

Minutes: Meeting of the Metropolitan Government Board of Fair Commissioners

Date: May 11, 2021 8:00 p.m.

On the above referenced date, the May meeting for the Board of Fair Commissioners was held at Music City Center. Those in attendance were Chairman Erin McAnally, Vice-Chairman Jason Bergeron, Commissioner Caleb Hemmer and Commissioner Sheri Weiner. Also, present were Fairgrounds Executive Director Laura Womack, Finance and Administrative Manager Satrice Allen, and Corporate Sales Manager Scott Wallace. Metro Attorney's Alex Dickerson and Tom Cross were also in attendance. Jerry Caldwell with Bristol Motor Speedway (Speedway Motorsports) and Jack Wrightson with Wrightson | Johnson | Haddon | Williams (WJHW), as well as, James Weaver of Waller Lansden Dortch & Davis, LLP, attorney for Speedway Motorsports, were also present.

Chairman McAnally called the meeting to order and read the legal notice. She then moved to the approval of the April meeting minutes. Commissioner Weiner made a motion to approve the minutes and Vice-Chairman Bergeron seconded the motion. All were in favor and the minutes were passed. Chairman McAnally then moved to Public Comment Time.

There was one public comment. Chairman McAnally then moved to the Financial Report item under Monthly Reports.

Ms. Allen gave a brief financial report. She stated that they had received their subsidy (for this fiscal year) from Metro of over 2.1 million (to cover their expenses due to the Pandemic). She added that they did not meet the eligibility requirements for the SBOG grant and, therefore, were not able to acquire any monies from this grant. She stated that the mayor had submitted his recommended budget to the Council for next year which included a Divisional Fair Coordinator position for the Fairgrounds that would be offset by a reduction of the Fairgrounds' utility expenses. She added that they had also requested a 2.9-million-dollar subsidy which would come from the COVID-19 stimulus package. She reported that the Fairgrounds should, hopefully, have the subsidy by July 1st. Chairman McAnally then moved to the Executive Director's Report on the agenda.

Director Womack reported that they were sad to announce that one of their long-time employees, John Guthrie, had passed away after a short illness and stated that he would be greatly missed. She stated that they were closing down their main capital project and had held some money back to make some much-needed purchases such as tables and chairs, pipe and drape, a mower, a propane forklift, and a 40-foot lift. She reported that Flea Market would be opening back up at the end of the month-an outdoor only market with over 400 booths and 160 vendors. She added that they anticipated full capacity. She also announced that they had issued a purchase order for a new cloud-based subscription service reservation system which would give staff much more flexibility and options. She stated that they hoped to have it all up and running by the time they opened with their target date being September 1st. She reported that as the shelter moved out of the buildings in the proposed stages of May 1st/ June 1st/ July 1st staff was working on arranging for contractors to come in and finish up any warranty work, repairs, cleaning, and sanitizing. She added that it should take about 8 weeks to get the buildings ready to re-open-from July 1st to September 1st-and they might be able to open buildings earlier as they became available. She announced that, with the State Fair deciding to move to Wilson County, they had had many discussions with groups and individuals concerning holding a divisional fair on the property and stated again that they had asked for a new position for a Fair Manager, and she anticipated that this position would be approved by Council. Commissioner Hemmer had several comments and questions concerning the Fair Manager position, promoters' interest in starting back with shows, and the charter and Board discussions needed at the next meeting concerning the State Fair leaving. Chairman McAnally then moved to Old Business and the Bristol Motor Speedway Update item on the agenda.

James Weaver thanked the Board for the opportunity to speak and then stated that the legislation that allowed the events at the speedway to capture the 5.5% of the state sales tax was passed by both the House and the Senate and should be sitting on Governor Lee's desk soon. He reported that they continued to meet with the Cooper Administration/Metro Finance and Director Crumbo/the Design Team/Director Womack/Chairman McAnally, and they would be continuing those meetings and were making good progress. He stated that they had had 13 community meetings so far and had about 20 left still to meet with and added that these community meetings would be an ongoing thing as long as Bristol was a partner with this facility. He stated that they had presented their revenue models to the Finance Department, and they were being reviewed. He added that those meetings and discussions would continue. He stated that they hoped to have a proposed draft of an operating lease by the end of May. He reported that the two open items were: 1) the development agreement (or the delivery model) for which the renovations of the track would be contained and that he hoped to have this to them soon. 2) that they continued to review the timeline that was in the letter of intent - they may or may not be able to hold that schedule, but they would see where they were at the end of May and then a decision would be made. He added that they made that offer in good faith keeping in mind that there were lots of issues and highly technical issues of this complicated process and that they would soon offer a proposal that was complete.

Chairman McAnally stated that she was not comfortable that the end of May to the 8th of June would be enough time to notify the public and Vice-Chairman Bergeron agreed. Vice-Chairman Bergeron stated that they just did not have enough information to proceed, and it was unacceptable, and that the timeline needed to radically change. Both Commissioner Weiner and Commissioner Hemmer stated that they would like to wait until more information was given to them to discuss and react to, especially with such an extensive list of unknowns to still be addressed. There was a discussion between Vice-Chairman Bergeron and Mr. Weaver about the process plan and what was expected to be presented concerning the Letter of Intent and Vice-Chairman Bergeron stated again that more information should be revealed before proceeding any further. Commissioner Weiner stated that the Board should give Bristol and The City and Fairgrounds Staff a chance to put together a proposal and to wait and see and to have patience with the process.

Chairman McAnally reminded everyone that the public meeting that night was the only thing in this process that was "set in stone" and everything else was tentative. She added that she did have a lot of hesitancy and that waiting until the end of May would be tough on the Board. There was more discussion between the Board. Mr. Weaver proposed a new date of May 25th to try to bring the draft before the Board (if they were able to get with Finance by then). Vice-Chairman Bergeron stated that there would still be the same problem and that he was not comfortable, and he felt the community would not be comfortable as well with there still being too many unknowns to draft an agreement. He then requested to see a draft agreement from Metro Legal. He added that he felt that this was not the same process that they had been through with soccer and that they knew more information at this point with the soccer agreement. Chairman McAnally reminded everyone that the term sheet was just from Bristol Motor Speedway, and they were waiting on answers from The City, and that it had not been negotiated yet. Commissioner Weiner stated that the community usually responded better once they had all the information and that the developmental agreement and operations agreement should be done after the financing is all worked out so that everyone could see the big picture. She added that without those pieces it would be hard to see that whole picture and she assured the Board that the Metro Council would then go back and renegotiate anything, if needed, and it was the Board's responsibility to give the community that big picture and not pieces of it here and there. Chairman McAnally agreed.

Vice-Chairman Bergeron then made a motion stating, "*We request a fully detailed proposal only at the June meeting (that would allow for time for feedback with an informed draft for the July meeting) and not any draft documents or agreements at the present time.*" Chairman McAnally seconded the motion for discussion. There was more discussion among the Board. Chairman McAnally stated that she shared all of the Board and public's concerns and she agreed that the timeline was very aggressive and that it made her nervous as well. She added that they did need to decide about next month's meeting at that they would have the regular Board meeting on June 8th at Music City Center. Vice-Chairman Bergeron then called the question and Chairman McAnally asked for a vote. Commissioner Weiner voted, "No", Commissioner Hemmer voted, "No", Chairman McAnally vote, "No", and Vice-Chairman Bergeron voted, "Yes". Chairman McAnally then stated that the next meeting would be on June 8th and they may or may not have more details and they may or may not have a public engagement but, if needed, they could have a special meeting. Commissioner Hemmer also suggested that if they received information earlier than June 8th they could also call a special meeting earlier.

Vice-Chairman Bergeron then had a few more questions for Mr. Caldwell concerning the four SMI weeks and Fair Park control, partnership commissions, whether NASCAR was a 2-day event or a 3-day event, the parking plan and protecting the neighborhoods, naming rights, and the children's charities model. Commissioner Hemmer had some questions/comments about sound mitigation and best practices and electric vehicles from Mr. Wrightson, CVB partnerships, the charities and their corporate policies and a breakdown about how this deal will affect the Board's budget. Vice-Chairman Bergeron gave a few more comments concerning the children's charities, the state's proposed anti-LGBT legislation, the Metro budget and the Fairgrounds revenue, CVB events, a full guarantee for 30 years and/or an exit plan for Bristol, timelines and the "for good government" petition. Chairman McAnally then moved to the Community Impact Discussion item on the agenda.

Vice-Chairman Bergeron then stated that he wanted to discuss his draft policies to lower impact and he briefly went over the policies. Commissioner Weiner stated that she needed more time to study these policies. Commissioner Hemmer stated he would like to wait until next month to discuss these.

Chairman McAnally asked for a motion to adjourn, and Commissioner Weiner stated, "so moved." Commissioner Hemmer seconded the motion. All were in favor and the meeting was dismissed.

Respectfully Submitted,

Chairman, Erin McAnally

Executive Director, Laura Womack