

Board of Directors Agenda | Thursday, September 8, 2022

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

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At Western Wyoming Community College-Concurrently by Zoom Webinar
Location: 2500 College Dr, Rock Springs, Rooms: 3650A & 3650B

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Or

Join by phone at 1-669-900-6833, enter the 9-digit Meeting ID 295-704-768 (no PIN is required, please press # when prompted); if joining by phone please note your ability to interact with the panelists may be limited due to system limitations.

Dress code is business attire- please wear your WBC name tag.

CONSENT AGENDA: *All agenda items listed with the designation of [CA] are considered routine items and will be enacted by one motion. There will be no separate discussion on these items unless a board member requests. A board member can request to have one or more items to be removed from the consent agenda.*

8:00 a.m. Convene Public Meeting – Co-Chair Erin Moore

- Pledge of Allegiance (all remote participants will be muted)
- Welcome and Roll Call of Board Members
- Consent Agenda
 - [CA] Meeting Minutes for the May 11, 2022 Regular Meeting by Zoom Webinar (*Page 5*)
 - [CA] Meeting Minutes for the June 22, 2022 Special Meeting by Zoom Webinar (*Page 16*)
 - [CA] Quarterly People and Performance Report – Human Resources Manager, Chava Case (*Page 20*)
 - [CA] BRC Rules – Investments Director Bert Adam (*Page 28*)
 - [CA] Agricultural Processing Revenue Bond Rules- Investments Director Bert Adam (*Page 41*)
 - [CA] Quarterly Challenge Loan Report - Investments Director Bert Adam (*Page 47*)
 - [CA} SBIR 1st Quarterly Report – Investments Director Bert Adam (*Page 49*)

ACTION ITEM: Consideration of approval of items included on Consent Agenda

8:05 a.m. Welcome – Dr. Kim Dale, Wyoming Western Community College President

8:20 a.m. CEO Report and Wyoming Success Stories – Chief Executive Officer Josh Dorrell

8:45 a.m. Regional Directors Report

- **Heather Tupper** - Southeast Regional Director

- **Kristin Fong** - Northwest Regional Director
- **Patrick Edwards** – West Central Director
- **Kiley Ingersoll** – Southwest Regional Director
- **Brandi Harlow** – Northeast Regional Director

9:30 a.m. Operations Standing Committee – Committee Chair Erick Arens (*Page 53*)

- **Q4FY22 Financial Report** – Accounting Manager Lyndsay Orr, CPA
 - **ACTION ITEM:** Consideration of acceptance of Q4FY22 Financial Report

10:00 a.m. Morning Break – *all participants will be muted*

10:15 a.m. Services Standing Committee – Committee Chair John Coyne (*Page 56*)

- **Wyoming Main Street Presentation** - Kayla Kler, Main Street Program Manager. Members of the Wyoming Business Council’s Main Street Advisory Board.
- **Contract with Wyoming Women’s Business Center, Inc.** – Services Director Brandon Marshall, Wendy Fanning, Executive Director of the Wyoming Women’s Business Center.
 - **ACTION ITEM:** Consideration of staff recommendation
- **Review and discussion of proposed amendments with Public Comments to Regular Rules for Chapter 4: Connect Wyoming Program** – Services Director Brandon Marshall and Broadband Manager Elaina Zempel
 - **ACTION ITEM:** Consideration of staff recommendation *Note: All public comments received on or before the public comment deadline are included beginning on (Page 108)*

11:15 a.m. Strategy Execution Standing Committee – Committee Chair Kathy Tomassi

- **Strategy Report** – Chief Strategy Officer Sarah Fitz-Gerald
- **Pathways to Prosperity Project Update** - Chief Strategy Officer Sarah Fitz-Gerald and Pathways to Prosperity Project Team

12:00 p.m. Lunch Break – *All participants will be muted; please disable your webcam*

12:45 p.m. Resume Board Meeting

12:45 p.m. Investments Standing Committee – Committee Chair Alex Klein (*Page 118*)

- **SSBCI Update** – Investments Director Bert Adam
- **Review of Economic Disaster Loan Charge Off Memo** – Finance Manager Josh Keefe
 - **ACTION ITEM:** Consideration of staff recommendation
- **Converse County Bank Succession Loan Participation-** Finance Manager Josh Keefe
 - **ACTION ITEM:** Consideration of staff recommendation
- **BRC Annual Report** – Investments Director Bert Adam
- **Review of BRC Budget & Presentation of Applications Received** – Community Development Manager Noelle Reed & Chief Executive Officer Josh Dorrell

BRC Applications				
Applicant	Project	Type	Request	Recommendation
Bar Nunn, Town of	Community Center/Town Hall	Community Project	\$ 500,000	\$ -
Meeteetse Joint Powers Board	Recreation District Community Center	Community Project	\$ 750,000	\$ -
Cody, City of	WY Legacy Meats Processing Expansion	Business Committed Grant	\$ 1,000,000	\$ 1,000,000 **
Laramie, City of	Project Jupiter	Business Committed Grant	\$ 20,000,000	\$ 20,000,000
Carry-Over BRC Funds			\$ 33,694,393	\$ 33,694,393
BFY 23/24 BRC Funds			\$ 24,321,543	\$ 24,321,543
Total Available BRC Funding			\$ 58,015,936	\$ 58,015,936
Total Requests			\$ 22,250,000	\$ 20,000,000
Funds remaining if awarded			\$ 35,765,936	\$ 38,015,936

**Funds will come from either BRC account or Agriculture Marketing Subaccount (ENDOW)

- *NOTE: All public comments received for the applications are included with these materials beginning on (Page 161)*
- **ACTION ITEM:** Consideration of funding request for each project

3:00 p.m. Other Board Matters and Adjournment

- **Next Meeting of SLIB:** Thursday, October 6, 2022 @ 8:00 a.m.
- **Standing Committees** will meet this quarter during the week of **November 28** (invites via Google Calendar):
 - **Operations Standing Committee** - Tuesday, November 29 @ 10 a.m.
 - **Strategy Execution Standing Committee** - Tuesday, November 29 @ 2 p.m.
 - **Investments Standing Committee** - Wednesday, November 30 @ 10 a.m.
 - **Services Standing Committee** - Thursday, December 1 @ 10 a.m.
- **Next Regular Meeting of this Board:** Thursday, December 15, 2022 (meeting to be held virtually)



CONSENT AGENDA

Regular Meeting of the Wyoming Business Council Board of Directors

Wednesday, May 11, 2022 | By Zoom Webinar

BOARD PRESENT: Erick Arens, John Coyne III, Kim Devore, Cindy Johnson, Chuck Kenyon, Jason Kintzler, Alex Klein, Mark Law, Erin Moore, Derek Smith, Pam Thayer, and Kathy Tomassi.

STAFF PRESENT: Amber Power, Amy Grenfell, Ben Peterson, Bert Adam, Brandi Harlow, Brandon Marshall, Chava Case, Elaina Zempel, Heather Tupper, Jill Tregemba, John Wendling, Josh Dorrell, Josh Keefe, Justin Mabie, Kari Kivisto, Katie O'Bryan, Kiley Ingersoll, Kristin Fong, Lyndsay Orr, Marcio Paes Barreto, Ron Gullberg, Sarah Fitz-Gerald, and Wendy Lopez

Convene Public Meeting – Board Co-chair Erin Moore

Board Co-chair Erin Moore called the meeting to order at 8:05am, followed by the Pledge of Allegiance. Roll was called and quorum was established.

Board Co-Chair Erin Moore introduced Derek Smith as a new Board member and asked Board members to take a moment to introduce themselves.

- **ACTION ITEM:** Consideration of approval of Minutes for the February 23, 2022 regular meeting. Mark Law made motion to approve, and Chuck Kenyon seconded with no further discussion or corrections. Motion carried unanimously. (Not present Chuck Brown III)

Board Co-Chair Erin Moore mentioned the Regional Director Reports and for the board to review those.

CEO and Strategy Report

CEO Josh Dorrell thanked board members for introductions and wanted to recognize years of service and success stories with the WBC: Elaina Zempel-15 years, Sarah Fitz-Gerald-5 years, and Kayla Kler-5 years. Mr. Dorrell discussed coalition building with our Economic Development Triangle and how to build capacity and growth with people at the local level, to look at the constraints to grow and will it make a difference in our communities. Is it the right project or contract for us? He states that we never see bad projects. Mr. Dorrell concluded asking the board to look at the contracts in front of them today, and how do they fit in with the triangle.

Committee Chairman Mark Law attended a dedication ceremony for a project that was a decade in the making. The Antelope Ski Resort in Sheridan closed, which affected a lot of families. The Forest Service was going to tear it down in 2010. A board was formed to fundraise and re-open the resort. Big Horn County and the WBC purchased the Magic Carpet, resembles a conveyor belt, for teaching kids how to ski. This was a success and helped in the re-opening of the resort. Mr. Law and the community thanked the WBC for their support and help.

Board Co-Chair Erin Moore stated it is important to recognize the positive things that are going on around the State, whether we are heavily involved in or not. There are a lot of companies across the State that are making a difference; Vertical Harvest in Jackson, Plenty in Laramie, Flow State in Casper, and Language ID in Cheyenne. Ms. Moore states these companies are focused on artificial intelligence and technology.

CEO Josh Dorrell discussed recruiting and how over 2020 we couldn't do much because of the restricted travel. Over the last 8-10 months we have been able to get out more. Travel and recruitment relationships build and bring businesses to WY. Some businesses are moving here and don't need WBC funding mechanisms. We work hard to show them if we are a match or not.

NOTE: Chuck Brown III back on call at 9:43am

Services Standing Committee – Committee Chair John Coyne III

Committee Chairman John Coyne III introduced Brandon Marshall, Services Director and Ron Gullberg, Strategic Partnerships Director to present the contracts that are in front of the board.

Mr. Marshall states that two representatives from the University of Wyoming are present and will review their prospective projects, however because we are ahead of schedule, he requested to change the agenda order to have Wendy Lopez, Business Recruitment Manager, report on the Insight Consulting Contract.

Ms. Lopez is requesting \$200,000 to do site readiness competitive analysis work. Businesses want to know what sites are available and ready to go that are shovel ready. Sites need to have utilities and water capacity. She states this contract will help towns identify sites that are ready and what their best uses are. Ms. Lopez explained that there would be two phases: site assessment and marketing. The company uses a software program to get results for each site.

Committee Chairwomen Cindy Johnson asked if we could wait on this contract until we have completed Pathways to Prosperity to create the ideal economic development here in Wyoming. Ms. Lopez responded that this project would work in tandem with Pathways to Prosperity. She stated that things are moving very quickly, and companies want shovel site ready sites now and not have to wait. Most of the businesses Ms. Lopez is working with are mostly confidential.

CEO Josh Dorrell added that timing is important and a lot of iterations. These programs will work together and talking about options will be an on-going process.

Mr. Marshall explained that we have considered these questions and that there is a local cost share on the contract.

Committee Chairwomen Kim Devore shared that if we don't help move these communities up in their knowledge of their sites and if we don't lead this process communities will go out and contract these types of services individually. This will be much better than six or seven communities doing things separately, it brings us all closer and not fragmented.

- **Action Item: Consideration Contract with Insite Consulting** – Motion to approve by Kim Devore and seconded by Chuck Kenyon with no further discussion or corrections. Motion carried unanimously.

Mr. Marshall introduces Ron Gullberg, Strategic Partnerships Director, Steve Farkas, University of Wyoming Assistant VP for Strategic Partners and Rocky Case, Manufacturing Works Director to discuss the proposed contracts. Mr. Marshall wanted to thank Ron Gullberg for all of his help in getting the contracts ready. The proposal for BRN is to maintain the historical contract with the University of

Wyoming and propose to maintain a flat price but would like to extend to a two-year contract for \$3,986,096 to match with the fiscal year.

Mr. Gullberg states that this is truly a team effort and invites Steve Farkas to speak on their behalf.

Steve Farkas thanked the board. Mr. Farkas states his role has changed some and moving in a positive direction. Generally, the focus on the BRN is going to be better service integration and state-wide expansion to support economic development. They have consolidated, but also added new positions so small startups and businesses will be able to access the new one stop shop model (under one roof). The goal is to expand the BRN to all Wyoming college locations. He discusses Impact 307 and an internal audit was completed to ensure that everything is being operated on the same page and aligned with recording and standard operating procedures.

Mr. Gullberg thanked Mr. Farkas and asked if there are any questions from the board. Board Co-Chair Erin Moore stated that Committee Chairman John Coyne III has temporarily lost internet connection so she will fill in until he returns. Ms. Moore stated that the contract has been a bit of a rollercoaster and now has a better feel with Steve and moving forward. There are a lot of positives in the direction we are moving.

Committee Chair-John Coyne III is back in attendance.

Committee Chairwomen Kathy Tomassi asked if all the other companies are now under his umbrella. Mr. Farkas stated yes. She requested clarification on why the contracts for BRN and Manufacturing Works are separate. Mr. Marshall explains that Manufacturing Works is separate to make their budget whole since previous funding is no longer available.

Committee Chairman Erik Ahrens asked if there is a way to quantify success. Mr. Farkas responded that looking at investments made through the BRN contract, funding has been focused on ongoing support, resources, and marketing. He said funding is also being put towards rent of facilities and to maintain infrastructure.

Committee Chairs Erik Ahrens and Pam Thayer express their support for this program.

Committee Chairman Chuck Brown III thanked Mr. Farkas for his report and stated this has been an off and on-again relationship. Mr. Brown said we are all looking forward to the positive and productive future relationship and thank you for providing a report on this.

- **ACTION ITEM:** Motion to approve the BRN Contract made by Jason Kintzler and seconded by Kathy Tomassi with no further discussion or corrections. Motion carried unanimously.

Mr. Marshall is recommending approval of the Manufacturing Works Contract. The contract is supplemental, one-time funding, to make their budget whole and for procurement of a national supply chain database for our Wyoming manufacturers.

Mr. Gullberg clarified the funding differences between the BRN and Manufacturing Works. He stated the majority of funding for the BRN Contract is federal funding and the WBC provides small match funding; Manufacturing Works receives funding from the National Institute of Standards and Technology who receive federal funding from the U.S. Department of Commerce. Mr. Gullberg explains that

Manufacturing Works had received a decrease in funding and therefore the WBC came up with this one-time funding contract.

Mr. Case Manufacturing Works Director discusses the history of money awarding and the gaps in matching for Manufacturing Works. MR. Case stated the funding will also be used to provide additional people/training in the field to address the manufacturing needs of Wyoming, especially with the global markets and supply chain shortages.

Mr. Gullberg mentions the attachment for the Manufacturing Works contract which explains the budget and how it is broke down. Mr. Gullberg passes to Committee Chairman John Coyne III for any further discussion or questions.

ACTION ITEM: Motion to approve the Manufacturing Work Contract made by Mark Law and seconded by Chuck Brown III with no further discussion or corrections. Motion carried unanimously.

Mr. Marshall introduces Elaina Zempel, Broadband Manager for broadband update.

Ms. Zempel starts with a brief history of broadband. She states in 2018 there was enabling legislation through the ENDOW fund where the WBC set aside 10 million for broadband infrastructure which has not been used. Now we are talking about the federal money that is available throughout the United States. Ms. Zempel explains the work completed by the Broadband Advisory Council and accomplishments with speed tests and mapping. The next big thing is the ARPA funds which gives us 75 million to distribute and access for planning and mapping to provide broadband for the citizens of Wyoming. We can get a lot done in Wyoming, the difficult part is how we get it done. The answer to most questions is Fiber, however topographically it's not possible. Ms. Zempel state that wireless, fixed wireless, and satellite have a place here so we can best meet the needs of people. In Ms. Zempel's workplan the number one item is mapping. There are a few other states, like Montana, that have some of the best maps and information, and we can share resources. The mapping is also important because we need to go address based.

Committee Chairwoman Kathy Tomassi stated that she thought there was a comprehensive map already completed. Ms. Zempel explained that they didn't have the map as address based, which is a higher level of data. Ms. Tomassi asked who will get the funding once it is distributed. Ms. Zempel explained that it would follow the CARES Act as the previous distribution went well.

Committee Chairwoman Cindy Johnson requested to add to mapping and talk about speeds and how they are affected by modems. Ms. Johnson asked if we could add into that map the range of products you can buy and what the costs are. She states it would help consumers to know the prices and the citizens would use the map more. Ms. Zempel stated once we get a baseline map, build on it, then we could add more components to it.

Committee Chairman Mark Law mentioned that Starlink was awarded 1 billion to provide internet for underserved communities. Mr. Law said that he found that it works and asked why we weren't trying to go more wireless and why spend the money on infrastructure in rural areas. CEO Josh Dorrell stated that we are in a different boat right now, and with the 10 million in Federal funding we have, we are required to follow those Federal requirements.

Board Co-Chair Erin Moore wanted to congratulate Ms. Zempel and thank her for her willingness to take on this role. Ms. Moore wanted to let everyone know that we are going to be doing a series of workshops on broadband, like the Venture Capital Series. Ms. Moore explained that mapping technology drives our everyday lives and we sometimes don't understand the capacities we are dealing with.

Committee Chair's Cindy Johnson and John Coyne III expressed their gratitude to Ms. Zempel for all her hard work.

Mr. Marshall sent a thank you to his entire staff for all the work they are doing.

Board Co-Chair Erin Moore announced morning break and meeting reconvened at 10:35am. Ms. Moore introduced Operations Committee Chairman Erick Arens. Mr. Arens introduces Chief Operating Officer, Amy Grenfell.

COO Amy Grenfell reviews the Business Relief Program, and states there are no changes and we have received the final audit report from McGee Hearne and Paiz (MHP). The audits have been completed for over year, but we are now officially closing it. Ms. Grenfell introduces Chava Case, Human Resources Manager for the quarterly people and performance report.

Ms. Case was happy to announce new additions to the team: Elaina Zempel, Broadband Manager, Kari Kivisto, Agency Services Manager, and Amber Powers, Community Leaderships and Engagement Manager. Ms. Case discussed people recruitment and the current job openings that we have: Western Central Regional Director and Entrepreneur Development Manager. Ms. Case hopes to have some additional announcements on new staff soon. There are three new positions the WBC received through legislation: Business Retention and Expansion, Economic Initiatives, and Business Recruiter. Ms. Case introduced the new internship opportunities, with five new positions available and each would be assigned an Intern mentor. Ms. Case stated we have a lot on our plates and the addition of interns would help and align with our purpose. The goal is to have everyone hired on with the five interns by July 1st.

Committee Chairwoman Kathy Tomassi requested more information on the intern program specifically to full or part-time employment. Ms. Case explained that we are looking to have interns year-round, but only full-time in the summer, and that we would work around school schedules.

Ms. Case summarized performance and developing talent management that are currently happening and the plans for the future.

Committee Chairman Erik Evans introduced Lyndsay Orr, Accounting Manager to present the financial report.

Ms. Orr presents the Quarter ending March 31, 2022, budget. She stated we should be 75%, but currently at 64%. She reviews the federal budget and loan balances. The CARES act funding has received money back due to the audits.

- **ACTION ITEM:** Motion to approve the Financial Report made by Mark Law and seconded by Chuck Kenyon. Board Co-chair Erin Moore requested clarification on the end of the biennium and community funds for new board members. Ms. Orr explained that the

General fund budget reverts back to the State at the end of the biennium and we have a two year budget cycle. The BRC funds don't revert, we carry them forward and maintain the funding. Motion carried unanimously.

Committee Chairman Erik Evans introduces COO, Amy Grenfell to present the FY2021 Financial Audit Report for July 1, 2020 through June 30, 2021. Ms. Grenfell states during that time, we were dealing with Covid and the CARES funding. Ms. Grenfell introduces staff from McGee Hearne and Paiz (MHP) to discuss the audit they performed.

Wayne Herr MHP reported that they performed the audit under three standards. They test internal controls for regular, state, and federal dollars. Despite the large amount of money, they had no findings and the WBC is at a low audit risk.

Committee Chairwomen Kathy Tomassi commented that it was fantastic and thanked WBC and MGH for their work with the CARES Act funding and congratulations that it is done.

CEO Josh Dorrell discussed that having things put in place and planning ahead is what WBC is working on to meet the standards that are put in front of us and be good stewards of state and federal dollars.

COO Amy Grenfell shared the difference between 2020 and 2021. Ms. Grenfell states we are used to a 91-million-dollar budget, but we increased to 445 million. We built the right systems, and she is incredibly proud of the audit and the team. She is very grateful with the relationship with MHP and their involvement.

- **ACTION ITEM:** Motion to approve the FY2021 Financial Audit made by Kathy Tomassi and seconded by Erin Moore with no further discussion or corrections. Motion carried unanimously.

COO Amy Grenfell presents the recommendation for the FY22 Audit to be contracted out through McGee, Hearne and Paiz. She stated we do an RFP every three years, the last one being in 2020 and this contract would go through 2023. The contract amount is \$34,000 for a financial audit and \$6,800 for a compliance audit for federal funds.

- **ACTION ITEM:** Motion to approve the FY2021 Financial Audit made by Derek Smith and seconded by Erin Moore with no further discussion or corrections. Motion carried unanimously.

COO Amy Grenfell presents the recommendation of the contract with Land Investment, LLC for the building lease of the Becker building. This is an extension of our lease for the next biennium at \$231,168. Ms. Grenfell states that we are able to stay at the same lease rate for the next two years. We will have to have a discussion in the next year and that there could be a possible lease increase in the future.

- **ACTION ITEM:** Motion to approve the Contact with Land Investment LLC made by Chuck Kenyon and seconded by Mark Law with no further discussion or corrections. Motion carried unanimously.

Board Co-Chair Erin Moore introduces Strategy Execution Standing Committee Chairwoman Kathy Tomassi who introduces Sarah Fitz-Gerald, Chief Strategy Officer.

Ms. Fitz-Gerald states we will take some time to share what our team has been up to and that the bulk of their report will be Pathways to Prosperity. Current priorities are scaling innovation, strategic communication, and coalition building, and leveraging IJA funds to execute strategy. Ms Fitz-Gerald explains that The Pathways to Prosperity program is really going to be able to help us execute our strategy. Things are looking up in Wyoming and there is a need to translate the State's economic development strategy. She explains what we hope to accomplish and how the methods will be delivered as well as a breakdown of schedule for payments and deliverables.

Committee Chairwoman Kim Devore requested clarification on funding. COO Amy Grenfell explains a majority of the money were ARPA funds and revenue replacement funds that were transferred to our budget through the Governor's approval. The other portion of the funds are federal.

- **ACTION ITEM:** Motion to approve the Pathways to Prosperity/President and Fellows of Harvard College, on Behalf of the Harvard Kennedy School Contract allowing for non-substantive changes and contingent on approval of Attorney General's Office made by John Coyne III and seconded by Jason Kintzler with no further discussion or corrections. Motion carried unanimously.

Ms. Fitz-Gerald introduces Ron Gullberg, Strategic Partnerships Director to discuss the University of Wyoming Profiles in Wyoming Resilience Project. Mr. Gullberg then introduced Jean Garrison, Co-Director of the University of Wyoming Malcolm Wallop Civic Engagement Program.

Ms. Garrison introduces the Profiles in Wyoming Resilience Project by stating that they are working on a qualitative study and asking people to take a confidential survey, share pictures that show their perspectives, and provide a description of what it means to them. They are gathering pictures through the June 15, 2022, and will be posting them on an interactive website (set to be completed by August) that will be available for everyone to view. The hope is to identify barriers and opportunities throughout the State. Ms. Garrison encouraged everyone to share this information so they can get a good amount of participation.

Mr. Gullberg closes and thanks Ms. Garrison for her presentation.

Investments Standing Committee Chairman Alex Klein introduces Bert Adam, Investment Director.

Mr. Adam presents the SBIR (Small Business Innovation Research) matching grant program review. The program was originally funded through the Governor's office and approved by the Governor's office. With our recent \$5,000,000 biennium allocation coming from the general fund, we are requesting a small change in the approval process so we can continue to make an impact in Wyoming with this program. We are proposing to adopt the approval process and matching fund sources. Mr. Adam reviews the history and breakdown of the program and investments. The program has funded three companies for phase one and two matches, helped 21 Wyoming companies to move closer to commercialization, and supported the creation of 70 jobs at \$27.09 hour/average annual wage. Of those 21 companies they maintain a workforce of 235 positions.

Mr. Adam presented the request from the board to approve the investment of up to \$2,000,000 of the \$5,000,000 in SBIR matching grants for fiscal year 2023. Existing rules will guide the investments as before.

Committee Chairwoman Kim Devore asked Mr. Adam if we need to put any specific reference or statement that this will be outside our normal contract approval process at the \$200,000 level. Mr. Adam explained that this was the same template we used with the CARES ACT funding for the bulk requests and asked for a little more clarity on her question. Committee Chairman Alex Klein suggested that we use the Memorandum as a guide since it is captured and outlined well with what we are empowering the staff to do.

- **ACTION ITEM:** Motion to approve the Request Memo for SBIR made by Kim Devore and seconded by Kathy Tomassi with no further discussion, corrections, or public comment. Motion carried unanimously.

Committee Chairwoman Kim Devore introduces Justin Mabie, Business Finance Analyst to give the Quarterly Challenge Loan Report. Mr. Mabie reviews the borrowers that are on the past due list for Hay Growers and Beet Growers.

- **ACTION ITEM:** Motion to approve the Challenge Loan Report made by Mark Law and seconded by Erin Moore with no further discussion, corrections, or public comment. Motion carried unanimously.

Mr. Mabie reviews the Audit report for the 2021 Annual Challenge Loan. He states the audit is completed by the Wyoming Division of Banking for compliance. They reviewed a total of thirteen loans on March 28, 2022, there were no findings, and everything was in compliance.

- **ACTION ITEM:** Motion to approve the Challenge Loan Audit Report made by John Coyne III and seconded by Mark Law with no further discussion, corrections, or public comment. Motion carried unanimously.

Mr. Adam gives an overview of the BRC (Business Ready Communities) rules. Mr. Adam explains that we have an abbreviated role in this process as we are statutorily exempt from the Wyoming Administrative Procedures Act and specifically exempt from the requirement to hold a formal public comment period. This allows us to move a little quicker through the Rules process. If the Board approves the Rules, we have only ten days to submit the Rules packet to the Wyoming Secretary of State and are not officially adopted until the Governor signs the Certification Page which could take up to 75 days.

John Wendling Grants Project Manager reviews the specifics in regards to the proposed Rules and explains the changes can be seen in the strike and underscore version.

- **ACTION ITEM:** Motion to approve the proposed BRC Rules made by Kim Devore and seconded by Cindy Johnson with no further discussion, corrections, or public comment. Motion carried unanimously.

Committee Chairman Alex Klein introduces Josh Keefe, Finance Manager to present the Challenge Loan Rules. Mr. Keefe reports that a lot of the programs haven't been reviewed or changed in a long time. They looked at the programs to improve to be more efficient and eliminate the programs that are underutilized.

Committee Chairwoman Kathy Tomassi requested clarification on the determination for Contract Loans and Succession Loans. Mr. Keefe explained that it would be a minimum of 4% and it will be underwritten like a normal bank would do and each deal would be different and keep it below 8-9%.

Committee Chairwoman, Cindy Johnson asked a question towards Kim Devore about how fast a letter would be sent out to someone that was denied credit. Ms. Devore stated that there are regulatory requirements, but they are sent out quickly.

Board Co-Chair Erin Moore expressed that these are much needed programs across the State and very important. It has been years in the making and thanked everyone for their effort to see this to fruition.

CEO Josh Dorrell wanted to add that the Josh Keefe and Justin Mabie did an amazing job with the policies and providing this program.

- **ACTION ITEM:** Motion to approve the proposed Challenge Loan Rules with the understanding that un-substantive changes can be made without further approval from the Board and upon approval by the Governor's Office by Kim Devore and seconded by Derek Smith with no further discussion, corrections, or public comment. Motion carried unanimously.

Committee Chairman Alex Klein introduced John Wendling, Grants Project Manager to present on BRC program and reminds everyone that staff will present first, then applicants will be able to speak after the introduction of each project.

Mr. Wendling reviewed the BRC funding allocation and balance. He states that there is currently \$34,003,454 to allocate in this biennium. There are three projects for a total of \$6,455,513 in front of the Board for consideration: Town of Hudson, Town of Sinclair, and Town of Lyman.

Mr. Wendling explains that the first request is for Kansas Avenue Water Extension project for the Town of Hudson. The Town of Hudson requests a \$215,513 in a community readiness grant to extend the town's existing water line from Kansas Avenue to approximately 600 yards under the little Popo Agie River to Frank's Meats and the surrounding land. Committee Chairwoman Kathy Tomassi inquired about the quality of water and number of gallons hauled in by Franks. Mayor Mike Anderson addressed the Board and gave an overview of the project and its importance to Frank's growth and water quality in Hudson.

- **ACTION ITEM:** Motion to approve the Town of Hudson Project for \$215,513 made by Chuck Kenyon and seconded by Derek Smith with no further discussion or corrections. Motion carried unanimously.

Mr. Wendling states the second request is for the Historic Theatre Façade for the Town of Sinclair. The Town of Sinclair requests a \$240,000 community project grant to stabilize and repair the exterior façade of the Sinclair Historical Theater. This is the final phase of a multi-year project to ensure the Historic Theatre is operational as a community gathering place.

Mayor Leif Johansson and Jason Knopp addressed the Board with an overview of the project and how it fits into the other projects already completed. Mr. Knopp informed the Board where matching funds are coming from and how they are marketing the theatre without the exterior rehabilitated. Mr. Knopp also spoke to the challenge of the historic preservation of the site. Monte Thayer reiterated the importance of the exterior being finished to complete the project.

Committee Chairman Alex Klein gave an overview of the discussion at the committee meeting regarding the project. Several board members commended the community on their fundraising efforts and accomplishing what they did on this project especially for a town of its size.

- **ACTION ITEM:** Motion to approve the Town of Sinclair Project for \$240,000 made by Mark Law and seconded by Erick Arens with no further discussion or corrections. Motion carried unanimously.

Mr. Wendling presents the third request for the Elevated Living Assisted Living Facility for the Town of Lyman. The Town of Lyman requests a \$3,000,000 business committed grant and \$3,000,000 business committed loan for the construction of a 16,000 square foot assisted living facility.

Committee Chairman Alex Klein asked the mayor if they have considered other funding sources. Board Co-Chair Erin Moore asked for information on the economic study and what the impact on the community would be.

Mayor Jorgenson addresses the board and spoke to the importance of the assisted living facility to Lyman and the surrounding areas/communities. The Mayor also spoke on the future uses for the revenue recapture.

Owner Travis Shelton spoke on the needs for the facility in Lyman and the members of the community, a community he is a part of. Mr. Shelton spoke to the health services provided locally and how the project and services support each other.

Owner Damon Deru added that two economic studies were done to determine the need of the facility and that both operating facilities in Rock Springs and Evanston provided support. Mr. Deru also spoke to the cost estimate continually rising on the project.

Committee Chairwoman Kathy Tomassi recused herself from the project presentation and consideration.

- **ACTION ITEM:** Motion to approve the Town of Lyman Project for \$6,000,000 made by Erick Arens and seconded by Derek Smith.

Discussion:

Committee Chairman John Coyne III asked how the staff and management felt about the project since there was no recommendation for or against it.

Committee Chairman Mark Law spoke to the size of the community and how this project impacts Lyman versus Sheridan.

Committee Chairman Alex Klein emphasized the importance to communities to have this kind of care locally and retaining workforce.

Committee Chairwoman Kim Devore spoke to the need of the facility being there, but the economic development of that case is very different. When the state invests these dollars, the Board should be looking for a strong return on Investment. Ms. Devore wondered if the low-paying CNA positions would be enough to keep employees in Lymnan. Ms. Devore added that she believes there are other options

for funding this project that are more appropriate, and the economic development arm of the State might not be right for this project.

Committee Chairman Mark Law wondered if USDA funding would be appropriate and available for this project.

The project was taken to a roll call with a vote of 3 yes and 7 no. The motion did not pass.

Voting was as follows:

Erick Arens-Yes
Kim Devore-No
Chuck Kenyon-No
Mark Law-No
Derick Smith-No
Chuck Brown III-Absent
Kathy Tomassi-Recused
John Coyne III-No
Cindy Johnson-No
Alex Klein-yes
Erin Moore-No
Pam Thayer-Yes
Jason Kintzler-Absent

Other Board Matters and Adjournment

Committee Chairwoman, Erin Moore went through the dates for future meetings and to make a note that we will be having a special board meeting to discuss contracts and rules that will be coming up before the end of the biennium and need to be voted on.

- SAVE THE DATE: Venture Capital Workshop #2 – Tuesday, May 17 at 1:00 – 2:30 p.m.
- Next Meeting of SLIB: Thursday, June 2, 2022 at 8:00 a.m.

CEO Josh Dorrell states that there is a lot of material that we went through for this board meeting, and that our team and committee has done a thorough job at looking at these projects.

Ms. Moore adjourned the meeting at 3:33pm

Respectfully Submitted

Kari Kivisto, Agency Services Manager

Erick Arens, Operations Committee Chair

SPECIAL MEETING of the WYOMING BUSINESS COUNCIL BOARD OF DIRECTORS

Monday, June 22, 2022 | 9:00 A.M. | by Zoom Webinar

BOARD PRESENT: Erin Moore, Erick Arens, Kim Devore, Cindy Johnson, Chuck Kenyon, Jason Kintzler, Alex Klein, Mark Law, Derek Smith, Pam Thayer, Kathy Tomassi

STAFF PRESENT: Josh Dorrell, Amy Grenfell, Brandon Marshall, Sarah Fitz-Gerald, Josh Keefe, Kari Kivisto, Chester Chu, Amber Pollock, Bert Adam, Lyndsay Orr, Chava Case, Sue Akey, Amy Quick, Wendy Lopez, Elaina Zempel, Ron Gullberg, Heather Tupper, Jill Tregemba, John Wendling, Angie Buchanan, Ben Peterson, and Kim Rightmer.

CONVENE PUBLIC MEETING

Meeting was called to order at 9:02 A.M. by Co-Chair Erin Moore, followed by the Pledge of Allegiance. Roll call was called by Amy Grenfell and quorum was established.

CONTINUED OPERATION OF THE WYOMING-ASIA PACIFIC TRADE OFFICE IN TAIPEI

Ron Gullberg discussed and introduced the purpose of the Wyoming Asia-Pacific Trade Office, its inception, and growth. Chester Chu presented potential opportunities and the promotion of Wyoming Businesses in varying industries and the overall outlook for the next two terms. Amber Pollock, with Backwards Distilling Co. gave testimonial to the work done with the office and their assistance with the distribution and export process. Kent Holiday, with Nagase, discussed a new English education project, considering Taiwan's goals for becoming a dual-language nation. Questions were taken from the board.

ACTION ITEM: Consideration of staff recommendation. Motion to approve the contract with Advance Commercial Providers, LTD by Mr. Law, seconded by Ms. Tomassi, motion carried unanimously.

CONTRACT WITH LEADERSHIP WYOMING FOR THE DESIGN AND IMPLEMENTATION OF STATEWIDE ECONOMIC DEVELOPMENT TRAINING PROGRAM

Brandon Marshall requested approval of a contract with Leadership Wyoming, to design and implement an economic development leadership program with a cohort experience. Mandy Fabel, the executive director of Leadership Wyoming, took questions.

ACTION ITEM: Consideration of staff recommendation. Motion to approve the contract with Leadership Wyoming by Mr. Kenyon, seconded by Mr. Smith, motion carried unanimously.

CONTRACT WITH LIGHTBOX FOR BROADBAND MAPPING SERVICES

Alaina Zempel and Amy Grenfell presented a potential contract with LightBox Parent, L.P., for broadband mapping services on an address-based level related to the Connect Wyoming program. Questions were taken, included the ownership of data, collection methods, and sourcing. Concern was expressed about Lightbox not being present and a motion to table was put forward, but it was then paused, as LightBox representative William Price joined and spoke to the primary concern of data access or ownership and a few other questions and concerns from the board.

ACTION ITEM: Consideration of staff recommendation. Motion to approve the contract with Lightbox Parent, L.P. by Ms. Thayer, seconded by Mr. Smith. Motion carried unanimously.

REVIEW AND DISCUSSION OF PROPOSED AMENDMENTS TO REGULAR RULES FOR CHAPTER 4: CONNECT WYOMING PROGRAM

Elaina Zempel presented the proposed rule changes in Pg 4-4 Section 10., regarding prioritization and recommendation with projects utilizing federal grants moving forward, such as the priority of fiber-optic based applications and the requirement that providers participate in deferral programs that provide low-income consumers with subsidies on broadband internet access services. Public comment will be open for 45 days.

ACTION ITEM: Consideration of staff recommendation. Motion to approve the proposed amendments to the regular rules for Chapter 4 Connect Wyoming Program by Mr. Klein, seconded Ms. DeVore. Motion carried unanimously.

AMENDMENT TO THE CONTRACT WITH MARKEE ESCROW SERVICES, INC. FOR CONTINUED MANAGEMENT OF WBC LOAN PORTFOLIO

Josh Keefe discussed the existing contract with Markee Escrow Services Inc., to collect loan payments for the challenge and BRC loan funds.

ACTION ITEM: Consideration of Staff Recommendation. Motion to approve the contract by Ms. DeVore, seconded by Ms. Moore. Motion carried unanimously.

REVIEW AND DISCUSSION OF PROPOSED NEW RULES FOR THE WYOMING PARTNERSHIP CHALLENGE LOAN PROGRAM

Josh Keefe presented the now clean version of the previously heard amendments to the Challenge Loan Program. There were no changes made other than making it "clean".

ACTION ITEM: Consideration of Staff Recommendation. Motion to adopt the rules as presented by Ms. Tomassi, seconded by Mr. Kenyon. Motion carried unanimously.

REVIEW AND DISCUSSION OF PROPOSED NEW RULES FOR THE AGRICULTURAL PROCESSING REVENUE BOND PROGRAM

Josh Keefe also presented the draft rules for the Agricultural Processing Revenue Bond Program, which is used to add value and to market agricultural goods such as beef processing to aid the agricultural industry. The rules provide for a method of application, review, and recommendation, limiting bond eligibility, and hearing process. This program follows the same process as Large Loans and BRC Grants and Loans. Josh Keefe presented public comments.

ACTION ITEM: Consideration of Staff Recommendation. Motion to adopt the rules as presented by Mr. Arens, seconded by Mr. Law. Motion carried unanimously.

REVIEW AND DISCUSSION OF PROPOSED NEW RULES FOR WYOMING'S SSBCI VENTURE CAPITAL PROGRAM

Bert Adam presented the draft rules for Wyoming's SSBCI (State Small Business Credit Initiative) Venture Capital Program. SSBCI is part of the broader American Rescue Plan Act (2021 ARPA). The new program rules are in place to ensure consistency with process, review, and funding determination for both the Wyoming Venture Funds and Wyoming Venture Direct programs. Adam presented the main highlights from the rules to the board. Adam took questions from the board and Committee Chair Alex Klein recapped the committee meeting discussion.

ACTION ITEM: Consideration of Staff Recommendation. Motion to adopt the draft rules by Ms. DeVore, seconded by Mr. Smith. Motion carried unanimously.

AMENDMENT ONE TO THE CONTRACT WITH ADBAY.COM INC. DBA KALEN MARKETING SOLUTIONS FOR WEBSITE DEVELOPMENT, MIGRATION, MAINTENANCE, AND HOSTING SERVICES

Amy Quick presented the extension of the contract with Adbay.com Inc. Dba Kalen Marketing Solutions, the agency that assisted with the launch of the new WBC website, for the continuation into phase two and three of the launch with enhanced functionality.

ACTION ITEM: Consideration of Staff Recommendation. Motion to accept the contract by Mr. Klein, seconded by Mr. Smith. Motion carried unanimously.

AMENDMENT ONE TO THE CONTRACT WITH THREE ELEPHANT PUBLIC RELATIONS LLC FOR PUBLIC RELATIONS AND COMMUNICATIONS SERVICES

Quick also presented the extension of the contract with Three Elephant Public Relations LLC for public relations and communications services. There will now be video and photography assets included, as well as strategy summary.

ACTION ITEM: Consideration of Staff Recommendation. Motion to accept the contract by Mr. Law, seconded by Ms. Thayer. Motion carried unanimously.

AMENDMENT ONE TO THE CONTRACT WITH WAVE INTERACTIVE LLC FOR DEVELOPMENT AND INTEGRATION SERVICES FOR AND WITHIN THE COUNCIL'S INTERNAL SALESFORCE ENVIRONMENT

Amy Grenfell, assisted by Ben Peterson, presented the utilization of Salesforce in the past and outlined the use cases for the platform in the future and requested the extension of the contract with Wave Interactive LLC. Committee Chair Erick Arens recapped the committee discussion. Questions were taken from the board.

ACTION ITEM: Consideration of Staff Recommendation. Motion to approve the amendment to the contract by Mr. Kenyon, seconded by Ms. Tomassi. Motion carried unanimously.

OTHER BOARD MATTERS AND ADJOURNMENT

Ms. Moore concluded by outlining the schedule for the standing committee meetings and the date for the next board meeting, to be held September 8 in Rock Springs. Motion to adjourn carried by Mr. Klein, seconded by Mr. Smith.

The motion was carried unanimously and the meeting was adjourned at 11:31 a.m.

Respectfully Submitted

Colton Drury, Intern

Erick Arens, Operations Committee Chair



PEOPLE AND PERFORMANCE

WBC BOARD OF DIRECTORS UPDATE

SEPTEMBER 2022



PEOPLE

NEW ARRIVALS

**PATRICK EDWARDS, WEST CENTRAL REGIONAL
DIRECTOR**



**TAYLOR VIGNAROLI, ENTREPRENEUR
DEVELOPMENT MANAGER**



**JOHN JENKS
ECONOMIC INITIATIVES DIRECTOR**





PEOPLE

NEW ARRIVALS

**KALEY HOLYFIELD, BUSINESS RETENTION &
EXPANSION MANAGER**



**CHANCE PRICE, BUSINESS RECRUITMENT
MANAGER**





PEOPLE

NEW ARRIVALS -INTERNS

RYLAN O'BRYAN



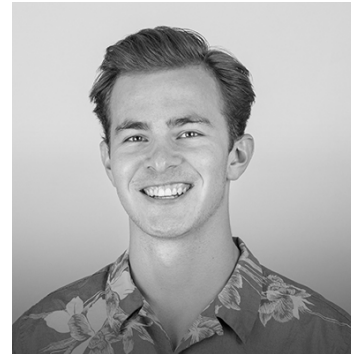
**GILLETTE, WY
CLASS OF 2023
ENTREPRENEURSHIP AND
BLOCKCHAIN**

ZACH VALERIO



**CHEYENNE, WY
CLASS OF 2023
ENTREPRENEURSHIP**

COLTON DRURY



**LARAMIE, WY
CLASS OF 2024
MARKETING AND FINANCE**

RYAN KILPATRICK



**OCEANSIDE, CA
CLASS OF 2023
FINANCE, REAL ESTATE AND BLOCKCHAIN**



PEOPLE

RECRUITMENTS



EAST CENTRAL REGIONAL DIRECTOR:

Serve Natrona, Converse, Platte, and Niobrara counties.



ECONOMIC DEVELOPMENT FINANCE MANAGER:

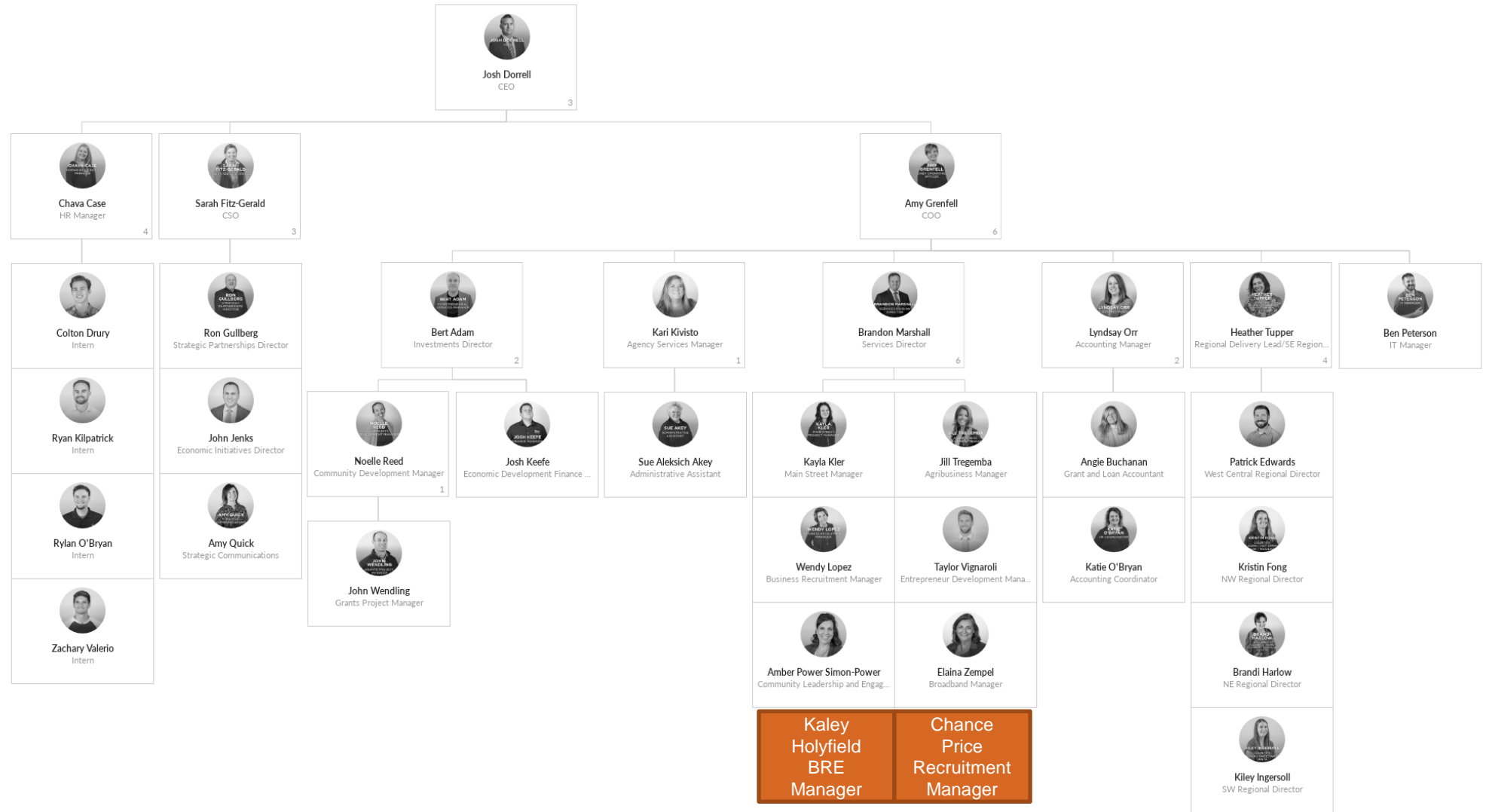
Evaluates and develops business financing tools to help businesses accomplish their financial goals.



ECONOMIC DEVELOPMENT FUNDING ANALYST:

WBC's initial point of contact for businesses and communities for business financing guidance and services.

WBC TEAM





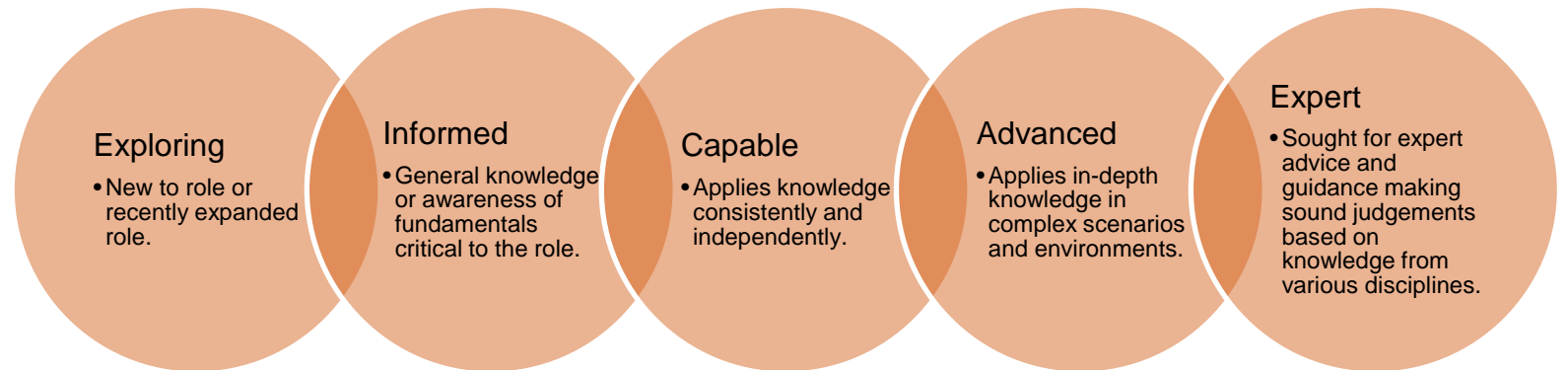
PERFORMANCE & COMPENSATION



COMPENSATION PHILOSOPHY:

The WBC is a place for growth, autonomy, and personal excellence. We foster individual development, teamwork, and independent motivation.

Our compensation plan is built to attract, retain, and reward individuals aligned with the organization's performance values.





THANK YOU

Chava Case, HR Manager

chava.case@wyo.gov

307.287.8033

Chapter 1

GENERAL PROVISIONS

Section 1. Purpose. The purpose of the program is to promote economic development at the city, town, county and regional levels in order to improve economic health and a stronger state economy. These rules are adopted in order to implement W.S. 9-12-602 through 9-12-603, which provide for the making of grants and loans to eligible applicants for economic or educational development infrastructure. The rules provide for a method of application, review and recommendation, the establishment of terms and conditions of awards and a hearing process.

Section 2. Authority. Rulemaking for this program is the responsibility of the Wyoming Business Council as authorized by W.S. 9-12-104(a)(iv) and W.S. 9-12-601.

Section 3. Definitions.

(a) “Applicant” means a county, incorporated city or town, joint powers board, or a cooperative tribal governing body who applies for funding under the Business Ready Community Grant and Loan Program (BRC).

(b) “Award recipient” means a county, incorporated city or town, joint powers board, or cooperative tribal governing body who has been awarded funds under the BRC.

(c) “Board” means the Wyoming State Loan and Investment Board.

(d) “Cash match” means cash contributed to the total eligible project cost. Real estate owned by the applicant or community development organization may be used as cash if the property in question was not purchased or developed by BRC funds and the value of the real estate is supported by an appraisal. Engineering and design work completed within six months of the date a project application is received by the Wyoming Business Council may be counted as cash match.

(e) “Community Development Organization” means a business entity organized to provide services as an agent of the applicant for the exclusive mission of helping to develop and support economic development within a specified city, county or region by providing necessary resources and assistance.

(f) “Council” means the Wyoming Business Council Board of Directors.

(g) “Council staff” means the staff of the Wyoming Business Council assigned to administer the program.

(h) “Economic development” means creating additional economic health and a

stronger state economy.

(i) “Eligible project costs” means total project cost, less ineligible project costs. Examples of ineligible costs include appliances, equipment, furnishings and other features of the facility which are not physically attached.

(j) “Ineligible project costs” means project costs that are not eligible for BRC funding and include appliances, equipment, furnishings and other features of the facility which are not physically attached, and any other items identified by Council staff.

(k) “Infrastructure” means the purchase of land, buildings, facilities, telecommunications infrastructure, rights of way, airports, sewer and water projects, roads, landscaping, recreational and convention facilities or other infrastructure determined by Council staff. It does not include rehabilitation or expansion of existing infrastructure unless Council staff determines the rehabilitation or expansion is necessary to meet the purposes of this program.

(l) “In-kind match” are contributions with value and must be applicable to the period to which the matching requirement applies and must be necessary for the project. Examples of in-kind contributions include labor, materials and real estate. In-kind contributions must be verifiable from the records showing how the value placed on in-kind contributions was derived. Labor services will be reported using rates consistent with those ordinarily paid by the applicant or other employers for similar work in the same labor market. Donated materials will be valued at market value at the time of donation. The value of donated buildings or land will be established using a market value or appraisal set by an independent appraiser or a market analysis prepared by a licensed realtor.

(m) “Managed Data Center” means a center whose primary purpose is the centralized repository for storage, management and dissemination of data and information for multiple businesses. This definition does not include spaces primarily for housing office computers, including individual workstations, servers associated with workstations or small server rooms.

(n) “Multi-year project” means a large scale, stand-alone project which will be constructed over separate calendar years and which cannot be separated into smaller, independently operational phases.

(o) “Net revenue” means income generated by the lease or sale of a BRC funded asset, less expenses associated with maintaining the asset. Deductible expenses must be paid by owner and can include utility costs, insurance, property taxes, pest control, repairs, property association fees and property maintenance.

(p) “Non-recourse loan” is a loan that is secured by a pledge of collateral, typically real property.

(q) “Phased projects” means a project in which parts (“phases”) are completed

and fully functional before the entire project is built-out. Receipt of funding for a phased project does not guarantee additional funding for future phases.

(r) “Political subdivision” means a division of the state that exists primarily to discharge some function of local government.

(s) “Primary jobs” are jobs created or retained by a business(es) that provide(s) goods and services that are primarily exported out of the state, that gain market share from imports to the state, that meet an unmet need in the market area and result in the creation of new wealth or economic diversification. An additional consideration will be wages and benefits.

(t) “Revenue generating project” means real property developed with BRC grants or loans that can generate revenue from lease payments or the proceeds from the sale of real property.

(u) “State Development Organization” means a corporation organized under W.S. 17-11-101 through 17-11-120 with the authority to provide financing for new, existing or expanding businesses and to fulfill other economic or community development purposes throughout the state of Wyoming and which may take equity positions and shall take security positions in its borrowers’ businesses and appropriate personal guarantees from the owners thereof.

Section 4. Eligible Applicants.

(a) A county, an incorporated city or town, joint powers board, cooperative tribal governing body, or some combination thereof may apply for BRC funding. A joint powers board may apply with the approval of all participating agencies to the joint powers agreement. Two or more eligible applicants may apply for a joint project via one application.

(b) The Council may enter into a cooperative agreement with the Eastern Shoshone Tribe, the Northern Arapaho Tribe, or the cooperative tribal governing body in order to promote the purpose of this program.

(c) An applicant may contract with a Community Development Organization, State Development Organization or political subdivision to use BRC funds.

Section 5. Type of Projects.

(a) A Business Committed Project is a project in which an applicant has a business committed to start-up, expand, locate or retain jobs in the community. The applicant must demonstrate that new primary jobs will be created or retained by the business. In addition to assisting a particular business, a Business Committed Project may also fulfill the purpose of a Community Readiness Project. The maximum grant amount is three million dollars (\$3,000,000). Funding in excess of the maximum grant amount may

be applied for as a BRC loan.

(b) A Community Readiness Project is a project which has no specific business committed to expand or locate in a community. The community wants to build infrastructure to ready itself for new business development under a specific strategy or plan of action. The applicant must demonstrate potential exists for creation of new primary jobs. The maximum grant amount is three million dollars (\$3,000,000). Funding in excess of the maximum grant amount may be applied for as a BRC loan.

(c) A Community Project is a project in which an applicant wants to improve the community's aesthetic character or quality of life in order to make itself more attractive for business development or workforce attraction and/or retention under a specific strategy or plan of action. Landscaping and streetscaping enhancements must be located in commercial districts, sites of business activity or high visibility areas. Recreation, convention or cultural centers must have a draw greater than the jurisdictional boundaries of the applicant. The maximum grant amount for Category 1 applicants is five hundred thousand (\$500,000) and the maximum grant amount for Category 2 applicants is seven hundred fifty thousand (\$750,000). Funding in excess of the maximum grant amount may be applied for as a BRC loan.

(d) A planning project is a project in which an applicant creates or further develops a community's economic development strategy and outlines an implementation plan.

(i) An economic development plan assesses the community as a whole and identifies potential future economic development opportunities. This may include regional targeted industry plans. The maximum award is fifty thousand (\$50,000).

(ii) A feasibility study is a site specific or industry specific plan to determine the feasibility of a project to meet economic development objectives. The maximum award is twenty-five thousand (\$25,000).

(iii) A promotional plan addresses marketing of a community's assets that promotes business and/or workforce retention and attraction. The maximum award is twenty-five thousand (\$25,000).

(iv) A tourism plan addresses economic development opportunities for a defined region or community related to tourism and visitor attraction. The maximum award is twenty-five thousand (\$25,000).

Section 6. Eligible Activities.

(a) Grants for planning projects may only be used for the creation of the planning document(s). Funds may not be used for salary costs of the applicant or local organizations, travel costs for anyone other than the planning consultant(s) or reproduction of any promotional materials.

(b) Grant and loan funds may be used for the expansion of infrastructure previously funded under this program for phased projects.

(c) Grant and loan funds may not be used for the rehabilitation or expansion of existing infrastructure unless the Council determines the rehabilitation or expansion is necessary to meet the purpose of the program.

Section 7. Ownership of Infrastructure

(a) The infrastructure funded by this program shall be owned by the applicant or an agent of the applicant, such as a community development organization, state development organization or political subdivision acting in the role of agent of the applicant.

(b) Unless the project is owned by the applicant, there shall be documentation that in the event of dissolution of the owner, the BRC-funded infrastructure shall revert to the sponsoring applicant or a related city, town, county, joint powers board or tribe acting as agent of the applicant. This requirement may be satisfied by either specific language within articles of incorporation or a filing of the real estate record with the county of record.

(c) The infrastructure or facility can be sold to a private entity without advertising the sale or calling for bids, provided that the award recipient makes a determination that the sale will benefit the economic development of the community and holds the sale in accordance with W.S. 15-1-112(b) and any other applicable statute.

(d) If the owner of any infrastructure or facility built with BRC funds sells the infrastructure or facility to a private entity prior to the end of the project reporting requirements, the new owner shall fulfill the requirements of the grant agreement.

(e) For business committed projects, applicants must agree to repay with a reasonable rate of return any funds received to reduce costs if the business relocates after the date of first receiving funds. This agreement shall set forth the terms of any potential relocation and the means through which it will repay all BRC funds.

Section 8. Revenue Generating Projects.

(a) Revenue generated by the applicant or an owner described in Section 7 of this Chapter must be recaptured at a negotiated rate commensurate with the public investment.

(b) Revenue recaptured to the BRC fund must comply with the following requirements:

(i) If the total net revenue generated is less than the BRC grant amount, then no less than twenty-five percent (25%) of net revenue shall be recaptured to the BRC fund; or

(ii) If the total net revenue generated is equal to or more than the BRC grant amount, then no less than twenty-five percent (25%) of the BRC award shall be recaptured to the BRC fund.

(c) Revenue paid to the BRC fund shall not exceed the original grant amount of the project.

(d) Revenue recapture requirements may be satisfied by repayment of a BRC loan or via revenue recapture payments unless otherwise prohibited by applicable statutes, rules or regulations.

(e) All funds recaptured at the local level shall be placed in a segregated economic development account or separate line item within a budget.

(f) No more than fifty percent (50%) of local recapture may be used for operational expenses of the agent of the applicant such as a local economic, community, or state organization if matched dollar-for-dollar by local funds. The Council staff may, at its expense, conduct an audit of records of the agent for the applicant.

(g) Revenue recapture must be repaid to the BRC fund annually or according to a schedule agreeable to Council staff.

Section 9. Projects Involving a Private Developer.

(a) Projects involving a private developer shall demonstrate that adequate consideration exists by showing that the expected benefit to the State is at least as great as the BRC assistance. Such projects shall meet at least two of the following four criteria:

(i) Repayment of BRC funds as described in Section 8;

(ii) Direct, permanent jobs created as a result of the project;

(iii) Projected tax benefits;

(iv) Donation of real estate that is not otherwise necessary for the project to the applicant or an agent of the applicant. The value of all real estate donations must be verified by a certified appraisal or market analysis as determined by Council staff.

Section 10. Local Public Hearing and Approval.

(a) An applicant is required to inform and educate the public and business community to the greatest extent possible about the proposed economic development project (including, but not limited to the economic development opportunity, possible funding sources and alternative solutions) utilizing a variety of techniques and media. The applicant must make readily available to the public access to the application and associated

materials, exclusive of business plans or business financial information. An applicant shall actively solicit citizen input that can be submitted via writing, electronically or in person at a public hearing. A minimum of one public hearing is required before submission of an application. For the purposes of this program, seven (7) days is the minimum period for notification of a hearing date. Public notice shall be published in an official medium such as local newspapers, public fora, local governmental social media pages or another venue as approved by Council staff. If the project facility is to be located outside the geographical boundaries of the applicant, the applicant shall hold an additional public hearing near the location of the proposed project facility. The notice shall contain a concise description of the proposed project and state that time will be set aside at the public hearing to take testimony from citizens about the project.

(i) To inform the public and gather information, any public hearing shall at a minimum:

(A) Identify the economic development opportunity or opportunities;

(B) Explore all known possible funding sources and alternative solutions to the opportunity or opportunities;

(C) Be advertised with a comprehensive description of the proposed project;

(D) Solicit testimony from citizens who may feel that the proposed project might compete with an existing business;

(E) Conduct specific outreach to any affected industry or industries and any competitors within that industry.

(ii) An applicant must use its best efforts to notify all providers of similar services in the market area about the public hearing at least seven (7) days in advance of the public hearing.

(b) An application must be accompanied by a description of the applicant's public engagement process, written comments received by the applicant, evidence of the public hearing notification, minutes from the public hearing and a signed resolution passed by the applicant or participating agencies to a joint powers board after the public hearing is held and public comments are considered.

Section 11. Application Procedures.

(a) The applicant must schedule a consultation with a Wyoming Business Council Regional Director to discuss the project.

(i) Each Wyoming Business Council Regional Director is available to

assist applicants with the development of projects and preparation of applications.

(ii) Final draft applications and final draft application materials must be provided to the Regional Director no less than two weeks prior to submission.

(b) Each application shall be reviewed by the Council staff to determine eligibility and completeness.

(c) Incomplete applications will be either tabled or sent back to the applicant for resubmittal at a different time. If Council staff determine that an application is incomplete, the applicant shall be provided an explanation of the Council staff's findings and recommendations.

(d) The Council staff shall provide statewide notice of Council and Board meetings at which BRC applications will be discussed.

(e) The Council staff shall provide the Council with a summary of each application and a recommendation as to that application.

(f) Under extraordinary circumstances, the Council may recommend a waiver of rule requirements if the Council determines the waiver is consistent with the purpose of the BRC.

(g) The Council staff shall provide the Board with a summary of each application including the Council's recommendation.

Section 12. Application Submittal Requirements.

(a) Application Submittal Requirements. Each applicant shall submit the required application form and any supplemental documentation required by Council staff.

(b) Recipient of Previous Awards. An applicant shall demonstrate satisfactory performance under previous grants and/or loans awarded through this program.

Section 13. Allocation Plan and Funding Cycles

(a) The Council may adopt a funding allocation plan for BRC projects and prioritize project types.

(b) Applications will be accepted according to an annual deadline schedule posted by the Council.

(c) BRC awards per applicant are limited as follows:

Business Committed	No Limit
Managed Data Center Cost Reduction	No Limit

Community Readiness	One per calendar year
Community Project	One per calendar year
Planning	One per calendar year

(d) An applicant may request, with a single application, grant or loan funds up to the annual maximum amount for a multi-year project for a period not to exceed three (3) fiscal years. The applicant must demonstrate how the project meets the definition of a multi-year project.

Section 14. Application Evaluation. Council staff shall utilize a scoring matrix to evaluate a grant and/or loan application.

Section 15. Grant Match Requirements.

(a) BRC loans do not require a match.

(b) A BRC loan can be used to satisfy the grant match requirement.

(c) A grant for a “Planning” project shall require a minimum match of twenty-five percent (25%) of total eligible project activities. Community Development Block Grant funds cannot be used for a match.

(d) The total required match is based on total eligible project costs.

(e) Applicants must provide five percent (5%) of the required match for the project.

(i) Eligible in-kind sources of match funds include property, building(s) and other sources as determined by Council staff.

(ii) Ineligible in-kind sources of match funds include operations, maintenance, grant writing, grant administration and other as determined by Council staff.

(f) The following is a breakdown of the required match percentages by category:

BRC Required Match			
	Category 1 Applicant	Category 2 Applicant	Notes
Business Committed	10%	5%	Half of match must be cash
Community Readiness	10%	5%	Half of match must be cash
Community Project	20%	10%	Half of match must be cash
Planning	25%	25%	Half of match must be cash
All matches are calculated as a percentage of total project cost.			

(g) Applicants for all other projects are categorized based on population and local government share of state sales and use tax per capita. Categories determine the required match. Sales and use tax figures are updated annually by the Wyoming Department of Revenue and population figures are updated every five years by the U.S. Census Bureau. Sales and use tax figures used for category determinations will be an average of the three most recent years' data available. A schedule of categories will be regularly updated and posted on the Wyoming Business Council website.

(i) Category One applicants are those municipalities with a population greater than 1,300 or are located in a county where the three-year average of the local government share of state sales and use tax per capita is more than seventy percent (70%) of the statewide average.

(ii) Category Two applicants are those municipalities with a population under 1,300 or are located in a county where the three-year average of the local government share of state sales and use tax per capita is less than seventy percent (70%) of the statewide average.

(iii) In the event the applicant is a joint powers board, the project's location will determine its categorization.

Section 16. Fund Disbursement, Project Monitoring, Performance Measures and Revenue Recapture Reporting.

(a) Procurement Standards. Applicants must follow state procurement regulations for cities and towns and the Wyoming Preference Act. If a non-municipal applicant has a procurement policy, Council staff or qualified consultants reserve the right to review that policy prior to fund disbursements and to disburse funds in accordance with that policy to the extent it is consistent with State law.

(b) Fund Disbursement. Funds shall be disbursed to the applicant only as needed to discharge obligations incurred in accordance with Board-approved eligible project costs. Request for disbursement shall be made via the online grant management system, access to which shall be provided by Council staff. Requests for fund disbursement must be supported by adequate proof that such an obligation has been incurred for the project purpose and is due and owing.

(c) Fund Reversion.

(i) If the Council staff determines that a project has not been completed within a reasonable time, Council staff shall notify the applicant in writing at least thirty (30) days prior to presenting the matter for Council review.

(ii) If the Council staff determines that the project is complete, but the full amount of the grant or loan has not been expended, Council staff shall notify the award recipient of this determination. Thirty (30) days following the notification, the unused

portion of the grant or loan shall revert to the BRC Fund.

(iii) For projects that have not been started within one year: Council staff shall notify an award recipient of a pending expiration prior to the one-year anniversary of the grant/loan approval. The award recipient may submit a written request to continue the project. Council staff may request new or updated information and documentation. Council staff may recommend, and the Council may grant an extension of time in which to start or terminate the project.

(iv) For projects with contingencies, Council staff may request a monthly update on the status of any project contingency. The award recipient has the option to submit a new application or may request an extension or modification of the contingency terms through the Council staff. Council staff may recommend and the Council may grant an extension of time or grant a modification to the contingency terms.

(d) Project Monitoring.

(i) Reports. Within fifteen (15) calendar days of the conclusion of each calendar quarter during the term of the award contract, the applicant shall provide Council staff with a progress report. Each progress report shall set forth, in narrative form, the work accomplished under the grant or loan during the quarter and shall include a financial status report. At the end of the project, the applicant shall provide Council staff a comprehensive report of the project and a cumulative financial statement that reflects the total fund expenditure pursuant to the award contract.

(ii) Audits and inspections. The Council staff may, at its expense, conduct an audit of the records of the applicant and inspect the construction and operation of the project.

(iii) Record retention. Award recipients shall agree to retain all records related to the project for five (5) years following the Council staff's date of notice to award recipient of closeout of the grant.

(e) Project Evaluation.

(i) Reports. Upon project construction, the award recipient shall submit annual reports for five years to evaluate project outcomes against established measures on an annual basis. Council staff shall tailor reports to the specific nature of each grant or loan, in agreements between the Council and award recipient. This requirement shall transfer with the transfer of any ownership interest in the infrastructure or building constructed with BRC funds.

(ii) Evaluation results. The Council shall use the evaluation report information to measure program outcomes, to promote learning from experience and to improve program performance. Evaluation results shall be available to other award recipients.

(iii) Project outcomes reported shall be substantiated by the applicant.

(iv) At the end of the term of a BRC project, the award recipient shall provide a comprehensive report to the Council staff, in a format prescribed by the Council staff that is a cumulative financial and performance report of the project. This report shall, at a minimum, include a detailed accounting of project expenditures that were paid for with BRC grant or loan funds; the match contributed and the source of the match monies; recapture revenue(s) received, including an accounting of how recaptured revenues were or will be used, how recaptured revenue use complies with the rules of the BRC program and the project grant/loan agreement; and the accomplishments that resulted from the grant or loan. An authorized official of the award recipient shall certify, under penalty of false swearing, that the information in the report is true. The Council staff reserves the right to require the award recipient to request a BRC project audit be conducted by the director of the department of audit or his designee. The award recipient shall be responsible to pay the cost of this audit.

Section 17. Public Comments on Applications Submitted and Under Board Consideration for Funding Recommendations.

(a) Comments regarding any application submitted under this program may be offered by any interested party.

(b) Written comments shall be received by the Council no less than fourteen (14) calendar days prior to the public meeting at which the application is to be considered by the Board and:

(i) May be submitted using an online form to be prescribed by the Council;

(ii) May be submitted by email to the wbc.public-comment@wyo.gov;
or

(iii) May be submitted by mail or courier service as follows:

Wyoming Business Council
Attn: Public Comment
214 West 15th Street
Cheyenne, WY 82002

(c) Written comments submitted by any means other than those set forth in Subsection 17(b) of this Chapter shall not be considered.

(d) Prior to taking action on any application, the Board may accept oral comments during public session from any interested party. In accordance with W.S. 16-4-403(b), any party wishing to offer oral comments shall notify the Council as set forth

below. Such notification shall include:

- (i) The first and last name of the person offering comment; and
 - (ii) The affiliation(s) of the person offering comment; and
 - (iii) If applicable for commenters participating virtually, the unique identifier (such as screen name or user name) of the person offering comment such that the Council can identify the person offering comment and enable them to speak.
- (e) Notwithstanding Subsection 17(d) of this Chapter, the Board reserves its right to forego public comments during any meeting of the Board or to otherwise impose reasonable limitations, such as limitations on comment length, on any comment period.

AGRICULTURAL PROCESSING REVENUE BOND

CHAPTER 1

Section 1. Purpose.

(a) These rules are adopted in order to implement W.S. 9-12-109 (b), which allows the Wyoming Business Council to issue revenue bonds as specified for agriculture processing projects; specifying that municipal, county, and joint powers board industrial development projects and purposes include agricultural and agricultural-related projects. The rules provide for a method of application, review and recommendation, limiting bond eligibility, and hearing process.

(b) Language in this chapter applies to all chapters in this program unless otherwise specified.

Section 2. Authority. Authority for the promulgation of these rules is granted in W.S. 9-12-109.

Section 3. Definitions.

(a) “Applicant” means all existing or proposed businesses applying for a bond allocation;

(b) “Board of Directors” means the Board of Directors of the Council;

(c) “Bond Counsel” means an attorney or a firm of attorneys with expertise in bonding of projects;

(d) “Borrower” means the business which applies for, commits to, and is responsible for repayment of funds provided under this program;

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

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

(g) “Commercial Lender” means commercial institutions that loan money, including banks, credit unions, mutual savings banks, savings and loan associations, stock savings banks, or trust companies;

(h) “Council” means the Wyoming Business Council;

- (i) “Council staff” means the staff of the Wyoming Business Council;
- (j) “Financial records” means an applicant’s financial statements, balance sheets, income statements, tax returns, or any other financial records deemed necessary for review;
- (k) “Land development loan” means an extension of credit for the purpose of improving unimproved real property prior to the erection of structures. The improvement of unimproved real property may include the laying or placement of sewers, water pipes, utility cables, streets, and other infrastructure necessary for future development.
- (l) “Issuing Authority” means the state agency responsible for issuing the bond allocation;
- (m) “Owner” means an individual/entity possessing an interest in the applicant’s business, at or more than twenty percent (20%) or a guaranteeing entity;
- (n) “Parent Company” means an entity possessing an interest in the applicant’s business, at or more than ten percent (10%) or a guaranteeing entity;
- (o) “Project” means any land, building, pollution control facility or other improvement and all necessary and appurtenant real and personal properties, whether or not in existence, suitable for manufacturing, industrial, commercial or business enterprises, for manufacturing, processing or assembling agricultural or agricultural-related products.
- (p) “Recipient” means a proposed or existing enterprise that has been awarded funds under the Agricultural Processing Revenue Bond Program;
- (q) “Renovation” means construction or reconstruction-type work on a building including: façade, roof, exterior wall assembly, foundation, windows, doors, cornice treatment, awnings and canopies;
- (r) “Servicing agent” means the qualified entity contracted by the Council to service the loans in the portfolio and to provide administrative services for the program;
- (s) “State Loan and Investment Board” means the approving body of a proposed bond issuance comprised of the State of Wyoming’s Governor, Secretary of State, Auditor, Treasurer, and Superintendent of Public Instruction.

Section 4. Eligible Applicants. Any existing or proposed business entity is eligible. All applications shall be reviewed by Council Staff and a recommendation shall be made to the Board of Directors, with final approval by the State Loan and Investment Board, as defined by legislation. The Council shall not consider incomplete applications.

Section 5. Default Application Information.

(a) All applications for bond issuances shall be submitted on the required forms. Applications will be accepted at any time and scheduled for staff review and recommendation by the Board of Directors, and final approval by the State Loan and Investment Board on a first-come, first-served basis;

(b) One (1) copy of the application shall be submitted electronically via email or physically to the Council offices located at:

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

(c) Every application for the proposed project shall include, unless waived by the Council:

(i) The name, title and address of the person to whom notices should be sent and from whom information can be obtained;

(ii) Five (5) years of financial statements (of the existing business and parent company, if applicable, receiving the bond issuance), plus current financial statements;

(iii) Pro-forma financial projections (income statement, balance sheet, and statement of cash flows) of the existing or proposed business, and parent company, if applicable, receiving the bond issuance for three (3) years;

(iv) A certificate of incorporation of the existing or proposed business receiving the bond issuance;

(v) A certificate of good standing from the Wyoming Secretary of State's office;

(vi) By-laws of the borrower and parent company, if applicable, or a copy of the Borrower's operating agreement demonstrating borrowing authority of the existing or proposed business;

(vii) The business plan of the existing or proposed business;

(viii) An itemized list of the proposed collateral and collateral value;

(ix) A detailed proposal explaining how the bond proceeds will be utilized;

(x) Certification that the business will allow an examination of its books and records at the request of the Council;

(xi) Certification that the business will report jobs, wages, and capital expenses at the request of the Council;

- (xii) An identification of the issuing authority;
- (xiii) The date of adoption of the initial intent to apply for bond allocation;
- (xiv) The name and address of bond counsel and a letter from bond counsel confirming that it has been retained by the applicant for purposes of advising applicant with respect to the proposed project and any bond issuance;
- (xv) The amount of the general allocation pool the applicant is requesting;
- (xvi) A statement summarizing the benefit of the project to the state or local community, the impact of the project on other businesses in the state or local community and the ability of the project to meet the objectives set forth in W.S. 15-1-701 (b);
- (xvii) A proposed starting date and estimated completion date of construction of the project;
- (xviii) Information relating to the feasibility of the proposed project, showing that the project will generate revenues and cash flow sufficient to make payments to pay debt service on the bonds;
- (xix) The amount, source, type and terms and conditions of all capital that will be used for the project in addition to bond financing;
- (xx) Actions that have been taken in anticipation of the bond issue and the anticipated date of bond issuance;
- (xxi) An explanation of the impact on the project if the total allocation is not received; and
- (xxii) A statement of any significant risks to the project or the project's financing and any mitigating factors to those risks.

Section 6. Default Attachments to Application. A letter shall be attached from bond counsel for the issuing authority, with supporting citations to state law, the act, and any federal regulations, stating that the bonds are eligible for an allocation and that the issuing authority is authorized under the laws and constitution of the state to issue such bonds. The letter shall be signed by the attorney authoring the letter and shall explain the specific basis for bond counsel's opinion that the bonds qualify for an allocation from the state. If applicable, the letter shall also set forth and explain all calculations for funding the portion of the project that qualifies for an allocation, if the entire project does not qualify.

Section 7. Default Approval Process and Approval.

(a) Steps of process. The steps necessary to obtain approval of a bond allocation under the agricultural processing revenue bond program are as follows:

(i) The applicant shall first submit a completed application as referenced in Section 5(c) of this Chapter to Council staff for review.

(ii) After receiving a complete application, the council staff shall review the application for completeness. Once Council staff ascertain that the application is complete, council staff shall notify members of the State Loan and Investment Board immediately and provide one (1) copy of the completed application to each member of the State Loan and Investment Board.

(iii) Council staff shall structure the bond with initial pricing guidance. This practice will determine breakeven points in the proposed project, including, but not limited to, the bond term, yield rate, and collateral value. The initial pricing guidance does not indicate the final pricing structure and grading of the bond upon issuance in the secondary market.

(iv) Council staff shall present the proposed project to the Board of Directors at its next scheduled meeting. A special meeting of the Board of Directors may be called if necessary. The Board of Directors shall forward its recommendation to the State Loan and Investment Board at the next available meeting for its final approval, or rejection, of the bond allocation request.

(v) If the State Loan and Investment Board grants final approval of the allocation request, the project shall return to the Council to work with bond-rating agencies, investment banks, and other necessary parties to issue the bonds on the public market for investment.

Section 8. Attorney General Opinion. No bond allocation shall be made until the Attorney General's Office provides a written opinion certifying the legality of the issuance and all documents connected therewith.

Section 9. Post Bond Sale. Council staff shall maintain an annual report including, but not limited to, the project's projected job creation, wages, capital expenditures, financial analysis and trends, customer and supplier concentration(s).

Section 10. Confidentiality. Information and any other documentation submitted in support of a request for bond allocation pursuant to the agricultural processing revenue bond program, once submitted to a state agency or official, shall be governed by the Public Records Act, W.S. 16-4-201 through 205, as amended. Upon receipt of a request to disclose an application for a loan or loan guarantee or supporting information, the Council shall make a determination as to whether the information must be disclosed pursuant to that Act. The Council, before it makes said determination or discloses an applicant's information, shall inform the applicant of its determination. Should the applicant object to the disclosure of any record the Council has determined must be disclosed under the Act, the applicant shall justify its request to withhold records under the Act or any other authority to the Council in writing. In accordance

with the Act, the Council shall not disclose said information if disclosure is likely to result in the impairment of the government's future ability to obtain necessary information and/or result in substantial harm to the competitive position of the recipient that provided the information to the Council.



Memorandum

To: Wyoming Business Council Board of Directors
From: Josh Keefe
Subject: Challenge Loan Reporting Requirements
Date: September 8, 2022

1. **Past Due Report.** Challenge Loan Policy requires quarterly reporting of all loans 30 days or more past due.

There are four (4) past due payments on June 30, 2022:

Hay Growers:

- **Ryan Riggs** – The WBC team was hopeful to get a payment from Mr. Riggs after he had gotten ahold of Josh Keefe asking where to send his payment. However, even after Josh explained where to send the money and exactly how much was due, including late charges, we have not yet received anything from Mr. Riggs. The team will continue to keep in contact with Mr. Riggs and try to figure out a way to get payment. The amount past due is \$38,599.49 (two annual payments plus a \$941.45 late charge); loan balance is \$140,000.00.

Beet Growers:

- **Cody Easum** – No new information to report since the last quarter. The WBC team and Ken at Markee continue to make attempts to get ahold of Mr. Easum with no success. The amount past due is \$21,479.65 (two annual payments plus a \$523.89 late charge); loan balance is \$64,067.44
- **Eden Farms** – Eden Farms is now on the past due list. Unfortunately, the borrower has deceased, but his wife is working with the WBC to figure out a way forward. Much of the farm assets are already claimed on other loans elsewhere, but we are trying to find a way to make payments in the future. Ms. Eden has stated that she is going to continue to farm the land and harvest. She did send a partial payment earlier this year, but the remaining amount past due is \$9,673.87; loan balance is \$114,408.73

- **Brandy Pettet** – Mr. Pettet is now on the past due list. Mr. Sherman at Markee sent out his third late notice in June, but we have not heard anything from him to date. We will continue to monitor and attempt to contact Mr. Pettet in the future. The amount past due is \$4,000.98 (annual payment plus \$190.52 late charge); loan balance is \$20,438.25. Mr. Pettet was late last year as well, but did make the payment.

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 **\$1,449,801**. The allocation includes a 10% loan loss reserve for the Economic Disaster Loans originated, plus 0.5% of the total loan portfolio. The reserve does include a full allowance for Cody Easum (\$64,067.44), Ryan Riggs (\$140,000.00), Eden Farms (\$114,408.73) and Brandy Pettet (\$20,438.25).
- The resulting available fund balance in the Economic Development Fund is **\$9,847,172**.

3. **Charge off balances.**

- See attached Ed Lay charge off memo.

4. **Other News.**

- Josh Keefe attended the Commercial Bankers' Conference in Cheyenne on August 25th and 26th.
- **There are currently 92 active loans totaling \$13,770,731.**

Staff Recommendation:

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



SBIR Quarterly Report

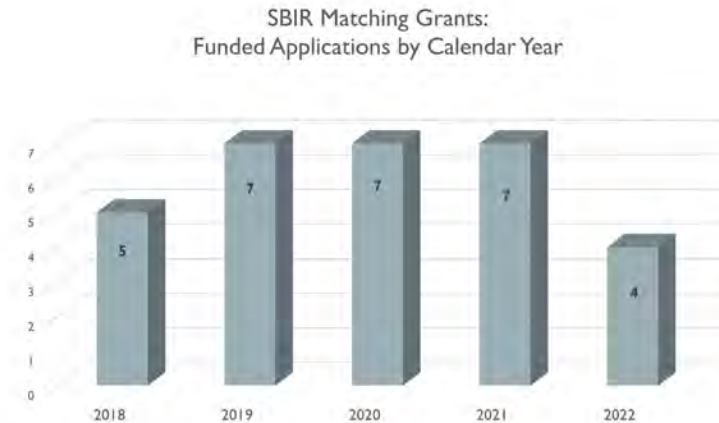
Q1-FY23

Already in this fiscal year, we are seeing increased demand for SBIR matching grants than we anticipated based on previous years with six applications received and three of which have already been approved. Of these applications, we are seeing projects much closer to commercialization now than we have in years previous, on average.

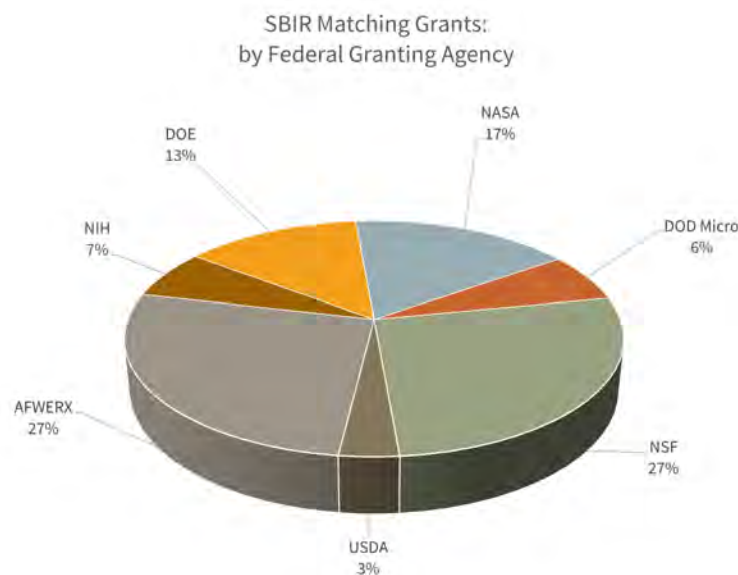
In addition to the increase in grant applications to date for this fiscal year, our pipeline shows an additional three companies that we anticipate applying for matching grants soon — between those already awarded, those under review, and those we anticipate, we could be 85% committed of the allotted \$2M in funding for this fiscal year within the next several months.

SBIR Grant Applications to Date

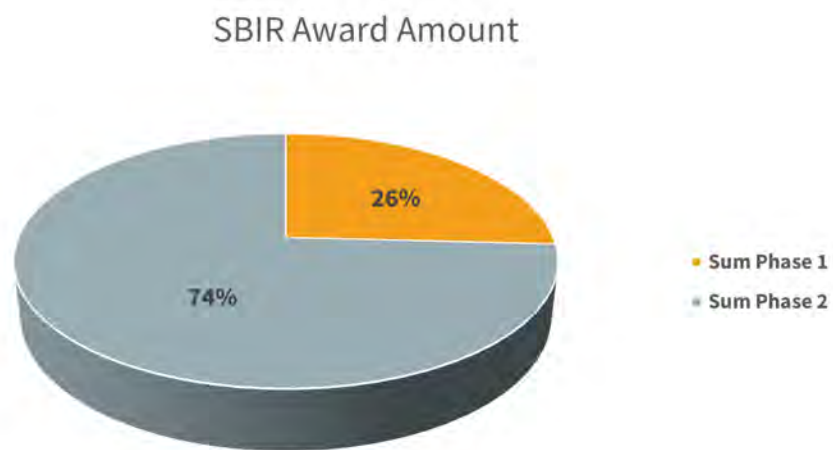
Since our last update, a few SBIR matching grants were awarded which fell into the calendar year 2022. As such, the graphs below represent the updated numbers for grant awards and application submissions from the inception of the Wyoming state SBIR matching program in 2018 up to today.



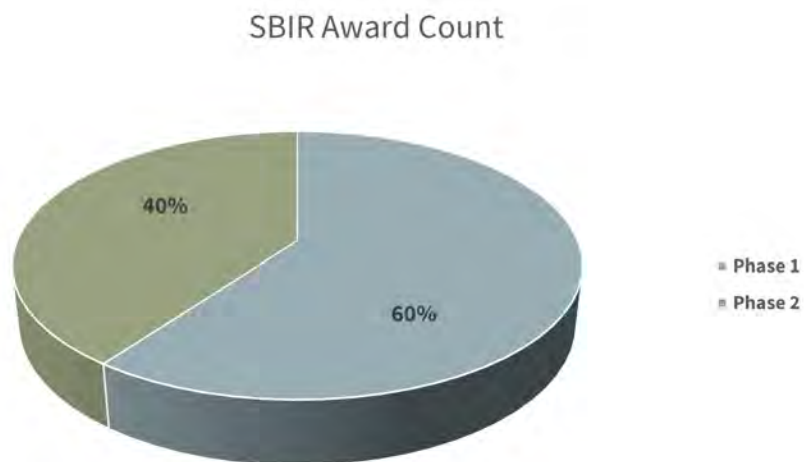
As it pertains to federal SBIR grants, we see a large portion of our matching grants in Wyoming being allocated to projects in concert with AFWERX, NSF, and NASA which are currently our most popular federal granting agencies.



So far to date we see an overwhelming amount of our grant dollars being awarded to Phase II projects versus Phase I coming in just shy of 75% of the invested funds. Currently, the program matches up to \$100K for Phase I awardees and up to \$200K for Phase II awardees which plays a major role in the percent of distribution by phase.

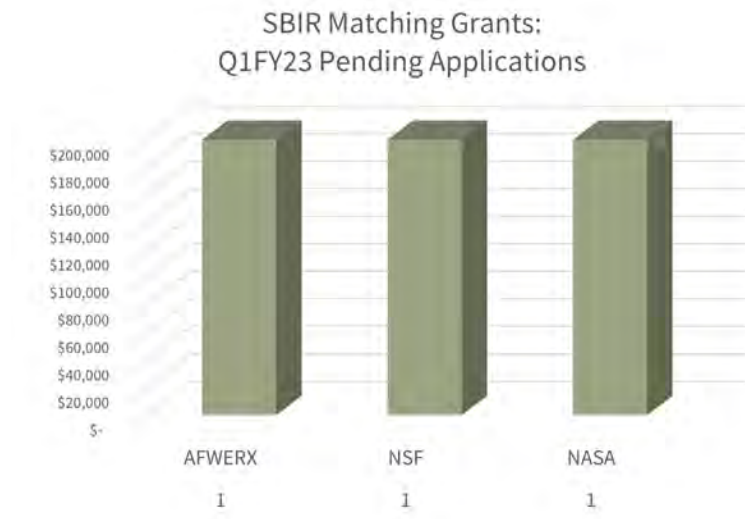


While the vast majority of SBIR invested dollars were allocated to Phase II projects, the majority of our applications were actually from Phase I projects coming in at 60% of the total number of applications since the program started.

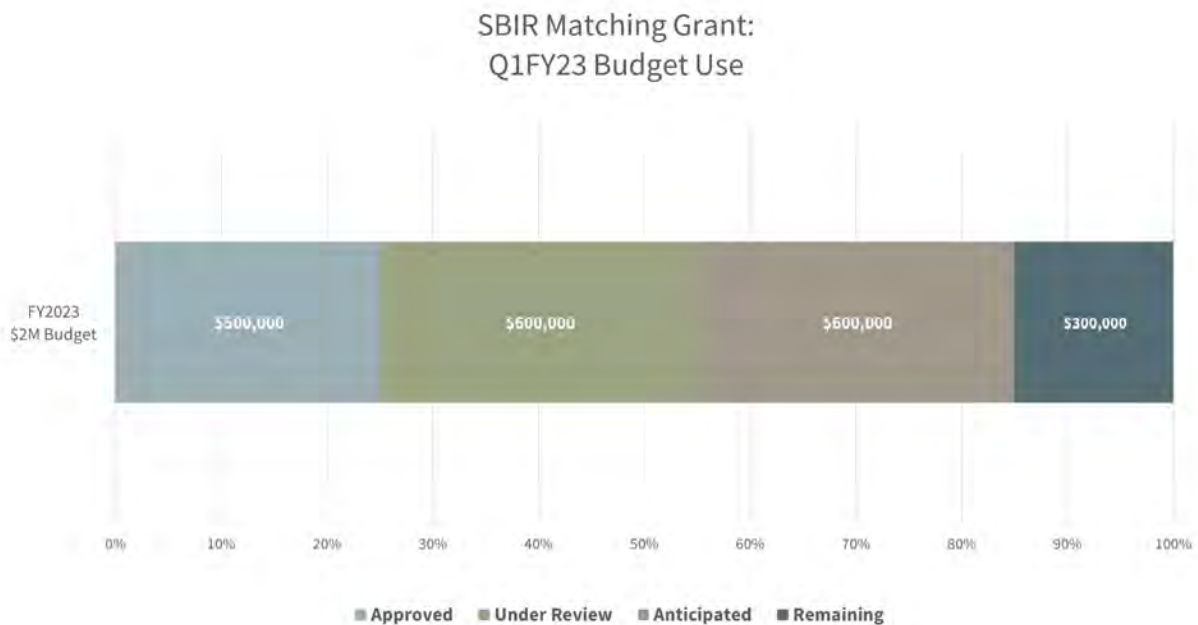


Grant Applications Q1FY23

So far this year, our pending applications are coming from AFWERX, NSF, and NASA federal granting agencies staying true to what we have seen historically with the program. The majority of the applications in the pipeline are for SBIR Phase II projects that are much closer to commercialization.



When we look at the pipeline of applications for the SBIR matching grants for the year we do have more interest than we have seen in previous years. This interest demonstrates the need for the program and does get us to about 85% of the FY23 allocation of \$2M.





OPERATIONS COMMITTEE REPORT

WYOMING BUSINESS COUNCIL FISCAL YEAR 2022 FINANCIAL REPORT

BUDGET REPORT

General Funds

- June 30, 2022 budget utilization came in at 71.27% compared to 100% budget optimum.
- WBC and Economic Diversification budgets only (budgets that revert) are at 91.67% utilization.
- Coming up to the end of the fiscal year, over \$2 million in contracts were executed, thus allowing us to encumber those funds from the 21/22 biennium budget.
- Total reversion amount as of June 30 is \$979.5k, but the amount of that could be spent is \$57,347. Remaining amounts are for personnel and telecom and couldn't be used for any other expenditures.

Federal Funds

- Total expenditures on our federal programs were \$1.66 million for fiscal year 2022.
- CDBG has \$2.33 million remaining in encumbrances for projects the WBC has committed to. There are five active CDBG projects that will be completed.

Agency Funds

- As of June 30, the Economic Loan Development fund had an available budget of \$25.9 million. This includes \$25 million for large loan projects. Total cash as of 6/30 is \$36.9 million, but \$26.9 million is reserved for large loans, leaving \$9.9 million available. In total the fund has earned \$3.3 million in investment income, and principal and interest on loans.
- As of June 30, the Rural Rehabilitation fund had an available budget of \$161.5k, and \$4.6 million in available cash. The fund has earned \$46k in investment income.
- As of June 30, the Wyoming Business Council fund had an available budget of \$11.7k, and \$208.7k in available cash. It earned \$7.7k in investment income.

BUDGETED EXPENDITURES

- Loans (non-operating expenses) made up 47% and grants made up 38% of the total \$83.3 million budget.

LINE-ITEM EXPENDITURE SUMMARY

- Support Services, Telecom, and Professional Services all had greater than 90% utilization.
- Loans (non-operating expenses) had very low utilization at about 10%. The budget used was for BRC loans that had been approved by both the Board and SLIB during the fiscal year. The budget remaining is mostly made up of the Economic Loan fund, which had an available budget of \$25 million for large loan. The rest of the available budget was for BRC loans.

LOANS RECEIVABLE

- The net loans receivable balance as of June 30 is \$23.6 million.
- Total principal and interest payments received during the fiscal year is \$3.8 million.

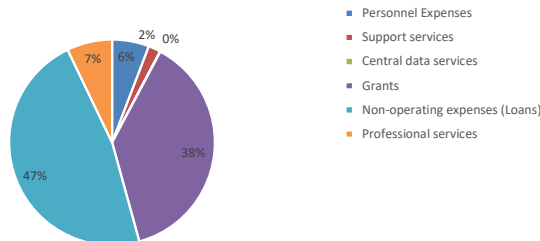
Wyoming Business Council
Quarter Ending June 30, 2022 (2021/2022 Biennium)

Optimum = 100%

BUDGET SUMMARY	BUDGET	EXPENDED	ENCUMBERED	BALANCE	%	Avail. Cash Balance	YTD Receipts
Economic Diversification							
Investments	\$39,430,730	\$3,404,570	\$22,449,317	\$13,576,842	65.57%		
General (BRC/CDBG)	\$28,709	\$13,158	\$14,640	\$911	96.83%		
Economic Loan	\$8,300	\$8,128	\$0	\$172	97.93%		
Business Ready Communities (includes MRG)	\$39,393,721	\$3,383,284	\$22,434,677	\$13,575,760	65.54%		
Services	\$5,004,056	\$2,018,526	\$2,782,108	\$203,422	95.93%		
General	\$3,396,821	\$1,492,208	\$1,903,007	\$1,605	99.95%		
Broadband Administration (fund 004)	\$209,300	\$7,879	\$0	\$201,420	3.76%		
Entrepreneurship	\$936	\$936	\$0	\$0	100.00%		
Main Street	\$324,701	\$162,849	\$161,677	\$175	99.95%		
Markets & Expansion	\$478,722	\$107,765	\$370,900	\$56	99.99%		
Recruitment	\$575,414	\$228,725	\$346,523	\$166	99.97%		
Community Development	\$18,163	\$18,163	\$0	\$0	100.00%		
Wyoming Business Council							
Operations	\$5,985,770	\$4,491,123	\$571,453	\$923,194	84.58%		
Accounting	\$70,273	\$20,216	\$50,000	\$57	99.92%		
Agency Services	\$578,702	\$253,515	\$325,177	\$10	100.00%		
Board	\$13,267	\$13,244	\$0	\$22	99.83%		
Executive	\$13,316	\$13,243	\$0	\$73	99.45%		
HR (Non-Payroll)	\$103,046	\$101,390	\$1,525	\$131	99.87%		
HR (Payroll)	\$4,692,634	\$3,761,490	\$9,000	\$922,143	80.35%		
IT	\$514,532	\$328,025	\$185,751	\$757	99.85%		
Regional Directors	\$88,475	\$40,463	\$0	\$48,012	45.73%		
Strategy	\$845,561	\$376,802	\$463,558	\$5,201	99.38%		
General	\$82,000	\$80,179	\$0	\$1,821	97.78%		
Communications	\$573,766	\$163,652	\$409,027	\$1,088	99.81%		
Strategic Partnerships	\$189,795	\$132,971	\$54,531	\$2,292	98.79%		
TOTAL GENERAL FUNDS	\$51,354,591	\$10,331,485	\$26,266,435	\$14,756,671	71.27%		
Federal Funds							
Brownfield Revolving Loan Program	\$881,503	\$137,097	\$0	\$744,406	15.55%		
CDBG Program	\$4,478,878	\$1,358,872	\$2,334,872	\$785,134	82.47%		
Rural Development Block Grant	\$47,000	\$47,000	\$0	\$0	100.00%		
State Trade and Export Program (STEP)	\$145,125	\$113,965	\$19,437	\$11,723	91.92%		
TOTAL FEDERAL FUNDS	\$5,552,506	\$1,656,934	\$2,354,309	\$1,541,263	72.24%		
Agency Funds							
Economic Loan Development (fund 039/089)*	\$26,043,325	\$63,253	\$37,146	\$25,942,926	0.39%	\$ 9,962,172	\$ 3,302,261
Rural Rehabilitation (fund 499)	\$259,153	\$70,102	\$27,500	\$161,551	37.66%	\$ 4,664,016	\$ 45,987
Wyoming Business Council (fund 085)	\$68,881	\$13,993	\$0	\$54,888	20.31%	\$ 208,699	\$ 7,752
TOTAL AGENCY FUNDS	\$26,371,359	\$147,348	\$64,646	\$26,159,365	0.80%		
TOTAL BUDGET	\$83,278,456	\$12,135,767	\$28,685,390	\$42,457,299	49.02%		
CARES Act COVID-19 Relief							
CARES ACT Agriculture Program	\$34,560,952	\$34,560,952	\$0	\$0	100.00%		
CARES Act Business Relief Program	\$379,027,079	\$379,026,079	\$0	\$1,000	100.00%		
CARES Act Connect Wyoming	\$48,588,908	\$48,588,908	\$0	\$0	100.00%		
CARES Act Energy Rebound Program	\$28,704,241	\$28,704,241	\$0	\$0	100.00%		
CARES Act Administration Funds	\$646,976	\$646,976	\$0	\$0	100.00%		
TOTAL CARES ACT	\$491,528,156	\$491,527,156	\$0	\$1,000	100.00%		

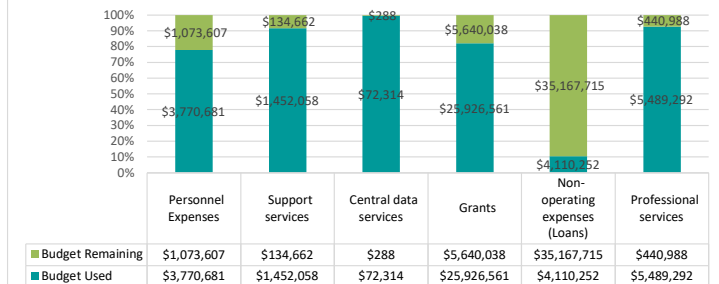
* \$25 million reserved for Large Loan Fund

Budgeted Expenditures by Funding Source



Loan Type	Balance
Economic Disaster	6,334,391
Bridge	1,130,389
Amendment IV	-
Natural Gas Infrastructure	187,424
WyoTech	4,250,101
BRC	11,750,368
Unallocated Allowance	(56,875)
	<u>23,595,798</u>

Line Item Expenditure Summary





SERVICES COMMITTEE REPORT

WYOMING MAIN STREET

2020 TO 2022 IN SUMMARY



**MAIN STREET
AMERICA®**

2022 Coordinating Program



BUSINESS COUNCIL

MAIN STREET

MAIN STREET ADVISORY BOARD

W.S. 9-12-1100



Matt Ashby
Cheyenne



Bruce Heim buck
Cheyenne



Carly-Ann Carruthers
Cheyenne



Jennifer Ford
Jackson



Derek Smith
Gillette



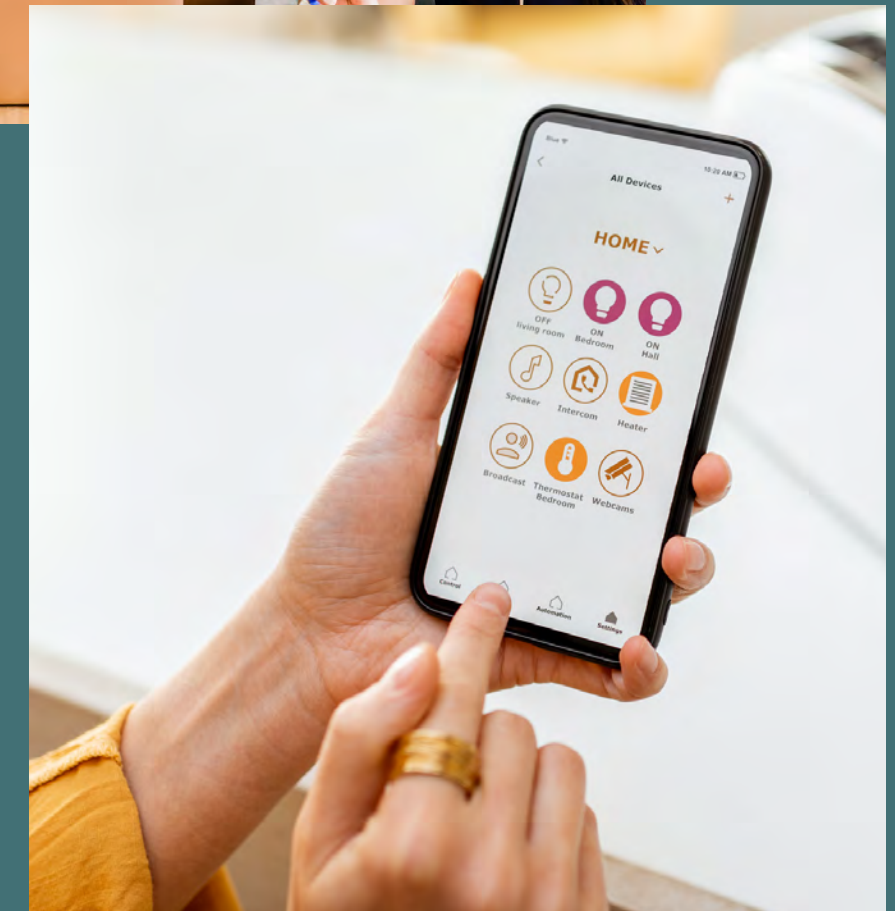
David Tate
Rock Springs

"Revitalization" means the process of engaging in activities to increase economic activity while preserving and building upon a location's historically significant characteristics.

WE'RE HERE FOR WYOMING

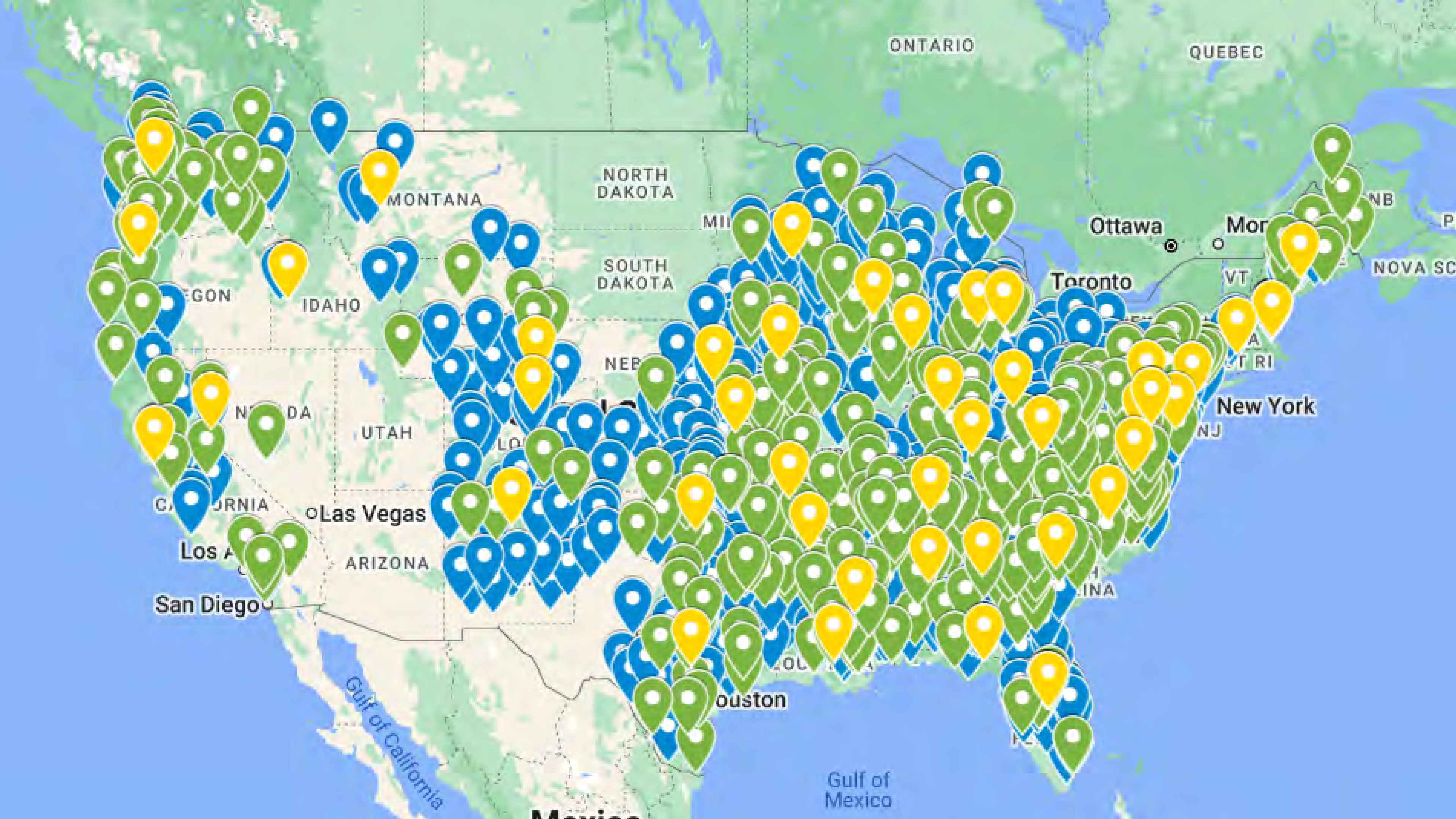
What can we help achieve?

- (i) Assist the council in developing a plan to operate the Wyoming main street program;
- (ii) Annually review the program and report findings and recommendations, including recommendations for future legislation, to the governor;
- (iii) Provide a comprehensive evaluation of the Wyoming main street program annually to the joint minerals, business and economic development interim committee no later than September 1 of each year. The report shall include findings and recommendations, including recommendations for future legislation.



WHAT IS MAIN STREET?





WYOMING MAIN STREET COMMUNITIES

CERTIFIED

Cheyenne
Evanston
Gillette
Goshen County
Green River
Laramie
Rawlins
Rock Springs
Sheridan

AFFILIATE

Douglas
Platte County
Thermopolis

ASPIRING

Afton
Glenrock



OUR VISION FOR WYOMING

Empowered communities with distinctive
downtowns, resilient local economies, and
dedicated local leaders.

BUILDING COMMUNITY CAPACITY

Wyoming Pickaxe - Main Street
Economic Impact

New Communities

Community Transformation Workshop

NEW COMMUNITY HIGHLIGHT

GLENROCK MAIN STREET



MAIN STREET AMERICA

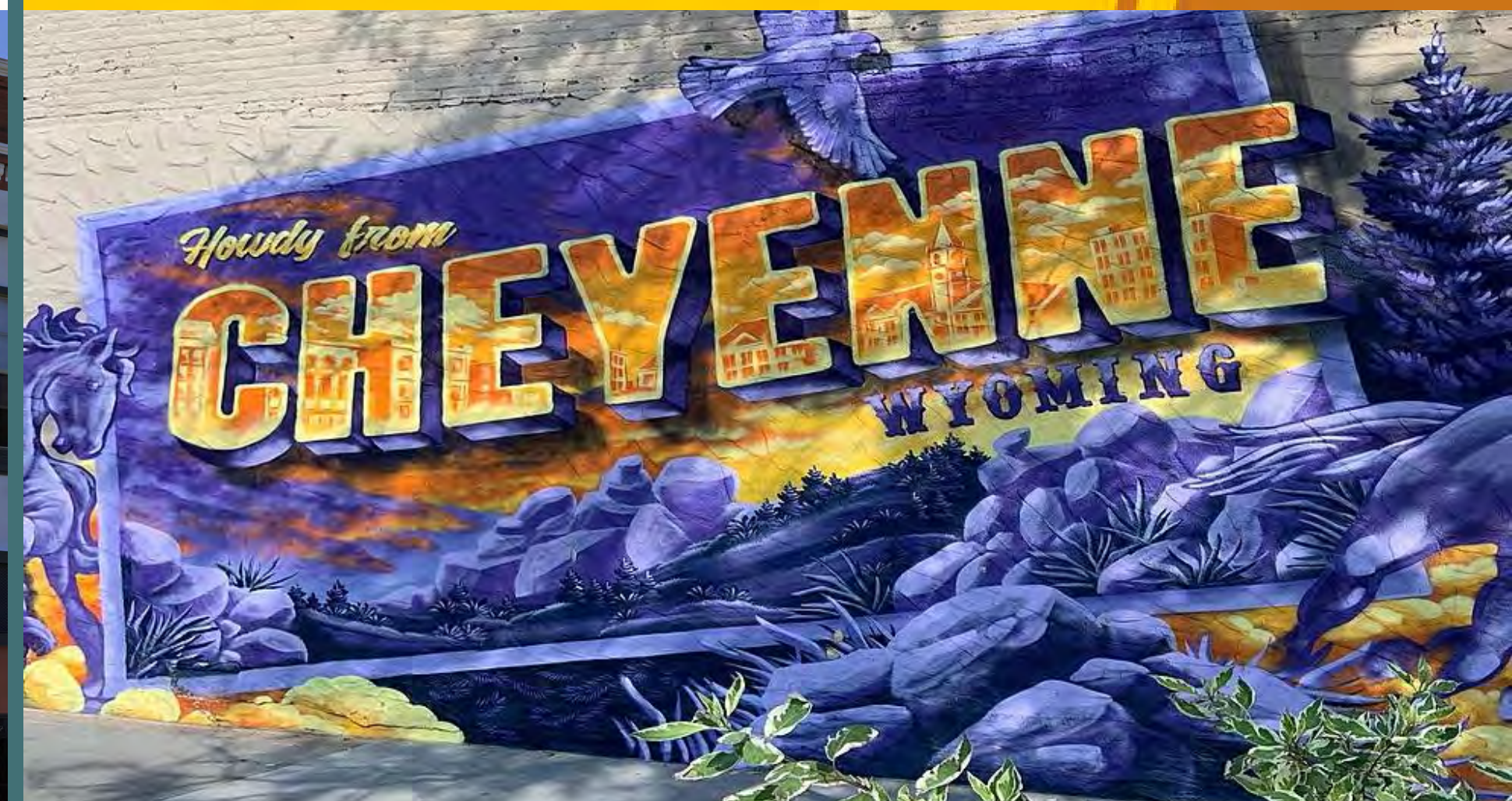
*Revitalization
Professional*



Laramie, WY

COMMUNITY TRANSFORMATION WORKSHOP

September 14 – 16, 2022



FOSTERING ECONOMIC RESILIENCE

BUSINESS BOOTCAMP PROJECT

GREAT AMERICAN MAIN STREET
AWARD

MAIN STREET BUSINESS BOOTCAMP PROJECT

MAIN STREET BUSINESS BOOTCAMP PROJECT

KEY TAKEAWAYS

6

Communities Served

49

Businesses Participated

WHY A BUSINESS BOOTCAMP?

A CORE PRINCIPLE IN THE MAIN
STREET APPROACH IS
TRANSFORMATION STRATEGIES

A program's work on Transformation Strategies should be organized around the Four Points: Economic Vitality, Design, Organization, and Promotion

The bootcamp was tailored to the Economic Vitality point.

ECONOMIC VITALITY

- Focuses on capital, incentives, and other economic and financial tools to
- **assist new and existing businesses**
 - **catalyze property development**
 - **create a supportive environment for entrepreneurs and innovators that drive local economies**

THE BUSINESS BOOTCAMP

GROWTH STRATEGY

All Bootcamp programs include a section on defining the core purpose of the business, identifying the core customer, and identifying the core products or services that will help the business grow.

UNDERSTANDING YOUR CUSTOMER

All Bootcamp programs help businesses understand the 1 to 3 things they need to do to move their business or organization to their goals quickly.

MARKETING

All the programs held between 2019 and 2022 focused on marketing tools for businesses based on audience and general marketing consumption trends.

ONE-ON-ONE COACHING

Any business that attended was offered a free one-hour coaching session for a deeper dive into the particulars of their business.

SAMPLE BOOTCAMP AGENDA

- 1 Identifying your "why"
- 2 Understanding and assessing where your business is today
- 3 Identifying, with metrics, what success looks like for your business
- 4 Selecting those 1 to 3 things that will move your business toward your goal quickly

BUSINESS BOOTCAMP FEEDBACK

"You're amazing!!!! I can't thank you enough for encouraging me!! Thank you for believing in our mission."

- Business Owner, Rawlins, WY

"It was wonderful meeting and talking with you too!! You have given me the boost I need!! It is still going to be hard to implement some of your requests but I am going to 'rip off the bandaid'. Cannot wait to work more with you."

- Business Owner, Douglas, WY

Our most successful Bootcamps in terms of additional revenue generated and the overall success of the businesses was when we had a two-day model. Due to the onset of COVID-19, we reduced the model to a one-Day in-person session with one-on-one coaching.

The project was a success because it delivered timely, accurate, and relevant information to Wyoming's economic drivers, and small business owners.

It was also an opportunity to connect business owners with Wyoming Business Council resources and partners including the Small Business Development Center.

Congratulations to



2022

**Great American
Main Street
Award Winner**



<https://www.youtube.com/watch?v=HXVAdF7DNQk>

CREATING GENUINE PLACE-BASED EXPERIENCES

Exploration into new organizational
structures and tools

Placemaking as economic development

WYOMING MAIN STREET

2021 REINVESTMENT NUMBERS

OPEN 53 —
NET NEW
BUSINESSES



168 —
IMPROVEMENTS IN BUILDING AND
INFRASTRUCTURE TOTALING

14,744 —
VOLUNTEER HOURS
VALUING OVER

\$20.6M
IN PUBLIC AND PRIVATE
INVESTMENTS

\$420,800

132
NET NEW JOBS



FY22 Updates

Wyoming Women's Business Center

Wendy Fanning, Executive Director

The quality of our educational offering has grown exponentially over the past year, and in parallel, our educational mindset has also grown. The WWBC has initiatives underway to develop entrepreneurial behaviors, exposing our vulnerable clients to the idea of divergent thinking, we can validate their reasoning processes and give them permission to pursue their dreams, and increase the likelihood they will move ahead and take up the gauntlet of entrepreneurship. For example, we expanded our staff with the hire of a part-time bilingual Education Instructor and the hire of a full-time client coordinator. Our 2022 data points are listed below, please let me know if you have any questions or require further information.

In 2022 we supported 520+ Wyoming entrepreneurs with free client services including:

- Supported 60+ Business Starts
- 230,000 in Microloans
- Artist Development support for 65+ artists from 7 Wyoming counties
- 60+ education webinars
- 10 cohorts of the DreamBuilder: The WWBC online course
- and 50+ DreamBuilder course graduates!

**CONTRACT BETWEEN
WYOMING BUSINESS COUNCIL
AND
WYOMING WOMEN'S BUSINESS CENTER, INC.**

1. **Parties.** The parties to this Contract are the Wyoming Business Council (Council), whose address is: 214 West 15th Street, Cheyenne, Wyoming 82002 and Wyoming Women's Business Center, Inc. (Contractor), whose address is: P.O. Box 764, Laramie, Wyoming 82073.
2. **Purpose of Contract.** The purpose of this Contract is to set forth the terms and conditions by which the Contractor shall conduct a range of activities collectively designed to remove barriers to the creation and development of small businesses owned and controlled by women, disadvantaged people, artists, and crafts-persons throughout Wyoming.
3. **Term of Contract.** This Contract is effective when all parties have executed it (Effective Date). The term of the Contract is from October 1, 2022 or the Effective Date, whichever is later, through September 30, 2024. All services shall be completed during this term.

This Contract may be extended by agreement of both parties in writing and subject to the required approvals. There is no right or expectation of extension and any extension will be determined at the discretion of the Council.

4. **Payment.**
 - A. The Council agrees to pay the Contractor for the services described in Attachment A, Scope of Work, which is attached to and incorporated into this Contract by this reference. Total payment under this Contract shall not exceed one hundred twenty-three thousand, three hundred eight dollars (\$246,616.00). Payment shall be made within forty-five (45) days after submission of invoice pursuant to Wyo. Stat. § 16-6-602. Contractor shall submit invoices in sufficient detail to ensure that payments may be made in conformance with this Contract.
 - B. No payment shall be made for work performed before the Effective Date of this Contract. Should the Contractor fail to perform in a manner consistent with the terms and conditions set forth in this Contract, payment under this Contract may be withheld until such time as the Contractor performs its duties and responsibilities to the satisfaction of Council.
 - C. Except as otherwise provided in this Contract, the Contractor shall pay all costs and expenses, including travel, incurred by Contractor or on its behalf in connection with Contractor's performance and compliance with all of Contractor's obligations under this Contract.
5. **Responsibilities of Contractor.** The Contractor agrees to:
 - A. Provide the services described in Attachment A, Scope of Work.

- B. Maintain authorized and professional staff and consulting capacity to provide assistance to target businesses and entrepreneurs throughout the State of Wyoming.
- C. Ensure all activities related to small business development and/or assistance are coordinated with the efforts of the Council and entities identified by Council wherever feasible to minimize duplication of efforts.
- D. Provide annual progress reports to the Council

6. **Responsibilities of Council.** The Council agrees to:

- A. Pay Contractor in accordance with Section 4 above.
- B. Refer to Contractor any small businesses which come to the Council's attention which may qualify for and/or benefit from Contractor's services.
- C. Designate a point of contact on Council staff to act as a liaison to the Contractor.
- D. To the extent allowed by law, hold in confidence all information on the Contractor's clients which may be submitted to or shared with the Council as part of the Contractor's reporting obligations under this Contract.

7. **General Provisions.**

- A. **Amendments.** Any changes, modifications, revisions, or amendments to this Contract which are mutually agreed upon by the parties to this Contract shall be incorporated by written instrument, executed by all parties to this Contract.
- B. **Applicable Law, Rules of Construction, and Venue.** The construction, interpretation, and enforcement of this Contract shall be governed by the laws of the State of Wyoming, without regard to conflicts of law principles. The terms "hereof," "hereunder," "herein," and words of similar import, are intended to refer to this Contract as a whole and not to any particular provision or part. The Courts of the State of Wyoming shall have jurisdiction over this Contract and the parties. The venue shall be the First Judicial District, Laramie County, Wyoming.
- C. **Assignment Prohibited and Contract Shall Not be Used as Collateral.** Neither party shall assign or otherwise transfer any of the rights or delegate any of the duties set out in this Contract without the prior written consent of the other party. The Contractor shall not use this Contract, or any portion thereof, for collateral for any financial obligation without the prior written permission of the Council.
- D. **Audit and Access to Records.** The Council and its representatives shall have access to any books, documents, papers, electronic data, and records of the Contractor which are pertinent to this Contract.

The Contractor shall immediately, upon receiving written instruction from the Council, provide to any independent auditor or accountant all books, documents,

papers, electronic data, and records of the Contractor which are pertinent to this Contract. The Contractor shall cooperate fully with any such independent auditor or accountant during the entire course of any audit authorized by the Council.

- E. Availability of Funds.** Each payment obligation of the Council is conditioned upon the availability of government funds which are appropriated or allocated for the payment of this obligation and which may be limited for any reason including, but not limited to, congressional, legislative, gubernatorial, or administrative action. If funds are not allocated and available for continued performance of the Contract, the Contract may be terminated by the Council at the end of the period for which the funds are available. The Council shall notify the Contractor at the earliest possible time of the services which will or may be affected by a shortage of funds. No penalty shall accrue to the Council in the event this provision is exercised, and the Council shall not be obligated or liable for any future payments due or for any damages as a result of termination under this section.
- F. Award of Related Contracts.** The Council may award supplemental or successor contracts for work related to this Contract or may award contracts to other contractors for work related to this Contract. The Contractor shall cooperate fully with other contractors and the Council in all such cases.
- G. Certificate of Good Standing.** The Contractor shall provide to the Council a Certificate of Good Standing from the Wyoming Secretary of State, or other proof that Contractor is authorized to conduct business in the State of Wyoming, if required, before performing work under this Contract. Contractor shall ensure that all annual filings and corporate taxes due and owing to the Secretary of State's office are up-to-date before signing this Contract.
- H. Compliance with Laws.** The Contractor shall keep informed of and comply with all applicable federal, state, and local laws and regulations in the performance of this Contract.
- I. Confidentiality of Information.** All documents, data compilations, reports, computer programs, photographs, data, and other work provided to or produced by the Contractor in the performance of this Contract shall be kept confidential by the Contractor unless written permission is granted by the Council for its release. If and when Contractor receives a request for information subject to this Contract, Contractor shall notify Council within ten (10) days of such request and shall not release such information to a third party unless directed to do so by Council.
- J. Entirety of Contract.** This Contract, consisting of ten (10) pages; and Attachment A, Scope of Work, consisting of one (1) page, represent the entire and integrated Contract between the parties and supersede all prior negotiations, representations, and agreements, whether written or oral. In the event of a conflict or inconsistency between the language of this Contract and the language of any attachment or document incorporated by reference, the language of this Contract shall control.

- K. Ethics.** Contractor shall keep informed of and comply with the Wyoming Ethics and Disclosure Act (Wyo. Stat. § 9-13-101, *et seq.*) and any and all ethical standards governing Contractor's profession.
- L. Extensions.** Nothing in this Contract shall be interpreted or deemed to create an expectation that this Contract will be extended beyond the term described herein. Any extension of this Contract shall be initiated by the Council and shall be accomplished through a written amendment between the parties entered into before the expiration of the original Contract or any valid amendment thereto, and shall be effective only after it is reduced to writing and executed by all parties to the Contract.
- M. Force Majeure.** Neither party shall be liable for failure to perform under this Contract if such failure to perform arises out of causes beyond the control and without the fault or negligence of the nonperforming party. Such causes may include, but are not limited to, acts of God or the public enemy, fires, floods, epidemics, quarantine restrictions, freight embargoes, and unusually severe weather. This provision shall become effective only if the party failing to perform immediately notifies the other party of the extent and nature of the problem, limits delay in performance to that required by the event, and takes all reasonable steps to minimize delays.
- N. Indemnification.** The Contractor shall release, indemnify, and hold harmless the State, the Council, and their officers, agents, and employees from any and all claims, suits, liabilities, court awards, damages, costs, attorneys' fees, and expenses arising out of Contractor's failure to perform any of Contractor's duties and obligations hereunder or in connection with the negligent performance of Contractor's duties or obligations, including, but not limited to, any claims, suits, liabilities, court awards, damages, costs, attorneys' fees, and expenses arising out of Contractor's negligence or other tortious conduct.
- O. Independent Contractor.** The Contractor shall function as an independent contractor for the purposes of this Contract and shall not be considered an employee of the State of Wyoming for any purpose. Consistent with the express terms of this Contract, the Contractor shall be free from control or direction over the details of the performance of services under this Contract. The Contractor shall assume sole responsibility for any debts or liabilities that may be incurred by the Contractor in fulfilling the terms of this Contract and shall be solely responsible for the payment of all federal, state, and local taxes which may accrue because of this Contract. Nothing in this Contract shall be interpreted as authorizing the Contractor or its agents or employees to act as an agent or representative for or on behalf of the State of Wyoming or the Council or to incur any obligation of any kind on behalf of the State of Wyoming or the Council. The Contractor agrees that no health or hospitalization benefits, workers' compensation, unemployment insurance or similar benefits available to State of Wyoming employees will inure to the benefit of the Contractor or the Contractor's agents or employees as a result of this Contract.

- P. Nondiscrimination.** The Contractor shall comply with the Civil Rights Act of 1964, the Wyoming Fair Employment Practices Act (Wyo. Stat. § 27-9-105, *et seq.*), the Americans with Disabilities Act (ADA), 42 U.S.C. § 12101, *et seq.*, and the Age Discrimination Act of 1975 and any properly promulgated rules and regulations thereto and shall not discriminate against any individual on the grounds of age, sex, color, race, religion, national origin, or disability in connection with the performance under this Contract.
- Q. Notices.** All notices arising out of, or from, the provisions of this Contract shall be in writing either by regular mail or delivery in person at the addresses provided under this Contract.
- R. Notice of Sale or Transfer.** The Contractor shall provide the Council with notice of any sale, transfer, merger, or consolidation of the assets of the Contractor. Such notice shall be provided in accordance with the notices provision of this Contract and, when possible and lawful, in advance of the transaction. If the Council determines that the sale, transfer, merger, or consolidation is not consistent with the continued satisfactory performance of the Contractor's obligations under this Contract, then the Council may, at its discretion, terminate or renegotiate the Contract.
- S. Ownership and Return of Documents and Information.** Council is the official custodian and owns all documents, data compilations, reports, computer programs, photographs, data, and other work provided to or produced by the Contractor in the performance of this Contract. Upon termination of services, for any reason, Contractor agrees to return all such original and derivative information and documents to the Council in a useable format. In the case of electronic transmission, such transmission shall be secured. The return of information by any other means shall be by a parcel service that utilizes tracking numbers. Upon Council's verified receipt of such information, Contractor agrees to physically and electronically destroy any residual Council-owned data, regardless of format, and any other storage media or areas containing such information. Contractor agrees to provide written notice to Council confirming the destruction of any such residual Council-owned data.
- T. Patent or Copyright Protection.** The Contractor recognizes that certain proprietary matters or techniques may be subject to patent, trademark, copyright, license, or other similar restrictions, and warrants that no work performed by the Contractor or its subcontractors will violate any such restriction. The Contractor shall defend and indemnify the Council for any infringement or alleged infringement of such patent, trademark, copyright, license, or other restrictions.
- U. Prior Approval.** This Contract shall not be binding upon either party, no services shall be performed, and the Wyoming State Auditor shall not draw warrants for payment, until this Contract has been fully executed, and approved as to form by the Office of the Attorney General.
- V. Insurance Requirements.**

- (i) During the term of this Contract, the Contractor shall obtain and maintain, and ensure that each subcontractor obtains and maintains, each type of insurance coverage specified in Insurance Coverage, below.
- (ii) All policies shall be primary over any insurance or self-insurance program carried by the Contractor or the State of Wyoming. All policies shall include clauses stating that each insurance carrier shall waive all rights of recovery under subrogation or otherwise against Contractor or the State, its agencies, institutions, organizations, officers, agents, employees, and volunteers.
- (iii) The Contractor shall provide Certificates of Insurance to the Council verifying each type of coverage required herein. If the policy is a “claims made” policy instead of an “occurrence” policy, the information provided shall include, but is not limited to, retroactive dates and extended reporting periods or tails.
- (iv) All policies shall be endorsed to provide at least thirty (30) days advance written notice of cancellation to the Council. A copy of the policy endorsement shall be provided with the Certificate of Insurance.
- (v) In case of a breach of any provision relating to Insurance Requirements or Insurance Coverage, the Council may, at the Council’s option, obtain and maintain, at the expense of the Contractor, such insurance in the name of the Contractor, or subcontractor, as the Council may deem proper and may deduct the cost of obtaining and maintaining such insurance from any sums which may be due or become due to the Contractor under this Contract.
- (vi) All policies required by this Contract shall be issued by an insurance company with an A.M. Best rating of A- VIII or better.
- (vii) The Council reserves the right to reject any policy issued by an insurance company that does not meet these requirements.

W. Insurance Coverage. The Contractor shall obtain and maintain the following insurance in accordance with the Insurance Requirements set forth above:

- (i) Commercial General Liability Insurance. Commercial general liability insurance (CGL) coverage, occurrence form, covering liability claims for bodily injury and property damage arising out of premises, operations, products and completed operations, and personal and advertising injury, with minimum limits as follows:
 - (a) \$1,000,000.00 each occurrence;
 - (b) \$1,000,000.00 personal injury and advertising injury;
 - (c) \$2,000,000.00 general aggregate; and
 - (d) \$2,000,000.00 products and completed operations.

The CGL policy shall include coverage for Explosion, Collapse and Underground property damage. This coverage may not be excluded by endorsement.

- (ii) Workers' Compensation and Employer's Liability Insurance. Employees hired in Wyoming to perform work under this Contract shall be covered by workers' compensation coverage obtained through the Wyoming Department of Workforce Services' workers' compensation program, if statutorily required. Employees brought into Wyoming from Contractor's home state to perform work under this Contract shall be covered by workers' compensation coverage obtained through the Wyoming Department of Workforce Services' workers' compensation program or other state or private workers' compensation insurance approved by the Wyoming Department of Workforce Services, if statutorily required.

The Contractor shall provide the Council with a Certificate of Good Standing or other proof of workers' compensation coverage for all of its employees who are to perform work under this Contract, if such coverage is required by law. If workers' compensation coverage is obtained by Contractor through the Wyoming Department of Workforce Services' workers' compensation program, Contractor shall also obtain Employer's Liability "Stop Gap" coverage through an endorsement to the CGL policy required by this Contract, with minimum limits as follows:

- (a) Bodily Injury by Accident: \$1,000,000.00 each accident;
- (b) Bodily Injury by Disease: \$1,000,000.00 each employee; and
- (c) Bodily Injury by Disease: \$1,000,000.00 policy limit.

- (iii) Unemployment Insurance. The Contractor shall be duly registered with the Department of Workforce Services and obtain such unemployment insurance coverage as required. The Contractor shall supply Council with a Certificate of Good Standing or other proof of unemployment insurance coverage.

- (iv) Automobile Liability Insurance. Automobile liability insurance covering any auto (including owned, hired, and non-owned) with minimum limits of \$1,000,000.00 each accident combined single limit.

X. Publicity. Any publicity given to the projects, programs, or services provided herein, including, but not limited to, notices, information, pamphlets, press releases, research, reports, signs, and similar public notices in whatever form, prepared by or for the Contractor, shall identify the Council as the sponsoring agency and shall not be released without prior written approval from the Council.

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

Z. Sovereign Immunity and Limitations. Pursuant to Wyo. Stat. § 1-39-104(a), the State of Wyoming and Council expressly reserve sovereign immunity by entering into this Contract and specifically retain all immunities and defenses available to them as sovereigns. The parties acknowledge that the State of Wyoming has sovereign immunity and only the Wyoming Legislature has the power to waive sovereign immunity. Designations of venue, choice of law, enforcement actions, and similar provisions shall not be construed as a waiver of sovereign immunity. The parties agree that any ambiguity in this Contract shall not be strictly construed, either against or for either party, except that any ambiguity as to sovereign immunity shall be construed in favor of sovereign immunity.

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

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

If at any time during the performance of this Contract, in the opinion of the Council, the work is not progressing satisfactorily or within the terms of this Contract, then, at the sole discretion of the Council and after written notice to the Contractor, the Council may terminate this Contract or any part of it. As of the termination date, the Contractor will be entitled to a pro rata payment for all work accomplished and accepted by the Council; however, the Contractor shall be liable to the Council for the entire cost of replacement services for the duration of the Contract term.

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

DD. Time is of the Essence. Time is of the essence in all provisions of this Contract.

EE. Titles Not Controlling. Titles of sections and subsections are for reference only and shall not be used to construe the language in this Contract.

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

GG. Counterparts. This Contract 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 Contract. Delivery by the Contractor of an originally signed counterpart of this Contract by facsimile or PDF shall be followed up immediately by delivery of the originally signed counterpart to the Council.

THE REMAINDER OF THIS PAGE WAS INTENTIONALLY LEFT BLANK.

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

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

COUNCIL:

Wyoming Business Council

Josh Dorrell, Chief Executive Officer

Date

Brandon Marshall, Services Director

Date

CONTRACTOR:

Wyoming Women's Business Center, Inc.

Wendy J. Fanning, Executive Director

Date

ATTORNEY GENERAL'S OFFICE: APPROVAL AS TO FORM

Cole R. White, Assistant Attorney General

Date

**ATTACHMENT A TO THE CONTRACT BETWEEN
WYOMING BUSINESS COUNCIL
AND
WYOMING WOMEN'S BUSINESS CENTER, INC.**

SCOPE OF WORK

The Wyoming Women's Business Center (Contractor) shall be a principal agent for providing small business assistance and training for women, disadvantaged people and artists and crafts- persons in the following areas:

1. **Microloan Program:** Provide access to capital for budding entrepreneurs starting a microenterprise and existing small businesses looking to expand or grow. WWBC clients accessing the Microloan Program should have been denied financing through traditional means. Loan amounts range \$500 to \$50,000 for start-up or expanding small businesses located in the state of Wyoming. Loan terms can be flexible to meet borrowers' needs; however, most loan terms are 5-7 years at an interest rate of 9%-12%.
2. **Business Counseling and Education:** Assist target audience to develop their capacity for business planning and management; Assess the financial needs of each client and provide individualized counseling to ensure repayment of loans and success of small businesses.
2. **Workforce Upskilling:** Utilizing multiple online systems allowing tracking of client progress through education and training programming designed to increase entrepreneurial skill of clients, as well as online platform for training, increasing reach. Systems include DreamBuilder, MemberVault and Ascent platform.
3. **Works of Wyoming:** Fosters lifelong learning and ingenuity through personal consultations, programming, exclusive educational resources, and relevant online webinars that cultivate and expand an artist's ideas and goals. Through WOW, direct artists to resources and educational opportunities that help them excel in their pursuits, regardless of their income, education, experience, or demographic location.
4. **The WWBC Artist Space:** Provide affordable space, shared offices and services, hands--on entrepreneurship training, market support and opportunity to sell in the WOW retail store.
5. **Networking and Outreach:** The WWBC collaborates with many partners throughout the state to provide monthly networking webinars or face-to-face workshops on a variety of business topics.

Chapter 4

Connect Wyoming Program

Section 1. Authority. These rules are promulgated by the Wyoming Business Council (“WBC”) pursuant to 2021 Session Laws, Chapter 92.

Section 2. Purpose. These rules are promulgated for the purpose of providing a regulatory framework for broadband development projects funded by the Connect Wyoming program.

Section 3. Definitions.

(a) In addition to the definitions set forth in Chapter 1, as used in this program:

(i) “Broadband Infrastructure” means terrestrial signal transmission facilities and associated network equipment and accessories deployed for the provision of broadband service to residential, business, and government customers. ~~This definition explicitly excludes satellite-based infrastructure~~

(ii) “Connect Wyoming” means the program established by 2021 Session Laws, Chapter 92.

(iii) “Unserved or Underserved area” means an area where any delivery points contained therein do not have access to wireline broadband service offered with a download speed of at least twenty-five (25) Megabits per second (Mbps) and an upload speed of three (3) Megabits per second (Mbps) or more.

Section 4. Eligible Applicants.

(a) As used in this program, an eligible applicant:

(i) Means as defined in W.S. 9-12-1501(c)(i); ~~and~~; (ii):

(ii) ~~Must~~Shall submit coverage maps of their entire service area in Wyoming to the Broadband Map prior to the date of their application. This submission must be evidenced on each project application submitted pursuant to this section and performed according to the Broadband Map Guidance; ~~and~~

(iii) ~~Must~~Shall offer mass market retail services by wireline or terrestrial fixed wireless technology which provides the capability to transmit and receive data from all or substantially all internet end points; but excluding dial-up internet access service; and

(iv) Shall commit to maintaining any Broadband Infrastructure constructed through funds provided under this Chapter of these Rules at the applicant’s own expense for a 15-year period for Fixed Wireless and a 20-year period for fiber, which will allow for replacement of end of life, obsolete or non-functioning equipment so that the speeds are at or above those committed to in the award, are continued, and reliable service is provided for the period stated. Any successive owner(s) are required to comply for the remaining time period.

Section 5. Eligible Projects. ~~The~~An eligible project shall:

(a) ~~Include the construction and deployment of a broadband infrastructure projects.~~
“Broadband Infrastructure Projects” are eligible for funding if the infrastructure is designed to deliver, upon project completion, service that reliably meets or exceeds symmetrical download and upload speeds of 100 Mbps. If it would be impracticable, because of geography, topography, or excessive cost, for a Broadband Infrastructure Project to be designed to deliver services at such a speed, the Project must be designed so that it reliably meets or exceeds 100 Mbps download speeds and between 20 Mbps and 100 Mbps upload speeds and be scalable to a minimum of 100 Mbps symmetrical for download and upload speeds. Broadband infrastructure investment will be installed, owned and operated by an eligible applicant;

~~(a) — Be Broadband Infrastructure investment which provides broadband access to Unserved or Underserved area(s), and which shall be installed, owned, and operated by an Eligible Applicant.~~

(b) Meet federal funding criteria, which is designed to address key areas of public health and safety by improving opportunities to telework, facilitate distance learning, and improve public safety;

(c) ~~Be a project which serves an Unserved or Underserved area(s) and which does not overbuild existing adequate broadband service. The Council shall not consider Applications for projects in areas with reliable speeds of at least one hundred (100) Megabits per second (Mbps) download and twenty (20) Megabits per second (Mbps) upload, nor shall it consider projects for areas in which written agreements to develop services at or above this level prior to December 31, 2024, exist.~~

(d) Include Broadband Infrastructure and equipment costs meeting federal funding criteria such as~~which include:~~

(i) Middle-mile fiber-optic infrastructure, the primary purpose of which is to connect last-mile infrastructure and networks to network service providers; or

(ii) Last-mile fixed terrestrial infrastructure, the primary purpose of which is to provide broadband internet service to end users or end-user devices, including households, businesses, public safety entities and community facilities.

Section 6. Eligible Costs. Eligible Costs include but are not limited to;

(a) Construction and Materials;

(b) New and rehabilitative construction contracts;

(c) Architect and engineering services and legal and professional services, if required to complete the project;

(d) Permitting fees;

(e) Acquisition of Broadband Infrastructure equipment; and

- (f) Equipment installation.

Section 7. Ineligible Costs._____The following are Ineligible Costs ~~and~~for which funds may not be used ~~for~~;

- (a) General broadband planning not associated with the project.;
- (b) Ongoing overhead, operating costs, or staff costs to include bonuses of any kind.; and
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(B) Information which establishes the eligibility of the proposed project as set forth in Section 5 of this Chapter;

(C) A breakdown of eligible costs associated with the eligible project;

(D) A timeline for completion of the eligible project.; and

(E) A breakdown showing the amount of federal loans, grants, or aid in projects affecting Wyoming and provided for COVID-19 related purposes, including from the CARES Act, or other similarly purposed federal act, including funds from the Wyoming Community Development Authority funded by the CARES Act for which the applicant:

(I) Believes ~~they are~~ it is eligible;

(II) Has applied; or

(III) Has received.

(ii) Each applicant shall file its application(s) electronically using the form(s) and website prescribed by the Council. Applications submitted via other means may be disqualified.

(iii) Applicant shall ensure that the grant funding will not be used for costs that will be

reimbursed by the other federal or state funding stream(s). The grant funds must be used only for complementary purposes. Applicants must ensure there is additional public benefit and a justification for using additional public funding to deploy to those locations. Treasury encourages applicants to use all available federal and state datasets when making these determinations.

Section 9. Funding Terms and Conditions.

- (a) The Council may require applicants to have or provide matching funds, ~~not~~ or letters of support.
- (b) The Council shall ~~provide~~ create and utilize a uniform Contract for funding awards made under this program. All funds awarded under this program shall be contingent on the applicant's acceptance and execution of the Contract and strict compliance with all terms and conditions contained therein.

Section 10. Project Review, Prioritization, and Recommendation.

- (a) Each proposed service/project area must have its own application, and Applicants shall submit no more than one (1) application per proposed service/project area.
- (b) Applicants may submit applications for multiple proposed service/project areas.
- (c) Applications shall be received only during application periods to be specified by the Council.
- (d) Applications which do not include all minimum required information shall be afforded ten (10) working days from notification to correct the deficiency. Applications which remain deficient after this period shall be disqualified.
- (e) Complete applications shall be evaluated by a committee to include the Council and Governor's Office staff, and other participants as deemed necessary and according to the scoring matrix outlined in the application.
- (f) ~~Projects which develop communities of two thousand (2,000) persons population or less and/or unincorporated areas shall receive first priority.~~
- (g) Priority shall be given to projects that achieve last-mile connections or support new and/or improved last-mile service. Priority shall also be given to investments in fiber-optic infrastructure and/or projects that involve broadband networks owned/operated/affiliated with local governments, non-profits, and cooperatives-providers with less pressure to generate profits and with a commitment to serving entire communities.
- (i) In situations where the Council receives multiple applications for any single project area, priority shall be afforded to applications proposing fiber-optic infrastructure shall be afforded priority over applications proposing fixed wireless infrastructure.
- (ii) Applications proposing similar technology will and to the applicant proposing the fastest broadband

speeds. Such applications shall be scored according to cost and demonstrated ability to complete the project.

~~(iii) — In situations where the Council receives multiple applications for any single project area proposing comparable infrastructure, priority shall be afforded to the applicant proposing the fastest broadband speeds.~~

(h) All completed projects must reliably deliver minimum speeds of one hundred (100) megabits per second (Mbps) download and one hundred (100) Mbps upload. In cases where it is not practicable due to geography, topography, or financial cost to meet those standards, projects must reliably deliver at least one hundred (100) Mbps download speed and at least twenty (20) Mbps upload speed, and be scalable to a minimum of one hundred (100) Mbps download speed and one hundred (100) Mbps upload speed.

(i) The review committee shall rank eligible project applications and shall forward these recommended contracts to the Board ~~with a recommendation of “fund” or “do not fund.”~~ for consideration.

(j) Providers receiving funds that provides services to households must participate in federal programs that provide low-income consumers with subsidies on broadband internet access services. Subscribers will be allowed to utilize the Federal Communications Commission’s (FCC) Emergency Broadband Benefit (EBB) program and/or the Affordable Connectivity Program (ACP) or other Federal Communications Commission’s (FCC) identified eligible programs.

Section 11. Award and Challenges

(a) At least thirty (30) days prior to making any award under this program, the Council shall publicly post the proposed project areas via the Broadband Map.

(b) Each posting for a proposed project area shown on the Broadband Map shall provide a mechanism by which a Challenge may be filed and processed as set forth in Chapter 1.

(c) Challenges brought by any broadband provider on the basis of overbuild shall only be considered where the Challenging provider has submitted .shp or .kml files of their entire service area in Wyoming to the Broadband Map.

~~(d) — The Board shall consider the recommendations of the evaluation committee and make awards at a public meeting held pursuant to the Wyoming Public Meetings Act.~~

Section 12. Certification. By applying under this program, each applicant certifies that:

(a) The statements contained in the application are true, complete, and accurate to the best of their knowledge;

(b) The funds shall be used to fund projects that create and retain local jobs and result in purposeful outcomes, including distance learning, telehealth public safety, commerce, and overall well-being;

(c) The applicant understands and acknowledges that failure to comply with these rules and/or the terms of any Contract(s) awarded under this program may result in the Council requiring a total or partial refund of the awarded funds and may affect applicant's eligibility for future funding under this or other Council programs; and

(d) The applicant understands that the award of any contract(s) under this program is contingent upon the; receipt of funding from the U.S. Department of Treasury or appropriation of funding by the Legislature of the State of Wyoming, and assumes risk of any loss in submitting application(s) under this program.

(e) Any other certification required by the Wyoming Business Council.

Chapter 4

Connect Wyoming Program

Section 1. Authority. These rules are promulgated by the Wyoming Business Council (“WBC”) pursuant to 2021 Session Laws, Chapter 92.

Section 2. Purpose. These rules are promulgated for the purpose of providing a regulatory framework for broadband development projects funded by the Connect Wyoming program.

Section 3. Definitions.

(a) In addition to the definitions set forth in Chapter 1, as used in this program:

(i) “Broadband Infrastructure” means terrestrial signal transmission facilities and associated network equipment and accessories deployed for the provision of broadband service to residential, business, and government customers. ~~This definition explicitly excludes satellite-based infrastructure~~

(ii) “Connect Wyoming” means the program established by 2021 Session Laws, Chapter 92.

(iii) “Unserved or Underserved area” means an area where any delivery points contained therein do not have access to wireline broadband service offered with a download speed of at least twenty-five (25) Megabits per second (Mbps) and an upload speed of three (3) Megabits per second (Mbps) or more.

Section 4. Eligible Applicants.

(a) As used in this program, an eligible applicant:

(i) Means as defined in W.S. 9-12-1501(c)(i); ~~and~~ **(ii):**

(ii) ~~Must~~Shall submit coverage maps of their entire service area in Wyoming to the Broadband Map prior to the date of their application. This submission must be evidenced on each project application submitted pursuant to this section and performed according to the Broadband Map Guidance; ~~and~~

(iii) ~~Must~~Shall offer mass market retail services by wireline or terrestrial fixed wireless technology which provides the capability to transmit and receive data from all or substantially all internet end points, but excluding dial-up internet access service; and

(iv) Shall commit to maintaining any Broadband Infrastructure constructed through funds provided under this Chapter of these Rules at the applicant’s own expense for a 15-year period for Fixed Wireless and a 20-year period for fiber, which will allow for replacement of end of life, obsolete or non-functioning equipment so that the speeds are at or above those committed to in the award, are continued, and reliable service is provided for the period stated. Any successive owner(s) are required to comply for the remaining time period.

Section 5. Eligible Projects. ~~The~~An eligible project shall:

(a) ~~Include the construction and deployment of a broadband infrastructure projects.~~
“Broadband Infrastructure Projects” are eligible for funding if the infrastructure is designed to deliver, upon project completion, service that reliably meets or exceeds symmetrical download and upload speeds of 100 Mbps. If it would be impracticable, because of geography, topography, or excessive cost, for a Broadband Infrastructure Project to be designed to deliver services at such a speed, the Project must be designed so that it reliably meets or exceeds 100 Mbps download speeds and between 20 Mbps and 100 Mbps upload speeds and be scalable to a minimum of 100 Mbps symmetrical for download and upload speeds. Broadband infrastructure investment will be installed, owned and operated by an eligible applicant;

~~(a) — Be Broadband Infrastructure investment which provides broadband access to Unserved or Underserved area(s), and which shall be installed, owned, and operated by an Eligible Applicant.~~

(b) Meet federal funding criteria, which is designed to address key areas of public health and safety by improving opportunities to telework, facilitate distance learning, and improve public safety;

(c) ~~Be a project which serves an Unserved or Underserved area(s) and which does not overbuild existing adequate broadband service. The Council shall not consider Applications for projects in areas with reliable speeds of at least one hundred (100) Megabits per second (Mbps) download and twenty (20) Megabits per second (Mbps) upload, nor shall it consider projects for areas in which written agreements to develop services at or above this level prior to December 31, 2024, exist.~~

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August 22, 2022

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

RE: Broadband Development Grant Program-Connect Wyoming Program

Comments of Charter Communications, Inc.

Charter Communications, Inc. ("Charter") respectfully submits the following comments in response to the Wyoming Business Council's July 8, 2022 public notice regarding proposed revisions to the rules for the Connect Wyoming Program to fund projects supported by the American Recovery Plan Act ("ARPA").

Background on Charter

Charter is a leading broadband connectivity company and cable operator, offering TV, internet, wireless, and voice services. Under our "Spectrum" brand, Charter is committed to integrating the highest quality service with superior entertainment and communications products. Charter is at the intersection of technology and entertainment, facilitating essential communications that connect more than 32 million residential and business customers in 41 states. Our commitment to serving customers and exceeding their expectations is the bedrock of Charter's business strategy and is the philosophy that guides our 93,000 employees.

Over the years, Charter has invested billions of dollars in infrastructure improvements, unleashing the power of an advanced, two-way, fully interactive fiber network, including a 2021 capital investment of \$25 million in Wyoming alone. By moving to this all-digital network, Charter's Spectrum-branded broadband service offers a base broadband internet speed of 300 megabits per second ("Mbps") download. In addition, Charter launched Spectrum Internet Gig across our Wyoming service area, offering speeds of up to 1 gigabit per second ("Gbps"). All of Charter's broadband internet packages currently include no data caps, usage-based pricing, early termination or modem fees.

Charter and our almost 170 Wyoming-based employees have extensive experience providing broadband internet service, as Charter and its predecessor companies have been providing broadband internet service in the state for almost two decades. Charter currently provides broadband internet, video and voice service to more than 127,000 customers in 36 communities in Wyoming, and we continue to work to expand our services. During 2021, our investments enabled us to reach an additional 3,000 homes and small businesses in the state.

Charter has worked with governments across the country on public-private partnerships targeted at broadband expansion, including state governments in Alabama, Arizona, California, Georgia, Kansas, Kentucky, Maryland, Massachusetts, Minnesota, Missouri, Montana, North Carolina, Ohio, South Carolina, Tennessee, and Wisconsin. Charter was also among the largest winners of support through the FCC's Rural Digital Opportunity Fund, Charter expects to invest approximately \$5 billion to support this infrastructure expansion, offset by about \$1 billion in support awarded through the program. In Wyoming, we have worked with local governments including the City of Cheyenne (and the Greater Cheyenne Chamber of Commerce). In 2019, the City received a grant from the Microsoft Corporation to build out public Wi-Fi inside the Cheyenne Depot and in the (outside) Depot Plaza area in downtown Cheyenne. Charter was awarded the contract, launching the service ahead of schedule, in July of that year.

As a frequent participant in broadband grant programs to bring high-speed connectivity to residents of unserved and underserved areas, Charter has an interest in ensuring that the Connect Wyoming Program adopts rules that facilitate participation and investment by commercial internet service providers. Well-considered rules for the program will maximize the impact of public funding by attracting a competitive applicant pool and by ensuring that limited funds are spent where they will have the largest effect. To that end, Charter proposes certain clarifications and changes to the proposed program rules as set forth below.

Eligible Applicants – Follow Legislative Intent

The Proposed Rules, at Section 4(d), propose adding a requirement that applicants commit to maintaining any broadband infrastructure supported by Program funds for 15 years (for fixed wireless networks) and 20 years (for fiber networks). Charter is concerned that this requirement is unnecessary, and could deter participation in the Program.

The federal funding that will support the Connect Wyoming Program, through the Capital Projects Fund ("CPF") administered by the United States Department of the Treasury, is exclusively for use in constructing new capital assets. Unlike some other federal broadband grant programs, such as the FCC's Rural Digital Opportunity Fund, the CPF does not support the ongoing operation of broadband facilities once constructed. Because the CPF is solely a fund to support the construction of broadband facilities—and not to subsidize their ongoing operational costs—the guidance accompanying CPF funding does not require grantees to operate or maintain CPF-funded facilities for any specific time period.

A requirement to maintain and operate facilities for 20 years could deter many providers from applying for program funds. Applicants may be hesitant to take on the commitment to operate and maintain a network for several decades, as doing so would cause a loss of operational flexibility by preventing the applicant from transferring the system to a new operator or potentially upgrading technology even decades in the future. In addition, such a requirement should be unnecessary: well-chosen CPF-funded broadband deployment projects should be constructed in areas where they can be economically viable

once deployed, by recipients with a strong track record of sustaining broadband networks. Therefore, once public funds have been leveraged to invest in new network facilities, it should not be necessary to bind the specific entity that deployed the network to operate it for decades, since any subsequent owner (irrespective of whether it is the same entity as the original applicant) will have an incentive to continue maintaining and operating it to provide service.

Charter recommends that the Council decline to adopt the proposed addition to Section 4(d) of the Rules. However, to the extent that the Council adopts Section 4(d), Charter recommends that the required time period to continue operating the facilities be limited to seven years, and that the requirement be satisfied by requiring a subsequent transferee to take on the obligation to continue operating the network over the remaining time period, consistent with the language from item 22(a)(i) of Senate File 66 from the 2022 Budget Session. That language directed the Council to “require the grant recipient and any successor in interest to offer and provide continuous broadband service to broadband customers during at least the first seven years after substantial completion of the relevant project....”. Adding obligations on top of what the Legislature suggested would be at odds with stated legislative intent.

Specifically, if the Council adopts Rule 4(d), Charter proposes that the Council revise it as follows:

[A]n eligible applicant:

(d) Shall commit to maintaining any Broadband Infrastructure constructed through funds provided under this Chapter of these Rules at the applicant’s own expense ~~for a fifteen (15) year period for Fixed Wireless and a twenty (20) year period for fiber~~ or requiring any successive owner to do so for a seven (7) year period.

Eligible Projects – Avoid Duplication of Other Broadband Funding Programs

Section 5(c) of the Proposed Rules states that the Council will not consider applications in areas that have “existing adequate broadband service,” which it defines as areas with 100/20 Mbps or “areas in which agreements to develop services at or above this level prior to December 31, 2024.” This rule helps ensure that Program funds are used where they are most needed and not spent on duplicative projects in areas where broadband grant funding is already committed to another provider under another broadband program. However, Charter would recommend further refinement to this rule to ensure that it serves its intended purpose.

As currently structured, the rule could arguably still be read to allow applications for funding in areas where a different broadband provider is already committed to deploy broadband service pursuant to a federal or state broadband grant if the completion date required under the pre-existing grant program falls after December 31, 2024—irrespective of when the applicant’s network supported by the Connect Wyoming Program would be activated. To use one example, an application to the Connect Wyoming program would be eligible for consideration under the proposed text of Rule 5(c) if it proposed to build a

new network in an area that will be served under another broadband grant program on January 1, 2025, even if the applicant's proposed Connect Wyoming project would not provide service until 2026 or 2027. This would clearly not represent an efficient use of public funds. Where funding from other programs is committed, authorized, and binding, Connect Wyoming should not duplicate that funding or support overbuilding a second network when so many Wyoming consumers and businesses lack access to even one broadband network.

To better align the proposed rule with its intended purpose of preventing duplicative spending that wastes limited broadband funding, Charter proposes that the Council revise Rule 5(c)(i) as follows:

(i) The Council shall not consider Applications for projects in areas with reliable speeds of at least one hundred (100) Mbps download and twenty (20) Mbps upload, nor shall it consider projects for areas in which ~~written agreements to develop services at or above this level prior to December 31, 2024, exist~~ any state or federal funding has been awarded and authorized for the provision of broadband services at such speeds.

Application Process – Focus Process on Wyoming Experience

Section 8(a)(i)(E) of the Rules, under "Application Process," requires applicants to submit information regarding other federal funding that the applicant believes it is eligible for or has applied for or has received. As worded, this application requirement is ambiguous, as it can be read to require the applicant to identify all federal broadband funding for which **the applicant** is eligible (or has applied for or received) across all of its projects or potential projects, potentially even those outside of Wyoming. Charter believes that the intended purpose of this requirement is so that the Council has the benefit of understanding any other federal funding sources for which a **project** may be eligible so that the Council can tailor the appropriate state contribution, if any, to the project. If applied to an applicant's entire operations, the application requirement could also become quite cumbersome to applicants like Charter that participate in numerous programs around the country funded in whole or in part with federal dollars.

Charter proposes that the Council reword Section 8(a)(i)(E) to clarify that it requests applicants to provide information regarding federal broadband money for which the applicant's specific proposed project or projects are eligible, or for which the applicant has applied. At minimum, if the Council intends to request that applicants provide such information beyond the proposed project(s) at issue, Charter suggests that this application requirement be limited to federal funding for projects in Wyoming.

Charter proposes the following revision to Rule 8(a)(i)(E):

Applicants shall complete and submit the application, which shall include the following minimum information:

...

E) A breakdown showing the amount of federal loans, grants, or aid provided for COVID-19 related purposes, including from the CARES Act, or other similarly purposed federal act, including funds from the Wyoming Community Development Authority funded by the CARES Act for the proposed project for which the applicant:

(I) Believes it is eligible;

(II) Has applied; or

(III) Has received.

Project Review, Prioritization, and Recommendation – Prioritize Match Percentage, Experience, and Technical and Financial Capability.

Charter also recommends that the Council revise the Program rules to more clearly specify how the prioritization factors will be weighted and scored within program applications, and to ensure that an applicant's experience and capability to complete a proposed project is assigned substantial weight.

As structured in the current version of the proposed rules, the application will contain a "scoring matrix," which will be used to evaluate applications, *see* Rule 10(e), and "priority will be given" to applications with specific characteristics, including "projects that achieve last-mile connections or support new and/or improved last-mile service," "investments in fiber-optic infrastructure and/or projects that involve broadband networks owned/operated/affiliated with local governments, non-profits, and cooperatives," and "the fastest broadband speeds." In addition to these priority factors, applications "shall be scored according to cost and demonstrated ability to complete the project." *See* Rule 10(g).

These rules provide little clarity about how these various factors will be weighted relative to one another. It also provides little clarity about whether the "priority" factors differ from the "scoring" factors in weight or significance within the evaluation process. Absent insight into how these factors will be weighted against one another, it is not possible to evaluate whether the proposed rules will optimize the use of Program funding to deploy service to the areas where it is most needed and to support projects that will have the greatest impact. The lack of weighting for the prioritization and scoring factors also raises the risk that the Program could end up prioritizing projects that would not represent prudent uses of public funds. For instance, without guidance about how the priority and scoring factors

will be balanced against one another, Rule 10(g) could arguably cause a project proposed by a local government or cooperative applicant to be awarded over a competitive application from a commercial internet service provider with greater experience offering faster broadband speeds at lower costs.

Charter recommends that the Council make certain changes to Rule 10 to ensure that Program funds are appropriately steered towards the most competitive and effective projects. Specifically:

First, Charter recommends that the Council more clearly emphasize in its scoring matrix the features of an application that should be considered and weighted to evaluate which applications will best advance the objectives of the program. Specifically, Charter recommends that the scoring matrix assign significant weight to: (a) the **private match percentage**, to maximize efficient use of Program funds; (b) **applicant experience**, to ensure that support goes to providers with a proven track record of building, operating, and sustaining broadband networks and public-private ventures like this Program; (c) **technical capability**, to ensure that support goes to providers, technology, and infrastructure that demonstrably deliver reliable service at the speeds required by the Program and promised by applicants; and (d) **financial capability**, to assure that supported projects can be sustainably funded, operated, and maintained for years to come.

Second, and consistent with the recommendations above, Charter recommends that the Council afford substantial and primary weight to the “cost and demonstrated ability to complete the project” factor. Other features of an applicant’s proposed broadband deployment—such as technology, speed, and buildout timeline—are meaningless if the applicant lacks the experience, technical background, and financing necessary to ensure that a project is actually completed. Funding should be prioritized towards applicants that can reliably and efficiently complete work for which they are entrusted with public funds.

Third, Charter recommends that the Council, within this scoring matrix, reduce the weight afforded to applications by local governments, non-profits, and cooperatives. While the federal guidance for the CPF encourages states to prioritize such applications, it does not require states to do so, nor does it recommend that states prioritize the identity of the applicant over other considerations. Moreover, government-operated networks and those operated by nonprofit and cooperatively organized applicants do not have a demonstrated track record of performing better than those by commercial providers, and should accordingly not be given significantly more weight when a commercial provider’s application is otherwise more desirable. Charter recommends that the identity of the applicant, if considered by the Council, be used only as a “tie-breaker” to differentiate between two applications that are otherwise equally scored.

Conclusion

Adoption of the recommended changes will help the Connect Wyoming Program make the best use of federal broadband funding to connect Wyoming communities in need of high-speed broadband access.



Mike Mores

Sr. Manager
Government Affairs

Mike Mores



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611 E. Carlson, Suite 103. | Cheyenne, WY 82009
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Public Comments Received by
Visionary Communications on August
15, 2022

Section 4(a)(IV) Shall commit to maintaining any Broadband Infrastructure constructed through funds provided under this Chapter of these Rules at the applicant's own expense for a 15-year period for Fixed Wireless and a 20-year period for fiber

- As currently worded, grant-funded fixed wireless equipment would have to remain in place and maintained for 15 years. This is less desirable given the life cycle of fixed wireless equipment. The clause would also preclude upgrading fixed wireless equipment at the end of its life cycle, since the requirement is that it be maintained.

We propose that the phrase “fixed wireless” be removed from Section 4(a)(IV). In its place, we propose a separate clause requiring “fixed wireless service levels” to be maintained for 15 years, thus allowing ISPs the flexibility to upgrade equipment at their own cost and to the benefit of the end user.

Section 5(c) Be a project which does not overbuild existing adequate broadband service. The Council shall not consider Applications for projects in areas with reliable speeds of at least one hundred (100) Megabits per second (Mbps) download and twenty (20) Megabits per second (Mbps) upload, nor shall it consider projects for areas in which written agreements to develop services at or above this level prior to December 31, 2024, exist;

- Can “reliable” be defined?
- Does this clause preclude the state from awarding funds prior to January 2025?
- RDOF allows deployment to span several years, and only 40% of RDOF locations must be built by the third year of support. Since RDOF deployments may occur after the Dec. 31, 2024 deadline, does WBC consider authorized RDOF bids as valid written agreements for the purposes of the ConnectWY2 program?
- While state and federal broadband projects can be researched to determine if buildout commitments exist, there is no central database for direct agreements between ISPs and communities. This presents challenges in determining if an area is eligible.

We propose that program participants disclose future direct agreements to WBC for inclusion in WBC’s publicly available broadband maps. We further propose that direct agreements must be disclosed in the broadband maps to be considered as valid written agreements.

Section 11. Award and Challenges

(a) At least thirty (30) days prior to making any award under this program, the Council shall publicly post the proposed project areas via the Broadband Map.

(b) Each posting for a proposed project area shown on the Broadband Map shall provide a mechanism by which a Challenge may be filed and processed as set forth in Chapter 1.

(c) Challenges brought by any broadband provider on the basis of overbuild shall only be considered where the Challenging provider has submitted .shp or .kml files of their entire service area in Wyoming to the Broadband Map

- As currently written, the challenge process is pegged to the funding award date. If an award date has been set, it follows that funding decisions be made *before* challenges were considered.

We suggest the program would be better served by structuring the challenge process to take place after project areas are made public and before award decisions are made. This will allow the eligibility of applications to be challenged and confirmed before projects are reviewed, scored and awarded.

To facilitate this, we propose that proposed project areas be made public within 10 days after acceptance by WBC instead of 30 days before a funding award and that the start of the challenge process be pegged to the publication of applications instead of the funding award date.

- The challenge process is currently set at a 30-day minimum. A 30-day window may not be sufficient to review applications, submit challenges, respond to challenges and issue decisions. We propose the challenge process be extended to 45-60 days.



Wyoming Telecommunications Association
PO Box 1052
Cheyenne, WY 82003

August 17, 2022

Wyoming Business Council
214 West 15th St.
Cheyenne WY, 82202

Via Email: wbc.public-comment@wyo.gov

Re: Wyoming Business Council Chapter 4 - Connect Wyoming Program Proposed Rules

To Whom It May Concern:

On behalf of the Wyoming Telecommunications Association (WYTA), please accept this letter in response to the request for comments on the Proposed Rules for the Connect Wyoming Program. The WYTA is made up of nine rural, independent rural exchange carriers providing voice and broadband services to rural communities across the state.

WYTA is concerned with the language in Section 10(f), giving priority preference to local governments, non-profits and cooperatives for the fact that it unduly prejudices community providers that do not fall into one of the stated categories. Dedicated community service providers are not solely limited to local governments, non-profits and cooperative providers. WYTA members are committed to the communities they serve and strive to reach all locations in their service areas and have invested, and will continue to invest, millions of dollars each year into infrastructure serving their communities of interest, not to mention the many hours and additional dollars the WYTA members infuse into the communities through service projects, donations to local community members and providing livable incomes to their employees.

For these reasons, WYTA respectfully requests the following changes to that section:

"Priority shall also be given to investments in fiber-optic infrastructure and/or projects that involve broadband networks owned/operated/affiliated with local interests including locally-operated commercial and cooperative organizations, governments, and non-profits - providers whose inherent ties to the communities that they serve manifest in their commitment to serve their entire respective community."

Thank you for the opportunity to provide comments and for your consideration.

Sincerely,

A handwritten signature in cursive script, appearing to read "Michelle Motzkus".

Michelle Motzkus
President

cc: WYTA members



INVESTMENTS COMMITTEE REPORT

Memorandum

TO: Wyoming Business Council Board of Directors
FROM: Josh Keefe, Economic Development Finance Manager
Date: September 8, 2022
RE: Edward “Ed” Lay Economic Disaster Loan Charge Off Memo

Edward “Ed” Lay was a recipient of an Economic Disaster Loan for hay and alfalfa growers in Goshen County. These loans were due to the Goshen Irrigation District’s canal collapse near Fort Laramie, WY in July of 2019. Thirty-seven (37) loans were originated totaling \$3,199,131. Mr. Lay’s loan was originated on March 16, 2020 in the amount of \$107,892.00. Unfortunately, Mr. Lay has not made any payments towards his loan to the Wyoming Business Council (WBC). WBC staff have made multiple attempts and have had correspondence with Mr. Lay, but no payments have been received. Mr. Lay has been a customer of Pinnacle Bank in Torrington, WY for a number of years. WBC staff have been in conversations with Pinnacle Bank as well for over a year. Mr. Lay has made multiple promises to the bank, but also has failed to deliver on these promises. Mr. Lay has repeatedly said that he would visit the bank to get a workout plan, bring his payments current, etc.

Mr. Lay was arrested in mid-July for check fraud. In conversations with Wade Bruch (Market President) and Quinn Hunter (VP Commercial Lender), Mr. Lay allegedly received multiple sources of assets in the form of loan proceeds, credit from suppliers and others, but is not repaying any of these parties. WBC staff had been following Mr. Lay’s social media account (Facebook) and saw Mr. Lay and his son taking hunting trips and having other assets. In discussions with Pinnacle Bank both locally in Cheyenne and Torrington, Pinnacle Bank has decided to charge off any loan extended to Mr. Lay.

Since origination, the WBC has earned \$190,636 in interest income from the hay/alfalfa farmers in Goshen County and although this will eliminate over 50% of the interest earned, the amount of economic activity preserved in Goshen County with the origination of these loans far exceeds this amount.

Staff recommends the realization of a principal loss of one hundred seven thousand eight hundred ninety-two dollars and 00/100 (\$107,892.00) in the loan to Edward “Ed” Lay of Torrington, WY.

Respectfully submitted,

Joshua S. Keefe

Economic Development Finance Manager

Credit Memorandum

Applicant: Converse County Bank (Douglas, WY)
Client: H&H Energy, LLC
P.O. Box 1147
Douglas, WY 82633
Date: August 30, 2022
Purpose: Business Succession Loan for Acquisition of Existing O&G Servicing Company

Proposal:

Converse County Bank, located in Douglas, WY has requested the Wyoming Business Council (WBC) to participate under the “Succession Financing” provision of the Wyoming Partnership Challenge Loan program to provide a term loan to H&H Energy, LLC (H&H). The existing owner is retiring and selling to Shilioh White and Judy Gonzalez. Mr. White has been in the oil and gas servicing industry since 2003. The existing business has been a customer of Converse County Bank since 2008 and has performed as agreed on all credit facilities and accounts. The proposed loan would be used to acquire all business assets associated with the company. The bank and WBC have acquired a list of all assets and valuation of said assets, in addition to a business valuation performed in August of 2022. WBC’s participation will be seventy thousand dollars (\$70,000) or 38.9% of the final total loan.

	Request
Total Loan	\$180,000
WBC Portion	\$70,000 (38.9%)
Amount Refinanced	\$0
Collateral	None
Loan Fee	\$700 (1%)
WBC Interest Rate	5%
Adjustment Time	Fixed
Blended Interest Rate	5.92%
Loan Term	4 Years Fully Amortized
Payment Frequency	Monthly
Guarantor	Shilioh White Judy Gonzalez

Project:

H&H was formally incorporated in July of 2014. The company performs “swabbing services” in oil and gas fields. Swabbing is the act of removing fluids like fracking fluid and other fluids, to allow the pressure to push the oil and gas through the well. This is a highly-skilled service in which the operator must have a “feel” for his/her equipment. The WBC has been working with Erin Hager, Executive Vice President, to help structure this deal. The existing owner, Brian

Harmeyer is retiring from the industry. Mr. White has extensive experience performing not only this service, but other services as well in oil and gas service industry. The lead bank is lending according to their loan policy, the borrower is submitting a down payment, and the WBC is covering the gap in the financing picture with this proposed loan.

This would be the first “Succession Financing” loan from HB46 in the 2022 legislative session. The rules were signed by the Governor in late August of 2022. This loan will operate identically the other participatory loans at the WBC.

Cash Flow:

Based on the historical financials obtained from the lead bank, H&H exhibits the ability to service the proposed debt with a DSCR of 1.25 assuming the bank’s interest amount to the entire loan. The cash flow will be stronger/better when the interest rate is blended with the WBC’s portion of the loan to 1.27 and will improve the cash flow of the company. This blended rate will save the company debt service on the monthly payments to Converse County in the amount of (approx.) \$48; totaling \$2,304 over life of the loan. This may not seem like a material savings, however, the intent/goal of this program is to keep a business working and providing jobs/services to their respective communities. The incentive also seems less because of the short amortization of the loan and the small loan amount.

Credit reports were submitted to the to WBC from the lead bank and all accounts are current and paying as agreed.

Bank Risk Rating:

The loan is presented as a pass credit with Converse County Bank, based on historical cash flow, guarantor support, and management/industry experience.

The net available balance in the Economic Development Fund is \$9,847,172.

Recommendation:

Staff recommends that the Board of Directors of the Wyoming Business Council approve the loan participation in the amount of \$70,000.00 (seventy thousand dollars and 00/100 cents) as presented in this Credit Memorandum. This participation will be with Converse County Bank in Douglas, WY as the lead bank. The loan recipient will be H&H Energy, LLC.

Respectfully submitted,
Joshua S. Keefe
Economic Development Finance Manager

Attachment 1 – Applicable Statute

Attachment 1

§ 9-12-304. Criteria for loans.

Any business may apply to the council for financing as defined in W.S. 9-12-301(a) (xii). “Succession Financing” means a provision of financing to be used to assist in the transition or succession of a business that has been in existence for not less than seven (7) years immediately before the transfer or succession to a new owner of the business.



BUILDING RESILIENT COMMUNITIES:

TWENTY YEARS OF BRC 2002-2022

HOW DO WE BUILD RESILIENT COMMUNITIES?

Recognizing that Wyoming's communities and local economies are diverse in size and resources, the Business Ready Community (BRC) Grant and Loan Program was created to provide direct investment, giving Wyoming communities the ability to build resiliency from the ground up. **The BRC Program is designed to empower communities to build themselves.**



WHO

WHAT

HOW



HOW DOES BRC WORK?

WHO IS ELIGIBLE:

- Cities
- Towns
- Counties
- Joint Powers Boards
- Northern Arapaho and Eastern Shoshone tribes

WHO

WHAT

HOW



HOW DOES BRC WORK?

WHAT IS ELIGIBLE:

The BRC program provides financing for **publicly owned infrastructure** and planning that serves the needs of businesses and promotes economic development within Wyoming communities, such as:

- Water
- Sewer
- Roads
- Buildings
- Etc...

WHO

WHAT

HOW

HOW DOES BRC WORK?





EARLY SUCCESS STORIES

When BRC investments work, the ripple effect is felt throughout the community. These early investments have allowed communities to leverage the original investment to compound the economic impact.



EARLY SUCCESS STORIES

CHEYENNE



Early BRC investments in business parks in the Cheyenne area in conjunction with Cheyenne LEADS and tools like the Managed Data Center Cost Reduction Grants have led to the surge in private sector companies like Microsoft and Lunavi building data centers. These data centers employ 209 primary jobs and have brought in over \$1.5 billion of capital investment.



EARLY SUCCESS STORIES

SHERIDAN



SEEDA Business Park

BRC funded SEEDA's long-range plan, infrastructure and recruitment resulting in a very successful business park with three anchor businesses Weatherby, Kennon and Vacutech employing more than 300 residents in light manufacturing and R&D.



EARLY SUCCESS STORIES

WORLAND



Washakie County and Washakie Development Association leveraged BRC infrastructure funding to build the Fair View Industrial Park and Spec Building which eventually supported local business expansion for Amish Origins and the recruitment and relocation of Unique Precision Industries. The economic impact is recycled state funds to support local economic development.

BRC PROGRAM TYPES

THE BRC GRANT AND LOAN
PROGRAM IS BROKEN DOWN INTO
FIVE DIFFERENT PROJECT TYPES:

01

Business Committed projects assist businesses committed to start-up, expand, locate or retain jobs in the community.

02

Community Readiness projects allow communities to build infrastructure for potential new business development under a specific strategy or plan of action.

03

The Community Project program assists communities that want to improve their aesthetic character or quality of life to make the area more attractive for business development or workforce attraction and/or retention under a specific strategy or plan of action.

04

Planning projects create or further develop community economic development strategies and outline an implementation plan.

05

Managed Data Center Cost Reduction projects allow local governments working with a data center business funds to help buy down the cost of broadband and electricity.

GUIDING PRINCIPLES FOR BRC INVESTMENT

How do we determine what BRC projects are viable economic development-based investments?

BRC Grants VS Loans



Grants: \$69 Million

Loans: \$12 Million

\$3.70 of private capital investment leveraged for every \$1 of BRC funds invested



■ \$3.70 Private Capital

■ \$1 BRC Funds

Evaluation Criteria

The WBC team considers the following factors when reviewing BRC projects to ensure we're making solid investments with state dollars.

- Job Quality (Business Committed) - An analysis of how the jobs (including the number, type, and quality) fit into the community.
- Company Strength (Business Committed) - An analysis of the committed company's potential impact on the community, region, and state.
- Community Engagement - An analysis of the due diligence, scope, and impact on the local community.
- State Considerations - An analysis of how this project will impact the State's economic development endeavors.

Private Capital Leveraged - Cash/In-Kind Match

- Local Economic Capacity Building
- Direct and Indirect Return on Investment (ROI)

MAKING GOOD OPPORTUNITIES BETTER

Over the past five years, BRC projects created 87 jobs a year at an average of \$15 an hour. But in the last two years, however, WBC has shifted the way it evaluates BRC projects to focus on creating better opportunities and jobs for the state. With this increased scrutiny, the projects funded over the last two years are projected to create 110 jobs at an average of \$33 an hour.

This means that we are providing jobs with wages 65% above our average.

Jobs: 5,109 jobs created plus an additional 615 jobs projected from active projects.

Capital: \$3.70 of private capital investment leveraged for every \$1 of BRC funds invested. Over \$1.4 billion of private capital has or is anticipated to be invested.

Projects: 401 projects in 23 counties awarded as BRC grants or loans. \$423 million in BRC funding.

Acres: 8,663 acres of land developed, plus another 1,018 acres currently under construction. 4,837 acres are developed business parks; 59% of all BRC funded business park acreage is currently owned or occupied by businesses.

Revenue: Over \$13.7 million recaptured back to the program from principal and interest repayments on BRC loans and revenue recapture.

Buildings: Over 1.7 million square feet of building space developed, plus an additional 445,429 square feet under construction. 290,623 square feet of this space was built for business attraction, and 730,550 square feet of this space was built for business retention & expansion (BRE); this space is 59% occupied.

Roads: Over 109 linear miles of road completed, plus an additional 8.5 linear miles under construction.

Water/Sewer: Over 156 linear miles of water and sewer line installed, plus an additional 8.75 linear miles under construction.

JOBS IN WYOMING

THE CHALLENGE: CREATING MORE JOBS

	Annual Average 2016-2020	Annual Average 2017-2021	% Change
New jobs enabled by the WBC	224	194	-9%
Average wage of jobs enabled by the WBC	\$18/hour	\$22/hour	+22%

To keep up with the losses in employment we've been experiencing over the last 13 years, we need to start adding more quality jobs than we are losing.

- + Just to make up for past job losses by 2030, we need to add about 1,660 jobs/year with annual earnings of \$90,000.
- + However, if we keep losing jobs at the same rate, we will need to add 3,098 jobs per year with annual earnings of about \$90,000.
- + That means we need to increase the jobs we create by 8x - 15x and the earnings of those jobs by almost 2x. It is imperative we start now, time is of the essence.

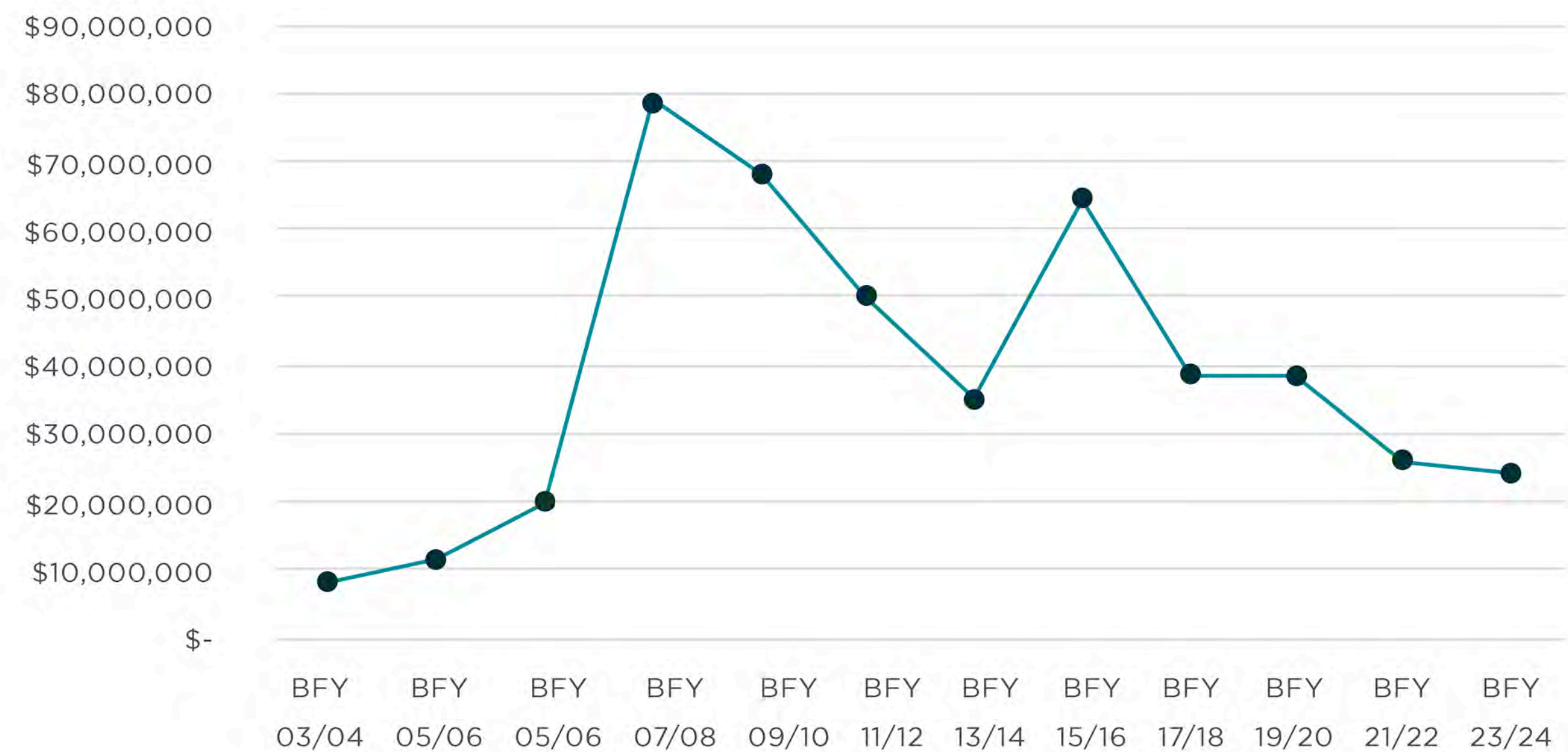
JOBS IN WYOMING

JOBS & WAGES BY COUNTY

COUNTY	NUMBER OF JOBS	AVERAGE WAGE
Albany	479	\$21.69
Big Horn	88	\$18.57
Campbell	171	\$30.40
Carbon	50	\$16.93
Converse	57	\$20.04
Crook	41	\$14.15
Fremont	595	\$15.24
Goshen	125	\$33.91
Hot Springs	16	\$14.34
Johnson	17	\$20.77
Laramie	1778	\$23.98
Lincoln	83	\$17.03
Natrona	424	\$22.86
Niobrara	12	\$15.00
Park	281	\$20.48
Platte	106	\$19.83
Sheridan	333	\$17.46
Sublette	14	\$23.58
Sweetwater	179	\$24.62
Teton	78	\$22.41
Uinta	141	\$17.52
Wahsahkie	1	\$14.15
Weston	40	\$15.15

APPROPRIATION HISTORY

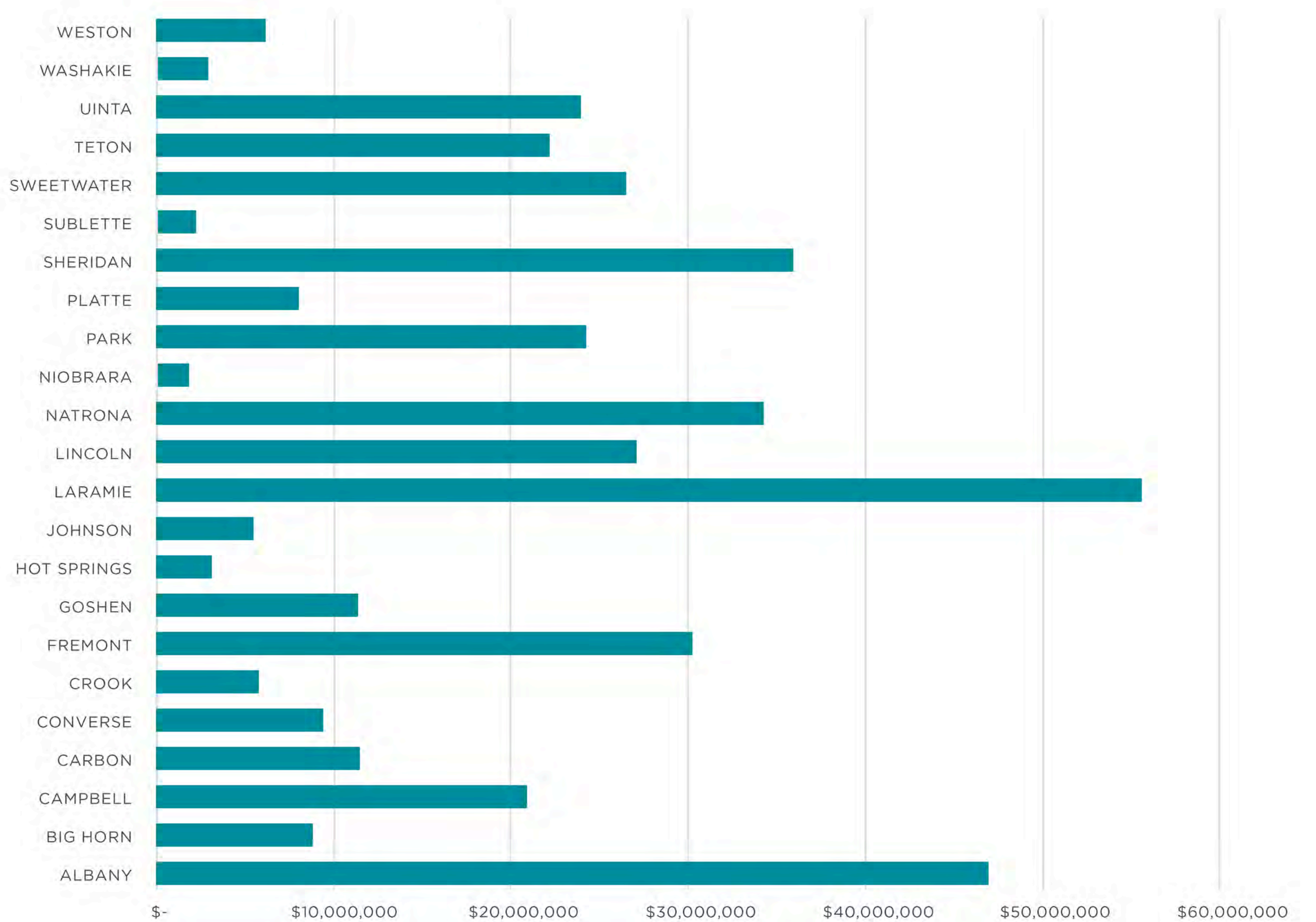
BRC FUNDING



INVESTMENT HISTORY

FUNDING

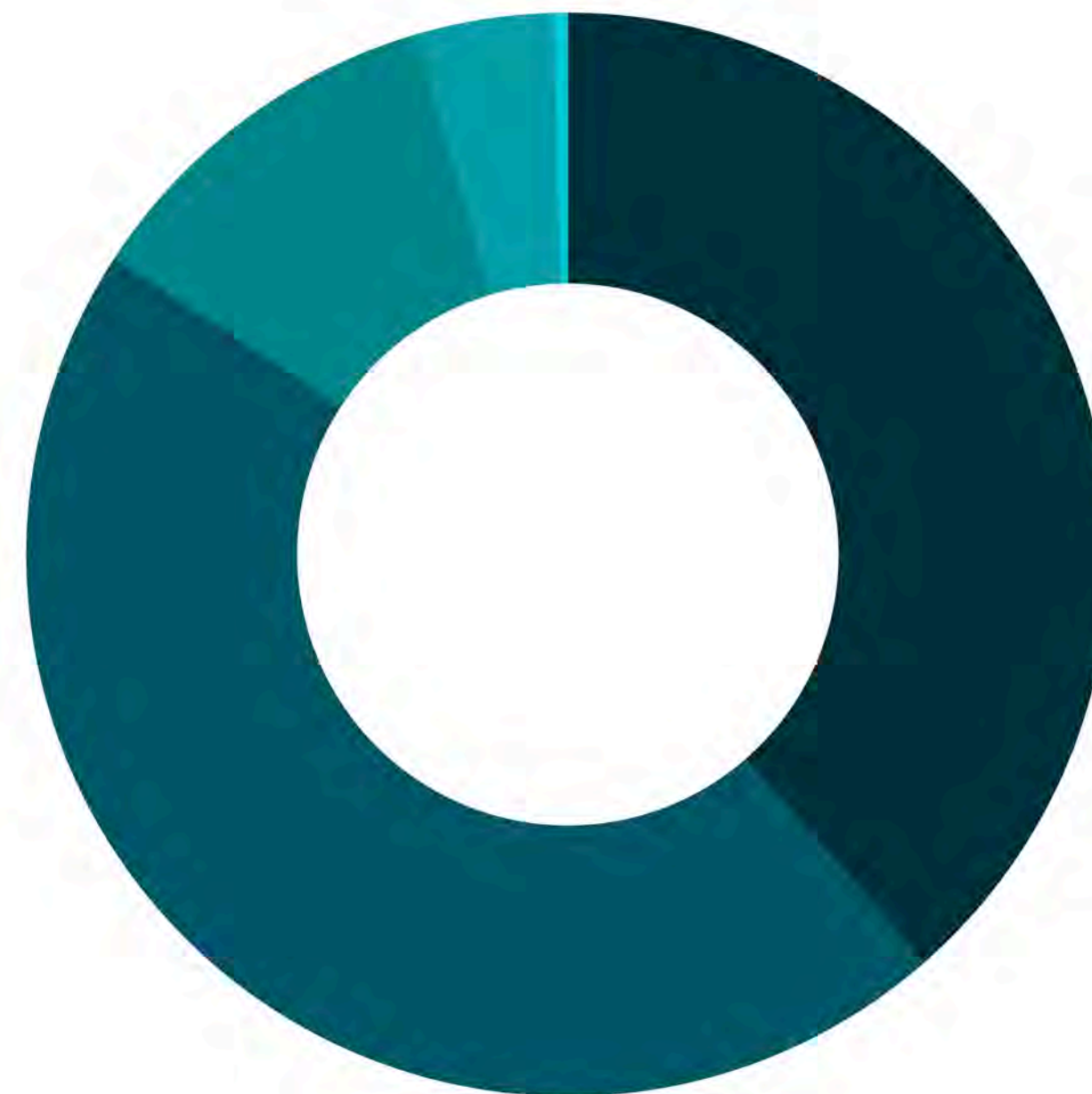
PER COUNTY



GRANTS AND LOANS

BRC PROJECT TYPE

BRC Project Type
(grants + loans):
\$423 Million



- Business Committed: \$163,394,184
- Business Readiness: \$193,568,271
- Community Project: \$47,600,485
- Managed Data Center Cost Reduction: \$17,552,665
- Planning: \$1,797,427

MAKING THE MONEY GO FARTHER

REVENUE RECAPTURE

Revenue generated by a BRC project is recaptured by the applicant and used for local community and economic development activities. [Learn more here.](#)

THERE ARE SEVERAL WAYS THAT REVENUE RECAPTURE WORKS:

01

Local Revenue Recapture:

Income to the recipient or community development organization. An approved plan must be in place for how recaptured funds will be managed and used for economic development. Revenue recaptured funds may be used for up to 50 percent of economic development operations and management costs, if matched 1:1 with other funds.

02

WBC Revenue Recapture:

Income to the recipient which must be remitted to the BRC program, under terms stated in the project grant agreement. According to BRC rules adopted in 2016, a minimum 25% of net revenue from revenue generating projects must be reimbursed to the BRC fund, up to the original grant amount.

03

Revenue from BRC Loans:

Income to the recipient which must be used to make annual loan payments to the BRC program. Loans are secured by the asset funded by the WBC and are non recourse against the applicant's other assets



FOCUS ON SUSTAINABILITY

More loans mean more sustainable BRC funding. Out of \$20 million approved BRC funding in 2020-2021, \$7 million (35%) of that was in BRC loans.



LEADING ECONOMIC GROWTH BUILDING RESILIENT COMMUNITIES CREATING OPPORTUNITIES TO THRIVE

Through leadership, policy and investments, the Wyoming Business Council stands firmly upon Wyoming's heritage while advancing innovation, business creation, recruitment and growth in order to build resilient communities and create opportunities to thrive.

The Business Ready Communities (BRC) Program empowers communities to build themselves.

TOWN OF BAR NUNN COMMUNITY CENTER & TOWN HALL

COMMUNITY PROJECT APPLICATION

\$500,000 Grant Request
\$7,103,778 Community Match
\$2,056,222 Fundraising efforts
Total Project Costs: \$9,660,000

19:1

**LOCAL TO BRC
DOLLARS LEVERAGE
RATIO**

PROJECT OVERVIEW

The Town of Bar Nunn requests a \$500,000 Community Project Grant to construct a new community center & town hall located at 1500 Palomino. While this facility will be one building, BRC funds will only invest in a portion of the community center.

The community center will provide flexible gathering space with a kitchen for community events, various youth programs, and a space for recreation. The recreation portion of the building will include a large gymnasium, walking track and viewing area, and a weight/cardio room.

Currently, there are no indoor recreation spaces in the town.



PROJECT EVALUATION

JOB QUALITY

Not applicable for this application

COMPANY STRENGTH

Not applicable for this application

COMMUNITY ENGAGEMENT

The town envisions this project as the next phase of their community and economic development initiatives. Over the years, the town has worked on various initiatives including an expansion of their pathway network, upgrades to park facilities, and additional recreation facilities in the form of new park equipment and a splash pad.

A community/recreational center has been identified in both a 2008 and 2018 community plan. The town has diligently saved and prepared for this project since it was first identified and is contributing over \$7 million in match.

The town is also working with outside groups to offer various youth and after-school programs. Additionally, the town plans to host many of its future events in the new facility. Bar Nunn anticipates the following:

- 5 youth programs by 2028
- 4 community events each year (currently held at the Fire Hall)
- 10 rentals each year
- Raise \$100,000 through sponsorships of events and programs

Finally, this project coupled with the park upgrades and splash pad, holds the potential to develop a downtown/Main Street area. The National Main Street Center states that a vibrant downtown neighborhood can enhance a local economy by featuring inviting public spaces that make residents and visitors feel that they belong.

STAFF ANALYSIS

According to World Population Review, Bar Nunn is currently growing at a rate of 2.4% annually and its population has increased by 34.7% since 2010. It is also a young community, as the median age is 29.4 years.

This data tells us that the community is home to much of the area's workforce, and that Bar Nunn has proven to attract individuals.

Additionally, the Town is currently in the process of approving a new subdivision to the west of Bar Nunn Elementary School for 175 new homes, with the potential of additional new developments in the near future. The town envisions that as the community grows in residential areas, the need for new small businesses will also grow.

STATE CONSIDERATIONS

The town has diligently saved and prepared for this project over many years. They are contributing over \$7 million in Town match, as well as raised almost \$1.2 million in local fundraising efforts and recently received approximately \$1 million in SLIB funding. This means that BRC funds are only 5% of total project costs.

Additionally, the town envisions this project as the next step in improving their community's economy.

STAFF ANALYSIS

Community projects are designed to assist communities that want to improve their aesthetic character and quality of life. Based on UW's Center for Business and Economic Analysis Amenity Index, the importance of amenities was 3.5 (on a scale from 1 to 5) relative to other factors such as salary, family, etc.

Additionally, this project aligns with the WBC's intent to activate new economic sectors by investing in amenities like downtowns, connectivity and recreation that draw and retain knowledge, creative and advanced manufacturing workforce.

PROJECT SOURCES & USES

SOURCES

BRC Grant	\$500,000
Match	\$7,603,778
ELIGIBLE PROJECT COSTS	\$8,103,778
Ineligible Costs	\$1,556,222
TOTAL PROJECT COSTS	\$9,660,000
• BRC % of Total Project Costs	5%
• Local % of Total Project Costs	95%

USES

NON-CONSTRUCTION COSTS

- Engineering Fees \$771,930
- Permitting \$5,000

CONSTRUCTION COSTS

- Eligible Costs \$6,935,678
 - Ineligible Costs \$1,556,222
- Contingencies (on xx% of project) **\$391,170**
- TOTAL USES \$9,660,000**

CONSIDERATIONS

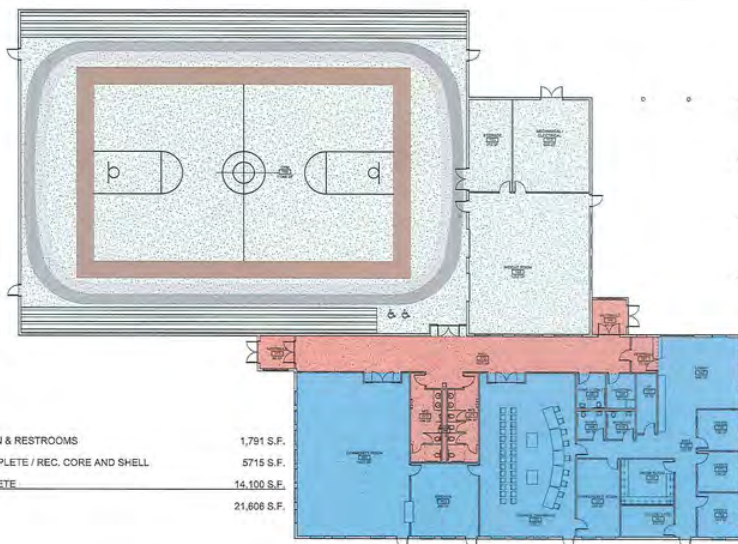
COMPELLING:

- 19:1 Leverage Ratio
- Next Tier of their Economic & Community Development Plans
- Identified in multiple community plans, and Town saved for many years towards this goal
- Main Street anchor

CONCERNING:

- Does not create primary jobs
- Low vision for job creation
- Mixed-use facility
- Proximity to Casper
- Low Business Development Potential
- No County Economic Development Tax

**RECOMMENDATION:
DO NOT FUND**



MEETEETSE JOINT POWERS BOARD REC DISTRICT COMMUNITY CENTER

LOCAL MATCH IS

42%

COMMUNITY PROJECT APPLICATION

\$750,000 Grant Request

\$552,750 Match

Total Project Costs: \$1,302,750

PROJECT OVERVIEW

The Meeteetse Joint Powers Board requests a \$750,000 Community Project Grant to construct a 6,600 square foot community center that will include a fitness area, multi-court, rehab/therapy area, recreational area, and flexible gathering space that can be configured in multiple ways.

The Town of Meeteetse and the Meeteetse Recreation District (MRD) has formed a partnership and the resultant Joint Powers Board has guided this project to the point of application submittal.



The community center will be built within the Town of Meeteetse located at 2131 Nebraska Street, an MRD-owned lot. The lot has most of the basic utility services; water and sewer taps are already established to the lot, but sewer piping will need to be updated. Natural gas, electricity, and telecommunications are also available and will simply require a tap.

The MRD has become the main hub for all ages and provides a wide variety of programs, activities and facilities. These include: after school and summer programs for kids, public transportation services, exercise classes, holiday events, outdoor recreation-based activities, organized sports, swimming, trainings, meetings, etc.

PROJECT EVALUATION

JOB QUALITY

Not applicable for this application

COMPANY STRENGTH

Not applicable for this application

COMMUNITY ENGAGEMENT

This project has been in the works for a few years, and the town solidified the plan to move forward through a community wide Strategic Doing initiative. It became apparent during this process that the community needed a facility that could do a multitude of things, such as event space for banquets and meetings, fitness, recreation, senior citizen wellness programs and childcare.

Several years ago, Meeteetse lost their only daycare facility, and it has yet to be replaced. The MRD currently offers an After School & Summer Program but must limit ages and numbers due to lack of resources and space. The MRD anticipates that a larger community space will enable them to open their programs to children of all ages and fill a major void in their community.

Additionally, the MRD and Gottsche Therapy and Rehab have been partnering to offer therapy services. Residents have benefited from having these services locally, instead of having to take time off work or school to travel to another community. MRD and Gottsche see this partnership expanding even more with a larger facility. Other partnerships include the school district, Senior Center, and other local businesses.

STAFF ANALYSIS

In 2014, the Town of Meeteetse conducted a community survey to help inform their Master Plan. That survey illustrated that residents of Meeteetse consider the Recreation District to be one of the most positive attributes of the community.

The MRD will measure success of this project in the following ways:

- Facility usage
- Membership Numbers
- Space Rentals
- Membership Revenue
- Youth Served

Furthermore, the potential for expanded childcare options will positively impact the community. According to the report "Child Care in State Economies: 2019 Update" commissioned by the Committee for Economic Development (CED), more than half (58.5%) of the nation's children under age 5 participate in a regular care arrangement with a nonparental provider.

This report also found that the decision for many parents to either work or seek additional education may depend on the availability of affordable childcare.

STATE CONSIDERATIONS

The MRD is required to be out of their current, temporary location by the summer of 2023. That location must revert to a federal transit facility for vehicle storage purposes due to federal funding requirements. Thus, this project will not only enable a larger community/recreation facility for the community but will also enable usage of a federal transit facility in the area.

STAFF ANALYSIS

Community projects are designed to assist communities that want to improve their aesthetic character and quality of life. Based on UW's Center for Business and Economic Analysis Amenity Index, the importance of amenities was 3.5 (on a scale from 1 to 5) relative to other factors such as salary, family, etc.

Additionally, this project aligns with the WBC's intent to activate new economic sectors by investing in amenities like downtowns, connectivity and recreation that draw and retain knowledge, creative and advanced manufacturing workforce.

PROJECT SOURCES & USES

SOURCES

BRC Grant	\$750,000
Cash Match	\$523,717
In-Kind Match	\$29,033
TOTAL PROJECT COSTS	\$1,302,750
• BRC % of Total Project Costs	58%
• Local % of Total Project Costs	42%

USES

NON-CONSTRUCTION COSTS

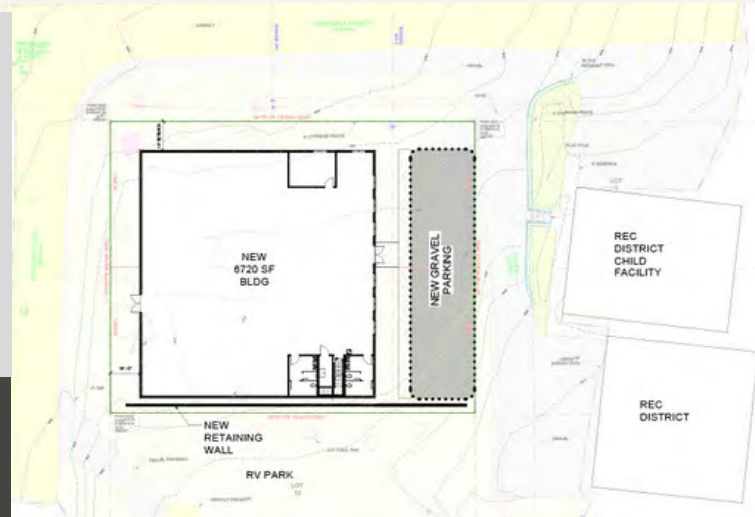
• Architectural Fees	\$126,853
• Contractor Fees	\$211,422
• Site Work	\$2,120

CONSTRUCTION COSTS

• Electrical Systems	\$83,562
• Mechanical, Plumbing, HVAC	\$246,310
• Landscaping	\$7,704
• Foundation/Structural Framing	\$326,059
• Interior Finishes	\$158,266
• Fire Protection	\$21,667

Contingencies (10%) **\$118,787**

TOTAL USES \$1,302,750



CONSIDERATIONS

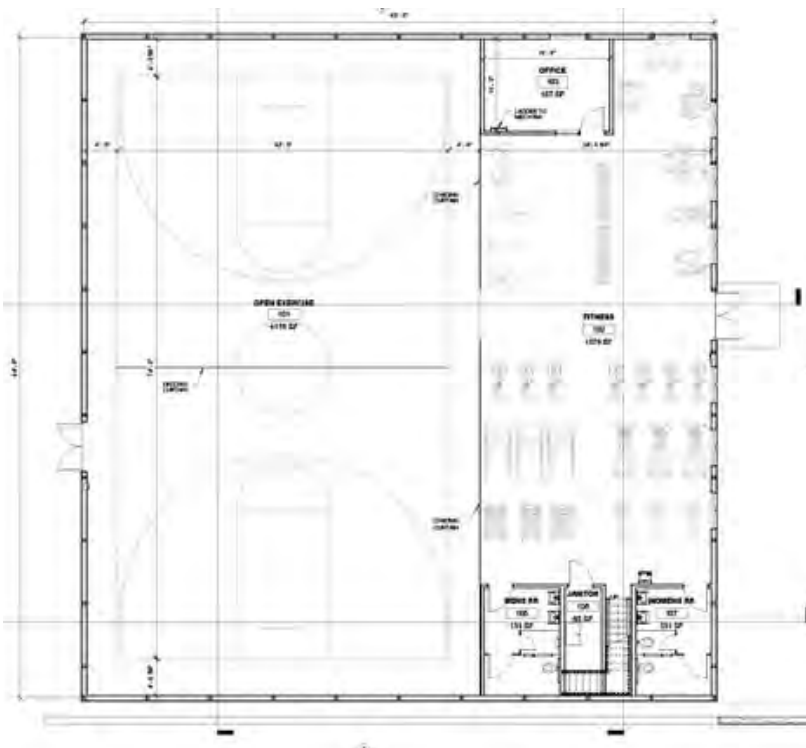
COMPELLING:

- Community is involved in Strategic Doing process.
- Partnerships developed with school, businesses, senior center, etc.
- Daycare potential.
- Data will be collected to evaluate economic impact.
- Match is 32% higher than required.

CONCERNING:

- Does not create primary jobs.
- Low Business Development Potential
- No County Economic Development Tax

**RECOMMENDATION:
DO NOT FUND**



CITY OF CODY WYOMING LEGACY MEATS PROCESSING EXPANSION

BUSINESS COMMITTED APPLICATION

\$1,000,000 Grant Request

\$3,631,449 Match

CAPEX: \$9,260,000

Total Project Costs: \$13,891,449



PROJECT OVERVIEW

The City of Cody requests a \$1 million Business Committed grant to construct a 16,000-sf facility for the expansion of Wyoming Legacy Meats. This facility will be located on a 7.6-acre parcel owned by Forward Cody. All infrastructure is at the site.

Wyoming Legacy Meats initially opened in May 2018, and quickly realized that the demand for processing is high across the region. By the fall of 2021, plans and specs were completed for an expansion of the processing facility. This expansion would allow for an increase of processing from 50 head a week to 100 head a day. The Economic Development Administration (EDA) awarded the project a \$2.2 million grant, and Forward Cody secured an approximately \$550,000 loan from local lender Pinnacle Bank. However, due to rising construction costs, the project needed additional funding.

Furthermore, during this time the owner, Frank Schmidt, determined he could no longer manage the company due to health concerns, and put the business on the market. On February 15, 2022, Complete Health and Wellness (doing business as Complete Human), closed on the sale. The new owners have continued to operate the plant under the Legacy Meats name, and will increase capacity by marketing not just to existing customers but directly to consumers as outlined in their business plan. As their market share grows, they will gain momentum enough to add value to their product by selling byproduct under their parent company's supplement manufacturing plant located nearby.

PROJECT EVALUATION

JOB QUALITY

Wyoming Legacy Meats currently employs 24 individuals at an average wage of just under \$20.00/hour. Complete Human plans to retain those 24 employees and create 117 additional positions when at full capacity.

The average wage for all 141 of these positions will be \$24.46/hour and will include benefits. Park County's median wage is \$19.19/hour, and Park County's median wage for butchers & meat cutters is \$18.74/hour.

STAFF ANALYSIS

- The retention and creation of 141 jobs is significant.
- The wages proposed by Complete Human are 27.5% higher than the current county median wage.
- Complete Human will provide benefits to its employees.

COMPANY STRENGTH

Complete Human is a nationally recognized health and nutrition company. Their products are marketed direct-to-consumer to over 3 million customers. During their research, they became interested in high-quality proteins, which led them to Wyoming Legacy Meats.

Company founder Olav Sandnes has been working in the health food industry for over 40 years. He and partner Evan Demarco co-own KD Pharma, the third largest manufacturer and distributor of Omega-3's in the world. The third partner, Jana Breslin, is a fitness and nutrition expert with a social following larger than the population of Wyoming.

13:1

**LOCAL TO BRC
DOLLARS LEVERAGE
RATIO**

Complete Human plans to utilize key industry influencers like Ms. Breslin to inspire consumers to seek high quality Wyoming Beef as a protein source. The product, Wyoming Beef, grown with either grass-fed and finished or natural protocol will be raised with no hormones or antibiotics.

The frozen product will be shipped direct-to-consumer. The core product is a 15 lbs. box of beef, but they will also offer a subscription program whereby a 15 lbs. package will be delivered monthly. A la carte orders will also be available via the company website.

Another component of this expansion is the "waste" product, or offal. The current plant is unable to attract buyers for the offal, and as a result much of that "waste" product is taken to the county landfill. Complete Human recently closed on the Cody Labs facility, which will be converted to a value-added processing facility where edible offal will be converted to capsule form (such as utilizing cartilage to create collagen capsules) and using bones for dog treats or broths. Furthermore, an aerobic digester will be installed at the plant to convert any unused byproduct into fertilizer.

STAFF ANALYSIS

- Review and analysis of the company's business plan did not raise any concerns as the direct to consumer market continues to expand.
- The financial strength of the company is strong. The company had a change of ownership earlier in 2022 and although there is potential risk during management changes, the financial capacity of the owners is (and has been) sufficient to handle any adversities the company may encounter during the transition and going forward.
- Potential to not only increase current processing operations, but also to allow for value-added component.

PROJECT EVALUATION CONTINUED

COMMUNITY ENGAGEMENT

This project aligns with local community plans. Forward Cody, the local economic development agency, has a focus on growing manufacturing in targeted industries which fit the community. These industries include firearms and outdoor equipment, furniture, and food products.

By targeting these sectors, the community and local businesses were able to complete the following projects:

- 2013 – Wyoming Authentic Products began manufacturing snack sticks and jerky in the first USDA meat fabrication plant in WY. The plant was partially funded through a BRC grant, and today employs 14 people and distributes products to every U.S. state and Canadian province.
- 2014/2015 – Forward Cody facilitated a study for processing dairy products from George Farms.

The community sees the Wyoming Legacy Meats project as a continuation of the development of value-added projects in the food sector. There are already potential partnerships with other meat processing facilities, such as Wyoming Authentic, as well as with restaurants in the community.

Furthermore, Northwest College has an existing certification program for training meat processors, and the company plans to utilize workforce training funds through the WY Department of Workforce Services (DWS).

STAFF ANALYSIS

- Project aligns well with Forward Cody's targeted industries.
- Project adds to a cluster of the food production industry in the region.

STATE CONSIDERATIONS

The Wyoming Beef Industry Report, released February 2020, points out that the Wyoming market can support more processing facilities, and indicates that 5,100 head of beef are commercially slaughtered in the state.

Furthermore, the Beef Industry Report identified value-added opportunities for animal byproducts, or offal. A lack of market for animal byproducts in Wyoming puts processors at a \$148 per-head disadvantage.

Finally, the report stated that the economic multiplier of adding 60 jobs in Slaughtering or Processing throughout Wyoming would result in an average increase of:

- \$3.6 to \$4.3 million in regional earnings
- 120 Indirect Jobs
- \$560,000 in tax revenue

ECONOMIC IMPACT ROI FIGURES

Economic Impact ROI measures the economic “churn” of a project in the county where the project is located. The WBC contracts with a third-party vendor (Applied Economics) based out of Phoenix, Arizona, to determine this impact. The algorithm is formulated to each Wyoming county's statistics and these market factors help determine the measurement.

- This project would have a direct annual impact, at maturity of the project, of \$2,781,941 per year.
- The indirect impact (supplier[s]) is \$1,705,313 per year.
- **Total Annual Impact for Park County is \$4,487,254.**

These numbers calculate jobs, wages and capital investment; they do not include other factors such as other tax revenue generating benefits and additional induced economic activity.

PROJECT EVALUATION CONTINUED

STAFF ANALYSIS

This project aligns with the State of Wyoming's Economic Development Strategy by not only adding value to a core industry (agriculture), but also by activating new sectors in advanced manufacturing and technology.

- Drive innovation to create new markets for Wyoming grown goods
- Increase access to domestic and international export markets for core industries
- Help existing knowledge, creative and advanced manufacturing businesses expand
- Market Wyoming's knowledge, creative, and advanced manufacturing economy

Additionally, this project is a Business Retention & Expansion (BRE) project. BRE is an important component to economic development.

- Up to 80% of all new jobs in small towns come from existing business expansion (IEDC).
- A community's existing businesses are major contributors to the local and state tax base.
- Public-private partnerships encourage businesses to continue to invest and grow in the community.

REVENUE RECAPTURE

For the Wyoming Legacy Project, the anticipated recapture will come from the lease payments to Forward Cody. Net lease at the end of Year 20 will be \$1,718,400. BRC funds will recapture \$250,000 (25% of grant amount), and the Grow Cody Fund will recapture \$1,351,400.

The Grow Cody Fund is the title that Forward Cody has given their recaptured funds program. It was put into place in 2013 with a long-term strategy to create a funding pool to advance economic development projects in the community.

Forward Cody plans to use recaptured funds in its Grow Cody account for the following items:

- Industry Studies
- Updated Housing Study
- Design work for potential projects
- Match dollars for other revenue generating grant and/or loan projects

PERFORMANCE MEASURES & PROJECT INFRASTRUCTURE



**BRC Revenue
Recapture:**
\$250,000



**County
Median
Wage:**
\$19.19/hr



**Jobs to be
Retained:**
24



**BRC
Funding %
Leveraged:**
7%



**Economic
Impact ROI:**
82 days



**New Building
Construction:**
16,000 sf

**Local Revenue
Recapture:**
\$1,351,400

**Median
Wage of
Jobs
Created:**
\$24.46/hr

**Jobs to be
Created:**
117



CAPEX:
\$9,260,000

PROJECT EVALUATION CONTINUED

PROJECT SOURCES & USES

SOURCES

BRC Grant	\$1,000,000
Cash Match	\$3,631,449
Total Eligible Project Costs	\$4,631,449
Ineligible Costs	\$9,260,000
Total Project Costs	\$13,891,449
• BRC % of total project costs	7%
• Local % of total project costs	93%

ATTORNEY GENERAL OPINION

Pending.

USES

Non-Construction Costs	
Contractor Fees	\$257,686
Site Work	\$385,645
Construction Costs	
Electrical Systems	\$253,017
HVAC	\$1,033,399
Plumbing	\$317,472
Doors & Windows	\$65,110
Foundation and Structural	\$326,789
Interior Finishes	\$466,400
Thermal & Moisture Protection	\$135,104
Project Alternatives	\$866,360
Contingencies	\$524,467
Ineligible Costs (Equipment)	\$9,260,000
TOTAL USES	\$13,891,449

CONSIDERATIONS

COMPELLING:

- 13:1 Leverage Ratio
- ROI: 82 days to recoup BRC funds
- BRE Project – retention of 24 jobs and creation of 117 jobs
- Wages are 27.5% higher than County median wage
- Phase 2/”Value-added” component
- Private Investment of \$9,260,000

CONCERNING:

- Contingencies on EDA and USDA funding

RECOMMENDATION: FUND AS REQUESTED

Contingent upon on EDA and USDA final funding approval.

ECONOMIC IMPACT (TIME TO RECOUP)

82 DAYS



CITY OF LARAMIE PROJECT JUPITER

COMPANY HAS RAISED
ALMOST

\$1B

IN EQUITY OVER THE
PAST DECADE

BUSINESS COMMITTED APPLICATION

\$20,000,000 Grant Request

\$2,000,000 Land Match

\$500,000 Cash Match (LCBA)

\$5,436,810 Potential Cash Match (Company)

Total Project Costs: \$27,936,810

CAPEX: \$10,000,000



PROJECT OVERVIEW

The City of Laramie requests a \$20 million Business Committed grant to construct an approximately 60,000-sf research & development facility for Project Jupiter (“Jupiter”). The facility will be built on 16.35 acres in the Cirrus Sky Technology Park, which is owned by the Laramie Chamber Business Alliance (LCBA).

While this is a higher investment request, the community and state benefits are considerable and create extraordinary circumstances. These benefits are consistent with the purpose of the BRC program and include:

- Added job opportunities
- Increase in Tax Revenue
- Potential for Laramie & Wyoming to be seen as the epicenter of a plant science and research & development industry
- Potential for technology ecosystem and cluster development
- Partnerships developed with University of Wyoming and other entities

PROJECT EVALUATION

JOB QUALITY

Jupiter will add 120 full-time positions to their existing 82 at an average wage of \$30.25/hour and will offer a comprehensive benefits package. Albany County's median wage is \$19.49/hour.

The majority of these are high paying, high skill jobs appropriate for a research and development facility including scientists, research associates, engineers, and data analysts. Additionally, this project will create a pathway for university graduates to stay in the area, as these types of positions are not readily available currently.

STAFF ANALYSIS

- The retention and creation of 202 jobs is significant.
- The wages proposed by Jupiter are 55% higher than the current county median wage.

ECONOMIC IMPACT (TIME TO RECOUP)

4.79 YRS

COMPANY STRENGTH

This project began in the State as a research project by a University of Wyoming (UW) student, and the project principals want to keep the project in Wyoming. Jupiter chose Laramie, despite offers from at least two other states to move their operations there.

Many of the local workers that will be hired by Jupiter will be done through an internship-to-employment pipeline, as well as hiring recent graduates from UW. There is also potential to recruit workforce from outside the area.

Finally, Jupiter will invest \$10 million in additional capital investment towards the project over the next 5 years.

STAFF ANALYSIS

- The business has been able to grow successfully through not only acquisition, but also through multiple rounds of equity raises; totaling close to one billion dollars over the past decade.
- The staff reviewed independent, audited statements from Deloitte. Deloitte has been the business' auditor for the duration of financial statements received. This provides a level of consistency and reliability vital to analyzing the growth and financial strength of the company.
- The company's business plan is well-documented and developed to help the business achieve the desired outcome.
- WBC staff feels the company has the capacity to continue its growth pattern and has demonstrated the ability to manage adversity as the company matures.

PROJECT EVALUATION CONTINUED

COMMUNITY ENGAGEMENT

This project is the culmination of a partnership between the City of Laramie, University of Wyoming, and the Laramie Chamber Business Alliance. All partners have been in full support of this expansion.

Furthermore, this project aligns with the City's economic and community development efforts. In 2020, the community finalized "Thrive Laramie: A Community and Economic Development Strategy for the Next 10 Years". Their first strategy in this plan is to Increase Regional Collaboration for Business Retention, Attraction, and Recruitment Efforts. One opportunity that they identified is to "target industries that bring high-paying, skilled, primary labor market jobs for attraction and retention to diversify the region's industry mix, drive economic growth, and increase wages".

Finally, in addition to this BRC request, LCBA is contributing:

- \$2 million land match
- \$500,000 of the total cash match (utilizing past recaptured funds)
- Offering relocation fund for workforce (\$200,000 over 2 years)
 - Company will provide LCBA documentation on each incentive paid, job type, and salary at the time reimbursement is requested.
- Grant Writer to assist the company in pursuit of future funds for research & development purposes.

STAFF ANALYSIS

- Project aligns well with Laramie's community and economic development strategy.
- Community has engaged with multiple partners to ensure project success.

STATE CONSIDERATIONS

This project creates the opportunity to build an R&D and innovation cluster in the State. This will allow for the opportunity for ancillary support businesses to develop.

Additionally, this project is a Business Retention & Expansion (BRE) project. BRE is an important component to economic development.

- Up to 80% of all new jobs in small towns come from existing business expansion (IEDC).
- A community's existing businesses are major contributors to the local and state tax base.
- Public-private partnerships encourage businesses to continue to invest and grow in the community.

ECONOMIC IMPACT ROI FIGURES

Economic Impact ROI measures the economic "churn" of a project in the county where the project is located. The WBC contracts with a third-party vendor (Applied Economics) based out of Phoenix, Arizona, to determine this impact. The algorithm is formulated to each Wyoming county's statistics and these market factors help determine the measurement.

With the expansion of the project, which includes additional jobs, wages and capital expenditures:

- This project would have a direct annual impact, at maturity of the project, of \$3,397,077 per year.
- The indirect impact (supplier[s]) is \$775,907 per year.
- Additional Total Annual Impact for Albany County is \$4,172,984.

These numbers do not include other factors such as other tax revenue generating benefits and additional induced economic activity.

PROJECT EVALUATION CONTINUED

Another factor to consider is the possible loss of 82 jobs to Albany County. If this project is not funded, Jupiter would have to accept one of the two state offers presented to the company.

Using the same methodology as above:

- Existing direct annual impact to Albany Co is \$924,162 per year
- Existing indirect economic impact is \$604,937 per year
- Existing Total Annual Impact for Albany County is \$1,529,099

This business will contribute \$5,702,083 annually to Albany County by year 5. Below is a chart that shows the existing positions' economic impact to the County, as well as the created jobs' growth up to Year 5.

	Year					Total
	1	2	3	4	5	
Retained Jobs	\$1,529,099	\$1,529,099	\$1,529,099	\$1,529,099	\$1,529,099	\$7,645,495
New Jobs	\$834,597	\$1,669,194	\$2,503,790	\$3,338,387	\$4,172,984	\$12,518,952
Total Job Retention and Creation Economic Impact						\$20,164,447

As stated above, these figures calculate jobs, wages and capital expenditures. Thus, these figures are relatively conservative, as other tax revenue generating benefits and induced economic activity are not represented.

REVENUE RECAPTURE

Revenue from this project will be recaptured via lease payments to the LCBA.

Annual lease payments will begin in Year 3 and accumulate to a total gross amount of \$7,200,000 by Year 6, at which time Jupiter will have the option to purchase the facility for \$3,000,000.

The purchase price is based on various factors, including:

- Lease Payments Credit
- Job Creation Credit
 - Based on the number of retained and new jobs created
- Land Value Credit

Purchase Valuation:

State & Local Investment	\$22,500,000
Lease Payments (Gross)	(\$7,200,000)
Job Creation Credit	(\$10,300,000)
Land Value	(\$2,000,000)
Purchase Price	\$3,000,000



PROJECT EVALUATION CONTINUED

REVENUE RECAPTURE CONT.

Net revenue from lease payments will be \$6,828,523.

35% of lease payments will be recaptured to the BRC account and 65% will be recaptured by LCBA. Should Jupiter exercise the option to purchase the property, net proceeds will be split 50%/50% between the BRC account and LCBA.

	Lease Recapture	Purchase Recapture	Total
BRC Account	\$2,389,983	\$1,500,000	\$3,889,983
LCBA	\$4,438,540	\$1,500,000	\$5,938,540
Revenue Recapture	\$6,828,523	\$3,000,000	\$9,828,523

Of all funds retained by LCBA, 80% will be reinvested in future economic development projects, including:

- Continued Cirrus Sky Technology Park development
- Other property development and/or acquisition
- Match for future grant applications
- Economic Incentives
- Targeted Industry Studies

Investment		Return (@ year 5)	
Project Costs	\$20,000,000	Economic Impact	\$20,164,447
		Revenue Recapture	\$9,828,523
Total Cost	\$20,000,000	Total Return	\$29,992,970
Annualized Return on Investment			
8.4%			

PERFORMANCE MEASURES & PROJECT INFRASTRUCTURE



BRC Revenue Recapture:
\$3,889,983



County Median Wage:
\$19.49/hr



Jobs to be Retained:
82



Economic Impact ROI:
4.79 years



New Building Construction:
60,000 sf

Local Revenue Recapture:
\$5,938,540

Median Wage of Jobs Created:
\$30.25/hr

Jobs to be Created:
120



CAPEX:
\$10,000,000

PROJECT EVALUATION CONTINUED

STAFF ANALYSIS

This project aligns with the State of Wyoming’s Economic Development Strategy by adding value to core industries, as well as activating new sectors in technology and research & development.

- Foster startups in core industries
- Encourage development of new technology to create new expansion opportunities
- Transform disruption into new economic opportunity
- Create a vibrant community of startups and investors and capital
- Develop a culture of innovation that attracts transformative companies and people to Wyoming help existing knowledge, creative and advanced manufacturing businesses expand

5 YEAR ECONOMIC
IMPACT

\$20.1M

ATTORNEY GENERAL OPINION

Pending.

PROJECT SOURCES & USES

Sources for this project include:

- LCBA Cash Match (\$500,000) - utilizing past recaptured funds towards their match contribution.
- LCBA Land Match (\$500,000)
- Potential Company Cash Match (\$5,436,810)
 - *This number is subject to change, as the building design and cost estimate will be refined/finalized prior to grant agreement exeuction.*

SOURCES

BRC Grant	\$20,000,000
Cash Match	\$5,936,810
Land Match	\$2,000,000
Total Eligible Project Costs	\$27,936,810
Ineligible Costs	\$10,000,000
Total Project Costs	\$37,936,810
• BRC % of total project costs	53%
• Local % of total project costs	47%

USES

Land, Structures, etc.	\$8,909,000
Non-Construction Costs	
Architecture/Engineering Fees	\$6,864,300
Surveys, Tests, etc	\$861,000
Project Inspection Fee	\$970,000
Site Work	\$1,700,000
Construction Costs	
Electrical	\$1,470,000
Mechanical, Plumbing, HVAC	\$3,000,000
Landscaping	\$60,000
Foundation and Structural	\$840,000
Interior Finishes	\$250,000
Fire Protection	\$300,000
Other/Miscellaneous	\$991,800
Contingencies	\$2,539,710
Ineligible Costs	\$10,000,000
TOTAL USES	\$37,936,810

PROJECT EVALUATION CONTINUED



CONSIDERATIONS

COMPELLING:

- This project creates the opportunity to build an R&D and innovation cluster in the State
- Potential for Laramie & Wyoming to be seen as the epicenter of a plant science and R&D industry
- BRE Project that will create many high-paying, high skill jobs
- Community has engaged with multiple partners to ensure project success
- Company has raised close to \$1 billion in equity over the past decade, which indicates their strength
- \$10 million in capital investment by company

CONCERNING:

- Cost estimates are not finalized; thus, it's unclear what the actual investment from the company may be regarding building construction costs
- Company Headquarters not located in Wyoming

RECOMMENDATION: FUND AS REQUESTED

To whom it may concern,

I have heard communications that there may be a proposed REC Center in the works for Bar Nunn. As a Bar Nunn resident, I would like to voice that my household (2adults and 2kid) are in full support of this. Bar Nunn is still lacking many amenities for its residence, and a REC Center is one of those amenities. Please help make this become a thing for Bar Nunn and its small community.

Sincerely,

Bar Nunn Resident, Rodgers

Ryan + Nastasha

A handwritten mark or signature in blue ink, consisting of a stylized letter 'D' or a similar symbol.

To Whom It May Concern:

I wanted to let you know just how excited we are for our town to get the new Community Rec Center in Bar Nunn, WY. We are excited because of all the opportunities for our kids to have something to do when the weather turns, along with a fitness place for everyone to be able to participate at.

We would appreciate any extra funding that is available to help with our Community Center.

Sincerely,

Britany Freeman

2

To Whom It May Concern:

We are extremely excited for the Community Center to open in Bar Nunn, Wy. It would give our community a place to gather for events. It would also be an amazing place for our community to be able to spend time with sports.

We would be extremely grateful for any extra funding that would go towards the Community Center.

Sincerely,

Josh Freeman

A handwritten signature in blue ink, appearing to be the letter 'Q' or a stylized 'J'.

5-5-2022

To whom it may concern:

The town of Bar Nunn is coming to you with the request of funding for our new community recreation center. I am in hopes that you will fund this project and see the value and need to do so. I believe this would be a great addition to our community and is worthy of your support for funding.

Thank You

Michelle Hoover

Bar Nunn Wy. 82601

③

5-5-2022

Wyoming Business council

Dear Business Council

I have been a resident in the Town of Bar Nunn for 30 years. Over these years the town has gone through some pretty big changes in size and population. The big change is the addition of a community/recreation center to the residents of the town. This is very exciting as it is something in our own community that will positively impact our residents/children/and grandchildren. This will not only help in the health and wellbeing of our adult residents but will also give our above-mentioned children something to do with their ideal hands with the addition of the center. I am in hope you will support this funding for this project and see value in this project.

Thank You

Robert Hoover

2340 Sunset Blvd.

Bar Nunn Wy. 82601

③

Eugene Zahara
5309 Ute Circle
Bar Nunn, Wyoming 82601

(530) 945-8803
ezahara@me.com

May 3, 2022

Wyoming Business Council
2435 King Blvd
Casper, Wyoming 82604

To Whom It May Concern:

The Town of Bar Nunn has been in the process of trying to plan for a community recreation center. As a resident I am in support of building this structure as it will provide indoor facilities for the community to participate in. There is a variety of uses that good come about especially during the winter months with an indoor climate-controlled facility.

It is my understanding the Wyoming Business Council is opening grant funding for such projects. As a resident who stands behind the Town of Bar Nunn Council in their efforts to seek funding for this asset to our community, I would hope the Business Council sees the value as well and is able to award funding for this much needed project.

Sincerely,

Eugene Zahara

Resident
Town of Bar Nunn, Wyoming

④

Kimberly Zahara
5309 Ute Circle
Bar Nunn, Wyoming 82601

(530) 945-0324
kzahara@me.com

May 3, 2022

Wyoming Business Council
2435 King Blvd
Casper, Wyoming 82604

To Whom It May Concern:

As a resident in the Town of Bar Nunn I have been impressed how the town council does things annually to bring more appeal to our small community. One of their projects moving forward is a recreation center. This type of structure within our community would offer so much as it would be an indoor facility for the community to utilize especially during poor weather months. I am in support of the council moving forward and trying to obtain the funding necessary for this much needed structure.

It is my understanding the town council of Bar Nunn will be seeking grant funding from the Wyoming Business Council to add funding necessary to build this community recreation center. I would hope after reviewing the Town of Bar Nunn request for grant funding the Wyoming Business Council sees the value that will be added to this community and is able to award funding for this project.

Sincerely,

Kimberly Zahara

Resident
Town of Bar Nunn, Wyoming

A handwritten signature in blue ink, consisting of a stylized 'K' and 'Z' inside a circle.

Casper KOA Journey



August 4, 2022

To Whom It May Concern:

RE: Bar Nunn Community Center

We here at the Casper KOA, situated between Antelope Park and The Hangar on Prairie Lane, have a unique opportunity to observe how the changes that Bar Nunn has been making are having an impact on residents and tourists.

We routinely get to speak with residents of Bar Nunn as they use our various amenities. We have some employees who are residents. We observe children who come by our store more often this year on their way to the park. Some are dressed in their swimming gear, so it seems a safe assumption they are using the new splash pad that opened this summer. Some come riding on bicycles. We notice how these families and young children feel safe in Bar Nunn and freely use the amenities like the paths, the parks, and the new splash pad.

We have, on average, 150 individuals a night who stay with us. Many explore the town on foot or by bicycle, or at least walk across the street to enjoy dinner or drinks at our local establishments. They comment on the open spaces where they can watch the antelope, the fantastic splash pad, the paths along Antelope Drive, and how clean and inviting our town is.

We have many guests at our campground who have been coming back for years and often comment on the changes that are continually being made.

We, in our microcosm of a town, observe that the more amenities we offer, such as an area for yoga or mini golf or a place to air up a bike tire before going for a ride, the more positive reviews we receive, but more importantly, the more repeat guests we have.

Offering the community of Bar Nunn a place for the town youth to constructively gather, the residents to get to know each other better, and a safe place to work out in inclement weather is an amenity that will further enhance our town.

Bar Nunn is continually striving to improve this community we enjoy being a part of. We look forward to seeing the changes to come and being a positive part of this community.

Sincerely,

Brian Hodnefield
Owner

1101 Prairie Lane * Bar Nunn, WY 82601 * Info: 307.577.1664 * Reserve: 888.562.4704 * Fax: 307.234.6841
Web: KOA.com/Campground/Casper * Email: casper@koa.net



Bar Nunn Elementary

2050 Siebke Drive ~ Bar Nunn, Wyoming 82601
Phone (307) 253-4000 ~ Fax (307) 253-4033
Home of the Bobcats



August 15, 2022

Wyoming Business Council,

I am writing this letter in support of the Town of Bar Nunn receiving a grant from the Wyoming Business Council to aid in construction of a Community Center/Town Hall.

As the principal of Bar Nunn Elementary School, I have noted that Bar Nunn is a tight knit community where citizens work together to improve the town. The proposal for the Community Center/Town Hall brings facilities for town staff and citizens under one roof in a fiscally responsible way.

Given the geographic distance from the Town of Bar Nunn to various amenities in Casper, the facilities proposed for the Community Center will provide opportunities for Bar Nunn residents to access a fitness center and for community groups to meet. This will be a benefit to Bar Nunn Elementary school students, families, and staff who reside in the Town of Bar Nunn.

The Town of Bar Nunn is committed to growth and infrastructure to support citizens. Recently, the town has created improvements to the local park such as installing a splash pad and bathroom facilities. Most days during the summer months, children and families can be observed accessing the new amenities.

An investment by the Wyoming Business Council in the form of a grant to the Town of Bar Nunn would benefit the Bar Nunn community. It is an honor to work in a community that is dedicated to their citizens. I look forward to the opportunities that the Bar Nunn Community Center/Town Hall will provide.

Sincerely,

A handwritten signature in cursive script that reads "Lynn Leslie".

Lynn Leslie
Principal - Bar Nunn Elementary

To whom it may concern,

I am a resident of the town of Bar Nunn, WY and I believe having a community/rec center in our town would be a wonderful addition to our community. I have a 16 year old daughter who babysits kids in the area and she sometimes has a hard time finding things for them to do. The splash pad is amazing, but on days where that isn't available, there isn't a whole lot to do in Bar Nunn so she is forced to go to Casper. I also have a 14 year old son and I know he would love to have somewhere to go within our town on the days that he is by himself. It's a way for my kids to make additional friends in our community and to strengthen the relationships they already have within it. In addition to providing a space for the children in Bar Nunn, community centers have a way of building relationships among neighbors. It provides a way to do volunteer work, extra jobs, fundraising, parties, etc. I think if we can offer an option to those that live in Bar Nunn and the surrounding area it would bring more people to our town and more revenue. Thank you.

Sincerely,

Rebecca Maxwell

Leslie Verhaeghe

2045 Utah street, Box 294

Meeteetse, Wy, 82433

May 20, 2022

Dear Ms. Bennett-Serres,

When my daughter first moved to Wyoming I thought, Beautiful state, healthy state, but....if hunting, fishing and hiking are not your forte then you best move along. Our friends and neighbors would ask how our daughter was getting along in Wyoming, when did I think she would move back home., I'd always laugh and say, she loves it there, loves the School she teaches at, married a local guy. She's bought a piece of property, going to build a house , raise her kids, she will never leave.

Well, after 8 years of visiting, vacationing, and hunting in this amazing state, we purchased a home here in Meeteetse ourselves.

It doesn't take too terribly long to realize that while it maybe a bit of a hike for groceries, restaurants, and entertainment, we have everything we ever wanted and needed right here....almost everything that is.

Last year I had a massive coronary, I ended up having to be treated in Montana because Cody didn't have the facilities or the Cardiologist necessary. I was just grateful to have survived. Once I began my recovery I realized how much incidental things like a recreation center really means. I declined Cardiac Rehab because there was noway I was going to drive myself to Billings, Montana every week. I felt like, we have a little Rec center here in Meeteetse. I began to take the Yoga classes offered and when I was released to do so, I used the workout equipment available in the tiny little gym at the Rec. Center. That little Recreation Center was and still is an instrumental part of my recovery and daily life.

However, for a little diversity we have to go elsewhere. It's a 30-40 minute drive to Cody if my Husband and I would like to play Pickleball, which is a great low impact sport that is really ideal for my cardiovascular health. My grand kids have to go to Cody to join a soccer club, and there is absolutely no daycare facility here in Meeteetse. We have a wonderful school here but not a lot of after school community activities. A bigger, more advanced Recreation Center would mean so much to our local families and community as a whole. A bigger facility would create more jobs, promote better health right here, right where we live.

As a kid growing up in the country, 12 miles from most of my friends, I lived for the Weekend to meet up at the big Rec center in town. Go swimming, hang out, maybe play some basketball. Our parents took turns driving us and we spent the whole day, we didn't even know we were staying out of trouble and living a healthy lifestyle. I can only hope and pray we receive the grant to build a facility that will serve our community in such wonderful way. A facility that promotes good health and healthy lifestyles and friendships that will last a lifetime.

Kind Regards,

Leslie Verhaeghe, Leslie.verhaeghe@yahoo.com

To Whom it May Concern,

We are VERY appreciative and grateful for the Meeteetse Recreation District.

Without living in or VISITING our little Community, you *cannot know* how important this organization and it's much needed New Building is to the area.

The MRD supports every facet of our Town and proudly represents the Residents here and all of Park County.

It provides:

- 1- After School Programs for our Children
- 2- Fitness Facilities for All Ages
- 3- Yoga Classes
- 4- Rehabilitation for Aging Citizens or Injured School Athletes
- 5- Opportunities for **Visitors** & Locals alike to enjoy Outdoor Opportunities
-including Rentals of Paddle Boards, Snow Shoes, Cross Country Skis, etc

The New Facility will be a wonderful Place for people to get together & socialize for all kinds of Community Events.....not to mention a Safe Place for kid's to gather, as well.

All of Meeteetse, the surrounding Greater Community and our many Visitors to Park County will all greatly benefit from this New Community Center.

We are 100% in support of this Project and eagerly look forward to it's completion.

Respectfully,

Patti Anonsen 

Thom Nave 

1318 Hayes Ave, Meeteetse

Mary Lufkin
1221 Park Ave
Meeteetse, Wyoming
82433
5/18/2022

To the Person Who Understands Small Towns and the Importance of Community:

Meeteetse is a small community with a great amount of civic pride and caring. Lately as our world changes it has become also a community that services folks who must have housing in a different place from their employment.

The family and community connections that were present in years gone by are not so prevalent today. Therefore community social interactions are very important.

We are very fortunate to have a recreation director who is extremely competent and enthusiastic. She is community inclusive and very business savvy.

With the new center I envision us becoming more of a tight knit community. Able to participate in many of the activities and privileges it will provide. Already since Brodie has taken the helm from another director who was also amazing there is much more involvement in all activities. Also she has provided new and challenging things that catch the interest of neighboring town residents.

This opportunity to provide employment, opportunity, and fellowship can't be missed I think.

Please consider us the ideal candidates .

Sincerely,
Mary Lufkin

A very grateful swimmer, hiker, gym goer, and luckily a local recipient of physical therapy right here in Meeteetse. All provided by the Recreation Department.

Dear Grant Selection Committee

The Meeteetse Recreation District has become an integral part of the Meeteetse community. It provides a multitude of opportunities for all ages. There are activities for youngsters during the summer and school year. The physical fitness center is open for all ages. A group of Senior Citizens have been using the fitness machines twice a week. This group started as an outdoor walking group within the Rec Center. During the winter months the Rec arranged for use to use the school for walking. This year we have decided to use the new fitness center instead. A recreation bus is used for shopping trips to Cody as well as golfing and skiing buses. We even have movies twice a month through collaboration between the Rec District and the Meeteetse Library. Yoga is provided twice a week as well as many other activities. We have an enthusiastic Recreation Director who works very hard to keep the community active, she is fantastic. As an 84 year old Meeteetse resident I can't thank her enough for keeping me motivated and active

Sincerely,
Helen Turney

May 18th, 2022

To whom It may concern:

My wife (27) and myself (27) think the new community recreation building is a great idea. Our little girl comes and works out with us at the current building, and we plan the same for our second one on the way. It would be great for community gathering's, a gym and such as Meeteetse doesn't have a building to fit all the great possibilities.

We as a family we would love to see Meeteetse grow with new young family and businesses and we feel this would be a great kickstart.

Thank you for your consideration,

Tom & Morgan Layton

John & Jeanie Acord
P.O. Box 535
344 Meeteetse Creek Road
Meeteetse, WY 82433

May 16, 2022

Meeteetse Recreation District

I would like to take this opportunity to express how important the Meeteetse Recreational District is to me and my family. We are able to stay healthy and active with the use of the exercise equipment. With our long winter season here, it is wonderful to have access to indoor equipment.

The addition of a Multi-purpose Community Center would enhance activities and opportunities for the whole community. From day care for the babies and toddlers, after school programs for students, exercise equipment for young and older adults.

The Community Center to be used also for various community events will make our community a safe community that more people will move here. This will increase our student population and create more employment for Meeteetse.

We look forward to the new facility and the benefits it will bring to our community.

A handwritten signature in cursive script that reads "Jeanie Acord". The signature is written in dark ink and is positioned below the main body of text.

Russ & Elizabeth Weller
583 State Highway 290
Meeteetse, WY 82433

Brodie Bennett-Serres
Meeteetse Recreation Director
2131 Nebraska Street
Meeteetse, WY 82433

May 16, 2022

Dear [Brodie](#):

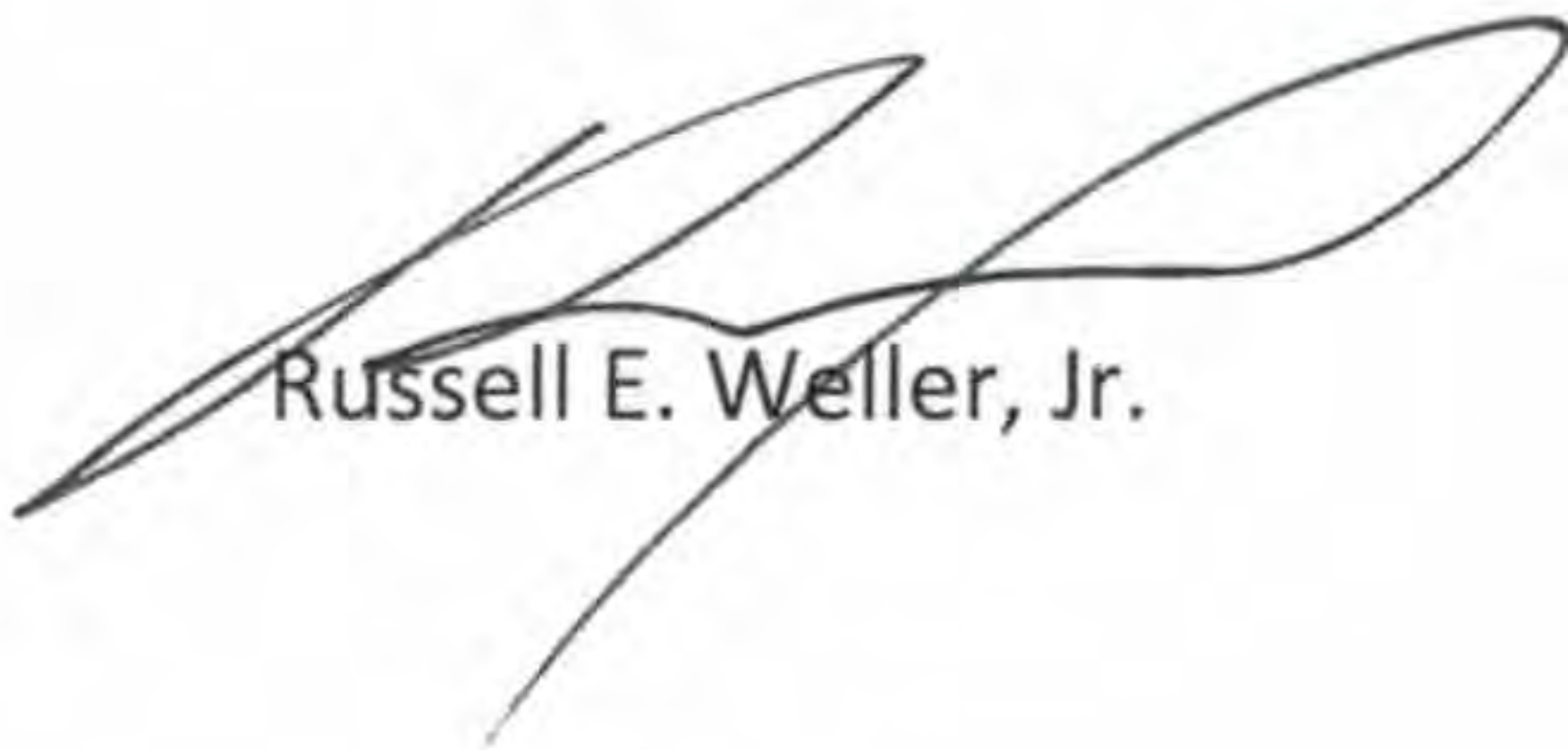
We strongly support the efforts of the Meeteetse Recreation District to construct a Community Center facility in Meeteetse. As you are well aware, there is no facility in town that is able to serve as a Community Center. Such a facility will provide a social center for the community, and provide a recreation facility for use by local youth, adults and senior citizens.

Whether directly or indirectly, we believe that everyone in town would benefit from having a Community Center here.

Sincerely,



Elizabeth C. Weller



Russell E. Weller, Jr.

To whom it may concern,

Meeteetse is a small town who has come to rely on the Meeteetse Recreation District for many of the amenities we would not have without the Rec.

Now they are in the process of providing us with a multi-use building. The 'rec's footprint in our community has grown so much, and now larger facilities are necessary.

I know money is tight, it is for all of us, making the services the Rec provides evermore important!

Thank you for your consideration.

Sincerely,

Kathleen Holtzer

Meeteetse Wy

To whom it may concern,

I am writing this letter in support of the funding for the construction of a new community recreational facility in the town of Meeteetse. My family have been residents of Meeteetse, WY since the late 1990's. My sister has raised 4 children in this town, my brother graduated from Meeteetse School in 2002 and my wife and I have two children that currently attend Meeteetse School and one child that graduated in 2020. Throughout all these kids lives, one thing in Meeteetse has remained constant...we need programs and facilities for kids!

Meeteetse is a very close-knit community and if there is an event put on by the recreation district or by the school that is centered around kids, we show up. No matter what. We all believe that kids are our future and we aim to raise the most well-rounded kids that we are capable of raising so they turn into contributing and productive members of society one day. The best way we can encourage them to be the best version of themselves is by keeping them involved in programs that enrich their lives mentally, socially and physically. The recreation district does a wonderful job of offering several programs and opportunities for our youth, but there is ALWAYS room for advancement.

Building a new facility to expand the offerings of rec programs is crucial in sustaining a healthy balance for the lives of our youth in Meeteetse. All of my children take advantage of the rec programs offered and they come home with stories of things they did and what they learned. They also have the opportunity to learn social behaviors that will benefit them when becoming young adults as the programs are run by local adults that have nothing but the kids best interests in mind. They are taught how to manage different social situations, how to be part of a team and most of all how to get out and explore this beautiful earth around them!

Childcare is such an important part of adult life as we all have jobs and responsibilities that limit the time we can spend with our kids. The rec district offers a safe and healthy environment for our kids to enjoy while we are adulting (we'd much rather be recreating!)

Along with the youth programs the rec district offers, several adult programs and transportation opportunities are offered to keep our citizens engaged and moving to promote a healthier lifestyle. I believe that having a new facility will only lead to greater participation from our locals and has infinite possibilities when it comes to what the rec district can do if given the space and opportunity. We have long, hard winters here so a building that is dedicated to the people of this town to come and feel welcomed and encouraged to live healthier lives is crucial to our mental health!

I feel that this expansion will only better the quality of life for all of our Meeteetse locals and visitors to this beautiful little town.

Sincerely excited!
Magnum Faust

SHARON FECH

I personally use the Recreation Center for various things: the bus to Cody every thursday for allergy shots, Dr visits and shopping, yoga, movies (with popcorn), Ridge Walkers, and exercise equipment and fun trips. I also use the greenhouse. I appreciate that if I ever need Therapy I can have it here instead of traveling to Cody for it. As an older, retired person on a fixed income I would not be able to do all of these things if the Recreation Department did not keep the cost as low as they do.

I have only mentioned the things that I used but there are many more things that others use.

I can see the need for a larger center for community use.

Thank you.

Sharon Fech

4/5/22

To Whom It May Concern

I am a 74 yr old RESIDENT of MEETEETSE and I would like for you to know what this gym means to me. I try to work out HERE 2 to 3 times a week. I depend on the gym for continuous strength training and balance. It is important to have this facility all year, but more so during the winter months. The gym keeps me from hibernating.

Brody has brought this from a seldom used facility by the post office to a well used place HERE, but she has a DREAM. What she has in mind will have something for EVERYONE, young, old and EVERYTHING in BETWEEN. I would like to see this DREAM achieved, not only because I utilize this facility, but also because she has worked so hard for it.

Sincerely
Joan Allen

May 16, 2022

Dear Grant Committee:

The Wyoming Community Development Grant that Meeteetse Recreation District is applying for is vital for this community. I am a K-12 Physical Education and Health teacher in Meeteetse Schools. I work closely with the Recreation Program, which has given our students various additional opportunities that would not be possible otherwise. Through collaboration with the Meeteetse Recreation District, our students are given many physical and mental health opportunities in addition to what we offer at the school.

I have been working with Brodie Serres for several years with my PE classes to offer more authentic opportunities within our community. Some examples of this are being able to borrow equipment that I do not have including equipment for softball, golf, fly fishing, and cross country skiing. The students also use the weight room and exercise equipment regularly through Brodie's morning weight lifting program and summer workout programs. This has helped out sports team immensely. The high school and junior high kids are able to have ample opportunity for improvement between the school's summer programs and the Recreation District's summer programs. The elementary students take part in after-school rec programs and summer recreation programs that benefit the students as well as summer and after-school care for their students.

A new facility would be a game-changer for the Meeteetse Community. With the implementation of an additional gym in our school, students would not have to split gym time, which has caused practice times to run late in the evening during sports seasons. Students would also be given more opportunities for physical and health activity availability. This facility would expand safe and healthy opportunities for our kids in the mornings before school, after school, and during the summers.

The kids are not the only ones who would benefit from this opportunity. Our older community members utilize the workout facilities and recreational opportunities. People who visit Meeteetse also would benefit from this facility. Please consider Meeteetse Recreation district for this grant, as it would provide an amazing opportunity for our whole community.

Sincerely,

Kelsey Scolari
PE/Health Teacher
Athletic Director
Head Volleyball Coach

May 12, 2022

Dear Wyoming Community Development Grant Committee,

I am a resident of Meeteetse in Park County. I fully support the Community Center multi-purpose public facility project. This project is of utmost importance to our current community members and future residents. This is a forward thinking project that provides a basis for safe and healthy activities that will have a significant impact on all ages of residents.

The country is in a transition. Families are looking for small communities to raise their children and have a place to make connections with other community members in a safe environment anytime of the year. Families are looking for communities that have places to be active and healthy. This multipurpose community center will attract families and business to this area. I recently spoke with a gentleman from Texas who was looking to move his business to this area. Ultimately the concern was the lack of places for his family to participate in activities. This facility will solve that concern for this gentleman and others looking to relocate.

In addition to being a place for families to be involved in healthy activities, it will provide opportunities for craft fairs, Christmas Bazaars, spring garden shows, and many other activities that will bring in tourists and give a boost to the local economy. The increase in the local economy will build confidence in investors and entrepreneurs.

Our children need a safe place outside of school to participate in fun, engaging, and motivating activities. We currently do not have a large enough facility to meet the needs of our kids after school and on weekends. This is a significant need for our community. Also, our elderly community members do not have a place to exercise or socialize during inclement weather. This community center will fill a great need in our community.

Once again, I am fully in support of the Community Center multi-purpose public facility project. It will help support healthy economic growth in the community and fill the needs of the current and future residents.

Sincerely,



Scott McBride

Meeteetse Resident

2042 Nevada St

Meeteetse, WY 82433

307-219-8333

May 16, 2022

To Whom it May Concern:

My family moved from Cody just over a year ago. We had been members of the Cody Rec Center for many, many years and used the facility often. We joined the Meeteetse Rec Center in December 2021, and have enjoyed the facilities a few times a week. While I enjoy the workout equipment, my two daughters do not get much out of that. We were very excited to learn of the plans for a new Rec Center that would offer a gym so that they could shoot hoops and work on their volleyball skills. They also like the idea of having a place to hang out with their friends. Although my children no longer need daycare or summer supervision, I know how important this is for young families. We used the summer kids program at the Cody Rec many summers. It will also be nice to have a place for community events and maybe even private parties such as birthday celebrations and other family events. We look forward to the growth of the Meeteetse Rec Center in the years to come.

Sincerely,

Brenda Randol

To whom it may concern,

We are writing this letter in support of the funding for a new recreation facility in the town of Meeteetse. We have been business owners of the Elkhorn Bar & Grill in Meeteetse going on 6 years now. In those 6 years, we have joined several committees and promoted several events in order to help spur economic growth & development within our town. We want to see this town prosper, grow and thrive. While Meeteetse may offer many recreational opportunities just a few miles outside of town, we do lack areas within town for our locals and visitors to gather and/or hold celebrations. The recent expansion of the exercise gym, made by our recreation district, has been the single most beneficial development made in our town since we have moved here. It offers a healthy environment for people to gather or to escape to right inside of our town limits.

Currently, our business (the Elkhorn) or the Senior Center are the only full-time facilities capable of hosting any indoor events within town limits. Given the nature of our business, some folks are hesitant to hold events inside of a restaurant/bar & grill or at the Senior Center due to its limited capacity. These people tend to move their events to Cody or other surrounding areas which, in turn, takes away the economic benefits from our town and local economy.

We are in full support of the construction of a new recreational facility that would give locals and visitors alike new opportunities to meet each other, host events and lead a healthier lifestyle. We feel that the new facility will be a gateway to the advancement of our town's economic growth and will be a positive addition to Meeteetse as a whole.

Sincerely,

Magnum & Rachel Faust

Owners - Elkhorn Bar & Grill

GOTTSCHKE REHABILITATION AND THERAPY CENTER

1-800-743-0736

www.gottsche.org



"Your Center for Excellence in Northwest Wyoming"


To Whom It May Concern,

I am a physical therapist and director of rehab with Gottsche Rehab in Cody, WY. In conjunction to our outpatient clinic in Cody, we have, for at least 15 years, covered the therapy services needed at the school in Meeteetse, WY. At any given point, there are 5-10 Meeteetse residents that receive outpatient therapy services, whether at Gottsche or other outpatient clinics, in Cody. About 3 years ago we created a relationship with the Meeteetse Rec District to be able to better serve these residents by providing outpatient physical and occupational therapy in Meeteetse. This partnership has allowed us to set up an outreach clinic within the Meeteetse Rec Center and treat patients twice a week in addition to our school based services. This enables patients that don't have the ability to get to Cody to still receive therapy services, as well as those recovering from surgery to be able to be seen in town without having to drive 3x/week to Cody. This also assists Gottsche as a business to be able to provide services to patients that may otherwise go to other clinics in Cody.

The Meeteetse Rec District and the Rec Center have been crucial to this relationship and to the population health of Meeteetse. It has allowed for the residents of Meeteetse to receive therapy services without having to leave town. In planning for this partnership, we talked to many residents, teachers, visitor's center employees, etc., about therapy in general and their thoughts on having an option in town. Many of the answers included the fact that there were many elderly residents that refused to try/go to therapy simply due to the fact they would have to travel to Cody.

This partnership has allowed us to grow our business, but most importantly provide and offer much needed services to both the school and to the town of Meeteetse. We fully support the efforts of the Meeteetse Rec District as they seek external funding designed to help the population health and growth of Meeteetse.

Sincerely,


Ryan Vincent, PT, DPT

Board Certified Orthopaedic Clinical Specialist

Director of Rehab, Gottsche Rehab & Wellness

Serving you at five locations in Wyoming

148 E Arapahoe • P.O. Box 790
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Basin, WY 82410
307-568-9399

1125 Charles St.
Worland, WY 82401
307-347-2535

1526 Rumsey Ave.
Unit #2
Cody, WY 82414

639 Coulter Ave.
Powell, WY 82435
307-754-9262

TOWN OF MEETEETSE

J. W. Yetter, **Mayor**
Eric Scott, Councilman
Josh Blake, Councilman
Sheridan Trask, Councilman
Corey Guthrie, Councilman
Sandra Kitchen, Town Attorney
Winfred C. Orrell, Jr., Municipal Judge



Angela Johnson, Clerk Treasurer
Ronee Hogg, Deputy Clerk
Shawn Christopherson, Public Works
Edwin Hesselbacher, Public Works
Rob Cooke, Deputy Sheriff
Lisa Cooke, Deputy Sheriff

P. O. Box 38
Meeteetse Wyoming 82433
Phone 307-868-2278, Fax 307-868-2608 Email: meeteetse@tctwest.net

March 8, 2022

Wyoming Business Council

RE: Business Ready Community Grant and Loan Program-Enhancement Grant

To Whom it May Concern:

The Town of Meeteetse is writing this letter in support of the proposed Multi Facility for the Meeteetse Recreation District. The addition of a facility such as this would be of immense value to the Town of Meeteetse & surrounding area. Presently there are no venues within the Town or surroundings area with the capability to host large gatherings, or to provide comfortable space for recreational, instructional, or informational gatherings. We believe that such a facility would vastly improve community outreach programs as well as positively reenforce the sense of community within the Town and area.

Your help in this matter will help us achieve this goal.

Should you have any questions, please contact me at 307-868-2278.

Sincerely,

J. W. Yetter
Mayor



2107 Idaho Street
P.O. Box 218
Meeteetse, WY 82433

Park County School District #16 - Meeteetse Schools

Shane Ogden
Superintendent

Scott McBride
Principal

Tracy Turnell-Thomas
Director of Business Services

307-868-2501
Fax: 307-868-9264
www.park16.org

March 9, 2022

To Whom It May Concern,

I am excited to write this letter of support to the Meeteetse Recreation District's proposal for building a new community recreation center. Our Recreation department is a critical part of our community. There are so many different cross sections of our community that benefit from the work that is done. I would like to specifically focus on the potential benefits that this building could provide to the youth of our community.

Currently a large portion of our elementary school aged students attend after school recreation programs conducted by the Rec Department. Not only does this provide a safe location for students to be after school, the programs are instructional and support the work of the school. With a new building, the staff will be more equipped and capable of carrying out their activities that support learning.

In a small school we do not have the personnel to provide zero hour weights to our students. The Rec Department has filled this gap and have provided highly trained advisors to work with our students before school. The new building will support and hopefully increase attendance at these conditioning sessions by providing more space and equipment. This added benefit will greatly help our youth in overall fitness as well as in their athletic pursuits.

Finally, the Rec Center is a location for families to be together. This has not been possible before now due to the size of our facilities. Now, youth will be able to spend time with their parents in a safe environment. Small communities need places to congregate, and the proposal put before you will provide that need.

Thank you for your consideration.

Sincerely,

Shane Ogden

Superintendent, Park County School District #16

(307) 868-2501



THE STATE OF WYOMING PROVIDES **HATHAWAY MERIT AND NEED SCHOLARSHIPS** TO WYOMING STUDENTS ATTENDING THE UNIVERSITY OF WYOMING AND WYOMING COMMUNITY COLLEGES. EVERY WYOMING STUDENT WHO MEETS THE MERIT REQUIREMENTS CAN EARN A **HATHAWAY MERIT SCHOLARSHIP**. CONTACT YOUR SCHOOL COUNSELOR FOR MORE INFORMATION.

MEETEETSE SENIOR CENTER

Meeteetse Seniors love having the Recreation Center here. It is a vital part of Meeteetse and there is a need for a larger center for the communities use.

The older population are on a fixed income and we have benefited from the center keeping the cost affordable and being able to use all that the Recreation Department offers.

We look forward to having a larger center and all that it will offer.

Thank you.

Sharon Fesh	Bill Wittse
Ruby C. Moore	Yvonne Renner
Jan Olson	Dee Little
Anta Hornicka	Linda Little
Kevin Abbotts	Elizabeth C. Wells
Kathleen Hartzel	
Carole Wilton	Roberta Oliver
Charles Lawler	Michael Oliver
Elizabeth Ann Lawler	Mary Elliott
Mellie	Barb Ginehart
Helen Turner	
Byron Bennett	

May 27, 2022

Wyoming Community Development Grant Committee

Dear WCDGC,

I am writing you this letter in support of the new Meeteetse Community Center. Meeteetse is a wonderful and welcoming community but often times new families and businesses are hesitant to move here because of the lack of services and facilities. With the high cost of housing in the Cody area and the wonderful outdoor recreation opportunities, there is already a desire by many families to relocate to Meeteetse. The grant funding for the new Community Center would be a big step in the right direction toward making those services and facilities a reality. The Community Center would be a multiple use facility that the current small population would likely not be able to fund. Please consider approving the funding for the Meeteetse Community Center. Thank you.

Sincerely,

Nick Roberts

725 Highland Ave.

Meeteetse, WY 82433

nick.kat.roberts@gmail.com

BOARD OF COUNTY COMMISSIONERS:

Dossie Overfield, Chairman
Scott Mangold, Vice Chairman
Joseph E. Tilden, Commissioner
Lee Livingston, Commissioner
Lloyd Thiel, Commissioner



Park County, Wyoming
Organized 1911

Original Park County Courthouse
Cody, Wyoming
Completed 1912

May 17, 2022

Brodie Bennett- Serres
Meeteetse Recreation Director
1010 Park Ave
Meeteetse, WY 82433

Dear Brodie,

We are pleased to be writing a letter in support of the proposal for the Meeteetse Community Center. We strongly support this grant application and the focus on this new facility that will greatly benefit everyone in the community and Park County.

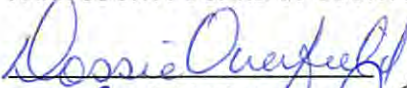
With the lack of a facility like this in Meeteetse, we believe that this project will fill a large void in the community and attract new residents to the area as well as increase employment opportunities, expand possibilities for childcare, and overall, provide a place for people of all ages to feel comfortable gathering and socializing since the Covid-19 Pandemic. The possibilities of this new multi-purpose facility are simply endless!

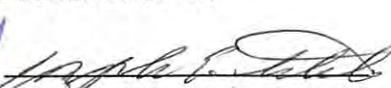
This project would kick start the development era in Meeteetse. This fresh facility would hopefully attract young families to the community, enrolling kids in its' school, and even opening new businesses in town creating community and economic benefits.

Please accept this letter as our indication of support for the project.

Sincerely,


PARK COUNTY BOARD OF COUNTY COMMISSIONERS


Dossie Overfield, Chairman


Joseph E. Tilden, Commissioner


Lloyd Thiel, Commissioner


Scott Mangold, Vice Chairman


Lee Livingston, Commissioner

Selection Committee Members for the Wyoming Community Development Grant:

As a business owner and mother of two toddlers in Meeteetse I'm asking that you award the grant to the Meeteetse Recreation District. My family uses the fitness center and participates in several of the programs put on through the Rec throughout the year. The current leadership of the Rec is community minded and will utilize the funds to benefit and represent all of Meeteetse. The director is open minded and always seeking community input.

I own the convenience store in Meeteetse and sincerely appreciate the Meeteetse Rec District keeping business local. They purchase fuel from us as well as healthy snacks for their children's programs. Whenever we have someone new in town or a visitor that will be staying awhile one of the first places I direct them is to the Rec District. The Rec District strives to provide opportunities in this community with limited resources available. If awarded this grant I feel like the funds will be put to use to benefit all ages, skill levels, and interests of the community members.

In summary, I appreciate your consideration in awarding the Meeteetse Recreation District this grant. The funds will be utilized to their full potential in a responsible and economical way.

Sincerely,

Tangi Linton
Wea Market of Meeteetse
307-868-2518

May 16, 2022

Re: Grant request for Meeteetse Community Center under the Wyoming Community Development Grant process

Letter of Support

To Whom It May Concern,

I, Sherron Long, a Meeteetse community member for 22 years, support the above referenced grant for the building of a Community Center in Meeteetse.

My husband and I bought the Oasis Motel & Rv Park in 2000 and the Vision Quest Motel & RV Park in 2010, both located in Meeteetse and owned both businesses until 2020. We are currently retired but own 6 rental houses in Meeteetse. I have participated in many committees over the years that worked on projects regarding Meeteetse's economic development, a subject matter crucial to the life of any town, especially small towns. I was a member and board member of the Meeteetse Economic Development Alliance, Meeteetse Visitor Center, Meeteetse Recreation Board, many school organizations, Meeteetse Town Planning and Zoning Committee, Meeteetse Town Strategic Plan Committee, Meeteetse representative on the Park County Travel Council for 20 years, and wrote grants for the development of our shooting range, naming some of my accomplishments in my 22 years of service to the Meeteetse community. It is very exciting to have the opportunity to have a Community Center in Meeteetse as this item was a need on every economic survey over the last 22 years and in thousands of conversations when we couldn't have an event/dinner/class because of lack of space in our community.

Over the years I sponsored and worked with other organizations in our community to have events at the Oasis Motel backyard and around our community. Weather is always a factor in having events outside in Wyoming and restricts the time of year for these events. Having a Community Center would allow Meeteetse to have and host many more events in our community therefore bringing in vital dollars, especially in the off seasons of October/November through May. Meeteetse is very restricted in the available buildings to have more than 50 persons at a gathering. This Community Center would be a jumpstart to new development in our community and will be used as a multi-purpose facility.

Our children in Meeteetse lack places that they can connect with their friends, have birthday parties, dances, possible daycare, classes for such things as gymnastics, karate, exercise areas and many other opportunities that would be available for all our community members. The Community Center would fill all those needs and more.

When potential new community members are looking to relocate to Meeteetse, this is the kind of facility that can sway their decisions. Over the years many of my guests at the motels were astonished at the kind of opportunities that our small community had for

young and old alike and the addition of a Community Center could be the motivation for future development such as the golf course homesites, new home developments on the edge of town as designated in our recent Strategic Development Plan and encourage current homeowners to upgrade their homes and land.

Meeteetse has the opportunity to be more than a pass-thru to Cody for our tourists. Several new businesses are being started in Meeteetse and many of the existing businesses have been sold recently to younger, creative, energetic community members who want to see Meeteetse taken to the next level of success.

I highly encourage your support of this request in the full amount so that Meeteetse can be another Wyoming community written about by the travel writers and magazines as a place to call home and raise a family.

Thank you for your consideration and feel free to contact me if you have any questions.

Sincerely,
Sherron Long
307-272-5155



Noelle Reed <noelle.reed@wyo.gov>

Fwd: Meeteetse community center

1 message

WBC Public-Comment <wbc.public-comment@wyo.gov>

Mon, Jul 25, 2022 at 2:56 PM

To: Noelle Reed <noelle.reed@wyo.gov>

----- Forwarded message -----

From: **Sheryl Praska** <sjpraska@gmail.com>

Date: Sun, Jul 17, 2022 at 12:43 PM

Subject: Meeteetse community center

To: <wbc.public-comment@wyo.gov>

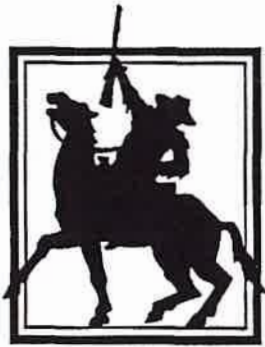
I'm writing to support the acquisition of a community center for Meeteetse. I wrote to Park County a couple years ago for continuance of a full time librarian when it looked like the hours were going to be so abbreviated as to spell the death of the library. My position was this was a place where the community traded information and socializing. We got the full time position but hours were cut anyway.

This community is made up of an eclectic group of people, both locals and transplants from all over the world. They work very hard to keep events planned, both to engage the community and bring in tourism dollars. They have relied on local businesses to donate space, with mixed results in the event. This works better in summer when there's a chance of decent weather, but is impossible for the other 9 months. The only buildings in town that would support a large group is the senior center or the LDS church.

We don't want to be yet another dying small town. The school is trying to hold off being incorporated into Cody, many people here work outside the community. Help us get a setting in which to keep our bond together.

Sincerely
Sheryl Praska

E-Mail to and from me, in connection with the transaction of public business, is subject to the Wyoming Public Records Act and may be disclosed to third parties.



CITY OF CODY
WYOMING

Matt Hall
MAYOR

Donny Anderson
Karen Ballinger
Jerry Fritz
Landon Greer
Glenn Nielson
Stan Wolz
COUNCIL MEMBERS

C. Edward Webster II
MUNICIPAL JUDGE

Barry A. Cook
CITY ADMINISTRATOR

1338 Rumsey Avenue
P.O. Box 2200
Cody, Wyoming 82414

(307) 527-7511
FAX (307) 527-6532

May 3, 2022

James Klessens CEO
Forward Cody
1130 Sheridan #20
Cody, WY 82414

Dear James;

The City of Cody has been a sponsor of Forward Cody since its inception. In addition to providing financial support, I also sit on the organization's governing board and committees. This allows us to keep fully informed as to the activities occurring within the city.

On April 7th, the City of Cody heard a presentation on the proposed beef processing facility during our public work session. The work session format allows for greater discussion than a regular city council meeting. At that time, we gained an understanding of the project and had our initial questions addressed. Members of the public were also given a chance to learn about the effort, through that meeting and subsequent media coverage.

We will receive additional opportunity to provide comment and address concerns during our Planning and Zoning review as the project moves forward.

We are in support of this Forward Cody project and anticipate it will be a positive addition to the community.

Sincerely,

Matt Hall, Mayor City of Cody



Rebekah Burns
Executive Director
Powell Economic Partnership/ Powell Chamber
111 S. Day Street
Powell, WY 82435

5/4/2022

James Klessens
CEO/ President
Forward Cody Wyoming
1130 Sheridan Avenue #200
Cody, WY 82414

Mr. Klessens,

The Powell Economic Partnership/ Powell Chamber is in support of establishing a USDA Certified regional slaughter facility. It is imperative that northwest Wyoming be able to slaughter and process livestock raised in Wyoming and Montana.

Currently, our local farmers and ranchers must ship their livestock to Colorado and Montana at great cost. This cost prohibits regional restaurants and eaters to purchase locally raised beef, lamb, and pork. It is also cost prohibitive for local grocers to highlight locally grown products.

Farms and ranches need to be able to create their own brands and a regional slaughter facility with the ability to use Wyoming branded labels is extremely important to differentiate our unique product.

Additionally, a local farm in Powell ships their livestock to Colorado to be slaughtered and processed beef is shipped to Taiwan. The local product is prepared at five-star and six-star restaurants. At those dining establishments Wyoming's beef is branded as a superior product. If a regional slaughter facility was able to increase the kill capacity, it would increase the slim profit margin that the farm currently receives. Hence, giving the Wyoming brand an opportunity to grow internationally.

The Powell Economic Partnership/ Powell Chamber is in strong support of a regional slaughter facility that is USDA certified and can handle the volume of livestock that our regional farms generate.

Sincerely,


Rebekah Burns

BEARTOOTH

RESOURCE CONSERVATION AND DEVELOPMENT AREA, INC

James Klessens, CEO/President
Forward Cody Wyoming
1130 Sheridan Avenue #200
Cody, WY 82414

May 5, 2022

Via electronic communication

Dear James;

It is my pleasure to add our letter of support to your project to expand the meat processing plant in Cody Wyoming. As we discussed on our recent tour of the existing processing plant in Cody, animals don't recognize the state border, nor should we. Animals from southern Montana often find their way to be processed in Cody Wyoming, due partially to limited capacity in our region of southern Montana. Increasing the capacity of the meat processing plant will also help our ranchers in the region.

Consumer will also benefit, knowing where the meat was raised and processed. This growing trend of processing meat locally, has become increasingly more of an issue in the current pandemic that has disrupted traditional meat processing flow to Colorado and Minnesota from our region. A recent example was a long time buyer of cattle fed in several southern Montana feedlots backed out of his contract to purchase 10,000 head from the region. This lead to additional loses of feeder operators in the region and further backed up existing cattle processing facilities as current packers are at full capacity. The current backlog is one year in order to process any animal at the four regional processing plants in southern Montana.

Expanding local meat processing may also benefit local ranchers in other ways by having options for cattle slaughter for example. If a buyer backs out of a contract or captive markets in Colorado and Minnesota become unstable again, local processing will give animal producers other viable options to process and should help stabilize prices received for their animals.

If you require any further information about Beartooth R,C, and D please contact me at the address below or email me at ssimonson@beartooth.org.

Sincerely,

-S-

Steve Simonson



128 So. Main St.
P. O. Box 180
Joliet, MT
59041

PHONE 406-962-3914
FAX 406-962-3647
WEBSITE www.Beartooth.org



CHAMPIONING OUR COMMUNITY

May 9, 2022

James Klessens, CEO/President
Forward Cody Wyoming, Inc.
1130 Sheridan Ave, #200
Cody, WY 82414

Dear James,

On behalf of the Cody Country Chamber of Commerce and our more than 500 member businesses, we are proud to support a USDA Certified regional slaughter facility here in Park County.

The percentage of livestock operations selling product directly to consumers or retailers is much smaller than that for other agricultural products. Limited slaughter and processing capacity is often cited—particularly by producers—as a key barrier to marketing their meat and poultry locally. Yet the demand for locally sourced meat is growing. Currently, the cost of shipping herds to slaughter has a tremendous impact both on the cost of processing but also the perception that the beef is “local.”

The creation of a regional slaughter here in Park County will allow ranchers the opportunity to create their own brands with the guarantee that they truly do know, along the entire journey, how each animal was handled, increasing the quality of their product in the marketplace.

The new processing facility would also generate stable, long-term employment opportunities for Park County, thus strengthening the second largest economic sector in the region.

For these reasons and more, we are proud to offer our support.

Sincerely,

Tina Hoebelheinrich, IOM
Chief Executive Officer
Cody Country Chamber of Commerce

Mr. James Klessens
Forward Cody
1130 Sheridan Ave #200
Cody, WY 82414

Subject: Meat Cutting & Butchery Certificate

Dear Mr. Klessens:

I am writing this letter on behalf of the Northwest College Center for Training and Development, the provider of superior quality non-credit training programs for communities and businesses throughout the Big Horn Basin. Our mission is to enhance economic activity through education and training in concert with community and business needs. In the interest of meeting workforce training needs in the region, Northwest College is committed to working with Forward Cody to provide the opportunity for students to gain the necessary skills for meat cutting and butchery.

Specifically, Northwest College Center for Training and Development has created the Meat Cutting & Butchery Certificate that is designed specifically for adult learners to enter the meat processing industry. The course is open enrollment and student engage in online learning modules at their own pace. Once complete with the online learning portion, the student will work on specific hands-on butchery skills such as knife safety on-site with local meat processing partners.

Although online instruction for the didactic portion of learning is limitless, program capacity on-site is limited to 10 at any one time by the physical spaces and safety elements of the meat processing partners who will be instructing hands-on skills to program students such as knife skills and butchering. The average time to completion of the certificate is 6 weeks. Students who complete the certificate are prepared to enter the meat processing workforce.

In addition, Northwest College has obtained funding to financially support students through the Wyoming Works initiative launched by the Wyoming Community Colleges and the Wyoming Legislature as a means to support individuals who are learning new skills to enter the workforce.

The Northwest College Center for Training and Development has the interest, capacity, and ability to provide meat processing skill training to the expanding workforce in the region. We are a proud partner of Forward Cody and look forward to further collaboration on this important endeavor.

Sincerely,



Marneé Crawford, PhD, RN, CNE
Director of Nursing, Allied Health, & EMS
Dean of Workforce Training & Outreach
Marnee.Crawford@nwc.edu
307-754-6474