

**DECEMBER 19, 2005 THE 22<sup>ND</sup> DAY  
OF THE OCTOBER ADJOURN TERM**

The County Commission met in Associate II Circuit Courtroom at 9:01 a.m. pursuant to adjourn with Chuck Pennel, Presiding, Ron Herschend, Western District, and Danny Strahan, Eastern District present. The following proceedings were had and made a matter of record.

The prayer was led by Donna Neeley followed by the pledge.

**JOHN LOGAN**

John Logan expressed a concern about the tourism tax being used for purposes other than for which it was intended. Logan stated that “the people were meant to govern the government not visa versa.” Logan explained that the government should not use taxpayer’s money to subsidize businesses and compete with business people who pay taxes. Logan added that he feels the City of Branson is going in the wrong direction and that he was misled as to how the tourism tax was going to be used. Logan explained that he was promised that no tax money would be cabbaged into by any entity and that money would be used for tourism enhancement. Logan expressed that the tax money for tourism is going to a retail organization, tax money for schools is going to a retail organization, and tax money for county roads is going to a retail organization. No motions were made and no votes were taken.

**TIF REPRESENTATIVE  
GARY GROMAN**

Gary Groman, TIF Representative stated that he was unaware of Mr. Logan attendance at today’s Commission meeting and that it was not planned. Groman stated that as a TIF representative, he did not receive ample notice or material in regards to the TIF meeting. Groman added that he received a copy of a resolution only after he requested it and that it was not included in his packet of information. Groman suggested there was better need for administration in getting information out to TIF members so that the member has ample time to study the brief.

Commissioner Herschend asked if there was a resolution typed up? Groman answered that the book of information he received prior to the meeting stated there was a resolution however, he had to request it before it was given to him. Groman added that the TIF Board voted on the Branson Hills resolution at the meeting and out of the ten members, six voted for it and two county representatives along with two school representatives voted against it.

Commissioner Herschend expressed a concern that a public hearing was held and someone had predetermined the result of that meeting by typing up a resolution prior to the meeting. Herschend asked if a meeting was held prior to the TIF meeting on

Wednesday to discuss the packet? Groman answered if there was a meeting he was unaware of it.

Commissioner Herschend asked how a resolution was typed prior to the meeting if there was no meeting held prior to Wednesday and asked who drafted the resolution? Groman stated that he had no idea and that he was just there as a representative. Groman added that he voted not to approve the resolution. A general discussion ensued

Gary Groman expressed that he feels the problem is the fact that Taney County has no say as to the location of the “big boxes” that are being put in Taney County. Groman further stated that the City of Branson will do what they want to do and as a county we should have a say as to what would benefit the county as a whole and not rely on the city to decide what is good for everyone. Groman also expressed a concern about the one sidedness of the City of Branson and that the minutes do not have details from the meetings. Groman further stated that the city is taking potential revenues away from the Branson School District without their agreement and recommended working at a state level and to use all means to prevent using TIF’s unless the county agrees to them. Groman requested that the Commission enter into Executive Session for purpose of discussing possible litigation.

Commissioner Herschend stated that Groman said “without a doubt that this development was good for Branson” and asked him if he knew that the City of Branson was moving sales from a non-TIF area to a TIF area, if he still would think it would be good for Branson. Groman responded that with any development there will be a shifting of revenues and that he felt it would still be good for the City of Branson. A general discussion ensued.

Commissioner Strahan stated that all three Commissioners have tried to take control of TIF situations in the past and it always ends up that they are the bad guys. Strahan further stated that until the county gets more of a backbone the county will suffer and that to put a stop to it “we have to stand up for what we know is right.”

Presiding Commissioner Pennel asked Groman if he thought the county would be better off without any TIF’s. Groman explained that he is not wise enough to know for sure but feels if the forming of TIF’s takes away from school revenues they need to be looked at. Groman further stated that the Branson Landing TIF is different because it is an attempt to bring something new to Branson plus they already had all of the land. Groman stated that he feels the Branson Parkway TIF was used to keep the City of Hollister from getting “big boxes”. Groman concluded that it depends on the purpose of the TIF and if it is used to compete with another taxing entity then it is a problem. A general discussion ensued.

Commissioner Strahan expressed that he is glad Gary Groman voted the way he did regarding the TIF resolution.

John Logan approached the commission and stated that in the past he has fought strongly against the Tourism Enhancement District however, this time was assured that none of the tax money would be diverted however it is already being diverted. Logan added that he does not like TIF's and that the function of the government is to serve the basic needs of the citizens and quoting Thomas Jefferson stated, "He who governs best governs least."

Commissioner Pennel stated that he would like to see the Commission take action as far as sending a letter to the State Representative, Senator, and Governor indicating that Taney County is in favor of taxing districts having a say in TIF projects. No motions were made a no votes were taken.

### **REIMBURSEMENT AGREEMENT CONTRACT RENEGOTIATION**

Bob Paulson, County Counselor stated that he has some things to go over in Executive Session regarding a reimbursement agreement and contract renegotiation.

### **ACCOUNTS ALLOWED**

Commissioner Pennel made a motion to approve accounts payable warrants #92417-92538 and manual warrants #4432 & 4433. Commissioner Strahan seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

### **RECESS**

### **EXECUTIVE SESSION**

Commissioner Strahan made a motion to go into Executive Session pursuant to RSMo 610.021 (1) (2) (3). Commissioner Pennel seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).