

**THE LAKE OF THE OZARKS AREA BUSINESS DISTRICT OF
MORGAN COUNTY ADVISORY BOARD MEETING**

VFW Hall, 115 Troutdale, Gravois Mills, MO

Tuesday, February 8, 2022, at 1:00 p.m.

1. CALL TO ORDER:

The Lake of the Ozarks Area Business District of Morgan County Advisory Board meeting was called to order at 1:07 p.m. A roll call attendance was taken:

John Custer – Present

Brian Nivert – Present

A quorum was present for the meeting.

Also in attendance, Lagina Fitzpatrick, Tracy McKinney and John Brooks.

2. APPROVAL OF AGENDA: Brian Nivert made a motion to approve the Agenda for the Morgan County Business District Advisory Board Meeting for February 8, 2022, as presented. John Custer seconded the motion. The motion passed unanimously.

3. MEETING MINUTES: Brian Nivert made a motion to approve the October 28, 2021, Lake of the Ozarks Area Business District of Morgan County meeting minutes. John Custer stated that after reading the prior minutes, the only question that he had was regarding the Civitas recommendation, Lagina Fitzpatrick stated it will be addressed later in the meeting. John Custer seconded the motion. The motion passed unanimously.

4. NEW BUSINESS:

(A.) Approval of Funding Disbursement Report #302 and #303 – Lagina Fitzpatrick reviewed Funding Disbursement Report #302 and #303 with John Custer due to this being his first Business District Advisory Board meeting since his election. There were no additional questions regarding either report. Brian Nivert made a motion to approve Funding Disbursement Reports #302 and #303. John Custer seconded the motion. The motion passed unanimously.

(B.) Funding Requests – Laurie Hillbilly Fair – September 16 – 17, 2022 – Laurie Hillbilly Car Show – September 10, 2022 – Both funding requests were discussed together with a total of \$3,000, \$2,000 for the Hillbilly Fair and \$1,000 for the Hillbilly Car Show. Brian Nivert stated that he had approached the organizer to submit a funding request to help grow the events. Lagina Fitzpatrick stated that she had reached out to the organizer for additional information regarding the car show, there is a registration fee of \$20 for early entries and \$25 for day of the show entries and asked if the funds that are being requested would be spent to market outside the area to bring more people in. John Custer stated that he has been to the Hillbilly Fair and it seems to be more of a local event, he was not aware of the Car Show, Lagina state this will be the second year with the hope to get more people to attend. Lagina explained it does not all have to be cash funds directly to the organizer, there is the option to do Facebook sponsored post that will help to market the event. John Custer made a motion to fund the Laurie Hillbilly Fair for \$2,000 and the Laurie Hillbilly Car Show for \$1,000 with an additional \$500 Facebook sponsored post to each event. Brian Nivert seconded the motion. The motion passed unanimously.

Major League Fishing Tackle Warehouse Pro Circuit 2023 – Lagina Fitzpatrick explained this is one of her clients, the request is for \$32,500 and was presented to both Camden County Business District and Miller County Business District. The proposed time is April 2023, however

it will not interfere with the Big Bass Bash, with 125-150 anglers for 4 day. There is the possibility of up to 22 hours of TV time between the event on CBS Sports and replay on the Sportsman Channel. Camden County Business District voted to fund \$20,000 with Miller County Business District tabling the funding request to the March meeting, a decision will need to be made before that. A discussion regarding where the event will take place, Public Beach #2 is the best choice due to the size for tents, the ramp, and the ability for internet access. John Custer stated that it is important to support the whole Lake area, not just Morgan County. Brian Nivert made a motion to fund \$6,250 of the remaining \$12,500 for the Major League Fishing Tackle Warehouse Pro Circuit 2023. John Custer seconded the motion. The motion passed unanimously.

(C.) 2022 Election – Lagina Fitzpatrick explained that John Custer’s seat will expire in March and the election should be held at the Annual Meeting scheduled for March 29, 2022. Call for nominations will go out by February 11, 2022. John Custer agreed that the election can take place during the meeting and the election can run from 1:00 p.m. to 3:00 p.m. Absentee voting will take place at the operating office, 985 KK Drive, Osage Beach, MO in accordance with the Morgan County Business District By-Laws.

(D.) Granicus Short Term Rentals – govService Host Compliance – Lagina Fitzpatrick stated that she started talking to Granicus around October regarding short-term rentals and who is in compliance, an email was sent out with the information and references to both Brian Nivert and John Custer for review before the meeting. John Custer asked if it was possible to hire someone to do the work, Lagina stated the ability for one person to do the research of Granicus is not feasible, it has been tried in the past. Camden County Business District and Miller County Business District have already approved for Granicus to work on short term rentals, the price was packaged for all three counties. The cost is over \$82,000 with Camden County Business District making up 86% of the total, Miller County Business District making up 5% and Morgan County Business District making up 9%. Morgan County Business District would have the cost of \$7,384.16, which will be split between two fiscal years and can be paid quarterly. Brian Nivert made a motion to pay Granicus \$7,384.16 for compliance on short term rentals. John Custer seconded the motion. The motion passed unanimously.

(E.) FY23 Budget Process – Lagina Fitzpatrick explained for the FY23 Budget, she is looking for approval to start the process and have the numbers in place for the next meeting, she is still working on updating the marketing plan. There will also be set expenses; CPA, board insurance, legal, and Funding Events. Morgan County Business District saw a 36% increase over last year. Lagina also explained that an annual audit will need to take place every year, however a contract was only signed for last year, an RFP will need to be sent out to an audit company, John Custer inquired why Evers and Company cannot do the audit, Lagina stated it would be considered a conflict of interest since they are the CPAs that do the accounting for all Business Districts and TCLA.

Brian Nivert inquired if it would be possible when compiling the information regarding the FY23 budget to separate out the cost TCLA pays for the Vacation Guide. Lagina explained TCLA does not pay for the Vacation Guide, an escrow account is set up with the funds for advertising deposited into with payments for the Vacation Guide coming from there. Brian Nivert stated that in his opinion the Vacation Guide is a waste of money and that TCLA only has a small section in the back of the Lodging section unless the business becomes a member. John Custer stated that he did not think there was as much print advertisement as what had been in the past. Lagina explained that there is still a large number of requests that are coming in for the Vacation Guides and so far over 3,000 have been mailed out in 2022. Lagina also explained that TCLA pays the CVB for fulfillment of services, such as, bookkeeping, creative, management of the website, supplies for packets and postage, just to name a few, that is covered by a monthly charge. Lagina also stated there will be a breakdown on the TCLA Management Agreement that will state the percentage on how the funds will be allocated. John Custer made a motion for Lagina Fitzpatrick to start

compiling the information needed for the FY23 Morgan County Business District Budget. Brian Nivert seconded the motion. The motion passed unanimously. John Custer made a motion for Lagina Fitzpatrick to submit RFPs for the FY22 audit. Brian Nivert seconded the motion. The motion passed unanimously.

(F.) Morgan Business District Rules & Regulations – Lagina Fitzpatrick stated that Camden and Miller County Business District both have Rules and Regulations in place for items that do not fit into the By-Laws, a few items suggested was attendance, information regarding the dating of the check presented for signature, and if the revised TCLA By-Laws pass, information regarding the board member that will service for Morgan County Business District. It was also discussed to have Lagina Fitzpatrick added to the signature card to sign in case there was an occasion that either John Custer or Brian Nivert would not be able to sign. John Custer made a motion for Lagina Fitzpatrick to draft new Rules and Regulations for the Morgan County Business District to be reviewed at the next Business District meeting. Brian Nivert seconded the motion. The motion passed unanimously.

(G.) Other New Business – Brian Nivert stated that he would like to start the process to have an additional board member so when the lawsuit is finished, a new board member can be put in place. Lagina Fitzpatrick explained, per legal counsel Marc Ellinger, to have another board member appointed, the Business Districts of Camden and Miller County would need to do so. Since Camden County Business District is the only Business District with a Large Category, the Camden County Large Advisory Board Members would make the appointment, as for the Medium Category, both Camden and Miller County Medium Advisory Board Members would make the appointment. Brian inquired when the By-Laws would be able to be revised for correct verbiage, Lagina stated per legal counsel Marc Ellinger, wait until the lawsuit has been resolved, if changes are made and then there is a judgement to revise them again, it could have been unnecessary. John Custer made a motion to add to the agenda for the next meeting the discussion of an additional Board seat from the statute into the Morgan County Business District By-Laws. Brian Nivert seconded the motion. The motion passed unanimously.

Brian Nivert stated that with the past Board Member there had not been an agreement to have either position serve as Chairman, Brian Nivert made a motion to appoint himself as Chairman of the Morgan County Business District Advisory Board. John Custer seconded the motion. The motion passed unanimously.

5. OLD BUSINESS

(A.) TCLA Board Appointment (Non – Advisory Board Member) Based on Approval of TCLA By-Laws – Lagina Fitzpatrick explained that if the Revised TCLA By-Laws pass at the February 28, 2022, meeting the By-Laws will go into effect immediately, the Business District Advisory Board members will no longer serve on the board and TCLA Board Members will need to be appointed from each County. With the approval from Brian Nivert, Lagina had reached out to Pamela Quinn with LakeDays.Rentals, who had just ran for the vacated seat in the special election, to inquire about her willingness to service on the TCLA Board. Lagina also explained that the Board member will need to be a lodging member from the appointing county and after the appointment, which was decided Morgan County to be three years, there will be an election of the lodging member to elect the next Board member. Lagina also explained that is the reasoning to add the information regarding the TCLA Board Member in the Rules and Regulations, where if there is not a qualified option for the Board, an Advisory Board Member can fill the position until another appointment can be made, with the pending lawsuit there is a need for transparency. Lagina also stated that the TCLA Board Member would be encouraged to attend the Business District meetings.

(B.) Other Old Business – John Custer asked if a decision had been made to add Lagina Fitzpatrick to the checking account in case there is any occasion that either himself or Brian Nivert was not able to sign, after reviewing the notes, a motion had not been made. John Custer made a motion to have Executive Director of TCLA, Lagina Fitzpatrick added to the Morgan County Business District bank signature card. Brian Nivert seconded the motion. The motion passed unanimously.

John Custer inquired about the recommendations from Civitas, Lagina Fitzpatrick stated that there were three options presented, join the two organizations to form one new one, keep two organizations but one staff, or remain with the two organizations and two staffs working in cooperation with each other. Due to feedback of some of the board members from both organizations and the pending lawsuit, at this time the best thing would be to keep everything the same and revisit in the future after the pending lawsuits have been settled. Lagina mentioned John Lambeth with Civitas suggested we work on a destination master plan. The plan is strategic plan and roadmap for the future of tourism at the Lake. Lagina and Heather are working on finding funding for that plan, as it is pricy.

6. ADJOURN - There being no further business to discuss, a motion to Adjourn the meeting was made by Brian Nivert. John Custer seconded the motion. The motion passed unanimously. The meeting adjourned at 2:41 p.m.