

VIGO COUNTY CAPITAL IMPROVEMENT BOARD OF MANAGERS
MEETING MINUTES OF NOVEMBER 18, 2020 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.

2. Roll Call:

Members Present Via Zoom: Jon Marvel - President, Duke Bennett – Vice President, Steve Witt – Treasurer, Dave Patterson – Member, Barbara Boo Lloyd – Member.

Others Present Via Zoom: James Bramble-Controller for the CIB, Brian Bosma, Brian Kooistra, Steve Bauer, Jason Semlar, Hannah Pruitt, and various members of the public.

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

4. Approval of Minutes. Minutes for the October 21, 2020 meeting had been circulated via email to all members. Dave Patterson moved to approve the minutes as presented. Duke Bennett seconded the motion. Upon a roll call vote, by a vote of 5-0, the minutes were unanimously approved.

5. Old Business.

5.1. Update on Construction Progress – Garmong Construction Services. Brian Kooistra was present via ZOOM® to give an update. Things are progressing on schedule and within budget. There has been a lot of progress since the last meeting. Auger cast pile installation was completed about 2 weeks ago on the convention center. They should complete the auger cast pilings on the parking garage today. Foundation work has begun and is about 50% completed. Foundation and grade beams continue. Structural steel joists and decking should start in early December. Mr. Kooistra gave a slide presentation regarding the auger cast pilings and talked about what they were and showed where they will be placed. Foundations are poured over the pilings. The pilings are for additional stability for the foundations. Convention Center foundation work should be completed by December 4. Upcoming milestones are structural steel delivery on December 7; northeast garage foundation work to begin on December 7; northeast garage foundation work should be completed by January 30.

5.2. Update on Property Acquisition/Transfer – Kroger Gardis & Regas, LLP. Mr. Bosma advised that there was one pending item left, that being the transfer of the Vigo County School Corporation property to the Terre Haute Redevelopment Commission. This is what Resolution No. 2020-10 deals with later in the meeting. Part of the Crossroad Parking Partners, LLC proposal was for the CIB to transfer the property through intergovernmental transfer to the Terre Haute Redevelopment Commission to facilitate the use and development of the property. In addition, as part of the transfer of the Fontanet Holdings property to the CIB, we took 59 parking spaces from the State Office Building and Copper Bar and agreed to provide temporary replacement parking spaces. Resolution 2020-11, which will be dealt with later in the meeting, addresses this situation. Temporary parking arrangements were made with ISU Parking Services. The resolution has an invoice attached for a total of \$29,205.00. There are just a couple of remaining items that need to be worked through. There is a quitclaim deed out to Hilton Garden Inn for their consideration which would quitclaim to the CIB the real estate under which the hotel connector is constructed. That small strip of property is

in the City's right-of-way. Garmon has a permit to construct on that right-of-way. It was agreed that the CIB would maintain the connector and pay any taxes assessed. The quitclaim will transfer Hilton Garden Inn's interest to the CIB to clarify the ownership and any tax assessment. Under the agreement with Fontanet Holdings, it was agreed that the Copper Bar would have an access easement over a portion of the property for pedestrian access and outside dining. That is still an issue to be addressed. The final issue Mr. Bosma is aware of is that during the Hilton Gardens property transfer, it was discovered that there was an access easement to the west from vacated 8th Street to 7th Street which is mislocated. It was also discovered that the long standing easements across the east-west alley and the north-south alley between the northwest parking lot for HGI and the State Office Building were recorded moments after the owner of the original property had transferred the property. So there's a good argument those easements are not effective. This is still an issue to be addressed. Steve Witt then gave a presentation regarding the future development of the former Vigo County School Corporation property. The proposed development is for a new Marriott Courtyard Hotel at 7th and Wabash instead of a parking lot. This matter was discussed at length.

5.3. Update on Convention Center Management Discussions – KGR/Nations Group. Brian Bosma reported that he is working through a couple of minor issues. One of those issues is Spectra added some additional financial incentives to the CIB upon their selection. If there is a renewal period at the end of five years, they will put more incentive money on the table. They would amortize the initial investment through the renewal period. Mr. Bosma is not sure he is comfortable with that. This will be discussed further with the Board to see if they are comfortable or if a different proposal needs to be submitted. Incentive payments are a typical part of any convention center operating proposal and are used primarily for transition and development costs. Mr. Bosma hopes to have a signed contract within the next week or certainly before the next meeting.

5.4. Other Old Business. There was none.

6. New Business

6.1. Resolution 2020 – 10 Authorizing Intergovernmental Transfer of Property – Kroger Gardis & Regas, LLP. Brian Bosma presented this resolution to the members earlier in the week. We knew in advance this was going to be needed. The property is to be transferred "as is, where is". Mr. Bosma has been coordinating with Attorney Lou Britton on needed items. These transfers are subject to the Vigo County School Corporation lease which continues through September 30, 2021 or until they decide to leave the building. Everyone was aware of this stipulation. This Resolution will allow the President and Vice President to sign all transfer documents to effect the transfer. Steve Witt said it would be helpful for all to know the term of the current lease on the property. The initial term is 20 years with three renewal terms of 20 years each. Steve Witt made a motion to adopt Resolution No. 2020-10 Authorizing Intergovernmental Transfer of Property. Dave Patterson seconded the motion. Upon a roll call vote of 5-0, the motion unanimously passed.

6.2. Resolution 2020 – 11 Authorizing Payment for Alternate Parking – Kroger Gardis & Regas, LLP. This approval is related to the donation agreement with Fontanet Holdings which donated property to the CIB where the convention center and a portion of the parking garage will be built. This Resolution approves the payment for replacement parking for a total of 59 spaces east of the State Office Building and the parking lot west of the Copper Bar. The CIB officers approved the replacement of those spaces until the parking garage was built. That provision is not contained in the agreement but it has been confirmed that it was part of the discussion when negotiated. ISU Parking Services presented an invoice for the parking spaces at \$45.00 per month for an 11-month period. This resolution directs the Auditor to pay these funds to cover the agreed upon parking costs. There will be no liability on the part of the CIB. Hopefully this will be for a long enough period of time. There

was a general discussion about this issue. Dave Patterson made a motion to adopt Resolution 2020-11. Duke Bennett seconded the motion. Upon a roll call vote of 5-0, the motion unanimously passed.

7. Other Business. Mr. Bosma stated there would be no need for an Executive Session today. He did note that terms for some appointments would be coming to an end soon. As of now, the appointments are as follows:

<u>City Appointments</u>	<u>Term Expiration</u>
Duke Bennett	01/15/22
Jon Marvel	01/15/21
Steve Witt	01/15/21

<u>County Appointments</u>	<u>Term</u>
Judy Anderson	01/15/20 – 01/15/22
Brad Anderson	01/15/19 – 01/15/21
Barbara Boo Lloyd	01/15/19 – 01/15/21
Dave Patterson	01/15/19 – 01/15/21

These are subject to re-appointment by the County Commissioners and Mayor Bennett.

County Auditor James Bramble asked which fund the ISU parking places should be paid from. Jon Marvel noted that he didn't think it should come out of the Construction Fund. Duke Bennett suggested it be taken out of CIB funds. Everyone agreed.

7.1. Next Board Meeting – December 16, 2020.

8. Adjournment. Dave Patterson made a motion to adjourn the meeting. Duke Bennett seconded the motion. The President adjourned the meeting at 10:00 a.m.

Executive Session. There was no Executive Session today.

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