

# Convention and Visitors Bureau Background Bed Tax

The Convention and Visitors Bureau was started around 1980.

At that time ORC 3709 allowed for an excise tax not to exceed 3% placed on transactions to “transient guests”. The 3% excise tax is to be divided evenly between the CVB and the host township or city, 1.5 % to the CVB and 1.5% to the township or city. If the township or city adds their own excise tax of up to 3% then the township or city receives 3% and the CVB receives 3%. In Clermont County, each township or city has chosen to add their own 3% excise tax, bringing the total excise tax for transient rooms to 6 %. No one had concerns about the townships and city doubling the “transient tax”, but now some have concerns about moving the total tax from 6% to 7% for a 17% increase to the excise tax for “transient guests”.

This is a long process.

First the state has to grant permission to raise the “excise tax”. They did that in the budget bill. By the time the CVB decided on a course of action, the budget bill was well on its way. The governor designs his plan for the budget and submits it to the House of Representatives for their review and changes. The addition of language to allow the “transient tax” for Clermont County was added by the House near the end of their process. The House turns the bill over to the Senate for their review and changes. Senator Uecker made an amendment to the portion of the budget that set out the Clermont County excise tax to add language that made the contract time absolute deadline of January 1, 2018 for completion of the agreement and the transient tax would not start until the contract was in place. The budget bill is the presented to the Governor for his review and he has a line item veto of anything in the bill. He did not veto this provision of the budget bill.

Second, the CVB and the sports team must complete the agreement and sign it. In light of recent negative publicity, this may be a very difficult task. The sports team may just choose another county to be a partner. If and when the agreement is completed and signed by the sports team and the CVB, the CVB will ask the Clermont County Commissioners to place the excise tax on the transient guest charges at the Clermont County Hotels.

Third, The County Commissioners will review and share the details of the agreement and seek input from all parties before making a decision on adding the new 1% “transient bed tax”.

This is not a “Secret tax” and will be properly vetted when we all have the details and can make an informed decision. It all takes time.

The commissioners will not know the details of the agreement until the end of the year. So the Commissioners’ cannot talk about it because we have nothing to talk about.

I am Chris Hicks. I live at 444 Woodwick Court, Cincinnati Ohio 45255. My phone number is 513-201-7902.

At the end of the July 26, 2017 Commissioner's meeting, Commissioner Uible opened the floor saying "We are at the public participation section of the meeting. Any public participation." When I attempted to exercise not just my 1<sup>st</sup> and 14<sup>th</sup> Amendment rights but the fundamental right of a citizen to petition government for redress of grievances without fear of reprisal, I was shut down and removed from the meeting. That was a violation of ORC 2921.45, it is contrary to the Ohio Attorney General's yellowbook (pages 97 and 98), and it is likely a serious breach of 42 U.S. Code § 1983. You, my elected officials, acting in concert, seek to suppress factual and damaging information from public visibility. As I was going to say then, and I say now, I am committed to being here whenever I can to present updates on that you seek to hide and to exercise my rights you seek to crush. It is now 52 days since Mr. Uible offered meetings and 21 days since Mr. Painter read a letter promising an open discussion to which you all signed on. You continue to betray your own words.

I will continue to seek redress of very specific grievances such as: (1) Transparency on the plan to subsidize pro sports and (2) for Mr. Uible to eliminate his conflicts of interest by wearing only one hat, and (3) the immediate de-politicization of the CVB, and (4) transparency on the CVB. Now, let me address the three biggest areas of grievance for which I seek redress:

First: I have found that on August 20, 2012, Mr. Uible orchestrated a county takeover of the CVB by replacing 5 CVB board members at once to create an immediate majority under the control of County government that acted almost immediately to dismiss long-serving CVB staff. Those appointments were odd to say the least. The Auditor and Deputy Auditor were appointed to a CVB board that receives and disburses taxpayer funds from the Auditor's office (nearly \$700k in 2016). Mr. Uible voted to appoint himself to the CVB Board and he did so again on September 3, 2014. Not a single hotelier, restaurateur, venue operator or retailer serves on the CVB board. What is the point? The CVB is wholly controlled and almost wholly funded by tax revenue spent in secret from the public yet seeks to claim it is independent. Those are grievances for which I seek redress.

Second: I have been told by a first-hand source that the secret plan was first laid out on February 15, 2017 at the Port Authority Board meeting. I am told that an executive session was called and led by Mr. Uible, who is not a member of the Board, at which time he laid out his plan to use the CVB and Port Authority to execute the secret plan, outside public visibility, using the CVB to avoid open meetings and records laws. Despite repeated requests, I cannot even get a response on my request for draft minutes from a meeting that took place 168 days ago. But, that is like the County and CVB ignoring my requests to see the CVB by-laws or any evidence of a valid non-disclosure agreement. Those are grievances for which I seek redress.

Third and last: I had the honor of meeting the hotel manager Mr. Uible threatened in writing to me and verbally to him for not supporting Mr. Uible's 1% tax scheme. The evidence of the threat is plain in Mr. Uible's own writing but I found the manager's story highly credible; he has witnesses and he provided some emails that set the timeframes. Why is the threat to destroy the livelihood of this private employee not being investigated now over 80 days since it became known and almost 60 days since Mr. Uible put it in writing to me? The lack of action on potentially criminal acts by Commissioner Uible is another grievance for which I seek redress.

Last week, Mr. Uible spoke for all of you when he said: "We decided you cannot say what you are going to say." That violation of my fundamental rights, in a declared public participation portion of the meeting with me being the only public person in the room and supported by Mr. Painter and Mr. Humphrey, has caused attention outside our area and offers of assistance. Gentlemen, I will continue to try to exercise my rights as a citizen and I will continue to express fact-based grievances. You have the power to address them. You set the course from here.

Thank you.