

VIGO COUNTY CAPITAL IMPROVEMENT BOARD OF MANAGERS
MEETING MINUTES OF MARCH 16, 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 Vigo County Council Chambers 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 – Present; Steve Witt – Present; Terri Conley – Member, Present.

Others Present: James Bramble, Cheryl Loudermilk, Brian Bosma, Brian Kooistra, Jason Semlar, Tennille Wanner, Martell Lewis, Tim Drake, Kelly Drake, TJ Collett, and Howard Greninger.

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

4. Approval of Minutes. Minutes for the February 16, 2022 meeting had been circulated via email to all members. Dave Patterson made a motion to accept the minutes as presented. Duke Bennett seconded the motion. Upon a roll call vote of 7-0, the motion was unanimously approved.

5. Old Business.

5.1. Update on Construction Progress – Garmong Construction Services. Brian Kooistra reported that the current GMP is \$27,210,694 which reflects a change of \$34,620 via Change Order 16. This was for the additional speakers in the pre-function and main corridor as well as an ADA push button operator that will control the doors in the Hilton Garden Inn connector. We are substantially complete which means the facility is able to be used for its intended purposes. The Certificate of Occupancy inspection was performed on March 1 and the Certificate for Substantial Completion was received, which comes from the architect of record, on March 3. CSO performed their punch list and Garmong is working diligently to complete it and should be finished by March 25. The better weather they have been awaiting to complete the remaining concrete site work has arrived and they anticipate that work to be completed by March 25. Owner training is nearly finished with three remaining trainings to complete. The kitchen equipment training will be conducted after some additional staff are in place. Card access equipment training is scheduled for next week along with elevator training. Operation and maintenance manuals, as well as as-built drawings, were submitted to the architect on March 14. Attic stock material was transferred to the owner on March 15. Keys for everything in the building (i.e. doors, toilet paper holders, access panels, etc.) are all tagged and will be transferred at the end of this week. Utilities were transferred to the CIB's name on March 3. The Vigo County Health Department has signed off on the facility. The fire alarm system has been tested and checked out as well as the fire protection system, the ansil system (which is a fire suppression system for the large fume hood in the kitchen) has been tested and approved, the state elevator inspection is complete in the convention center and the parking garage elevators will be inspected next Wednesday, and the roof inspection has been completed. The scrim (the temporary screen on the windows) in the Larry Bird Museum started going up yesterday. Garmong is awaiting the next round of drawings from CSO which are anticipated any day. Once received, it will take 1 ½-2 weeks to send out to subcontractors, get pricing and submit for review and approval. It is hoped to be completed by March 25 but that may need to be adjusted. Once pricing is approved by owners, construction estimated to be 3-4 months. Procurement of the materials is what takes the most time. Once received, the drywall is hung, painted, ceilings painted, storage rooms constructed, doors on. The final phase of the museum would begin once the design is

completed. The Duke Energy rebate was discussed but the exact amount of the rebate was unknown. The paperwork has been submitted and the money is anticipated at any time. Chris Switzer noted that it had been received but he, too, was unsure of the amount. It was also noted that the Nations Group contract expires on April 30 and the payment that was approved earlier today at the Finance Committee meeting should be the last. Mr. Bosma said that it had been brought to the attention of Nations Group earlier in the week. John Rawlins of Nations Group could not be at today's meeting but he will be here next month to give an update. Nations did notify by email that even though their contract is up at the end of April, they are on board to help with whatever.

5.2. Update on Convention Center Management – Spectra Venue Management. Tennille Wanner gave a brief update on scheduled events. The public opening is set for Saturday, April 9 from 10:00 a.m.-1:00 p.m. Flyers have been distributed. A small business expo will take place inside the facility and booth space is being sold for that. Local artist Abbi Scott will sing the National Anthem. There will be food sampling. They have their permit for street closure for that day. There will be outside activities with participants including some of the mens'/womens' ISU basketball team members and the police department K-9 unit. The celebration dinner will take place April 23 and will be a ticketed event. This will be a red carpet style event and includes a formal plated dinner and a drink ticket. A professional photographer will be there. Tickets are \$50 per person or \$450 for a table for ten. Ms. Wanner noted that Global Spectrum recently merged with Oakview Group (another venue management facility) and will now encompass more and larger venues. The company name will now change to OVG 360 instead of Spectra. All license agreements will still remain in the name Global Spectrum. Instead of d/b/a Spectra Venue Management, it will now become d/b/a OVG 360. OVG has now lifted vaccination requirements for staff. There was a lot of training conducted in the past month. Kitchen training is set up for March 22 or 23. Part-time staff interviews are being conducted. FF&E smallware purchases are being finished up. Emily Crapo asked if everything would be here in time for the opening. Ms. Wanner stated that there are some backorders but she is looking at rentals of a few items. Most of the big things are here. They are working on their orientation manuals. They will have an employee training once most of their part-timers are hired and she briefly reviewed that process. They are conducting hiring fairs. She also reviewed the recently hired positions and the interviews still taking place. They have now received their liquor license. They have also been approved by the Health Department so the kitchen can now operate as well. Sales and marketing is continuing. Site tours also continue. Bookings and potential bookings were briefly reviewed. In reviewing the accounting from the previous month, Ms. Wanner advised that their month typically closes right after this meeting. Therefore, reporting in the future will be two months behind unless moving this meeting back a week would want to be considered and then the close would be right before the meeting and her reporting would be for the previous month. Terri Conley raised the question regarding what was left to be done on the FF&E list and there was a short discussion. The suggestion of the meeting date change was then again briefly discussed with President Marvel saying he would leave this decision up to the Finance Committee and they would vote on it next month. Chris Switzer asked what a good date might be, the last Wednesday of the month or some other time. Ms. Wanner said she didn't have a preference as to what date it is but moving it back a week would keep it pretty safe. Mr. Bosma noted that it would probably be advisable to move the date for reporting purposes.

5.3. Update on Project Budget – Baker Tilly. Jason Semlar reviewed the monthly schedule that had been emailed to the Board. Not much has changed. They have been working with Spectra and Nations Group with the FF&E purchasing so that number has changed a little bit. We are now at our adjusted budget. Prior months were showing slightly under the budget but based upon some additional needs and getting more current costs, we are now at that amount. He reviewed the numbers. \$4,569,000 is the amount remaining to be funded from the budget. Terri Conley asked Brian Kooistra when the remaining contingency funds might be finalized. Mr. Kooistra estimated \$120,000 or so remains in construction contingency. A final reconciliation of the project will not be done until the

museum is finished. He clarified that completion would include the 3-4 months needed to finish the Larry Bird Museum. Mr. Semlar did note with regard to the Food & Beverage monies coming in, during the first three months of last year, \$582,000 was received. In the first three months of this year, we received just over \$711,000 which is a 22% increase. Revenues are trending well.

5.4. Update on Equipment Purchases – Nations Group. As stated earlier, John Rawlins of Nations Group was unable to be with us today.

5.5. Update on Larry Bird Museum – Terri Conley. Terri Conley said that the Committee met last week. They are trying to pinpoint 3-4 items to focus on. They need to get the collection items narrowed down to approximately 75 for the design company, as well as having Hilferty provide an itemized construction budget to show more of a breakdown on their exhibits and where we stand on the budget. There had been some changes to the flooring and are looking at the options. She will be speaking with Mark Medersky later today and the Committee will meet again in the next few weeks. President Marvel noted that he really hoped to get some figures from the design company. He had intended to ask for a motion today to give them 30 days to give us a dollar figure since it had been two years in trying to get that number. He said he would hold off on the motion until next month in the hope that Ms. Conley might fare better in getting a number from them. There was a brief discussion about the budget and the negotiated contract.

5.6. Update on Promotional Matters – RJJ Solutions. TJ Collett of RJJ Solutions said that this had been placed on the agenda about the promotional letter discussed at the last meeting but it had all been signed and was moving forward.

5.7. Update on Legal Matters – Kroger Gardis & Regas, LLP. Brian Bosma noted that the alcoholic beverage permit had been issued in the name of the Capital Improvement Board. A number had been assigned which will allow Tenille to begin ordering stock. The purchasing policy has been amended according to last month's meeting and has been circulated and placed in the records. A contract audit will be done regarding Nations Group, which is standard. When the turnover took place earlier in the month, Mr. Bosma worked with the County's insurance agent. Liability insurance is in force and does include members of the Board. Excess alcoholic beverage coverage will be needed. OVG 360 supplied Mr. Bosma with the needed certificate for the addition of the excess coverage. There is liquor liability insurance included on the policy that covers the Board but it was felt that excess coverage would be appropriate. They are in the process of trademarking the logo with the State, not the federal, authorities due to cost and have reserved the name "The Larry Bird Museum" with the Secretary of State. A draft loan agreement has been circulated using the name Vigo County Capital Improvement Board d/b/a The Larry Bird Museum for the Committee's consideration. Spectra will be making a \$275,000 payment to the CIB to be utilized at the CIB's discretion. Mr. Bosma has asked Tenille to circulate her reports prior to the Board meetings so you will have a chance to review them ahead of time and to add some additional recipients. He asked if the reporting was adequate for the Finance Committee. He wants to attach a form of the reporting to the Management Agreement Amendment and does not want to do so if the Finance Committee wants a change. The Committee members said they felt it was acceptable. Mr. Bosma reminded all that if there was an official committee meeting (Finance Committee, Executive Committee, Museum Committee and Special Projects Committee) that contains a quorum, notice needs to be given in order to comply with the Open Door Law. Terri Conley asked if there were still any outstanding matters such as easements pending. Mr. Bosma replied that there were easement agreements in possession of the attorney for Fontanet and one with Hilton Garden Inn. He gave a brief explanation of what that entailed.

6. New Business. President Marvel said that he should have brought this up at the beginning of the meeting but Tim Drake of The Mill, a new venue in town, was at the meeting and wanted to address

the Board. Mr. Drake said that he wanted to talk about the possibility of creating a public/private partnership and maybe an arts and entertainment district at his property. He gave an overview of what he would like to do. He wanted to know if there was any way that his group and the CIB could work together moving forward. President Marvel stated that he thought this would come under new projects and he would have that Committee take a look at this. There was a short discussion. Mr. Bosma commented about restrictions of the funds available for use by the CIB and qualifying projects.

Mayor Bennett asked about how to facilitate the funding that had been approved for wayfinding back in October. He does not remember how it was structured for payment. Mr. Bosma's recollection was that it had been approved to deal directly with the vendor pursuant to a contract approved by the President. So it would be a direct contract. Mr. Bosma asked that the vendor or the Arts Group reach out and the appropriate contract could be drawn up, which the Board had authorized the President to sign. If it is different than that, Mr. Bosma will advise the Board by email.

7. Other Business.

7.1. Questions and Comments from CIB Members. None.

7.2 The next regular Board meeting will take place on April 27, 2022 in the Board Room at the Convention Center.

8. Adjournment. President Marvel stated that if there was no further business, the meeting was adjourned at 10:10 a.m.

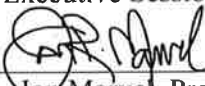
Adopted and approved by the Vigo County Capital Improvement Board of Managers this 27th day of April, 2022, by roll call vote with the member votes indicated below.

VIGO COUNTY CAPITAL IMPROVEMENT BOARD OF MANAGERS

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

CERTIFICATION

I certify under the penalties of perjury that the foregoing members of the Vigo County Capital Improvement Board of Managers were in attendance at the meeting either in person, by electronic or telephonic means and that all votes were taken by roll call observable by the public. I further certify that no final action was taken or other matters discussed at any Executive Session.



 Jon Marvel, President