

## Woodson County Resolution 13- 63

Whereas, the law of Kansas under K.S.A. 12-1696 through K.S.A. 12-16,101 authorizes the governing body of any county or city, in order to provide revenues to promote tourism and conventions, to levy a transient tax at not to exceed the rate of five percent (5%) upon the gross rental receipts derived from of or paid by transient guests for sleeping accommodations exclusive of the charge for incidental services or facilities, in any hotel, motel, bed and breakfasts with two or more sleeping rooms or tourist court and

Whereas, the law of Kansas requires the governing body of and city or county which levies a transient guest tax pursuant to K.S.A. 12-1696 through K.S.A. 16-12, 101 to establish a convention and tourism committee, appointing ten(10) members to such committee, a majority of which shall be representatives of businesses coming within the terms of K.S.A. 12-1696 and attempting to create a representative balance of large and small businesses and businesses from the various geographic areas of such county. The Committee shall make recommendations concerning the programs and expenditures for promotion of conventions and tourism.

Whereas, the laws of Kansas grants authority to the Board of County Commissioners to contract for convention and tourism programs to be implemented.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Commissioners of Woodson County, Kansas:

### Section 1: Transient Guest Tax

A. The Woodson County does hereby levy a transient quest tax at the rate of five percent (5%) upon the gross rental receipts derived from or paid by transient quests for sleeping accommodations, exclusive of charges for incidental services or facilities in any hotel, motel, bed and breakfasts with two or more sleeping room or tourist court in Woodson County, as provided for under K.S.A. 12-1696 through 12-16, 101. For purposes of this resolution, a "hotel", "motel", "bed and breakfast with two or more sleeping rooms" or "tourist courts" shall be defined as any structure or building which contains rooms furnished for the purposes of providing lodging, which may or may not also provide meals, entertainment or various other personal services to transient quests, and which is kept, used, maintained, advertised or held out to the public as a place where sleeping accommodations are sought for pay or compensation by transient or permanent guests. A "Transient Guest" is defined as a person who occupies a room in a hotel, motel, bed and breakfast with two or more sleeping rooms or tourist court for not more than twenty-eight (28) consecutive days.

### Section 2: Fund

A. That there is hereby created in the County Treasury, and Records of the county a "Tourism and Convention Promotion Fund" of Woodson County, Kansas, to which shall be credited all monies received by the County Treasurer from disbursement from the county of city Transient Guest Tax Fund administrated by the Kansas Department of Revenue. The monies so received shall only be expended for convention and tourism promotion.

B. Moneys deposited in the "Tourism and Convention Fund" shall be expended based upon determination by the Tourism Committee in accordance with K.S.A. 12-1696 and with the approval of the Board of County Commissioners.

For accounting purposes a copy of invoices showing the expenditures and to who payable shall be directed to the Woodson County Clerk's Office.

Section 3: Convention and Tourism Committee

A. That there is hereby established the Convention and Tourism Committee of Woodson County, Kansas, to make recommendations concerning the programs and expenditures for promotion of conventions and tourism in Woodson County pursuant to K.S.A. 12-1695.

B. That the Convention and Tourism Committee shall consist of ten (10) members and every attempt shall be made to have include businesses of renting, leasing, or letting living quarters, sleeping accommodations, rooms or part hereof, in connection with any hotel, motel, bed and breakfast with two or more sleeping rooms or tourist court subject to transient quest tax levied by Woodson County. The Board of Commissioners shall attempt to create a representative balance of large and small businesses and businesses from the various geographic areas of the county with the following positions and terms:

1 position from the Woodson County Historical Society

2 positions from Yates Center

1 position from Toronto

1 position from Neosho Falls

1 position from Piqua

3 positions at large

Woodson County Chamber Executive Director

With the exception of the initial term, members shall serve a three (3) year term on the Convention and Tourism Committee of Woodson County. The Woodson County Chamber Executive Director shall be a permanent member.

On August 1st, 2013 the terms of appointment for the following positions shall expire and the Board of County Commissioners shall make appointments for a new three (3) year term:

1 position at large,

1 position from Yates Center,

1 position from Neosho Falls.

On August 1<sup>st</sup>, 2014 the terms of appointment for the following positions shall expire and the Board of County Commissioners shall make appointments for a new three (3) year term:

1 position at large,

1 position from Yates Center

1 position from Piqua.

On August 1<sup>st</sup>, 2015 the terms of appointment for the following positions shall expire and the Board of County Commissioners shall make appointments for a new three (3) year term:

1 position at large,

1 position from the Woodson County Historical Society

1 position from Toronto.

The Woodson County Chamber Executive Direct shall be a permanent member of the Convention and Tourism Committee.

C. A member may be removed by a simple majority vote where the member is absent for at least three consecutive committee meetings. The decision to remove a member for failure to attend meetings shall occur at a regularly scheduled meeting. Notice of the removal of a member shall be made in writing to the Board of Commissioners of Woodson County, Kansas. Upon receipt of the written notice, the Board of Commissioners of Woodson County, Kansas shall make a new appointment.

D. The Convention and Tourism Committee of Woodson County, Kansas may take action at any regularly scheduled meeting when at least four members are present.

Section 4: Effective Date

A. This Resolution shall be published once each week for two (2) consecutive weeks in the official newspaper, and shall take effect 61 days after final publication unless prior date a sufficient petition for referendum is submitted pursuant to K.S.A. 19-101b, in which event it shall become effective upon approval by a majority of electors voting thereon.

ADOPTED AND APPROVED BY THE BOARD OF COUNTY COMMISSIONERS OF WOODSON COUNTY, KANSAS, THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2013

BOARD OF COUNTY COMMISSIONERS

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SEAL:

ATTEST

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Shelly Stuber – County Clerk