MINUTES OF THE REGULAR MEETING OF THE EMERY COUNTY COMMUNITY REINVESTMENT AGENCY BOARD HELD IN THE EMERY COUNTY COURTHOUSE

OCTOBER 19, 2020

Present at the meeting was Commissioner Kent Wilson, Commissioner Gil Conover, Jessy Johansen, Jay Mark Humphrey, Jacob Sharp, elected officials, Stuart Clason of UAC, Liz Peyton of DE Shaw and citizens.

AGENDA

1. Approval of May 2020 CRA Meeting Minutes.

Motion by Commissioner Gil Conover. Seconded by Jay Mark Humphrey. Motion Approved.

2. Discuss/Approve/Deny Castle Solar Participation Agreement.

Stuart Clason with UAC states that the version we looked at previously needed some changes, specifically questioning what would happen if this project turned into a regulated utility that would be centrally assessed on taxes. That language has now been added. We brought in legal council on behalf of Emery County CRA that worked directly with the legal council of the project and came up with what Stuart feels is a good, clean solution to this question. On page 6 section 1.3.1 there is a local hiring incentive. This was developed in partnership with the company in requesting that they demonstrate an intentional process to use local resources and local services during the project. If they do that they will make 40%, if they do not they will only receive 35%. On page 9 section 2.7 there was an addition regarding centrally assessed tax reimbursement. Due to the realities to which the solar industry operates, if at some time this project gets transferred to a regular utility of the State of Utah, that would then be centrally assessed, the incentive would end and any dollars that have been put in place or made available to the project would be reimbursed to this Agency, and in return to the respected taxing entities. Stuart would like to go on record stating his appreciation to Liz Peyton and the company being so willing to address this issue.

Jacob Sharp mentioned that last time this agreement was before the Board there were some mistakes in the budget spreadsheets as well as the language needed in the Participation Agreement. Stuart acknowledged that they have been corrected and he will provide the corrected budget to the Board before the meeting ends.

Commissioner Wilson questioned whether or not the agreements with HCIC and EWCD. Liz mentioned they are currently being worked on. She has a meeting tonight regarding those, but she does feel like the agreement negotiations are

going well. Jay Mark mentioned they have not yet seen flood control plans. He also mentioned that the next available meeting will not take place until December. Liz does not feel like this will be an issue and they will continue moving forward on negotiations.

Jessy Johansen questioned whether the concerns of Mr. Chris Guymon had been addressed or worked through. Liz states that the company wants to make sure they are a good neighbor through the entire process of the project. They have tried to do everything they can to be a good neighbor to Mr. Guymon. Castle Solar has made numerous offers and options to Mr. Guymon including purchasing his home and property. Mr. Guymon elected not to sell the home and property, and to remain on the property. The Company then offered purchasing and placing privacy fencing and cattle guards on his property. The company's request on this deal is that Mr. Guymon would then sign an agreement that he would not disparage the Board, Company, or Project in any public way. Mr. Guymon declined signing this agreement. The Company does feel they have made their best effort on being a good neighbor to Mr. Guymon and will continue to be willing to work on some kind of agreement with him during the process. Commissioner Wilson has been in communication during all of this process. From his perspective he felt that Mr. Guymon has been treated fairly, and is not a victim in this process. The offer given to him, vs the tax roles on the property, were nearly 170% of the taxable valuable of his property. Commissioner Wilson agreed that was more than fair offer, and Mr. Guymon declined signing his end of the deal. Commissioner Wilson, and the rest of the Board agree that if he will not sign the agreement the privacy fence, cattle guards and other offers will not be placed.

Motion to approve the Castle Solar Participation Agreement made by Jessy Johansen. Seconded by Jay Mark Humphrey. Motion Approved.

3. **Presentation by Green River City regarding CRA Project Areas within Green River.**

Green River City presented to let the Board know of their interest in some CRA Project Areas be considered in Green River City. Green River's economy is dependent on travel and tourism for survival. Mayor Travis Bacon would like to try to diversify the economy and secure a better future for Green River. They are interested in the tax increment financing options that come with CRA Project Areas within Green River. Mayor Bacon invited Adam Hughes and former Mayor of Ogden, Mathew Godfrey, to present and explain how they were able to use tax increment financing projects to change the face of Ogden, UT. Mayor Bacon feels this is the right direction for Green River City to move forward in order to diversify and stabilize their economic future.

4. **Adjourn.**