

**VIGO COUNTY CAPITAL IMPROVEMENT BOARD OF MANAGERS**  
**MEETING MINUTES OF July 15, 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<sup>®</sup> call participation according to the electronic notice posted on the Vigo County website and forwarded electronically to members of the media.

**Roll Call:**

**Members Present:** Jon Marvel-President, Mayor Duke Bennett-Vice President, Judy Anderson-Secretary, Steve Witt-Treasurer, Dave Patterson-Member, Brad Anderson-Member, Barbara Boo Lloyd-Member.

**Others Present:** James Bramble-Controller for the CIB, Brian Bosma, Steve Bauer, Chris Nations, Michael Wright, Hannah Pruitt, and Tammy York-Allen.

**Additions or Revisions to the Agenda.** There was one addition to the original agenda and the revised agenda was posted on the website. No other changes.

**Approval of Minutes.** Minutes for the June 17, 2020 meeting had been circulated via email to all members. Dave Patterson moved to approve the minutes as presented. Barbara Boo Lloyd seconded the motion. Upon a roll call vote, by a vote of 7-0, the minutes were unanimously approved.

**Old Business.**

**Update on School Corporation Property Acquisition – Kroger Gardis & Regas LLP.** Mr. Bosma advised that a closing was scheduled for July 20, 2020. All due diligence has been completed and is in good shape. There are a couple of items to take care of on the title work. There will also be a lease with the Vigo County School Corporation entered into at the closing allowing the school corporation to occupy the building only until no later than September 30, 2021. Funds will need to be transferred at closing and that transfer has already been approved. President Marvel is scheduled to have a medical procedure the same date as the closing is to occur so, in the event Mr. Marvel would not be available on that date to sign any or all closing documents, Mr. Bosma has prepared a resolution giving signature authority to the other officers. This matter will be discussed under new business later in the meeting.

**Update on Alternate Lease RFP Process – Kroger Gardis & Regas, LLP.** Mr. Bosma advised that as approved by the Board at the last meeting, on the date the closing occurs, a notice will be sent to the newspaper about an alternative lease proposal process giving members of the public the opportunity to submit a response to request for proposal about the future use of the property. Messrs. Nations, Bauer, Bosma and the president will review the responses and a recommendation will be made to the Board at next month's meeting.

**Update on Construction Progress – Garmong Construction Services.** Brian Kooistra of Garmong Construction gave a short slide presentation on the progress that has taken place since last month's meeting. Restoration of portions of the north lot of Hilton Garden Inn have begun. Access to the State Office Building lot was accomplished. Trees have been removed, a sewer tap completed, and they are in process of running the sanitary sewer along with electrical and communication lines. Upcoming

activities are utility installations to the east (installing electrical conduits) which will take place next week. Additional work will continue on the Hilton Garden Inn northwest lot with removal of trees, shrubs, curbing, sidewalks, etc., installation of water meter pit, and installation of storm trap. They are on schedule to permanently close 8<sup>th</sup> Street beginning August 31. Restoration of the north lot of Hilton Garden Inn should be completed on September 11. They should be ready to start on the east lot on September 15.

**Update on Convention Center Management Discussions – KGR/Nations Group.** Steve Bauer with Nations Group advised that the operator agreement is still in process between Kroger Gardis & Regas and Spectra. There are regular conference calls with Spectra. They are still waiting for conclusion of contract negotiations to move this forward. Spectra is reviewing the construction documents and accompanying equipment schedules and making suggestions.

### **New Business**

**Adoption of Resolution 2020-08 Approving Alternate Signature Authority for School Corporation Property Closing - Kroger Gardis & Regas.** Mr. Bosma advised that as mentioned earlier, the closing on the Vigo County School Corporation property is set for July 20. President Marvel is scheduled for a medical procedure on that date and may be unable to attend the closing or sign any necessary documents. Mr. Bosma hoped to have all the closing documents already prepared and signed before that date but, in the event that has not been completed, he has prepared Resolution 2020-08 giving Duke Bennett as Vice President, Steve Witt as Treasurer and Judy Anderson as Secretary authority to sign. Judy Anderson moved to adopt Resolution 2020-08. Duke Bennett seconded the motion. Upon a roll call vote of 7-0, the motion was unanimously approved.

**Authorization for President to enter into a Professional Services Agreement with Hilferty & Associates, Inc. for Exhibit Design Services – Nations Group.** Mr. Bauer with Nations Group has provided a contract for services with Hilferty & Associates, Inc. They met with Hilferty & Associates over a year ago to understand exactly what they do and what they can bring to the Larry Bird Museum. All were very impressed with their credentials. The contract submitted shows the scope they propose to undertake in the next few months and they have set out their fee for services (which will be \$75,000.00). The fee provides for three staff trips to Terre Haute but any number other than that will be reimbursed on a dollar for dollar basis. Fees for printing and other charges for renderings for the conceptual design are also reimbursable. Their fee proposal is within the threshold of our budget for the museum and this will get everything started. Mr. Bosma then stated that he had prepared a professional services agreement consistent with ones for other consultants that would be incorporated into this approval. If approved, the agreement prepared by Hilferty would actually be an exhibit to the agreement prepared by Mr. Bosma. For clarification, Mr. Bosma asked if this group was the only one involved or if there were other parts to the team. Steve Witt commented that yes, there is actually another individual, Mark Madursky of Columbus, Ohio, who actually brought Hilferty to us. He is a museum professional and Mark will serve as our agent in regard to working with Larry Bird, Greg Gibson, other folks, and Hilferty. There are a lot of things to work through for the museum. Mr. Madursky will be assisting us with all the issues. Steve Bauer commented that Mr. Madursky has supplied him with an outline of his proposed services which is acceptable. He is working on his expected fee and compensation package and will get us a draft as soon as possible. As soon as Mr. Bauer has this in hand, he will get it to Brian Bosma to draft a professional services agreement. Mr. Madursky will be the liason between Hilferty, Mr. Bird, and the board. Judy Anderson asked if the museum would be a part of the convention center and if the CIB would have ownership in the museum or if it will be considered separate. Steve Witt advised that is one of the issues they are working through. Preliminarily, it is envisioned as a separate not-for-profit entity that would be housed in the CIB and artifacts would be placed on loan. There are trademark issues to work through, Mr. Bird has his legal advisors and trademarks and so forth. It's a very complicated business. As asked by Mr. Bosma, a fair description would be that we are working through Mr. Madursky and Hilferty would be

making the decision as to where things go. Mr. Witt stated that Hilferty has a very informative website if anyone wanted to see a sample of their work. President Marvel asked if it would be possible if Mr. Madursky could make a presentation to the Board at the next meeting. Mr. Bosma advised that Mr. Madursky had actually made a presentation to the Board about a year or so ago and, upon reflection, the members did remember the prior meeting. It was decided to forego asking him to come back for another presentation. Steve Witt moved to approve to authorization to enter into a professional services agreement with Hilferty & Associates, Inc. for exhibit design services. Brad Anderson seconded the motion. Upon a roll call vote of 7-0, the motion passed unanimously.

President Morris commented that he thought that the museum should be a focal point of the project. This could be an attraction not only for Terre Haute and Vigo County but the entire State of Indiana and surrounding states.

Hannah Pruitt with RJI Solutions will be posting this meeting on the website once it is ready. The slide presentation from Garmong will also be posted on the site. Dave Patterson suggested that we continue to do this in the future.

**Next Board Meeting** – August 19, 2020.

**Other Business** – There was none.

Brad Anderson moved that the meeting be adjourned. Duke Bennett seconded the motion. Upon a roll call vote of 7-0, the motion was unanimously approved and the meeting was adjourned at 9:40 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.

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Jon Marvel, President