

Metropolitan Government Board of Fair Commissioners Work Session for the Bristol Motor Speedway
Proposal
December 21, 2022 5:00 p.m.
Fairgrounds Expo 1

Present:

Sheri Weiner, Chair
Jasper Hendricks, Vice-Chair
Mario Avila, Commissioner
Todd Hartley, Commissioner
Anthony Owens, Commissioner
Laura Womack, Executive Director Fairgrounds
Satrice Allen, Finance and Administrative Manager Fairgrounds
Ann Mikkelsen, Metro Legal
Tom Cross, Metro Legal
Jerry Caldwell, President of Bristol Motor Speedway
Julie Bennett, Vice-President and General Counsel, Bristol Motor Speedway
Jon Cooper, Waller Lansden representing Bristol Motor Speedway
Matt Kuhn with Bristol Motor Speedway
Thommye Kelley with Glencliff High School
Jay Lenhardt, Senior Vice-President of CSL
Jack Wrightson, Managing Principal and Chairman of Wrightson, Johnson, Haddon & Williams

Chair Weiner called the Work Session to order and then asked for a motion to approve the minutes from the last Work Session. Vice-Chair Hendricks made a motion to approve the minutes and Commissioner Hartley seconded the motion. Commissioner Hartley then asked for a clarification of a request he made in the November 30th minutes. Chair Weiner asked for a motion to amend the minutes. Commissioner Hartley made a motion to amend the minutes and Vice-Chair Hendricks seconded the motion. Chair Weiner asked for approval of the minutes as amended. All were in favor and the minutes were passed (Commissioner Owens was not present yet).

Chair Weiner then read the legal notice. She stated that they would be moving to the *Presentation by Representative of CSL regarding the Financial Review: Nashville Fairgrounds Speedway Renovation* item on the agenda, but that first they would hear from Tom Cross with Metro Legal.

Mr. Cross gave a little background to the Board first so that they could know what they were being asked to do and finished by stating that they wanted to make sure that everyone had numbers they were all comfortable with. He then gave the floor to Mr. Lenhardt.

Mr. Lenhardt reported that it was their job to evaluate the proposed financial plan of the Bristol deal. He then went over their study. There were several questions and some discussion. Mr. Lenhardt added that since the May report and the CVB (Convention & Visitors Bureau) had come in, the debt service numbers were lower now and the gap in the numbers had narrowed/closed and, when asked, he felt comfortable

that the payments would be sufficient to cover the debt service ratio (with the new updated numbers). Vice-Chair Henricks asked if they could see the updated numbers since the May report and Chair Weiner agreed that it would be helpful to have those corrected numbers. Mr. Cross stated that he could provide that. There was more discussion and questions about risk factor(s), data sources and types of events that would be held. Commissioner Hartley asked if Mr. Lenhardt might be able to come back later or if they could email questions and Chair Weiner answered, “*Absolutely.*” Commissioner Avila asked again if the Board could get the (CSL) report with the updated numbers. Chair Weiner then moved to the *Presentation by Bristol representative and Metro Legal representative on Community Benefit Agreements* item on the agenda.

Mr. Kuhn gave some opening statements and background about the community benefits agreement/partnership. Ms. Kelley gave a brief statement about being a community partner with Bristol. There was a lengthy discussion and several questions to Mr. Kuhn and Metro Legal about the benefits agreement. Commissioner Hartley stated that he understood that Metro could not a party to the benefits agreement so the Board could not require certain things but asked that if the Board wanted to require certain things in the Community Benefits Agreement, could they ask for the involved parties to do that. Mr. Cross stated that there was nothing in the lease to follow Metro’s rules on what they could require but that they could give goals only. Commissioner Hartley stated that this was a good starting point but that this was not a Community Benefits Agreement yet. Commissioner Avila also stated that he would like to see specifics and real numbers for this agreement and Vice-Chair Hendricks added that this was more a community benefits “commitment” than an “agreement” and asked everyone to keep educating the public about what Metro’s role could/could not be with the benefits agreement. Ms. Mikkelsen reminded the Board that the decision about the proposal was not contingent on a community benefits agreement, or its contents and Mr. Cooper elaborated on that a bit concerning the Metro Council’s role. Chair Weiner then moved to the *Presentation by representative of Wrightson, Johnson, Haddon, Williams regarding the Environmental Sound Modeling Study* item on the agenda.

Mr. Wrightson went over the sound study presentation which included administrative controls, noise control/restrictions, sound walls and barriers, mufflers, etc. There were many questions from the Board and a lengthy discussion about mufflers, definitions of mufflers and race cars, sound mitigation plan and monitoring and for other events as well, number limits to racing/non-racing events in lease, etc. Chair Weiner stated that she would like to be a part of the conversation once decisions were made about whether stipulated mufflers or sound levels from a sound source would be the measuring factor when concerning mufflers and noise. Commissioner Hartley stated that he felt there should be limits in the lease for non-racing events and asked Mr. Caldwell if he would be willing to put limits on the number of events. Mr. Caldwell stated that he was open to that as long as it was consistent with the other partners on the property and reminded the Board that Bristol wanted to be a partner and would be working on a daily basis with the other partners/Fair Board and would be held accountable to the other partners/Fair Board for the 30-year entirety. Vice-Chair Hendricks stated that they would need to have that conversation with the CVB as well. Commissioner Avila agreed that it was important to look at the other partners on the property and the agreements that we already had in place with them, and Director Womack stated that she was already working on that comparison. Mr. Wrightson went over the comparison graph in more detail for the Board. Chair Weiner then moved to the *Presentation of Lease Agreement by Tom Cross, Metro Legal and Jon Cooper, representing BMS* item on the agenda.

Mr. Cross went over the memorandum/lease agreement. He then went over the waterfall sheet in detail.

Chair Weiner reported that there would be another work session scheduled at some point (and maybe more). She stated that she felt the Fair Board's money should be guaranteed and not split since they would be losing the ability to have events and make revenue which would impact Metro's General Fund. She also wanted to know if a taller sound wall would be more helpful/better and what would the reduction be if it were taller. Commissioner Avila agreed that the Fair Board's money should be guaranteed, and the campus looked at "as a whole." Several other commissioners agreed that another (or more) work session was needed. It was decided that the commissioners could email their questions or list of concerns ahead of time to Director Womack (to be forwarded along, if needed) to be answered for the next meeting. Mr. Cooper stated that written questions would be very helpful and that he would be getting an answer to their previous questions that had been submitted earlier very soon. Commissioner Owens asked if the public could see the answers to their questions and Chair Weiner stated that they could once they got the answers.

Commissioner Avila asked about a tour for the board members of the facility soon so they could be more informed, and Chair Weiner agreed to do that. She then closed the Work Session.

Respectfully Submitted,

Chair, Sheri Weiner

Executive Director, Laura Womack