

VIGO COUNTY CAPITAL IMPROVEMENT BOARD OF MANAGERS
MEETING MINUTES OF SEPTEMBER 16, 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 Council Chambers or by telephonic or electronic means. Those with media credentials could make arrangements to attend the meeting in person by contacting the Board's administrative assistant prior to the meeting. 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: In Person - Jon Marvel - President, Brad Anderson - Member, Steve Witt - Treasurer; Via Zoom – Mayor Duke Bennett – Vice President, Dave Patterson – Member, Barbara Boo Lloyd – Member.

Others Present Either In Person or Via Zoom: James Bramble-Controller for the CIB, Brian Bosma, Brian Kooistra, Steve Bauer, Rachel Leslie, Hannah Pruitt, Tammy York-Allen, Vicki Weger, and Howard Greninger.

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

4. Approval of Minutes. Minutes for the August 19, 2020 meeting had been circulated via email to all members. Duke Bennett moved to approve the minutes as presented. Dave Patterson seconded the motion. Upon a roll call vote, by a vote of 6-0, the minutes were unanimously approved.

5. Old Business.

5.1. Update on Construction Progress – Garmong Construction Services. Brian Kooistra was present to give an update. The project remains on schedule and within the construction budget. The Hilton Garden Inn north lot was turned over to Hilton Garden Inn on September 11. Eighth Street was permanently closed on September 14. Fencing around the convention center site is currently in place. The east lot of Hilton Garden Inn demolition is starting to take place today. The new water meter pit was placed last month. Tomorrow the tie-in will take place. This has been scheduled with Hilton Garden Inn. Next Monday, September 21, auger cast pilings will begin to be put into place. Shortly thereafter, work will begin on the garage. That should start around October 1. Mr. Kooistra then presented a slide presentation showing some of the progress. The Duke switchover service to Hilton Garden Inn is scheduled for September 22 but that could be pushed a week or so in accordance with Hilton Garden Inn's schedule. Parking garage substantial completion is set for August 9, 2021 and convention center substantial completion is scheduled for March 10, 2022. There was a question raised with regard to an issue with a utility. Mr. Kooistra advised that Indiana Fiber Network work is not yet complete. Garmong is in nearly daily contact with them. He is confident that this will be resolved before it becomes a problem.

5.2. Update on Property Acquisition – Kroger Gardis & Regas, LLP. Mr. Bosma advised that they had been working diligently to bring the transaction with Terre Haute Hotel Partners and Fontanet and Gibson to a close. He believes there will be a closing on the property this week. There have been some access issues on this property that are historic. It has been decided to move forward and work out a couple of these issues in good faith after the fact as they will require some additional survey work. Closing on both properties should take place yet this week. Regardless, they have received an

access agreement for the east parking lot of the Hilton Garden Inn so Garmong can get started on that property immediately. The attention has been on closing rather than getting the access agreement but if that should be delayed for any reason, he is sure that an access agreement can be obtained for that as well. The access issues are as follows: an access easement had been pledged to Fontanet between the Convention Center and the Copper Bar for the portion of the property they are transferring to us so that they could have pedestrian access and outside dining. We are committed to making that happen but that can be resolved afterwards. 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 property. So there's a good argument that those easements are not effective. The survey also showed that the current easement to exit our property and the State Office Building property to the west to 7th Street goes through an old alley, which is where the handicapped parking places are, and not through the existing alleyway. That's a critical ingress/egress issue for our purposes. That is the one issue he would prefer to have resolved prior to closing but given the circumstances and the fact that Garmong is ready to commence immediately, this will be resolved in good faith afterwards.

5.3. Update on Larry Bird Museum Owner's Representative – Nations Group. Steve Bauer with Nations Group advised that the owner's representation contract with Mike Mederski is in the final stages of completion. Mr. Mederski will be the liaison between Hilferty & Associates and the various parties who will be working to procure the memorabilia and coordinate the final design of the interior portions. The base design for the Convention Center has been left "raw" so that Hilferty & Associates will bring the final design. Nations Group is in contact with Mr. Mederski on a fairly regular basis and the contract should be completed in very short order.

5.4. Update on Convention Center Management Discussions – KGR/Nations Group. Brian Bosma noted that he had been devoting his attention exclusively to getting the properties closed. If we don't close on the properties, we don't need a Convention Center manager. As soon as that has been accomplished, he will turn his attention to getting the management contract completed. Steve Bauer stated that contract negotiations have been ongoing and are in the final stages. There is a scheduled meeting in mid-October in Indianapolis with Spectra to finalize all details. He expects to have any modifications to Garmong by early October.

6. New Business

6.1. Other New Business. Dave Patterson advised that the Food and Beverage distribution was \$180,894.00 received in September for two months' prior. The pandemic doesn't seem to be affecting this much. This figure is about normal.

7. Other Business. There was no other business.

7.1. Next Board Meeting – October 21, 2020.

Mr. Marvel also wanted to commend Rachel Leslie and her group on the job they were doing. The website on Facebook is in great shape. They have done a wonderful job. Mr. Bosma also wanted to be sure that everyone was aware that he was available for contact at any time and not to hesitate to reach out to him.

8. Adjournment. Brad Anderson made a motion to adjourn the meeting. Duke Bennett seconded the motion. The President adjourned the meeting at 9:25 a.m.

Executive Session. There is 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.

A handwritten signature in black ink, appearing to read "Jon Marvel", is written over a horizontal line. The signature is stylized with large loops and a long tail.

Jon Marvel, President