

CAPITAL IMPROVEMENT BOARD OF MANAGERS
OF MARION COUNTY, INDIANA
Minutes of Meeting
Thursday, November 1, 2012
Indiana Convention Center - Boardroom

A Meeting of the Capital Improvement Board of Managers of Marion County, Indiana ("Board") was held on November 1, 2012 in the Indiana Convention Center's Boardroom.

Board Members present included Ann Lathrop, David N. Shane, Jim Dora Jr., Douglas R. Brown, Carolene Mays, Milton O. Thompson, Brenda Myers, and Leonard Hoops, Ex-Officio. Board Members Jay K. Potesta and Maggie A. Lewis were absent.

Others in attendance included Barney Levensgood, Executive Director, Dan Huges, CFO, Jack Woodside, Special Projects Consultant, W. Tobin McClamroch, General Counsel, Bingham Greenebaum Doll LLP, Bryan Collins, General Counsel, Bingham Greenebaum Doll LLP, Michael Hurtman, Bingham Greenebaum Doll, LLP, Moses Vejlil, Bingham Greenebaum Doll, LLP, Robert Vane, Veteran Strategies, Inc., Christina Koennecke, Business Operations Director, James Wallis, Visit Indy ("VI"), Michelle Travis, VI, Chris Gahl, VI, David Sease, SGA and members of the media. A copy of the list of those who signed in upon arrival is also attached hereto.

Ms. Lathrop noted that the only action on the agenda today was **Consideration and Response to Action Taken by the City County Council to Modify the CIB 2013 Budget**. Ms. Lathrop introduced Toby McClamroch to walk the Board through the some of the recent events as well as some possible options related to the actions.

Mr. McClamroch explained to the Board that after the CIB 2013 Budget was approved at the August CIB Meeting, the CIB Budget was introduced to the City County Council as Proposal 295, 2012. The Proposal was amended in Committee to provide for a possible payment by the CIB of \$15,000,000 to the City in January, 2013. After amendment Proposal 295, 2012 was adopted by the Council.

Mr. McClamroch presented the Board with a copy of the Proposal No. 295, 2012, which is attached to and made a part of these minutes, which document includes the amendment to the CIB Budget.

Mr. McClamroch presented a resolution to the Board which is attached to and made a part of these Minutes. Mr. McClamroch explained each Section of the attached Resolution in detail to the Board members and answered their questions regarding what the resolution entailed.

There was a discussion among the Board members as to the rationale to appeal a document that has not actually been served. Mr. McClamroch introduced Bryan Collins from Bingham Greenbaume Doll . He suggested it may be prudent to file an appeal and

ensure the rights of the CIB are protected. He reiterated there are guidelines and procedures for imposing a PILOT and these proper procedures were not followed in this case.

Mr. Brown inquired if this resolution gave Ms. Lathrop the authority to file a lawsuit in this matter without the approval of the Board. Mr. McClamroch explained that this resolution was written so that legal action would not be authorized without Board approval. The proposed resolution was modified to clarify the point raised by Mr. Brown.

Upon a motion by Ms. Mays and seconded by Mr. Shane the amended resolution was approved.

Ms. Lathrop asked the Board if there was any **Other Business**. Mr. Huge reminded the Board that with the November CIB Meeting scheduled later this month, there would be a need to have the Board Members approval the Claims Vouchers by fax and then we will ratify the Claim Vouchers at the Meeting on November 19th.

With there being no **Public Comment** and no further business to be conducted, the meeting was adjourned.

Ann Lathrop, President
THE CAPITAL IMPROVEMENT BOARD
OF MANAGERS
OF MARION COUNTY, INDIANA

Douglas R. Brown, Secretary
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