

VIGO COUNTY CAPITAL IMPROVEMENT BOARD OF MANAGERS
MEETING MINUTES OF DECEMBER 28, 2022 AT 9:00 A.M.

A meeting of the Vigo County Capital Improvement Board of Managers was held on the above date and time. Pursuant to the Board's Remote Meeting Policy, members of the Board and staff participated in the meeting in person at the Terre Haute Convention Center Executive Board Room or by telephonic or electronic means.

1. Call to Order. President Jon Marvel called the meeting to order at 9:00.

2. Call of the Roll: Jon Marvel – President, Present; Duke Bennett – Vice President, Present; Emily Crapo – Secretary, Present; Chris Switzer – Treasurer - Present; Dave Patterson – Member - Present; Terri Conley – Member, Present; Bernice Helman – Member, Absent.

Others Present: Cheryl Loudermilk, Brian Bosma, Jason Semlar, Tennille Wanner, Martell Wilson, Mike Morris, Shelly Keen, Brian Kooistra, Vittoria Meyer, Howard Greninger and Tony Cassiseah.

3. Additions or Revisions to the Agenda. There were none.

4. Approval of Minutes. Minutes for the November 23, 2022 meeting had been circulated via email to all members. Dave Patterson made a motion to accept the minutes as presented. Chris Switzer seconded the motion. Upon a voice vote of 6-0, the motion was unanimously approved.

5. Old Business.

5.1. Update on Convention Center Management – Spectra Venue Management. Tenille Wanner provided a summary for the month of November. A total of 11 events took place generating approximately \$67,431 in gross revenue. Parking garage revenue was \$1,640. She briefly reviewed each event and November statistics. Operations for the month, Finance and HR, Food & Beverage and Sales & Marketing were discussed. She did note that some additional signage and cameras had been installed since last month, including a camera in the garage elevator. They are still waiting on some quotes for additional cameras for the parking garage. She did note that earlier this month, the cameras did pick up 3 young men wandering around the parking garage and entering and exiting the elevator a couple of times before pulling out a can of spray paint and painting over the camera and then proceeded to vandalize the interior of the elevator with paint. One of the individuals was identified and that information given to the Terre Haute Police Department. They are currently working with that family to identify the other individuals involved, all of whom are apparently minors. Vandalism charges will be filed and it is anticipated that the individuals will be ordered to make restitution for damages. The video footage of the individuals and the vehicle they were driving have been supplied to the Terre Haute Police Department.

5.2. Update on Operating Budget and Cash Flow – Baker Tilly. Jason Semlar had emailed the cash flow update reports to the members before the meeting. He briefly reviewed Food & Beverage statistics for December. For the year, there was a little over \$3,050,000. Food & Beverage is still going strong and increasing each year. He had prepared projections through 2024 and anticipates a balance of around \$3.2 million at the end of 2024 with the projections that are shown. He did suggest that the Board might want to think about setting aside some money for annual maintenance or capital projects for wear and tear and as things need to be replaced. At this point, nothing has been set aside for that. It was the general consensus that such would be a good idea. Tenille Wanner will work with Jason Semlar regarding time frames for possible replacement.

5.3. Update on Larry Bird Museum – Terri Conley & Executive Committee. Terri Conley said

things were moving along as planned. They are currently finalizing the language and are looking to send out RFP's in January. Some of the electrical is still being moved and is expected to be finished by the end of January. The lighting has been installed. Shelly Keen reported that she finally has access to the collection and she has been going as often as possible and cataloging as much as possible. Brian Bosma circulated a timeline that had been prepared by Terri Conley and the Museum Committee. Legal notice for RFP's will be published on January 3 and 10. Hilferty and Mederski will be asked to forward the RFP's to their known contractors/providers. The Committee has decided to divide this into two RFP's. The first one is mostly for displays and related material. January 24 is the deadline for questions; February 2 is the deadline for responses; about a week to review responses; and then the week of February 13, the Committee will conduct interviews. The hope is to approve a vendor at the regular February meeting.

5.4. Update on Legal Matters – Kroger Gardis & Regas, LLP. Brian Bosma said the Prose Consulting agreement had been executed and they were ready to proceed at the first of the year pursuant to the Selection Committee's request. Fees were requested to be limited to \$175,000 which was about \$25,000-\$35,000 less than what they had submitted and Mr. Bosma explained how they had achieved that cutback. He had worked closely with RJL Solutions on all of that including the final contract. Doug Kowalski is in the process of reviewing the renewal of the annual alcoholic beverage permit. Any changes that had taken place since last year needs to be given to Mr. Kowalski for updating. Mr. Bosma reviewed the property and easement exchange agreement details that had been in process for quite some time. Resolution 2022-13 essentially approves the exchange of updated utility easements to service the Convention Center and the parking garage and an access agreement to the parking garage on vacated 8th Street. It exchanges those easements for a designated 100 spaces in the parking garage. The issues remaining on that (presuming that is the direction desired to be taken) is taxes that may be assessed on those spaces if they are used for private purposes and the location of the spaces. A diagram of that proposal was distributed but is not included in the Resolution to be approved today. The four properties involved are the Hulman properties east of 9th Street, the Terminal property, the Copper property, and the State Office Building property. The proposal is those four properties would have easements to occupy the first five spots on Level 1 in the parking garage which are now temporary 15-minute parking for people to come in and out of the Convention Center. The handicap spaces intervene and then it picks up with the next 30 spaces on Level 1. The proposal is that these would be marked as "reserved" 24 hours a day/7 days a week. Level 2 would consist of spaces to the far northeastern corner which would be 31-40, 41-60 would be on the west end and 10 more in the center. Level 3 would have 30 spaces reserved on the west end. All these spaces would be marked "reserved" 24/7. That proposal is yet to be approved by anyone on the Board. Then there is the issue of taxes. It is currently a government use and there are no taxes. If there is a private, for-profit use, it can be assessed for taxes (i.e. whatever percentage portion is used for private, for-profit use would be assessed for taxes). The proposed uses are mostly for governmental and non-profit uses. Mr. Bosma is pretty firm on adding language that "if taxes are assessed on any of the parking spaces that they be paid for by the grantees." This agreement also provides that the portion of the property transferred to the CIB by donation that is now enclosed within the grate railing next to the Copper Bar, the portion of that within the railing is transferred back to the original owner. This could probably be done without a survey. Resolution 2022-13 provides that the forms attached are drafts and the president can make changes that the president approves to those agreements so any remaining issues can be resolved. Resolution 2022-14 concerns the \$450,000 grant approval to the Turn to the River Project that had been discussed at the last two meetings.

6. New Business.

6.1. Consideration of CIB Resolution 2022-13 Approving a Property and Easement Exchange Agreement – Kroger Gardis & Regas, LLP. Mr. Bosma had explained this in the Update on Legal Matters. Mayor Bennett said that he had been pushing to get this resolved because it had been lingering

for a very long time. He reviewed how this had transpired and how the 100 parking spots had been arrived at. Approval of this Resolution today will allow Mr. Marvel to continue the specific negotiations at issue and bring a final document for approval and get this behind us. There was some concern expressed about the location of the parking spaces and how it might impact operations. There was a lengthy discussion about current use of the spaces requested to be reserved and the fact that they were to be reserved 24/7. It was decided to continue negotiations regarding the parking spaces but to go ahead and approve the resolution. Chris Switzer made a motion to approve Resolution 2022-13. Mayor Bennett seconded the motion. Upon a roll call vote of 6-0, the motion unanimously passed.

6.2. Consideration of CIB Resolution 2022-14 Approving Matching Grant for Turn to the River Project – Mayor Bennett. Mayor Bennett briefly reviewed this proposed project that had been presented last month. The New Projects Committee would prefer that the Board not fund the full amount that had been requested at this time but would like to go ahead and approve the \$450,000 match and leave future funding open for future consideration. Terri Conley made a motion to approve Resolution 2022-14. Emily Crapo seconded the motion. Before the vote was taken, Mr. Bosma noted that approval is subject to actual receipt of the READI grant and directs the Board to prepare a grant agreement that is acceptable to the President and Vice President. Mr. Bosma said that there is one that was used in the past that will be used to prepare this. Upon a roll call vote of 6-0, the motion unanimously passed.

6.3. Approval to Proceed with RFP Process for Museum Displays and Equipment – Terri Conley, Museum Committee Chair. This process had been discussed previously and required a motion for the Museum Committee to proceed with the RFP process. Chris Switzer made a motion to approve proceeding with the RFP process. Emily Crapo seconded the motion. Upon a roll call vote of 6-0, the motion unanimously passed.

7. Other Business.

7.1. Questions and Comments from CIB Members. There were none.

7.2 The next regular Board meeting will take place on January 25, 2023 in the Terre Haute Convention Center Executive Board Room and will be the annual election of officers. There was a brief discussion.

8. Adjournment. The meeting was adjourned at 9:45 a.m.

Adopted and approved by the Vigo County Capital Improvement Board of Managers this 25th day of January, 2023, by roll call vote with the member votes indicated below.

VIGO COUNTY CAPITAL IMPROVEMENT BOARD OF MANAGERS

Jon Marvel, President	<input checked="" type="checkbox"/> Aye <input type="checkbox"/> Nay	Chris Switzer, Treasurer	<input checked="" type="checkbox"/> Aye <input type="checkbox"/> Nay
Mayor Duke Bennett, Vice President	<input checked="" type="checkbox"/> Aye <input type="checkbox"/> Nay	David Patterson, Member	<input checked="" type="checkbox"/> Aye <input type="checkbox"/> Nay
Emily Morris, Secretary	<input checked="" type="checkbox"/> Aye <input type="checkbox"/> Nay	Terri Conley, Member	<input checked="" type="checkbox"/> Aye <input type="checkbox"/> Nay
Bernice Helman, Member	<input checked="" type="checkbox"/> Aye <input type="checkbox"/> Nay		


Duke Bennett, President