

VIGO COUNTY CAPITAL IMPROVEMENT BOARD OF MANAGERS
MEETING MINUTES OF NOVEMBER 29, 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, Absent; Emily Crapo – Secretary, Present; Terri Conley – Treasurer - Present; Jon Marvel – Member – Present; Dave Patterson – Member - Present; Bernice Helman – Member, present.

Others Present: Brian Bosma, Tenille Wanner, Martell Wilson, Shelly Keen, Brian Kooistra, Tony Kassiseah, and several members of the public.

3. Additions or Revisions to the Agenda. Brian Bosma pointed out the agenda that was circulated last night contains a change reflecting the request of Jon Marvel to tour/view the museum after the business portion of today's meeting and then participate in a Zoom call with the designers about some issues.

4. Approval of Minutes. Minutes for the October 25, 2023 meeting had been circulated via email to all members. Jon Marvel made a motion to accept the minutes as presented. Terri Conley 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. Tennille Wanner provided a summary for the month of October. A total of 11 events took place generating approximately \$75,726 in gross revenue and parking. Parking garage revenue was \$6,582. She briefly reviewed the events and October statistics. Food and beverage revenue (gross revenue of \$48,775), operations, sales and marketing, and community involvement for the past month were updated. She noted that staff was in the process of being cross trained to ensure operations ran smoothly in the event a staff member had an emergency or had to be out during an event. Older linens that had faded or had stains had been replaced during the past month with the old linens being donated to the ASPCA. Towel dispensers had also been replaced in the family restrooms to cut down on waste. The electrical upgrade started on October 9 and should be completed by the end of November. A concern was discovered during the upgrade and was addressed and fixed at no extra charge. Deep cleaning of carpets and floors will probably take place in January. Some damage had been done to their front doors by an intoxicated individual walking down the street who was eventually arrested and taken to jail. Damages had been forwarded to the Court to be added for restitution by the individual. Future business and upcoming events were updated.

5.2. Update on Operating Budget and Cash Flow – Baker Tilly. Jason Semlar was unable to attend today but had sent updated cash flow information to Board members. There was a brief discussion. Food & Beverage revenue continues to go up.

5.3. Update on Larry Bird Museum – Jon Marvel & Museum Committee. Jon Marvel said it had been an active past 30 days with things coming together. They have received a list of 6 completed interviews with former NBA players and 5 more, including Larry Bird, will take place later. Mr. Marvel was concerned about some design issues which is why he has requested the Board take a brief tour later in the meeting.

5.4. Update on Indiana Theatre – Executive Committee. Mayor Bennett said there really isn't much to update. Chris Switzer, who was not at today's meeting, had planned to give a brief update on some things he had been working on but that will take place next month. Nothing major to report other than a few repairs and maintenance of the building. Contractors had been looking at the place.

5.5. Update on Legal Matters – Kroger Gardis & Regas, LLP. Brian Bosma said he continues to coordinate the change order process between the designers and constructors. Jon Marvel had instructed him to proceed with engaging an appraiser for the memorabilia. The restorers can't touch it unless it's insured and insurance can't be obtained until it is appraised. He had reached out to Leila Dunbar. She is clearly the expert in the country for this kind of appraisal. There were two options concerning how in-depth the appraisals could be and Mr. Marvel chose the lesser priced option which will run about \$10,000 yet still gives a full appraisal but will require Shelly to give some background, some additional pictures (including all sides of an object), whether or not some of the clothing was worn in a game and which game. Shelly has most of that information and can obtain anything additional that might be needed. He has also worked on the benchmark resolution for OVG360. The rights to use the words "Larry Bird Museum" was obtained and required a couple of additional filings with the Indiana Secretary of State to license that name and a Certificate of Assumed Business Name, both of which have been accomplished. The alcoholic beverage permit renewal has been filed and submitted to the ATC. There will be a local hearing in January (attended by Doug Kowalski) with a final approval issued at some point after the ATC hearing. Someone will need to be there but there have been no violations so it should all be perfunctory.

6. New Business.

6.1. Consideration of CIB Resolution 2023-09 Approving OVG360 Operating Revenue Benchmark and Approving Amendment – Terri Conley. Terri Conley reminded everyone that this had been discussed last month. According to our contract, we have to establish a benchmark. In order to do that, a determination needed to be made based off of gross revenue less food and beverage. An average of the 9 months of operation in 2022 and to date in 2023 was used for the formula. The equation had been set out in the agreement but the benchmark number was needed to complete the equation. The Finance Committee has reviewed it. Every 3 years the amount will be recalculated but the benchmark will stay the same. There was a brief discussion. Terri Conley made a motion to approve Resolution 2023-09. Bernice Helman seconded the motion. Upon a voice vote of 6-0, the motion unanimously passed.

There was a short break to physically observe and discuss museum progress.

7. Video Call with Designers and Q&A from CIB. The Board felt that some adjustments needed to be made with the location of the legacy ring. A Zoom call took place with Mark Mederski, Sam Van Nostrum of Hilferty, and Jaime Guiscafre with Ravenswood. Options and ideas were discussed. It was decided that the designers would draw up some design changes with some different options and call the Museum Committee later today to be presented at next month's meeting.

8. Other Business.

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

8.2 The next regular Board meeting is scheduled for December 27, 2023, in the Terre Haute Convention Center.

9. Adjournment. Mayor Bennett adjourned the meeting at 10:00 a.m.

Adopted and approved by the Vigo County Capital Improvement Board of Managers this 27th day of December, 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.



Duke Bennett, President