

VIGO COUNTY CAPITAL IMPROVEMENT BOARD OF MANAGERS
MEETING MINUTES OF FEBRUARY 17, 2021 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 State of Indiana Executive Order 20-09 (the "Order"), members of the Board and staff participated in the meeting in person at the Vigo County Commissioners' Conference Room or by telephonic or electronic means. In accordance with the Indiana Open Door Law and the Order, members of the public and media were encouraged to observe the meeting electronically by ZOOM® call participation according to the electronic notice posted on the Vigo County website and forwarded electronically to members of the media.

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

2. Announcement Regarding CIB Board Membership – Kroger Gardis & Regas LLP. Brian Bosma advised that there had been a change to the makeup of the CIB over the weekend. It had been discovered that the Commissioner appointments placed the board out of political balance as required by statute. Gary Morris graciously tendered his resignation on Monday. So we are operating with six members today. The one consequence of having the board out of balance for the last meeting will necessitate a ratification of what took place last month and the resolutions that were passed. A motion will need to be made when we reach that point on the agenda. No new board member was appointed before this meeting because of weather-related problems and the lack of a Commissioners' meeting due to closure of government offices yesterday. Commissioner Brendan Kearns will fill the seat today until a new member can be appointed. A new appointment will be made as soon as possible.

3. Oath of Office (if new member appointed) – Not applicable.

4. Roll Call:

Members Present Via Zoom, Telephone or In Person at the County Annex: Jon Marvel - President, Duke Bennett – Vice President, Chris Switzer – Treasurer, Steve Witt – Secretary, Dave Patterson – Member, – Member, Emily Crapo – Member.

Others Present Via Zoom or In Person at the County Annex: James Bramble-Controller for the CIB, Brian Bosma, Brian Kooistra, Steve Bauer, Jason Semlar, Katie Porco, Dave Anderson, and various members of the public.

5. Additions or Revisions to the Agenda. There were no changes.

6. Approval of Minutes. Minutes for the January 20, 2021 meeting had been circulated via email to all members. Duke Bennett moved to approve the minutes as presented. Chris Switzer seconded the motion. Upon a roll call vote of 6-0, the motion was unanimously passed and the minutes were approved.

6. Old Business.

6.1. Update on Construction Progress – Garmong Construction Services. Brian Kooistra stated that the current GMP (Guaranteed Maximum Price) stands at \$26,325,510 which is unchanged from the last month. The project remains on schedule. Substantial completion date stands at April 27, 2022. Things underway include the northeast garage. Large pieces of pre-cast concrete have been lifted off of trucks and erected. Currently about 25 of 370 pieces have been erected. Assembly will take a couple of months. Structural steel work is ongoing. The framework of the Convention Center is complete. Exterior framing and sheathing has begun. Underslab MEP (which stands for mechanical,

electrical and plumbing work) work continues. The exterior mock-up has been constructed and is on site. Mr. Bosma asked if members of the CIB could take a look at the mock-up. Mr. Kooistra stated that he didn't think anyone from the CIB had seen it but they were definitely more than welcome to view it. Steve Bauer with Nations Group then indicated that these mock-ups are typically required by the design team's specifications so the architect can look at the different finishes, the color and material quality. It is really a design team approval process for the specifications of the project. Mr. Kooistra advised that upcoming activities over the next month will mainly consist of continuing pre-cast concrete installation. Underslab plumbing will continue along with continuing to pour concrete slabs, installation of the steel stairs, exterior framing and sheathing. A photo presentation of the site was then given. There was a brief discussion about some of the pictures.

6.2. Update on Property Transfer – Kroger Gardis & Regas, LLP. Mr. Bosma discussed the Assignment and Assumption Agreement that will be brought up for approval under new business. This agreement has been previously discussed and is an agreement that the attorney for the RDC desires be executed. This agreement concerns assumption by the CIB of certain obligations contained in the two leases, one for the school corporation which continues through September 1 for the building and parking spaces, and one for the parking area that is being leased to Crossroads Parking Partnership, LLC which is affiliated with the Hilton Garden Inn, which the RDC did not desire to assume. This board had already informally agreed to continue the payments for the parking spaces. The obligations under the Crossroads lease concerned keeping the lot clear of snow and ice. The last liability to be retained under this assumption agreement concerned providing substitute parking and valet services for the Hilton Garden Inn if the School Corporation property should be condemned. The only other items Mr. Bosma was aware of have to do with access to the Convention Center site and some of the easements discovered during property acquisition that are either outdated, misplaced or ineffective when they were first recorded. It is Mr. Bosma's plan to have these wrapped up at the transfer of the property. A brief discussion then took place.

6.3. Update on Convention Center Management Agreement – Kroger Gardis & Regas, LLP. Mr. Bosma indicated that the agreement had been completed and signed with Spectra. Katie Porco with Spectra was in attendance and introduced Dave Anderson, Regional Vice President of Spectra, with whom she had been working on this project. They have posted the position for general manager and will be getting interviews started soon. Any promising candidates interviewed will be submitted to the Board for final approval prior to hiring. Dave Patterson stated that he had been contacted by an individual who was interested in booking a large event at the Center but, unfortunately, it was scheduled for before completion of the Center. The individual did express an interest in booking for the following year when the Center would be up and running. Dave Anderson indicated he would be interested in talking with the gentleman, or with any other group or individual, and booking for any upcoming year.

6.4. Update on RFP Process – Nations Group. Steve Bauer indicated that three RFP's have been issued. The signage RFP was issued on January 20. Those responses are due on February 19. The responses are to be delivered by 11:00 a.m. this Friday to the Auditor's Office. Mr. Bramble will open them, formally make note of all of the responses and the electronic versions will be sent to Nations Group for review and put into a format to submit to the Board for recommendation. Mr. Bauer has spoken with four different companies but is unsure if all will submit a bid but is sure that they will receive at least two bids from those discussions. There are two other RFP's that were issued on February 11. One is for operations equipment and parking garage equipment, and the second is for furniture. Those bids are to be submitted by March 25. Multiple responses are expected. Mr. Bosma relayed that there was some concern about exposure on the last two RFP's issued. Both have been published in the local Tribune. They are both being published in the Indianapolis Business Journal. There is concern about how many people really read/look at a physical newspaper any more. They

are exploring other ways to get the information out in order to receive the best exposure and subsequent responses from vendors. Mr. Bramble asked for some additional information with regard to the opening of the RFP responses and protocol was briefly discussed.

6.5. Update on Project Budget – Baker Tilley. Jason Semlar presented a cash flow analysis of the project. The budget approved at the last meeting was \$34,891,153. Mr. Semlar then discussed the cash flow analysis he had prepared. Steve Bauer then briefly elaborated on the workings of the budget.

7. New Business

7.1. Resolution 2021 – 03 Approval of Services Agreement for Memorabilia Cataloging - Kroger Gardis & Regas, LLP. Brian Bosma presented this resolution to the members. The items that are eligible to be placed in the Larry Bird Museum and elsewhere in various display areas have to be cataloged and assessed. This is something design professionals do not do. They work from a catalog list and description so they know what they are working with and where to place it and how to design the facility with it. Some of these items are secure in Greg Gibson's home, but they are also located in various locations in Terre Haute, Indianapolis at the State Museum and the Banker's Life Facility, French Lick and possibly also in New York. Somebody is going to have to undertake this project. This will be a full-time obligation and will involve in-state travel and out-of-state travel and include spending time in the home of a local resident. The resolution being presented for approval today has an agreement for independent contractor services attached which authorizes the engagement as an independent contractor of an individual to perform this process of procuring, cataloging, assessing and describing these various items. It does not specify compensation at this point. The agreement is on a month-to-month basis so it can be assessed monthly. It also allows termination upon 30 days' notice for any reason or it can be terminated immediately if something bad were to happen. The individual would be required to report monthly to the CIB. Emily Crapo raised the question of the scope of this project, i.e. roughly how many articles are going to go into this catalog. There is no one at this point who really knows the answer to that question. There was a lengthy in depth discussion about specifics and the process. Chris Switzer made a motion to approve Resolution No. 2021-03. Emily Crapo seconded the motion. Upon a roll call vote of 6-0, the motion unanimously passed.

7.2. Resolution 2021-04 Approving Assignment and Assumption of Lease Agreement – Kroger Gardis & Regas, LLP. Brian Bosma explained this Resolution earlier in the meeting while discussing the property transfer update. Duke Bennett made a motion to approve Resolution 2021-04. Chris Switzer seconded the motion. Upon a roll call vote of 6-0, the motion unanimously passed.

7.3. Ratification of Actions of the Board on January 20, 2021 (Motion Required) – Kroger Gardis & Regas, LLP. As discussed at the beginning of the meeting, it was necessary to ratify the actions taken at last month's meeting. Duke Bennett made a motion to ratify the actions taken by the Board at the January 20, 2021 meeting. Chris Switzer seconded the motion. Upon a roll call vote of 6-0, the motion unanimously passed.

8. Other Business. There was none.

8.1. Questions and Comments from CIB Members. Chris Switzer announced that since the Annex was no longer a COVID vaccination site, the Council Chambers were now available and there was enough space for social distancing if the members desired to have in-person meetings again. Mr. Switzer also added that he would like to meet, either formally or informally, with Mr. Bosma and others regarding getting compensation established for Tammy York-Allen for all the work she does for the CIB. There had been discussion with the various parties involved and it was ultimately felt that maybe the Board should pass a resolution approving payment for Ms. York-Allen's services. County attorneys will again be consulted as to the best way to handle this matter.

8.2 The next Board meeting will take place on March 17, 2021.

8. Adjournment. President Marvel stated that if there was no further business, the meeting was adjourned at 10:07 a.m.

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 the Executive Session.



Jon Marvel, President