

**VIGO COUNTY CAPITAL IMPROVEMENT BOARD OF MANAGERS**  
**MEETING MINUTES OF JUNE 28, 2023 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 or by telephonic or electronic means.

**1. Call to Order.** President Duke Bennett called the meeting to order at 9:00.

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

**Others Present:** James Bramble, Brian Bosma, Jason Semlar, Tennille Wanner, Martell Wilson, Shelly Keen, Brian Kooistra, and Vittoria Meyer.

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

**4. Approval of Minutes.** Minutes for the May 17, 2023 meeting had been circulated via email to all members. Bernice Helman made a motion to accept the minutes as presented. Chris Switzer seconded the motion. Upon a voice vote of 5-0, the motion was unanimously approved.

**5. Old Business.**

**5.1. Update on Convention Center Management – Spectra Venue Management.** Tennille Wanner provided a summary for the month of May. A total of 14 events took place generating approximately \$110,000 in gross revenue and parking. Parking garage revenue was \$4,245. She briefly reviewed the events and May statistics. The Swope Spring Dinner, the Terre Haute Police Department retirement dinner, the Firefighters' Union of Indiana convention, and the Mother's Day Brunch were large events taking place in May and were very successful. They hope to continue to be placed on the rotation for the firefighters' convention. She said that the majority of the revenue will always come from food and beverage. Of the \$110,000 May revenue, \$83,266 was from food and beverage. They were having an issue with the freezer and having trouble making contact with the installer for repair under the warranty. She will copy Mr. Bosma on any future contact attempts in the hope that would spur some action. She also said that the Convention Center had a garden plot at the ISU community gardens. Several staff members donated plants and are volunteering outside work hours to work in the garden. Vegetables harvested will be donated to local charity. A short review of operations was provided. She did note that Terre Scapes will be installing the river rock on the landscape upgrade. Their bid had come in much lower than other companies and they will also provide monthly maintenance from Spring through Fall and winterize the irrigation system. Sales, marketing and community involvement were also discussed.

**5.2. Update on Operating Budget and Cash Flow – Baker Tilly.** Jason Semlar said updated cash flow information had been emailed to the Board members. He noted that there is a line item now for capital expenses. This now shows that the ending cash balance was \$3.9 million but if you subtract out the amount for capital expenses that was talked about last month of \$264,000, there would be available cash of \$3.6 million. As expenses start being incurred, they will be included in disbursements and reduce the amount of capital expenses. This will give a true appreciation of how much is really available for expenses going forward. Projections for operating the cap transfers and revenue projections are provided and carried through the end of 2024. As you start looking into next year's budget, you can see what available cash you have. They have actually taken it through January of 2025 in order to show the bond payment and give a true appreciation of what is available. This will also allow trends from year to year to be compared. There was a short discussion. Jim Bramble reminded them that they would need to put together a budget for submission to the County Council for the 2024 budget process, which will probably start around the end of July. Mr. Bosma said that review of the budget had been scheduled for the July meeting and adoption of same for the August meeting. After a short discussion, it was decided that they could probably review and

adopt the proposed budget at the July meeting.

**5.3. Update on Larry Bird Museum – Jon Marvel & Museum Committee.** Jon Marvel said he and Teri Conley had been dealing with a flurry of emails and they feel good about the contractors working on the project. They are staying within their budget and the timelines set out while paying attention to their work quality and detail. He briefly reviewed items that had been ordered and the status of where things stand. There will be interactive displays with a Larry Bird theme. Teri Conley said that a conference call had taken place with Ravenswood, Greg Gibson, Shelly Keen and herself where all the artifacts/memorabilia were reviewed and the stories to go along with them. The company from Indianapolis that is doing some of the work will be coming to the site this week to assess the lighting situation. Things are moving along nicely. Dave Patterson had spoken with a gentleman who attended ISU at the same time Larry did and had 8 mm films of all the ISU home games played during that period. He has given his permission to use the footage at no charge (other than possibly some recognition that he had provided the footage). Shelly Keen said that she had created catalogs that listed the items, a photograph of the item, and the location of where it is. Stories/anecdotes about each item can be uploaded to the catalog as they are obtained.

**5.4. Update on Legal Matters – Kroger Gardis & Regas, LLP.** Brian Bosma said the parking easement situation has been finalized, recorded and circulated to the record keepers. He has been working with Shelly Keen on some local rights acquisitions. He also said Ms. Keen's contract had been extended through August 15 but he suspected there might be additional extension requests because her work has really increased with the progression of the museum. He noted that the first change order for the museum has come through and it is for \$19,000 plus dollars for changes in cabinetry and was approved by Teri Conley and Jon Marvel. They did consult with the Mayor about this. To refresh how the change orders were being handled, if some of the change orders on the entire contract is less than 20%, the Committee can approve that. If it is going to take above 20%, the Mayor had to do it on the recommendation of the Committee. After some discussion, to clarify how this will be handled, Jon Marvel, as the Museum Committee Chair, is authorized to sign those change orders that are below 20% of the total. Mr. Bosma said that although no action had been taken yet on the acquisition of the theatre, it should be treated like an acquisition, not a contribution, to protect the group. He is prepared to move forward when the Board gives the green light to go. He also talked about the performance incentive for OVG 360/Spectra Entertainment. At the end of this year, they will have the opportunity for two incentives, rather than the one that was available this year. He said that at some point, that will need to be established. Perhaps the Finance Committee should make a recommendation to the full Board when the time comes.

He then discussed some recent legislation (House Bill 1454) that could affect the Board. There has been animosity towards the food and beverage tax by some members of the General Assembly. Every year they try to repeal it. It did not get repealed this past year but it was regulated. Beginning next May, some fairly extensive reporting will be required on each and every expenditure of food and beverage tax, including the recipient and the purpose. It may be on every single expenditure made on food and beverage but that will be determined by the State Board of Accounts. He also said that they had put a sunset date on almost every food and beverage tax. In 2045, the tax goes away or, if there are outstanding bonds secured by the food and beverage tax, until the bonds are paid, whichever date is later. There were four counties exempt from this sunset: Marion, Allen, Knox and Vigo. He suspects there will be a push to sunset everybody but for now, this just needs to remain on the radar. There was a short discussion.

## **6. New Business.**

**6.1. Update on Change Order Approvals for Museum Project – Kroger Gardis & Regas, LLP.** This had been fully covered and discussed during the legal matters update.

## **7. Other Business.**

**7.1. Questions and Comments from CIB Members.** Mayor Bennett said that the presentation for the sports complex would take place at the July meeting which would be held in the main ballroom that will

allows for more seating. He also gave a short status report on the Indiana Theater acquisition. Inspections are complete, Phase I of the environmental is complete except for an asbestos test they need to do, and review of a lease agreement. He hopes that things will be ready in the next couple of weeks to move forward.

7.2 The next regular Board meeting is scheduled for July 26, 2023 in the Terre Haute Convention Center.

8. **Adjournment.** Jon Marvel made a motion to adjourn the meeting. Chris Switzer seconded the motion. Upon a voice vote of 5-0, the meeting was adjourned at 9:48 a.m.

Adopted and approved by the Vigo County Capital Improvement Board of Managers this 26<sup>th</sup> day of July, 2023, by roll call vote with the member votes indicated below.

**VIGO COUNTY CAPITAL IMPROVEMENT BOARD OF MANAGERS**

Mayor Duke Bennett,  
President

        
Aye    Nay

Emily Crapo, Secretary

        
Aye    Nay

Chris Switzer,  
Vice President

        
Aye    Nay

Terri Conley, Treasurer

        
Aye    Nay

David Patterson, Member

        
Aye    Nay

Jon Marvel, Member

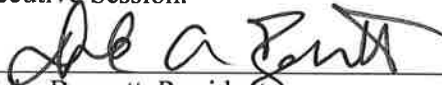
        
Aye    Nay

Bernice Helman, Member

        
Aye    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.

  
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Duke Bennett, President