

Metropolitan Government Board of Fair Commissioners Work Session for the Bristol Motor Speedway Proposal
February 16, 2023 4:00 p.m.
Geodis Park Multi-Purpose Room

Present:

Sheri Weiner, Chair
Mario Avila, Commissioner
Todd Hartley, Commissioner
Anthony Owens, Commissioner
Laura Womack, Executive Director Fairgrounds
Satrice Allen, Finance and Administrative Manager Fairgrounds
Terri Costonis, Metro Legal
Tom Cross, Metro Legal
Julie Bennett, Vice-President and General Counsel, Bristol Motor Speedway
Matt Kuhn with Bristol Motor Speedway
Jon Cooper, Waller Lansden representing Bristol Motor Speedway
Ben Eagles, Mayor's Office

Chair Weiner called the meeting to order. She then moved to the approval of the minutes from the February 9th Work Session. Commissioner Hartley made a motion to approve, and Commissioner Avila seconded the motion. All were in favor and the minutes were passed. Commissioner Hartley stated that he wanted to disclose any potential conflict there might be since his company Nashville Clubs LLC was considering renting the SNAP Community Center to hold programs.

Chair Weiner then stated that they would start with the Review of the Operating Lease item on the agenda. There were no questions or comments concerning the Operating Lease.

Chair Weiner explained that they would go over any outstanding questions and the amendments and added that Metro Legal and Bristol had received copies already of the amendments. She then gave the floor to Mr. Cross.

Mr. Cross first addressed the question that had been brought to them, "What might happen if the Fair Board or the Metro Council declines to approve this deal?" He stated that if the deal did not pass then auto racing and other activities must continue (as they were in the year 2010) to honor The Charter as well as a standard of maintenance to the existing facility so activities could be conducted safely and, in an ADA compliant way. He added that Council would have to fund what was necessary to keep the existing facilities in such conditions so that the activities could take place. Mr. Cross explained that if the deal was declined by any of the parties that The Board would need their own study to determine what was needed to make the facility safe and ADA compliant. Commissioner Owens asked if the Fair Board did decline the deal, could Metro Council still approve it. Mr. Cross stated that he was not prepared to answer that at

that time since the Fair Board had unusual powers according to The Charter (compared to other metro boards) but added that Council would probably be unlikely to overrule. There was a brief discussion about how the Fair Board decision making powers operated.

The next question that Mr. Cross discussed was concerning the potential amendments that Board Members had requested or recommended that might influence the increase/decrease of revenue coming in. He briefly went over what could happen under both scenarios. He added that he did not see anything that they could not do as a violation of state law with the potential amendments coming in if Bristol agreed.

The next issue was concerning the impact on Nashville Soccer and Mr. Cross stated that the soccer deal was completely separate from the Bristol deal and so the contracts could not be same, and they were not bound to try to equalize them. He mentioned a few examples with one being the Bristol deal did not have the ten acres involved as did the Soccer Stadium Agreement. He added that there could be no changes to the soccer contract now or to any existing contract, although amendments could be made if the parties wished to do so. Chair Weiner then moved to the amendments.

Chair Weiner reported that Director Womack had put together the documents to make a list of all the information they had received in one place which was a huge task. She stated that they would discuss some of the amendments today and she then gave the floor to Director Womack.

Director Womack reminded the Board that this was a draft and still a working document, and she would send a redline later to the Board with any changes. She added that most of the information in the document was already posted on the website-she had just organized it. Chair Weiner stated that it was their job that day to look at the amendments and what each one represented-the pros and cons-with an open conversation and for them to discuss and ask questions with Bristol and The Administration all present. She added that once they voted on the amendments, they would wait to see what was accepted and could proceed forward.

Director Womack then went through each category which were: 1) Access for the Fairgrounds 2) Campus Scheduling and the Community 3) Community Input 4) Curfew 5) CVC Operations & Revenue 6) Development Oversight (included Environmental Oversight) 7) Food & Beverage 8) Fair Board and Fair Board approval-CVC Events Approved by the Fair Board 9) Insurance 10) Protect Local Racing in the Lease Agreement 11) Operational Oversight 12) Parking Revenue 13) Penalties 14) Race Scheduling 15) Sound Mitigation 16) Term Language 17) Termination 18) Transportation Management Plan 19) Use of Fairgrounds. There were some discussions on most of the categories.

Chair Weiner then stated that the meeting was adjourned.

Respectfully Submitted,

Chair, Sheri Weiner

Executive Director, Laura Womack