

# **MINUTES OF THE EMERY COUNTY COMMUNITY REINVESTMENT AGENCY EMERY COUNTY, UTAH**

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**PUBLIC NOTICE is hereby given that the EMERY COUNTY COMMUNITY REINVESTMENT AGENCY will meet at 10:00 a.m. on Tuesday, April 15th, 2025 in the Emery County Courthouse Commission Chambers, 75 East Main Street, Castle Dale, Utah.**

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**IN ATTENDANCE:** Commissioner Jordan Leonard, Commissioner Keven Jensen, Commissioner Dennis Worwood, Jay Mark Humphrey (EWCD), Jacob Sharp, Natalie Olsen, Josie Stilson, Brenda Tuttle

**Online Participation:**

## **MEETING MINUTES**

### **1. Discuss/Approve/Deny January 14th 2025 Meeting Minutes:**

Jacob made a motion to approve the January 14th 2025 meeting minutes with a second from Commissioner Leonard. Voting was unanimous.

### **2. Discussion/Approve/Deny Consideration and approval of form for estoppel certificate for Green River Energy Center LLC:**

Commissioner Worwood made a motion to give tentative approval pending final consideration of the estoppel certificate with a second from Commissioner Leonard.

### **3. Discuss/Approve/Deny Authorization of payment(s) of 2024 tax increment for Castle Solar Project/Hunter Solar Project CRA:**

**Sheri:** Josie found two delinquent accounts that were paid so we had \$18.03 more than what you had approved back in January's meeting on Hunter Solar. On Castle Solar there was an issue with the disbursement that went down to Brenda. They disbursed all of that to the developer so we will make an adjustment on the real property that comes in. That is around \$11,000.00

Made a motion to approve the amended payment of the 2024 tax increment for Hunter Solar with a second from JayMark. Voting was unanimous.

**4. Discuss/Approve/Deny Resolution No. 4-15-25A ADOPTING THE HORNSAHADOW SOLAR PROJECT SECOND AMENDED AND RESTATED COMMUNITY REINVESTMENT PROJECT AREA PLAN - REMOVING ONE OR MORE PARCELS THAT THE AGENCY HAS DETERMINED IS NO LONGER NECESSARY OR DESIRABLE TO THE PROJECT AREA - INCLUDING AN AMENDED PROJECT AREA MAP (EXHIBIT A-1) AND AMENDED PROJECT AREA DESCRIPTION (EXHBIIT A-2).**

Sheri: Everyone was given some documents to look over. In the original plans some parcels that were shown on the original map did not match the legal descriptions in the document. On the current amended project area map, those now match the legal descriptions.

Their attorney said although the amendment removes certain parcels the overall size and configuration and base tax value will remain the same.

Liz with DESRI said this is a final. There will be no more adjusting.

Jacob made a motion to approve the resolution to amend the Hornshadow solar project boundaries as presented with a second from Commissioner Leonard. Voting was unanimous.

**5. Discuss/Approve/Deny Resolution No. 4-15-25B RATIFYING PRIOR ACTIONS RELATED TO THE HORNSAHADOW SOLAR COMMUNITY REINVESTMENT PROJECT AREA AND FORMALLY APPROVING THE PARTICIPATION AGREEMENT WITH HORNSAHADOW SOLAR, LLC**

JayMark made a motion to approve this resolution with a second from Commissioner Worwood. Voting was unanimous. Motion passes.

**6. Discuss/Approve/Deny Agency letter providing official notice of Triggering for Hornshadow Solar LLC Project Area:**

Everyone had an opportunity to look over the letter. Jacob made a motion to approve the letter providing official notice of triggering the Hornshadow project with a second from Commissioner Leonard. Voting was unanimous. Motion passes.

**7. CRA Legislative Update - Brandy Grace, CEO Utah Association of Counties:**

Brandy with UAC: Energy will be one of the top priorities for the state moving forward. Very exciting!

Brandi wanted to discuss SB250 that deals with CRA's. There are three parts to the bill.

1. Clarifying where the funds could be used for an Inland Port project area. The housing funds could be spent within a 15 mile radius of the project area.

2. Gives the County Treasurer authority with the CRA that if they are supposed to be issuing a refund or an incentive check that they can withhold from that increment to satisfy delinquencies of other parcels within the same project area.
3. Clarifying the rate that gets applied is the final rate not the certified rate. That was the CRA clean up bill but that bill led to a lot of conversation of a couple things that are pretty significant:
  1. State concerns over what has happened with CRA's. The governor feels like housing is not being dealt with the way he has expected. Brandy said they are trying to help figure out what those legislative fixes are to that. Speaker Schultz said he feels like county's gave up too much tax increment in the earlier solar developments. Brandi's response to that was she does feel like the state saw that early on, she feels counties just weren't familiar with what the expectation was and what was reasonable as far as giving up increment. But she does think over the last couple of years counties have been more prepared to deal with those negotiations. Because of that conversation, it led to the conversation of, should counties really have the authority to negotiate and oversee these projects or should it happen at a state level? Brandi pushed back and said this is a local control issue, counties have come a long way and UAC is providing support and resources to them. Don't take that control away from that.
  2. There is talk about requiring more accountability for the affordable housing funds.

Brandy just wanted to update the board on the broader conversations that are affecting the operations as a CRA board and some things to be mindful of when making decisions.

#### **8. Update on Hornshadow Solar/DESRI Projects, Liz Peyton, Executive Director, Development, D. E. Shaw Renewable Investments:**

**Liz:** There are two phases of Hornshadow totalling 300 megawatts. They are anticipating being wrapped up in June.

They gave a \$200,000 donation to the Emery County School District and are giving a donation to Huntington Heritage Days as well as the High School Baseball team and the Emery County Fair.

Commissioner Jensen said there is talk of these data centers. Has there been talk about solar projects potentially bringing in centers and just hooking it right up to the farm. Liz said, for Hornshadow it is going into the grid and the power has been allocated but absolutely, there has been talk about it. There has been a lot of narrative around how you avoid some of these grid issues.

How do you get around the red tape, cost and time needed to interconnect a project? You also have to think of credit risks.

JayMark asked Liz about long term maintenance agreements on the solar projects. Liz said when they finance projects they sign a long term maintenance contract. There is a contractor in place to take control of the facility as soon as the work is completed.

JayMark was more concerned about the water which Liz said that would have to be negotiated. JayMark was also concerned about if there is a post construction inspection that the county can come in and say that certain roads have been impacted by the project and need to be fixed before the project ends. Liz said the better time to do that is while the contractors are still on the project. There were certain roads mentioned that need to be looked at. Jacob asked about Employment outlook: Permanent jobs that are created for solar projects are significantly lower than the construction jobs. Liz is thinking about 5 or 6 permanent jobs for all their solar projects, but does not believe there is a count specific to Hornshadow.

#### **9. Discuss/Approve/Deny Affordable Housing Funds:**

There have been a few different presentations given to the Board on different ways the Affordable Housing funds can be spent. Now the board just needs to make a plan. Does anyone have a plan for the funds?

Commissioner Jensen said he wants to see Natural Gas for Emery and Lawrence. Brandy said she does not think that would meet the legislative intent of the funds.

Brandy said if you take a little bit of time and make a plan, you can accomplish what you are hoping to accomplish for your community but make sure you have a plan to protect you.

It was stated that we don't have a lot of funds in that account yet but we do need to get organized and have a plan. Once the money starts getting spent, we need to be consistent.

It was also stated that it might be a good idea to buy water shares since they are hard to find.

Everyone agreed that we need a more detailed presentation on a few different options for the Affordable Housing funds.

Jacob made a motion to have UAC start to generate a housing plan on how to spend the Affordable Housing funds with a second from Commissioner Worwood. Voting was unanimous, motion passed.

#### **10. Discuss Any Other Business:**

Commissioner Jensen was wondering if the CRA Board would be interested in using CRAs as a mechanism to diversify our area and bring in brick and mortar type manufacturing businesses?

Jacob said when we first started the CRA, the former Commissioners said it was for the first guys in the door, the guy that was taking the most risk. The CRA could be looked at as a tool for Economic Development but we would need to be cautious that we are not bringing in a business that would drive a business out that has been here for years. So bring in different businesses that wouldn't overlap with another business.

**11. Adjourn:**

Jay Mark made a motion to adjourn the meeting.