to:

- Industry Statistics, Data Trend and Best Practices
- Financial Data by Business Type
- Competitive Intelligence
- Segmentation Analysis
- Marketing Strategies
- Marketing and Mailing Lists
- Geographic Information Systems (GIS)
- Demographic, Psychographic and Spending Data
- Website Review and Analysis
- Social Media Platform Marketing Evaluation
- Business Use of Online Research Tools
- Commercial Construction Project Reports (Bid Opportunities)
- Customer Satisfaction Assessment

#### **2. Applied Market Research Assistance**

Assist specific locally sponsored business by coordinating research needs with support organizations.

#### **3. Dissemination of Market Research Center Activities**

Promote market research services.

### **Scope of Work: Procurement Technical Assistance Center (PTAC)**

The University provides small business assistance and training in the following areas:

1. Assistance to Wyoming businesses in contracting with state, local, and federal governments, and provide outreach to state and local agencies on contracting with Wyoming businesses.
2. Provide training, education, and guidance specifically related to government contracting.
3. Support an electronic bid match system to notify participating businesses of opportunities with the government.



The Council acknowledges and concurs with the University's proposal to secure and follow Defense Logistics Agency (DLA) Agreements, and performance criteria contained therein.

### **Scope of Work: Wyoming Technology Transfer and Research Products Center (WY-TTRPC)**

In response to the overall funding reductions indicated by the WBC in October 2020, the University of Wyoming will assume financial support of the WY-TTRPC in its entirety starting in Q2 of FY 2021 with UW resources. No additional contractual obligation of the WY-TTRPC in Q2-Q4 to the Wyoming Business Council is assumed or implied. Reflected in the table in Attachment B is spending of WBC funds invoiced at the time of the notice of this contract modification. The scope of work carried out through Q1 is within that of the original contract, and will be reported upon as required. That original scope is shown below for reference:

“The University operates the Wyoming Technology Transfer and Research Products Center (WY-TTRPC) at the University of Wyoming and provides a yearly report of the activities and the programs to include a listing of individuals and companies, if allowable by law, that received assistance;

1. The University retains an individual with expertise in the areas of technology transfer;
2. The University facilitates technology transfer through various means, including but not limited to:
  - Create methods and channels of access between Wyoming businesses and entrepreneurs and the expertise of University faculty and academic professionals.
  - Assist Wyoming businesses in prototyping by directing them to the appropriate and relevant resources related to prototyping within the State of Wyoming, including but not limited to, Manufacturing Works and any other relevant prototyping services that are now or may become available.
  - Help companies and entrepreneurs in Wyoming to use the capabilities of the WY-TTRPC and Council regional offices for multidisciplinary assistance in areas relating to, but not limited to, general information which does not rise to the level of legal advice relating to intellectual property protection, preparation of licensing agreements, as well as initial market assessments of potential technologies and ventures, and other matters related to technology transfer.
  - Provide training at minimum cost through the Council's regional offices for Wyoming entrepreneurs and businesses on topics relating to technology transfer.
3. With support from the Council, partner with experienced patent and IP attorneys to provide general information to independent inventors on

intellectual property law, and protection and commercialization strategies.”

### **Scope of Work: Small Business Development Center**

The University provides small business assistance and training for new and existing businesses in the following areas:

1. Needs Assessment: Analysis of strengths, weaknesses, opportunities and threats associated with the potential or ongoing operation of business enterprises.
2. Comprehensive Business Planning: Documentation of goals and objectives, as well as the strategies for achieving them. Startup assistance.
3. Market Research and Market Strategy: Consideration of markets for products/services and how to best take said products/services to those markets.
4. Financial Statement Analysis and Control: Evaluation of past and present financial health and position.
5. Cash Flow Analysis and Financial Projections: Study of forecasted cash flows and operations.
6. Debt, Equity, and alternative Funding Development: Evaluation and presentation of financing requirements and opportunities.
7. Valuation Methods: Utilization of tools to determine value when buying and/or selling businesses.
8. Strategic Planning: Definition of business objectives (the vision and the application of that vision to help guide the decision-making process).
9. Management Issues and Specialty Areas: Examination of business policies and procedures, management styles, human resources, organization development, computerized bookkeeping, e-commerce, sustainable business, cybersecurity/risk management, and international trade, etc.
10. Training: Identification and coordination of group training to address specific issues affecting Wyoming's small businesses. Development of online training methods.

The Council acknowledges and concurs with the University’s proposal to secure and follow U.S. Small Business Administration (SBA) Agreements, and performance criteria contained therein.

### **Scope of Work: Small Business Innovation Research (SBIR) and Small Business Technology Transfer (STTR)**

1. **SBIR/STTR administration and coordination of activities**
  - a. Meet with individuals who have ideas or technologies, conduct a needs assessment for fit with SBIR/STTR program, refer clients to appropriate resources and provide assistance for product development and SBIR/STTR funding.
  - b. Travel in state to promote the program and meet with Wyoming entrepreneurs, travel

- to national and regional SBIR/STTR conferences to meet with federal agency program managers, receive training on program changes and assist Wyoming entrepreneurs with networking, program requirements and education.
- c. Identify, recruit, and retain mentors to work with Phase 0 awardees.
  - d. Promote the program through the Wyoming SBIR/STTR email news, [www.uwyo.edu/sbir](http://www.uwyo.edu/sbir) website, social media, pamphlets, fliers, postcards, banners and other promotional items.
  - e. Review and comment on SBIR/STTR proposals from Wyoming entrepreneurs prior to submission at national level.
  - f. Arrange workshops, webinars, and other meetings that describe SBIR programs and educate Wyoming entrepreneurs regarding the SBIR/STTR program requirements.
- Administration of Phase 0 and Phase 00 program includes advising clients of program details, reviewing proposals for compliance making recommendations for improved competitive Phase 0/00 proposals, preparing contracts, and ensuring contract obligations are met, and authorizing dissemination of Phase 0/00 funds.
- g. Identify, recruit, and train Phase 0/00 reviewers.
  - h. Continue to collaborate with Council on ways to enhance program marketing to increase statewide awareness and accessibility of the program.
  - i. Continue to work with Council, the WTBC, and other partners and stakeholders to connect startups to investors and capital.

### **Scope of Work: IMPACT 307 (formerly WTBC)**

Impact 307 focuses on developing early-stage companies, with an emphasis on high-growth companies. Target client business models trend towards technical (CompSci, biotech, engineering, etc.) focus in Laramie, medical, energy, and carbon technologies (along with general business) in Casper, and general business in Sheridan. We expect that as incubator presence potentially expands to other geographies in the state in the future, the respective local mix of clients will reflect local economies and demographic realities.

All client companies, regardless of location within the state, receive personal one-on-one or virtual one-on-one business counseling, mentoring, and executive coaching services provided by the IMPACT 307 staff based on their stage of development and specific business model. IMPACT 307 also provides advisory services to some non-client companies, including University spinout concepts, to promote a flow of future new companies. IMPACT 307 works closely with all other segments of the Business Resource Network (BRN), including the SBDC, Manufacturing Works, and the University's Technology Transfer and Research Products Center.

- Provide documentation of "IMPACT 307 Program" outlining standard but flexible policies, and methods used by the staff to support high-growth potential startups, including:
  - Program methodology around the IMPACT 307 version of Lean Launchpad/Startup.
  - Incubator entry criteria, process(es) that clients experience during the IMPACT 307 engagement, and incubator exit criteria.
  - Client roles and responsibilities within the program and managing the program

flow for each client.

- Application process for becoming an IMPACT 307 client.
- Advise and support high-growth-potential startups that seek to be primary employers in the early stages of business development following the IMPACT 307 Program. This is performed not just in the incubator communities but is a resource available to anyone in the State who seeks assistance.
- Operate & expand “Startup Challenges” (or similar name) across the state which are entrepreneurship pitch competitions including but not limited to:
  - Fisher Innovation Launchpad: University of Wyoming, working capital funded through the Fisher endowment.
  - Casper Startup Challenge: Funded by Casper community and UW
  - Sheridan Startup Challenge: Funded by Sheridan community and UW
  - Microbial Ecology Collaborative Startup Launchpad – MECSL: Funded by NSF EPSCoR and run statewide through 2021.
  - Wind River Startup Challenge – WRSC: Funded by NSF EPSCoR and targeting the two sovereign tribes on WRIR through 2021.
  - Southeast Wyoming Innovation Launchpad – SEWYIL: Funded by Albany and Laramie County communities.
  - Additional counseling and team support is also provided collaboratively to the UW College of Business entrepreneurship competition, the Ellbogen \$50K.
- With respect to helping the state understand and build methodologies targeted at increasing the number of primary employers in the state, IMPACT 307 will:
  - Define the “typical” demographics of the IMPACT 307 client mix by unit as an initial benchmark in FY21 against which to track improvements in mix within each site program.
  - Further integrate Laramie IMPACT 307 mission with the UW TTO, with a goal of mutually shepherding more university technologies into the commercial sector within Wyoming. The deliverable for FY21 shall be:
    - Bilaterally develop a list of possible UW IP that could potentially be commercially spun out concomitantly with an assessment of current TRL/BRL levels and what would be required to move this IP forward.
- Create a network of IMPACT 307/WTBC alumni.
- IMPACT 307 reports, through the University’s Office of Research and Economic Development, aggregate economic impact data across all IMPACT 307 incubator programs annually to the Wyoming Business Council. The report will include:
  - Brief descriptions of each company in the IMPACT 307 Program, including where they are in the IMPACT 307 Program process, successes and challenges.
  - Documentation of how IMPACT 307 client companies are leveraging technology created by UW faculty or students.
  - Aggregate number of new FTE employees and estimated payroll of companies in the IMPACT 307 Program.

- Aggregate external funding captured by client companies in the IMPACT 307 network (clients, alumni, etc), broken out by angel, VC, and traditional financing..
- Brief descriptions of graduated companies , including longevity, successes, failures, challenges, learnings.
- A summary of challenges faced by Wyoming high-growth-potential startups and recommended approaches for addressing them.

## Appendix A: Letters of Support for City of Mills Readiness Application



**SALT CREEK HEIGHTS**  
**BUSINESS CENTER**

**AMOCO REUSE AGREEMENT  
JOINT POWERS BOARD**

2435 King Blvd, Suite 249  
Casper, WY 82604  
(307) 472-5591

[renee@arajpb-casper.org](mailto:renee@arajpb-casper.org)

April 15, 2021

Wyoming Business Council  
214 West 15<sup>th</sup> Street  
Cheyenne, Wyoming 82002

RE: Support for the City of Mills Business Ready Community (BRC) - Community Readiness Grant Application

To Whom It May Concern:

I am writing in support of the Mills, Wyoming and their application for the BRC grant for the infrastructure for property along the North Platte River.

On behalf of the Board of Directors for the Amoco Reuse Agreement Joint Powers Board (ARAJPB), I want to express our support for this infrastructure sustainability project. This arterial is near the former Amoco Refinery that is now a first-rate business park (former Brownfield redevelopment site). This business park is called the Platte River Commons. The importance of continuing the link to the Platte River Commons, is paramount. Successful economic development is dependent upon solid infrastructure to entice investment into a community. It is the expectation of any developer that utilities, streets, and local government investment will be in place when communities express an interest to expand their economic growth. Public investment is critical to attracting private investment. The ARAJPB currently enjoys partnerships with the Casper Area Economic Development Alliance, City of Casper, Wyoming Business Council, Natrona County, and Economic Development Administration in our development initiatives.

We hope you will favorably consider the BRC grant application from the City of Mills. Please feel free to contact me with any questions you may have about this project and its impact on the ongoing economic development initiatives in the community.

Sincerely,

  
Bob Chynoweth  
Chairman of ARAJPB





May 3, 2021

Wyoming Business Council Board of Directors  
214 West 15<sup>th</sup> Street  
Cheyenne, Wyoming 82002

RE: City of Mills Community Readiness Grant Application

Dear Board of Directors:

The Casper Area Chamber of Commerce is excited to support the City of Mills proposal to the Wyoming Business Council's Community Readiness grant program for the Mills Riverfront Property Preparations project. This endeavor is projected to attract development, create jobs and enhance the Mills area quality of life which in turn enhances all of Natrona County.

The City of Mills has been a somewhat underserved community and as the **Casper Area** Chamber, it is important to us to support growth in all of the communities we serve. The application set forth by the City of Mills allows for collaboration with the City of Casper, Natrona County, Town of Bar Nunn and Town of Evansville in a way that is only available in all of Natrona County. This project allows expansion of unique services and better use of the river area.

The Chamber's mission is to actively create business opportunities by connecting, informing, leveraging, and collaborating with our members. Supporting this project allows the Chamber to better accomplish its mission by sharing new development prospects with our members and builds a vibrant, prosperous business environment.

The Casper Area Chamber of Commerce recommends that you award Community Readiness grant funding to this community-oriented project.

Sincerely,

Jason DeWitt  
President/CEO  
Casper Area Chamber of Commerce





## WYOMING GAME AND FISH DEPARTMENT

5400 Bishop Blvd. Cheyenne, WY 82006

Phone: (307) 777-4600 Fax: (307) 777-4699  
wgfd.wyo.gov

GOVERNOR  
MARK GORDON

DIRECTOR  
BRIAN R. NESVIK

COMMISSIONERS  
PETER J. DUBE – President  
GAY LYNN BYRD – Vice President  
RALPH BROKAW  
MARK JOLOVICH  
RICHARD LADWIG  
ASHLEE LUNDVALL  
KENNETH D. ROBERTS

May 4, 2021

Wyoming Business Council  
214 West 15<sup>th</sup> St.  
Cheyenne, WY 82002

Dear Wyoming Business Council:

This letter is a follow-up to our letter dated April 13, 2021. We would like to retract our previous letter in which we noted that proposed activities by the City of Mills, in a grant application to the Wyoming Business Council, appeared to run counter to ongoing and past river restoration work in the North Platte River. We have since learned, in a conversation with representatives of the City of Mills, that designs have not yet been developed for any work yet. Furthermore, development funds generated through this grant could be applied toward developing designs.

We apologize for any misunderstanding and we look forward to being a part of ongoing planning and design review with the City of Mills. Our Casper Regional Aquatic Habitat Biologist, John McCoy, will be the primary contact to work with the City as this effort moves forward.

Sincerely,

John Kennedy  
Deputy Director

JK/ao/pd

cc: Alan Osterland, Chief of Fisheries  
Paul Dey, Aquatic Habitat Program Manager  
John McCoy, Casper Aquatic Habitat Biologist  
Matt Hahn, Casper Fisheries Supervisor  
Sabrina Coleman, City of Mills  
Seth Coleman, City of Mills



P.O. Drawer 1720, Mills, Wyoming 82644  
560 North 3<sup>rd</sup> Avenue, Casper, WY 82604  
(307) 266-2038  
[www.greenbitandtool.com](http://www.greenbitandtool.com)

April 29, 2021

Wyoming Business Council Board of Directors  
214 West 15<sup>th</sup> Street  
Cheyenne, Wyoming 82002

RE: City of Mills Community Readiness Grant Application

Dear WBC Board,

I would like to share my support for the City of Mills riverfront proposed project. The citizens of Mills and the entire Natrona County region share a love for the North Platte River and activities near the river. The project would add a diversity of office space and activities not currently offered in Mills.

Green Bit & Tool, Inc. has been a staple in the community since 1970 and believes in supporting community projects to enhance livability. We ask the board support this project.

Sincerely,

Tom Scarlett  
President  
Green Bit & Tool, Inc.



April 28, 2021

Wyoming Business Council Board of Directors  
214 West 15<sup>th</sup> Street  
Cheyenne, Wyoming 82002

RE: City of Mills Community Readiness Grant Application

Dear Board of Directors:

I am writing on behalf of my company, Jericho Construction, to express our strong support for the City of Mills proposal to the Wyoming Business Council's Community Readiness grant program for the Mills Riverfront Property Preparations project. My company recently moved to the Mills community as we needed to expand our space and found Mills a great fit due to the potential we see in the city. The riverfront property owned by the city is an outstanding area with prime development for high-end office space, a riverfront restaurant and unique atmosphere not currently offered anywhere in the Natrona County area.

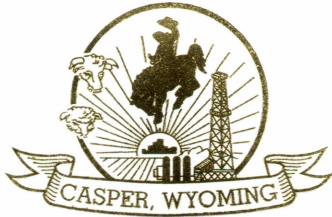
As a construction company, we are constantly striving to expand our own uniqueness while we create new and different experiences for our clients. We see the Mills municipality as an untapped resource for revolutionary development and an area struggling to create a community atmosphere. Completing preparations on the public owned riverfront property will attract development that will allow the City of Mills to offer public gathering spaces in a once belittled area.

As a private company, we are supportive of this project to not only boost our growing business, but those businesses in the entire Natrona County. We support this project and encourage you to award Community Readiness grant funding to this excellent project.

Sincerely,

A handwritten signature in blue ink, appearing to read "Brionne Hopkins", is written over a horizontal line.

Brionne Hopkins  
Owner - Jericho Construction



OFFICE OF THE MAYOR

# CITY OF CASPER

200 NORTH DAVID STREET

CASPER, WYOMING 82601-1815

PHONE (307) 235-8224

FAX: (307) 235-8313

[www.cityofcasperwy.com](http://www.cityofcasperwy.com)

April 20, 2021

Ms. Kim Rightmer  
Wyoming Business Council  
2435 King Blvd, Box 1  
Casper, WY 82604

Dear Ms. Rightmer:

The City of Casper has long had the desire to be a partner with the City of Mills in enhancing the function of the North Platte River from the Central Wyoming Regional to the Wyoming Boulevard bridge. Evidence of this includes:

- the 2012 North Platte River Environmental Restoration Master Plan completed by Stantec that is a comprehensive study of the 13.5 miles of river from Robertson Road to the Evansville city limit
- the 2017 Stantec study on options for bank stabilization in the Chamberlain Road area at the request of the City of Mills engineer and Natrona County staff
- at least two river restoration designs for the river reach in this area that included Mills staff in design directions and reviews
- volunteer deployment on every Volunteer Day since 2007 in areas of the river and Casper Creek that flows into the North Platte River within the Mills city limit.

Excluding the master plan, the City of Casper has invested over \$50,000 of its river restoration funding into planning for bank stabilization with the City of Mills for this area of the North Platte River. As recently as 2020, the Stantec studies completed for the City of Casper bank stabilization projects were used by ECS Engineers on its Chamberlain Road Planning Environmental Linkage Study (PEL) for the Metropolitan Planning Organization, and City of Casper staff involved in Casper's river bank stabilization projects were involved in some of the PEL meetings.

Both cities as well as Natrona County could benefit from a robust partnership focused on river stabilization efforts. The riverbanks in the area in question have the highest amount of bank erosion than in any other area in the 13.5 miles of North Platte River from Robertson Road to the Casper city limit line with Evansville. As such, it is critical that any proposals concerning the North Platte River in this area address the long-term health, stability, and functioning of the river resource.

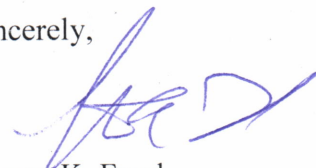


The Wyoming Business Council Readiness Grant proposal submitted by the City of Mills has some great components that we can all support. However, the City of Casper has several significant concerns with the requested Wyoming Business Council support for the plan presented in this proposal. Those concerns follow.

1. The grant states on page 7 that the Mills riverfront property is "unique to the entire metropolitan area in that there are no other properties available for commercial or business development right along the river. The area closest to this riverfront property for development already houses a non-motorized use trail leaving that area's development in a much different aspect than the City of Mills property." The City of Casper would contend that there is property available Casper available for commercial of business development right along the river.
2. Part of the stated attraction of the project is the future plan for the pedestrian bridge from the City of Mills' riverfront to Ft. Caspar. Ft. Caspar is a City of Casper owned and maintained park and historical area. The City of Casper would like to be involved.
3. None of the bank stabilization techniques suggested as possibilities in the Mills proposal are compatible with the Natural Channel Design method in which the Wyoming Business Council invested and a design standard it helped establish when it funded of two City of Casper bank stabilization projects upstream from the City of Mills project. Natural Channel Design is a preferred method of the Wyoming Game and Fish Department for stream restoration and bank stabilization efforts like this proposed project from the City of Mills. It is also the preferred and promoted method for the Natural Resource Conservation Service. Natural Channel Design involves the application of fluvial geomorphology, creating stable channels that remain resilient over time while maintaining aesthetics. Geomorphic-based Natural Channel Design results in better water quality, better recreational opportunities, and better aquatic and terrestrial habitats, and thus, it enhances both the river and the communities adjacent to it. The current timeline in the City of Mills proposal would not support the ability to convert the bank stabilization to Natural Channel Design. Further, any of the stabilization techniques labeled as "possible" in the City of Mills proposal would make it impossible for the City of Casper to continue its river restoration work in this area of the river and could negatively affect the river restoration work that has been completed upstream and was funded by the Wyoming Business Council.

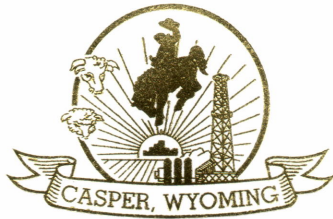
Thank you for allowing the City of Casper to provide input regarding the Wyoming Business Council Readiness Grant proposal submitted by the City of Mills. Again, it has some great components that we can all support. We reiterate that, done in partnership with the City of Casper and Natrona County, the project could be beneficial to all residents in this area. Recognition of these needs will both enhance development opportunities as well as perpetuate investment already made by the Wyoming Business Council.

Sincerely,



Steven K. Freel  
Mayor

cc: Sabrina Kempner via email



OFFICE OF THE MAYOR

# CITY OF CASPER

200 NORTH DAVID STREET

CASPER, WYOMING 82601-1815

PHONE (307) 235-8224

FAX: (307) 235-8313

[www.cityofcasperwy.com](http://www.cityofcasperwy.com)

April 28, 2021

Ms. Kim Rightmer  
Wyoming Business Council  
2435 King Blvd, Box 1  
Casper, WY 82604

Dear Ms. Rightmer:

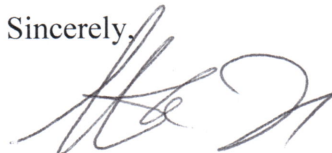
Both the cities of Mills and Casper as well as all of Natrona County would benefit from a robust partnership focused on development along the river and along the lines being discussed in this proposal.

The Wyoming Business Council Readiness Grant proposal submitted by the City of Mills has great components that we all support. The City of Casper has discussed some additional considerations with the applicant and request the Wyoming Business Council to support the project presented in this proposal along the lines discussed as follows:

1. The grant states on page 7 that the Mills riverfront property is “unique to the entire metropolitan area in that there are no other properties available for commercial or business development right along the river. The area closest to this riverfront property for development already houses a non-motorized use trail leaving that area’s development in a much different aspect than the City of Mills property.” The City of Casper would remind the WBC that there is property available in Casper for commercial and business development right along the river as well. The City of Casper recognizes that these properties do not have the virtues associated with being located on the north side of the river like the one being proposed and discussed in this application.
2. If the scope of the proposed development should include features of the adjacent river corridor or somehow, unexpectedly encroach into the river’s footprint, the City of Casper would ask for the WBC and the applicant to be cognizant of the principles of design that have been incorporated into multiple phases of the river’s redevelopment to date. Natural channel design is a preferred method of the Wyoming Game and Fish Department for stream restoration and bank stabilization efforts. It is also the preferred and promoted method for the Natural Resource Conservation Service. We also believe that this effort would be very consistent with significant work already completed upstream, downstream and funded in part by the Wyoming Business Council.

Thank you for allowing the City of Casper to provide input regarding the Wyoming Business Council Readiness Grant proposal submitted by the City of Mills. Again, it has great components that we all support. We reiterate that, done in partnership with the City of Casper and Natrona County, the project will be beneficial to all residents in this area and will stimulate additional development. Recognition of the virtues of this project and similar developments will both enhance development opportunities throughout this corridor as well as perpetuate investment already made by the Wyoming Business Council.

Sincerely,

A handwritten signature in dark ink, appearing to read 'Steven K. Freel', written in a cursive style.

Steven K. Freel  
Mayor

cc: Sabrina Kemper via email



April 5, 2021

Wyoming Business Council Board of Directors  
214 West 15<sup>th</sup> Street  
Cheyenne, WY 82002

RE: City of Mills Community Readiness Grant Application

Dear Board of Directors:

I am writing on behalf of Advance Casper to express my support for the City of Mills' proposal for the Wyoming Business Council's Community Readiness Grant Program for the Mills Riverfront Property Preparations Project. This project will transform an underutilized piece of public property into a safe, vibrant, and attractive connection to the City of Mills. The strategic development harnesses the beauty of the Mills Riverfront and strengthens the bond of the two communities.

Advance Casper supports the Mills Riverfront Property Preparations Project because it will attract development along the riverfront area, stimulating further growth throughout the entire metro area, which provides a positive atmosphere for our whole county. Advance Casper is working together with the City of Mills, the City of Casper, and Natrona County to spur investment and attract developers to transform area properties into vibrant new uses to take advantage of the Foreign Trade Zone and Opportunity Zone incentives.

The City of Casper has identified redevelopment sites along the North Platte Riverfront that represent economic and lifestyle opportunities. With plans to integrate parks and outdoor recreation with new mixed-use development, including a hotel and conference center, sports complex, innovation district, housing, commercial, and retail, we feel that the Mills Riverfront Property Preparations Project will directly advance this work.

Advance Casper is engaged and supportive of the Mills Riverfront Preparations Project. I urge you to award Community Readiness Grant funding to this worthy investment.

Sincerely,



Justin Farley  
CEO  
Advance Casper

Advance Casper  
111 South Durbin St  
Suite 200 Casper WY, 82601

307-577-7011  
yourfriends@advancecasper.com  
advancecasper.com







# CASPER AREA

METROPOLITAN PLANNING ORGANIZATION  
Casper - Mills - Evansville - Bar Nunn - Natrona County

April 6, 2021

Wyoming Business Council Board of Directors  
214 West 15<sup>th</sup> Street  
Cheyenne, Wyoming 82002

RE: City of Mills Community Readiness Grant Application

Dear Board of Directors:

I am writing on behalf of the Casper Area Metropolitan Planning Organization (MPO) to express my support for the City of Mills' proposal to the Wyoming Business Council's Community Readiness grant program for the Mills Riverfront Property Preparations project. The project will transform an underutilized piece of public property into a safe, vibrant, and walkable connection that will foster economic development in not only the Mills Community but will connect to the Casper region.

The City of Mills' mission to develop and grow as a vibrant community that recognizes the value of economic prosperity through investments and partnerships aligns closely with the stated goals of the MPO. The staff of MPO is happy to voice their support for the further development of the Mills Riverfront Property Preparations project in part because the project supports and encourages all of the goals of the MPO as outlined in our 2020 update of our Long Range Transportation Plan (LRTP) *Connecting Crossroads*. Specifically, the project will increase transportation for all modes by building up the interconnected trail systems and by linking the existing the trail system in Mills to the larger trail network. Furthermore, completing the aforementioned project supports other LRTP goals including supporting the region's diversifying economy, enhances the region's distinct character, and via the outdoor recreation properties the project will facilitate, will improve the health and safety for all residents and visitors. Additionally, *Connecting Crossroads* lists complete street improvements and safety improvements along SW Wyoming Boulevard from US Highway 20-26 to 1<sup>st</sup> Street as a near-term priority. The MPO has been working with the City of Mills to facilitate the development of their riverfront and has been an instrumental part in that development by conducting and publishing the Mills Main Street Corridor Study in 2021 as well as drafting and publishing the City of Mills Transportation and Comprehensive plan *Uniquely Mills* in 2017.

The Casper Area MPO is ready to be engaged and supportive of the Mills Riverfront project and commits to continuing to participate in outreach efforts to the local community and to seek input and provide feedback as the collaborative projects advance. I urge you to award Community Readiness grant funding to this worthy investment.

Sincerely,

M. Jeremy Yates  
Supervisor  
Casper Area MPO



CASPER AREA CONVENTION  
& VISITORS BUREAU  
139 WEST 2<sup>nd</sup> STREET, SUITE 1B  
CASPER, WYOMING 82601

April 22, 2021

Wyoming Business Council Board of Directors  
214 West 15<sup>th</sup> Street  
Cheyenne, WY 82002

RE: City of Mills Community Readiness Grant Application

Dear Board of Directors,

Visit Casper is excited for the opportunity to support the City of Mills Riverfront Property Preparations project. Visit Casper is dedicated to broadening the economic base of Natrona County through tourism. Development on the Mills riverfront will help attract tourists to our area with the City's proposed restaurant, public green space and riverfront access.

While the Casper area offers various access and views of the North Platte River and Casper Mountain, a project in Mills will allow for more utilization of that access and outstanding views. The spaces developed on the riverfront can assist in advertising the entire Casper area through activities and recreational opportunities and events, driving lift in our local visitor economy.

Visit Casper sincerely supports this project and requests that the board support the project by awarding the requested funds to the City of Mills.

Thank you for your consideration.

In appreciation,

A handwritten signature in black ink, appearing to read "Brook Kaufman", written over a light grey rectangular background.

Brook Kaufman, CDME, CTA  
CEO – Visit Casper



## Natrona County Commissioners

200 North Center, Room 115  
Casper, WY 82601  
Phone (307) 235-9202  
Fax (307) 235-9486

Paul Bertoglio, Commissioner  
Rob Hendry, Commissioner  
Brook Kaufman, Commissioner  
Jim Milne, Commissioner  
Dave North, Commissioner

April 26, 2021

Wyoming Business Council Board of Directors  
214 West 15<sup>th</sup> Street  
Cheyenne, Wyoming 82002

RE: City of Mills Community Readiness Grant Application

Dear Board of Directors:

The Natrona County Board of Commissioners are proud to support the City of Mills proposal to the Wyoming Business Council's Community Readiness grant program for the Mills Riverfront Property Preparations project. The project will support the needs of Natrona County by enhancing our natural resources and improving the beautification in our community. The right development on the Mills riverfront will facilitate job creation, entrepreneurship and diversity. The Commissioners support this development as we feel it can improve employee retention by accelerating our quality of life, expand tourism by offering more activities while tourist are in our community, and it adds another great outdoors and unique space in our district.

The Commissioners see this project aligns with the Wyoming Business Council's purpose by "creating new opportunities for current and future generations of Wyomingites by ADDING VALUE to Wyoming's core industries and LEVERAGING them to ACTIVIAE new economic sectors" as written on the Business Council's new directional alignment.

The Natrona County Board of Commissioners supports this project and asks that you support the project by awarding the funding to the City of Mills.

Sincerely,

A handwritten signature in blue ink that reads "Paul C. Bertoglio".

Paul C. Bertoglio, Chairman  
Board of Natrona County Commissioners

## Appendix B: Letters of Support for Laramie County Enhancement Application

### **Letters of Support**

The Fabrication Lab and Concept Forge are a stand-alone element in the overall Maker to Market Pathway. The Fabrication Lab will support two distinct but occasionally overlapping groups – community makers/entrepreneurs (for whom the Fabrication Lab may be an end point) and manufacturing employers (for whom the Fabrication Lab will feed into the AMMC and/or OJT programs).

Included are letters of support from community groups and letters from industry in support of the AMMC that is being developed alongside the Fabrication Lab.

March 9, 2021

Dr. Joe Schaffer  
President  
Laramie County Community College  
1400 East College Drive  
Cheyenne, WY 82007

RE: Letter of Support for LCCC's Fabrication Lab Grant Application

Dear Dr. Schaffer,

Cheyenne LEADS is a private, not-for-profit corporation serving as the economic development entity for the City of Cheyenne and Laramie County, Wyoming. LEADS is funded by the Cheyenne business community with more than 300 corporate and individual dues-paying members, and through contracts with the City of Cheyenne, Laramie County, and the Cheyenne-Laramie County Joint Powers Board.

As the economic development entity for Cheyenne and Laramie County we routinely field inquiries from various companies about potentially expanding and relocating in our community. Over the past 20 years Cheyenne LEADS has been in contact with around 900 prospects. Cheyenne LEADS has played a role in assisting around 100 companies choosing to locate in Cheyenne. Our best guess is that over half of the remainder prospects, since 2001, decided to locate elsewhere due to a lack of available skilled workforce.

In 2020 alone, Cheyenne LEADS was in contact with 50 prospects. 30 of those prospects were manufacturing companies. Cheyenne LEADS could anticipate anywhere between 30-90 manufacturing related prospects over the next three years.

The desperate need for a fabrication lab is becoming overwhelming to say the least. The need for skill-heavy workforce will only continue to grow and having a fabrication lab to give students and resident makers a space to meet the need is important. Helping build the manufacturing workforce pipeline gives Cheyenne and Laramie County a way to meet the needs for our industry partners. Additionally, a fabrication lab gives us the ability to be more aggressive, and selective, in our business attraction efforts knowing that we can check the box for available skilled labor.

Cheyenne LEADS fully supports Laramie County Community College's grant application for a fabrication lab.

Sincerely,  
Cheyenne LEADS



Betsey Hale, CEcD  
CEO, Cheyenne LEADS

21 April 2021

Wyoming Business Council  
214 W. 15<sup>th</sup> Street  
Cheyenne, WY 82002

RE: Fabrication Lab and Concept Forge Proposal at LCCC

To Whom It May Concern:

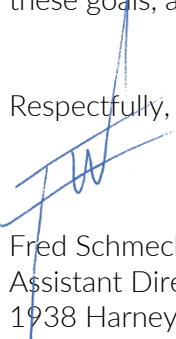
Facilitating the efforts Wyoming's young people in starting a path to entrepreneurship is one of the most cost-effective methods of job creation and economic diversification that we are able to deploy. With that in mind, please know that IMPACT 307 stands strongly in favor of Laramie County Community Colleges application for their Fabrication Lab and Concept Forge as we believe that it will tie in quite nicely with the startup efforts already underway in Cheyenne.

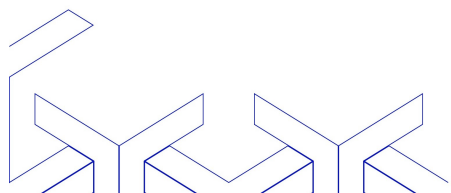
Additionally, given the alignment of mission for LCCC and UW as we pursue efforts related to our recent \$2.4 Million Economic Development Administration grant and the Governor's WIN initiative, this project would help ensure the long-term success of those programs as well as our existing partnership around the Southeast Wyoming Innovation Launchpad (SEWYIL).

A space such as this has proven useful in helping student entrepreneurs bridge the gap between where their academic pursuits of an innovation end and where commercialization begins. Paired with programs such as IMPACT and the rest of the UW Business Resource Network already located on the LCCC campus, this space could help ensure not only the success of programs such as SEWYIL but lead to the success of Wyoming students bold enough to make their own opportunities.

IMPACT stands ready to continue to collaborate with LCCC on this and other efforts in support of these goals, and we hope they have your support in this as well.

Respectfully,

  
Fred Schmechel  
Assistant Director – IMPACT Laramie  
1938 Harney Street  
Laramie, WY 82072  
fschmech@uwyo.edu



[IMPACT307.ORG](https://IMPACT307.ORG) | [IMPACT@UWYO.EDU](mailto:IMPACT@UWYO.EDU) | 307.766.6395

21 April 2021

Wyoming Business Council  
214 W. 15<sup>th</sup> Street  
Cheyenne, WY 82002

RE: Fabrication Lab and Concept Forge Proposal

Dear Council Members,

With the strong collaboration that exists between Forward Greater Cheyenne's C2E2 committee and Laramie County Community College, it is very easy for me to strongly support their Concept Forge proposal as it builds upon the foundation of entrepreneurial support that we have already built together.

A space, such as what LCCC proposes, is critical to building a culture of innovation and creativity in Cheyenne. Given that Cheyenne's major employers are the government, the hospital, schools, the railroad, or the refinery, we need to build up infrastructure such as this if we are going to help Cheyenne become an entrepreneurial community.

The Concept Forge will also have a significant impact on the number of LCCC applicants that we get for the Southeast Wyoming Innovation Launchpad (SEWYIL), a joint project between C2E2, LCCC, and UW. For the past two years, LCCC students have participated in and done very well in SEWYIL, and we want more of that interaction. Being able to provide equitable access to resources such as LCCC is proposing is an important part of Cheyenne's long-term economic health.

The facility also could provide needed support to our Cheyenne-based SEWYIL winners once they have that small amount initial seed funding. A recent winner is benefitting from LCCC's foresight and will soon be able to move faster with their company because of it. C2E2 hopes that the Fabrication Lab and Concept Forge will magnify LCCC's leverage in helping nascent companies thrive.

I appreciate your consideration,

Sam "the man" Weinstein  
C2E2 Strategic Coordinator





February 22, 2021

U.S. Department of Commerce  
Economic Development Administration  
1244 Speer Boulevard, Suite 431  
Denver, CO 80204

Subject: Expanding Manufacturing Workforce

Dear EDA Project Officer:

Thunder Beast Arms Corporation is a company that manufactures sound suppressors for tactical, sporting and competition use. Our suppressor designs are optimized for accuracy, light weight, and durability while maintaining best-in-class sound suppression levels.

Our workforce requires a diverse set of skills for CNC (computer numerical control) machine operators including mathematical and computer application, analytical, mechanical and technical, manual dexterity and accuracy skills. We currently have a total workforce of 38 employees. Due to our constant backlog in orders we are in great need to expand our operations by adding a 3<sup>rd</sup> shift which would require up to 10 additional machine operators.

On average, it takes between 2 to 4 weeks to fill open positions and we anticipate recruiting for 10 machine operators over the next 1 to 2 years. We hope to expand to 48 employees with approximately 5 new hires per year. Our business actively recruits graduates from local Colleges and Trade Schools that offer a Machine Tool Technology or similar programs.

Increasing the availability of employees with skills in machining is critical to our mission of serving our customers by providing high quality sound suppressors and exceptional customer service. Establishment of a dedicated center for developing a manufacturing workforce would allow our business to remain successful and competitive.



We are planning to support the Advanced Manufacturing and Materials Center project through participation in industry advisory boards and by offering input on curriculum design and course content. As scheduling permits, we will participate in meetings with LCCC and economic development organizations. Thunder Beast Arms will support the training of students through events on campus or through tours and work-based learning opportunities at our company. We are committed to continued discussions with LCCC regarding the development of apprenticeships, internships and/or paid work experience.

We are glad to state our support for the Advanced Manufacturing and Materials Center project and encourage EDA to help fund the facility.

Sincerely,

A handwritten signature in blue ink, consisting of a series of loops and a long horizontal flourish extending to the right.

Nora Coppinger  
Human Resources Manager  
8214 Hutchins Drive  
Cheyenne WY 82007  
307-543-7819 Direct  
nora@thunderbeastarms.com



7201 COMMERCE CIRCLE CHEYENNE, WYOMING 82007 • WWW.MAGPUL.COM • 1.877.4MAGPUL • CAGE 1LX50

March 19, 2021

U.S. Department of Commerce  
Economic Development Administration  
1244 Speer Boulevard, Suite 431 Denver, CO 80204

Subject: Expanding Wyoming's Manufacturing Workforce

Dear EDA Project Officer;

Magpul Industries Corp. ("Magpul") designs and manufactures high-tech polymer and composite firearms accessories used by civilian shooters, the military, and members of the law enforcement community. Magpul has several locations including Cheyenne, WY. Magpul's current workforce consists of 700 full time employees and long-term temporary staff in our Cheyenne, WY facility with another 200 employees in satellite locations.

Within our business in Cheyenne, WY, we face challenges in employee skill sets related to manufacturing and distribution when filling positions. Our challenge in filling these positions impacts our ability to train new employees in a timely manner and expand our technical operations.

We have seen a need to expand our manufacturing workforce over the past 18 months and see new projects and business opportunities allowing us to support continued growth of our workforce.

Increasing the availability of employees with skills in manufacturing, automation, print reading, machining, and quality control is critical to our mission of serving our customer base. By providing access to a skilled workforce, Magpul will be able to continue our growth in Cheyenne, WY.

Establishment of a dedicated center for developing a manufacturing workforce impacts all aspects of workforce needs from entry level workers and up. Closing the current skills gap would allow our business to introduce advanced manufacturing technologies to our facility.

We are planning to support the project by serving on an advisory committee and offering internship programs for students in the program.

We specifically see a need for the Laramie County Community College Advanced Manufacturing and Materials Center project to address the regional manufacturing workforce challenges and opportunities in Wyoming and the surrounding region.

This letter of support encourages the EDA to favorably consider this proposal to develop Wyoming's manufacturing industry.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Carey Ryerson', is written over a horizontal line.

Carey Ryerson  
Vice President - Manufacturing Operations  
Magpul Industries Corp.



March 12, 2021

U.S. Department of Commerce  
Economic Development Administration  
1244 Speer Boulevard, Suite 431 Denver, CO 80204

Subject: Expanding Manufacturing Workforce

Dear EDA Project Officer,

As the sole Human Resources person in charge of hiring employees for HIVIZ, LLC, I support the further development of advancing manufacturing training and apprenticeship programs through LCCC.

HIVIZ, LLC manufactures sights for firearms, and some internal gun components right here in Laramie, WY. We serve a worldwide customer base with our products and have numerous large Commercial and OEM customers around the world.

Finding skilled workers who have been trained in machining, metal injection molding, and mold making has been a real challenge for us. We must bring in people from all over the U.S. to Laramie at a high rate of pay and relocation costs. We would much rather hire those people who have been trained through an advanced manufacturing here locally, such as the Advanced Manufacturing and Materials Center project proposed at LCCC. To fill a position other than entry level is a challenge and, in most cases, it has taken us several months to fill those positions. We also have turned to outsourcing some of the items as we do not have the skilled labor to complete the complex machining tasks with our current workforce.

We currently have 5 job openings in our facility. Our current workforce is 63 fulltime employees, and 2 parttime employees. We have been on a steady growth pattern the past few years and will continue to grow with an anticipated 2-5 additional hires per year. We also anticipate growing the employees we have, and they will need that formalized manufacturing education and training for us to do that. In the past we have sent employees to different training programs around the U.S. for injection molding and programming CNC milling machines. We have trained most of our CNC milling machine operators in-house which has required a great deal of human capital.

Manufacturing businesses, especially those needing employees with high technical skills, have been identified as the one of greatest opportunities for economic development in SE Wyoming. The need to grow our own workforce with the necessary skills and experience to attract new businesses is vital.

HIVIZ, LLC commits to partnering with Laramie County Community College to develop the core training necessary to support the full range of advanced manufacturing businesses Wyoming is seeking. Our company is also willing to provide subject matter expertise for advanced training to develop new and incumbent workers. HIVIZ is committed to help Laramie County Community College through this endeavor and aid in mentoring or tutoring where we can, including hiring these individuals who go through the program and sending current employees to training if their schedules allow.



We are appreciative of the opportunities EDA supplies to the U.S. economy, and support the Advanced Manufacturing and Materials Center project. We hope that you will help to fund this important endeavor. If you have any questions, please contact me at 307-939-6376.

Sincerely,  
  
Mandy D.W. Davis

Human Resources

[mandy.davis@hivizsights.com](mailto:mandy.davis@hivizsights.com)

Phone: 307.939.6376 Fax: 970.416.1208

## Business Organizations

March 5, 2021

U.S. Department of Commerce  
Economic Development Administration  
1244 Speer Boulevard, Suite 431 Denver, CO 80204

Subject: Expanding Wyoming's Manufacturing Workforce

Dear EDA Project Officer,

Central Custom Molding is a business located in Laramie County, Wyoming. We are in the plastic injection molding manufacturing industry and we serve client needs from concept to distribution. We have been in the plastics industry since 1968 and have started approximately 8 successful manufacturing companies. They range in size from 5 to approximately 250 employees.

We have developed products that fly on corporate jets, have been used on the submersible which took James Cameron to the deepest parts of the Marianas Trench, and everywhere in between. Currently, we are working with companies organizations such as NASA, and the Mayo clinic. So, we have seen a need to expand our manufacturing workforce to support our client needs. Our current Wyoming workforce consists of just 15 employees.

One thing that we have been facing over the past 12 years is a lack of trained prospective employees. Our challenge in filling these positions impacts our business by requiring extensive on-site training and wasted time on training individuals that are not a good fit for the industry.

But the problem extends well past our companies. With our vast contacts, we have discovered that schools across the country have been missing the mark meeting the needs of this industry. If we are able to put together the right program that would support all aspects of workforce needs from entry level workers and up, we feel that this program would attract both students and high-tech industry to the region. We believe access to a skilled workforce through a partnership with LCCC and creating an extensive training program will attract students from around the United States and will create a mutually beneficial situation for all parties involved.


The establishment of a dedicated center for developing a manufacturing workforce would allow our business to grow by direct hire of graduates for facilities based in Wyoming.

Based on the demand at Central alone, we estimate growing at least 30 employees over the next decade with an average of 3 new hires per year. But we believe there would be additional interest by our associated companies.

We are planning to support the project by assisting with the development and implementation of a curriculum, continued input during the life of the program, and direct hire upon graduation.

Through this letter of support we wish to encourage EDA to favorably consider this proposal to develop Wyoming's manufacturing industry.

Sincerely,



Lyle Sampson  
Central Custom Molding



23 March 2021

U.S. Department of Commerce  
Economic Development Administration  
1244 Speer Boulevard, Suite 431 Denver, CO 80204

Subject: Expanding Manufacturing Workforce

Dear EDA Project Officer:

Tungsten Parts Wyoming is a small business that manufactures tungsten parts primarily for the U.S. Defense industry. Our customers are the large defense contractors such as Northrup Grumman, General Dynamics, Lockheed Martin, Boeing, and Raytheon.

We have a variety of manufacturing processes that require a diverse set of skills from our workforce. These include tasks such as:

- heavy lifting,
- entering production data into Excel files,
- CNC programming/milling,
- operating and repairing unique grinding machines used to produce “ball bearings”,
- machining grooves into plates used on aforementioned grinding machines,
- Quality Control inspections, computer generated data package preparation, and
- measurements made with calibrated equipment such as micrometers, calipers, computer measurement machines (CMMs).

In August 2019 our combined workforce was 40 individuals. Today we employ 130 staff. Since we have recently doubled our production capabilities, we will need to expand to 250 employees by this time next year. Due to expansion and turnover, we have continuous openings, needing approximately 10-12 new hires per month.

On average it takes 2 weeks to fill open positions. We have had positions that we have been unable to fill and had to ask our staff to do more with less instead. This, however, is not sustainable.

Increasing the availability of employees with skills in machining, basic MS-Office computer skill, and equipment operation, is critical to our mission of serving our Nation by providing tungsten parts as well as being an employment leader in the Laramie region. In addition to the growth anticipated in 2021, our 2022-2025 business plans calls for us to open a new facility of equal size to what we current at. This means that in 4-5 years we will be employing over 500 staff members.

Our business currently hires graduates from LCCC’s tech programs and/or from other professions/high schools. Most of our in-house training is in the form of on-the-job training, however on occasion we send staff for job-specific training courses.





Our business actively recruits LCCC graduates for our other non-labor positions as well and we have been very satisfied with this partnership. We estimate that 10% of our employees are LCCC graduates.

Establishing a dedicated center for developing a manufacturing workforce would allow TPW to have a reliable source of skilled labor as well as entry-level, responsible leadership positions (ex. Team Lead).

We are willing to support this project by providing opportunities for internships, short-term shadowing experiences, providing our personnel for tutoring/mentoring/etc., where students can experience a real-world working environment for a rather complex manufacturing process.

We are glad to state our support for the Advanced Manufacturing and Materials Center project and encourage EDA to help fund the facility.

Sincerely,

A handwritten signature in black ink, appearing to read "Eric Nyberg", written in a cursive style.

Eric Nyberg  
Technology Development & Quality Manager



## Appendix C: Letters of Support for Powell Conference Center Extension



270 North Clark Street – Powell, Wyoming 82435  
(307) 754-5106 – FAX (307) 754-5385

May 3, 2021

Wyoming Business Council  
Board of Directors  
214 West 15th St.  
Cheyenne, WY 82002

Board of Directors:

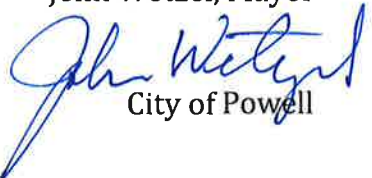
The City of Powell respectfully requests an extension for the construction dates of the publicly owned conference center project built in tandem with the privately owned Clocktower Inn of Powell. Currently, the construction end date is 6/30/2021 and the new requested end date is 6/30/2023, a two-year extension. Additionally, the reporting period of the project will move from 6/30/24 to 6/30/26.

Construction of the conference center is timed with construction of the hotel resulting in delays of the entire project. In the enclosed letter the hotel operator and developer explains the reasons for the delay. Essentially, an unforeseen project to operate a restaurant at an existing property took time and attention away from the development of the Clocktower Inn of Powell in 2019. Followed by the unanticipated international pandemic and that impact that COVID is having on the travel and tourism industry in 2020.

The two-year extension request is the time needed to reengage investors and realign private financing. The developer intends to break ground in the third quarter of 2022 with an opening 12 months after groundbreaking. The city is poised and ready to time the building of the conference center with the hotel.

The City of Powell has unwavering support of the publicly owned conference center project built in tandem with the privately owned Clocktower Inn of Powell to strengthen the local travel and tourism economy outlined in the original BRC application. The City understands the conference center is vital to the success of the Clocktower Inn of Powell. The success of the Clocktower Inn supports restaurants, retailers, business travelers, and higher education in the Powell Valley. Thank you for your support as we grow economic prosperity in Wyoming.

John Wetzel, Mayor



City of Powell

Date: April 26, 2021

To: Wyoming Business Council

From: Steve Wahrlich/ClockTower Inn of Powell, LLC

Re: Construction Hotel Project – Powell, Wyoming



I want to thank the Wyoming Business Council for their patience in working with me and the City of Powell. Over the past two years two items have occurred which have delayed this project.

In April 2019, my restaurant tenant, Stella's Kitchen and Bakery gave me notice that they were leaving. This resulted in me having to take over the restaurant operation. While I do have restaurant operations, I was not prepared to take on this facility currently.

Then as we are all aware the past 15 months in the hospitality arena have been anything but kind. As an owner operator of two operating hotels and restaurants I have never experienced anything like this in over four decades of operating. Over the past 15 months my sole effort was ensuring my existing operations survived.

The summer of 2020 and the summer of 2021 have and will be very good, the key to hotel and conference operations is the remaining nine months of the year. The industry is expecting meeting and conferences to be back at pre-COVID levels in 2023/2024.

Another outcome of the COVID-19 pandemic was the interest in lending, be it new construction or existing. It was our desire to finalize our investors and primary lender in the early part of 2020. While my lending institution is still interested, they are waiting to see if what we see happening in the market is going to continue. I expect a commitment from our key lending institution sometime 3<sup>rd</sup> to 4<sup>th</sup> quarter of '21. In the meantime, we are moving forward with other alternatives should this entity decide to move out of the marketplace. It should be noted that both Marriott and Hilton suspended all new construction for 12 months.

Based on the events of the past 18 months and the gradual reality of the "new normal" it is our anticipation to break ground on the hotel and conference center project 3<sup>rd</sup> quarter of 2022, with an opening approximately 12 months later.

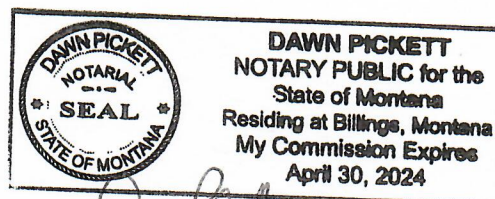
I appreciate the Wyoming Business Council's efforts in working with the City of Powell and myself. I am very committed to doing this project and really think this facility will have a great impact on the City and State.

Again, thank you for your patience and understanding.

A handwritten signature in dark ink, appearing to read 'Stephen Wahrlich'.

Stephen C. Wahrlich

Clocktower Inn of Powell, LLC



**ClockTower Inn**

Billings, Montana

Rebekah Burns  
Executive Director  
PEP/Powell Chamber  
Powell Visitor Center  
111 S. Day Street  
Powell, WY 82435

5/7/2021

Wyoming Business Council  
Board of Directors  
214 West 15<sup>th</sup> St.  
Cheyenne, WY 82002

Board of Directors:

Thank you for your consideration to extend the dates of construction for the public/ private conference center and hotel project. It is imperative that the extension be for 2 years. Due to the length of the COVID pandemic the business needs to reengage with investors and private financing for the Clocktower Inn of Powell. Additionally, the construction will take 12 months to complete.

The travel and tourism industry is a power house economic engine. In 2019, the United States saw 1.1 trillion dollars in travelers' spending. Travelers' spending in 2020 was 680 billion dollars in the US. Hospitality and leisure supports an average of 4,000 jobs in Park County yearly. That is 19% of the entire workforce in the private sector.

Wyoming is poised to position itself as a leader for national park travel, agritourism, and outdoor recreation. In Park County, we have all three in spades. Powell is next to the East Gate and Northeast Gates of Yellowstone National Park. Tourists have the added benefit of being able to go through the first national forest before they enter the first national park. Our crops are unique because they are flood irrigated with snow melt from Yellowstone National Park. This is the perfect area for agritourism. In fact, Powell and Big Horn Basin farmers grow 90%+ of the barley for the craft brew industry in the US. Eighty percent of the lands in Park County are federally managed. This equals massive outdoor rec opportunities in the 365 degree of mountain ranges and rivers that surround Powell.

The Clocktower Inn of Powell and the conference center will fuel the local economy and drive traffic to the City of Powell's twenty-two eaters, major attractions, and forty retailers that support visitor economy.

The Powell Economic Partnership has been working hard to prepare for this business. PEP is building local foods, the arts and outdoor recreation industries. We are filling the gaps and removing barriers for producers to reach local markets. Powell was the third community chosen for a pilot program from the Wyoming Arts Alliance to increase professional development in the arts. Interactive arts increase the length of stay for visitors and revenue for our city. PEP is also working with the Wyoming Outdoor Recreation department to spearhead the Park County outdoor Recreation collaborative. Outdoor Recreation is a massive boost to local economies. When we build attractions, we grow an outdoor rec community, which we then can attract retailers, tour guides and so on.

Thank you for your consideration to extend the dates of construction for the public/ private conference center and hotel project 2 years.

Sincerely,

A handwritten signature in black ink that reads "Rebekah A. Burns". The signature is written in a cursive, flowing style.

Rebekah Burns  
Executive Director