

MINUTES

**THE REGULAR MEETING OF THE BOARD OF ALDERMEN
CITY OF BRANSON, MISSOURI
March 24, 2009**

INTRODUCTORY

The Board of Aldermen of the City of Branson, Missouri met in regular session in the Council Chambers of the City Hall on March 24, 2009 at 7:00 p.m. with the following members present:

Mayor Presley presiding, Stan Barker, Rick Davis, Sandra Williams, Stephen Marshall, Cris Bohinc and Bob McDowell present.

Also present from the City were: City Administrator Dean Kruithof, Assistant City Attorney William Duston, City Clerk Lisa Westfall, Director of Communications Jerry Adams, Director of Computer Information Services D.J. Cline, Director of Engineering David Miller, Director of Public Works Larry VanGilder, Deputy Fire Chief Ted Martin, Assistant Director of Planning and Zoning Ruth Denham, Police Chief Carroll McCullough and Director of Finance Lori Helle.

Mayor Presley called the meeting to order with the "Pledge of Allegiance" and Larry VanGilder gave the invocation.

PUBLIC COMMENT

Mayor Presley began the Public Comments section of the Board of Aldermen meeting by stating the Board would hear citizens that signed the Speaker's Sheet in the order they are listed on the sheet.

Ruth Denham, 338 Bramble Lane, Branson, Missouri stated she had two memos she wanted to read into the record. (See attached)

CONSENT AGENDA

Mayor Presley asked if there were any citizens that had any items they wished to have removed from the Consent Agenda for further discussion. Hearing none, Mayor Presley asked if any member of the Board had any items they wished to have removed from the Consent Agenda. Hearing none, Mayor Presley asked City Clerk Westfall to read the items on the Consent Agenda. City Clerk Westfall read the following Consent Agenda items by title.

Approval of the Board of Aldermen Minutes:

March 5, 2009 study session
March 10, 2009 regular meeting

Acknowledge Receipt of Minutes:

Budget & Finance Committee meeting of February 6, 2009
Community Pride Committee meeting of February 24, 2009

BILL NO. 3630
Ord. No. 2009-020

Approving the renewal of the contract with Don Grant for golf course maintenance.

Final reading of Bill No. 3630 an ordinance approving the renewal of the contract with Don Grant for golf course maintenance was read by title by City Clerk Westfall. Voting aye: Barker, Davis, Williams, Marshall, Bohinc and McDowell. Nays: none. Motion carried. Ordinance No. 2009-020 was duly enacted.

BILL NO. 3631
Ord No. 2009-021

Awarding the bid to BWI Companies Inc. for the purchase of agriculture supplies used in park facilities for the Parks and Recreation Department.

Final reading of Bill No. 3631 an ordinance awarding the bid to BWI Companies Inc. for the purchase of agriculture supplies used in park facilities for the Parks and Recreation Department and authorizing the Mayor to execute the same was read by title by City Clerk Westfall. Voting aye: Barker, Davis, Williams, Marshall, Bohinc and McDowell. Nays: none. Motion carried. Ordinance No. 2009-021 was duly enacted.

BILL NO. 3632
Ord. No. 2009-022

Accepting a proposal for the provision of services between the City of Branson and Christian Action Ministry (CAM).

Final reading of Bill No. 3632 an ordinance accepting a proposal for the provision of services between the City of Branson and Christian Action Ministry (CAM) and authorizing the Mayor to execute a contract was read by title by City Clerk Westfall. Voting aye: Barker, Davis, Williams, Marshall, Bohinc and McDowell. Nays: none. Motion carried. Ordinance No. 2009-022 was duly enacted.

BILL NO. 3633
Ord. No. 2009-023

Accepting a proposal for the provision of services between the City of Branson and The Salvation Army.

Final reading of Bill No. 3633 an ordinance accepting a proposal for the provision of services between the City of Branson and The Salvation Army and authorizing the Mayor to execute a contract was read by title by City Clerk Westfall. Voting aye: Barker, Davis, Williams, Marshall, Bohinc and McDowell. Nays: none. Motion carried. Ordinance No. 2009-023 was duly enacted.

BILL NO. 3634
Ord. No. 2009-024

Accepting a proposal for the provision of services between the City of Branson and the Women's Crisis Center.

Final reading of Bill No. 3634 an ordinance accepting a proposal for the provision of services between the City of Branson and the Women's Crisis Center and authorizing the Mayor to execute a contract was read by title by City Clerk Westfall. Voting aye: Barker, Davis, Williams, Marshall, Bohinc and McDowell. Nays: none. Motion carried. Ordinance No. 2009-024 was duly enacted.

BILL NO. 3635
Ord. No. 2009-025

Accepting a proposal for the provision of services between the City of Branson and Church Army Branson.

Final reading of Bill No. 3635 an ordinance accepting a proposal for the provision of services between the City of Branson and Church Army Branson and authorizing the Mayor to execute a

contract was read by title by City Clerk Westfall. Voting aye: Barker, Davis, Williams, Marshall, Bohinc and McDowell. Nays: none. Motion carried. Ordinance No. 2009-025 was duly enacted.

Mayor Presley opened the floor for a motion to approve all items on the Consent Agenda. Alderman Barker moved to approve, seconded by Alderman Marshall. Voting aye: Barker, Davis, Williams, Marshall, Bohinc and McDowell. Nays: none. Motion carried.

REGULAR AGENDA

PRESENTATION OF THE BRANSON/LAKES AREA CHAMBER OF COMMERCE FOURTH QUARTER MARKETING REPORT FOR 2008

Ross Summers, President/CEO provided an introduction and Dan Lennon, Vice President of Marketing and Public Relations of the Branson/Lakes Area Chamber of Commerce presented the Fourth Quarter Marketing Report for 2008 as required by contract. Mayor Presley asked if anyone in the audience had questions or comments. Hearing none, Mayor Presley asked for comments or questions from the Board. Discussion.

PRESENTATION OF LEISURE GROUP SALES

Lenni Neimeyer, Director of Leisure Group Sales for the Branson/Lakes Area Chamber of Commerce provided a presentation regarding the leisure group sales department of the Convention & Visitors Bureau. Mayor Presley asked if anyone in the audience had questions or comments. Hearing none, Mayor Presley asked for comments or questions from the Board. Discussion.

PRESENTATION OF QUARTERLY REPORT ON THE CONVENTION CENTER

Bill Derbins, 200 E. Main Street, Branson, Missouri provided an introduction and Bill Tirone provided the quarterly report on the Convention Center as required by contract. Mayor Presley asked for anyone in the audience wishing to speak regarding this matter. Hearing none, Mayor Presley asked for comments from the Board. Discussion.

Mayor Presley called for a break at 8:30 p.m. and the meeting resumed at 8:37 p.m.

PRESENTATION BY THE TANEY COUNTY HEALTH DEPARTMENT REGARDING THE 2008 HEALTH ASSESSMENT.

Robert Niezgodra of the Taney County Health Department provided information regarding the 2008 Health Assessment. Mayor Presley asked for anyone in the audience wishing to speak regarding this matter. Hearing none, Mayor Presley asked for comments from the Board. Discussion. Shirley Miller, 402 Judy, Branson, Missouri asked for the percentage of school children that smoke if there is work being done with children to get them into no smoking programs and if area schools participate. Jean Miller, Taney County Health Department, added that clubs from Branson Schools are doing public service announcements (PSA's) on a local radio station announcing that Wednesday, March 25th is "Kick Butts Day". She also said the Underage Alcohol Drinking Prevention Coalition is sponsoring a "Safe and Sober Prom" for the first time this year and there are going to be PSA's for Branson's prom and before other area school proms. Gail Myer, 365 Whisper Ridge, Branson, Missouri stated four area hotels have gone non-smoking and their business has increased. He said the Branson Lakes Area Board of Aldermen

Lodging Association have discussed how they might lead the effort to encourage more non-smoking facilities in Branson. He asked how the State of Missouri collects the data to determine the number of smokers in Taney County. Jim Berry, Taney County Health Department Director, said that the greatest danger to this entire community is to grow lax in our alertness to what could shut down our industry such as a pandemic flu epidemic or nora virus outbreak. He said constant vigilance, monitoring, training and responsive employees are important.

BILL NO. 3611

Ord. No. 2009-026

Approving a sewer services, facilities and annexation agreement with Tuscany on the Lake, LLC and the City of Branson.

This bill was postponed at the January 13, 2009 Board of Aldermen meeting to a date not to exceed March 31, 2009. This is the final reading of Bill No. 3611 an ordinance approving a sewer services, facilities and annexation agreement with Tuscany on the Lake, LLC and the City of Branson and authorizing the Mayor to execute the agreement was read by title by City Clerk Westfall. Mayor Presley stated this item was postponed at the request of the developer, the bill has already had its final reading, motion and second and the Board is now ready to have additional discussion. Mayor Presley asked for anyone in the audience wishing to speak regarding this matter. Hearing none, Mayor Presley asked for comments from the Board. Discussion. Mr. Cook stated he wishes to proceed with this depending on the economy. A staff report was presented by Administrator Kruithof. Alderman Davis moved to amend Bill No. 3611 Section 11 of the contract: "This provision is consistent with the current policies of the Planning and Zoning Department of the City", seconded by Alderwoman Williams. Mayor Presley asked for comments on the amendment from the audience. Hearing none, Mayor Presley asked for comments from the Board. Mayor Presley called for a vote on the amendment. Voting aye: Barker, Davis, Williams, Marshall, Bohinc and McDowell. Nays: none. Motion carried. Mayor Presley asked for questions or comments from the audience on the bill as amended. Hearing none, Mayor Presley asked for comments from the Board. Voting aye: Barker, Davis, Williams, Marshall, Bohinc and McDowell. Nays: none. Motion carried. Ordinance No. 2009-026 was duly enacted.

BILL NO. 3637

Approving zoning for property currently un-zoned to now be zoned C Commercial located at 175 Dawn Road.

First reading of Bill No. 3637 an ordinance approving zoning for property currently un-zoned to now be zoned C Commercial located at 175 Dawn Road, Branson, Missouri was read by title by City Clerk Westfall and a staff report was presented by Ruth Denham. Mayor Presley asked for a motion approving the first reading of Bill No. 3637. Alderman Barker moved to approve, seconded by Alderwoman Williams. Mayor Presley asked for anyone in the audience wishing to speak regarding this matter. Hearing none, Mayor Presley asked for comments from the Board. Voting aye: Barker, Davis, Williams, Marshall, Bohinc and McDowell. Nays: none. Motion carried.

BILL NO. 3636

Accepting a proposal for the provision of services between the City of Branson and Branson Arts Council.

This bill was postponed for two weeks at the March 10, 2009 Board of Aldermen meeting. This is the first reading of Bill No. 3636 an ordinance accepting a proposal for the provision of services between the City of Branson and Branson Arts Council and authorizing the Mayor to execute a contract was read by title by City Clerk Westfall. Mayor Presley stated this item had its first reading, motion and second and the Board is now ready to have additional discussion. Mayor Presley asked for anyone in the audience wishing to speak regarding this matter. Robert Cohn, 89 Westwood Dr., Branson, Missouri, Chief Financial Officer, Branson Arts Council thanked the Board for their time and efforts towards this project and urged passage of the bill. Mayor Presley asked for comments from the Board. Discussion. Alderwoman Williams moved to amend Bill No. 3636 replacing "Exhibit A with revised

Exhibit A dated March 19, 2009”, seconded by Alderman Barker. Mayor Presley asked for comments from the audience regarding the amendment. Hearing none, Mayor Presley asked for comments from the Board. Voting aye: Barker, Davis, Williams, Marshall, Bohinc and McDowell. Nays: none. Motion carried. Mayor Presley called for any additional amendments. Alderwoman Bohinc moved to amend revised Exhibit A, Item 14, Tri-Lakes Community Theatre under the Income portion to show the City of Branson contributing “0” dollars and to increase Future Development, Item 9, by \$1,000.00 showing the City of Branson contributing “\$3,640.00” for potential development of a youth program, seconded by Alderwoman Williams. Mayor Presley called for comments from the audience regarding the amendment. Hearing none, Mayor Presley asked for comments from the Board. Voting aye: Barker, Davis, Williams, Marshall, Bohinc and McDowell. Nays: none. Motion carried. Mayor Presley called for a vote on Bill No. 3636 as amended. Voting aye: Barker, Davis, Williams, Marshall, Bohinc and McDowell. Nays: none. Motion carried.

BILL NO. 3638 Awarding the bid to Rensch Construction Company for the demolition of six abandoned sanitary sewer lift stations for the Public Works Department.

First reading of Bill No. 3638 an ordinance awarding the bid to Rensch Construction Company for the demolition of six abandoned sanitary sewer lift stations for the Public Works Department of the City of Branson and authorizing the Mayor to execute a contract was read by title by City Clerk Westfall and a staff report was presented by Larry VanGilder. Mayor Presley asked for a motion approving the first reading of Bill No. 3638. Alderman Davis so moved, seconded by Alderman Barker. Mayor Presley asked for anyone in the audience wishing to speak regarding this matter. Hearing none, Mayor Presley asked for comments from the Board. Discussion. Voting aye: Barker, Davis, Williams, Marshall, Bohinc and McDowell. Nays: none. Motion carried.

BILL NO. 3639 Awarding the bid to the Middleton Group/Memco for the purchase of janitorial supplies used in the parks, campground and facilities.

First reading of Bill No. 3639 an ordinance awarding the bid to the Middleton Group/Memco for the purchase of janitorial supplies used in the parks, campground and facilities of the City of Branson and authorizing the Mayor to execute the contract was read by title by City Clerk Westfall and a staff report was presented by Administrator Kruithof and Larry VanGilder. Mayor Presley asked for a motion approving the first reading of Bill No. 3639. Alderman Barker moved to approve, seconded by Alderwoman Bohinc. Mayor Presley asked for anyone in the audience wishing to speak regarding this matter. Hearing none, Mayor Presley asked for comments from the Board. Discussion. Voting aye: Barker, Davis, Williams, Marshall, Bohinc and McDowell. Nays: none. Motion carried.

BILL NO. 3640 Awarding the bid to General Chemical Performance Products, LLC for water treatment coagulant used in the Water Treatment Facilities.

First reading of Bill No. 3640 an ordinance awarding the bid to General Chemical Performance Products, LLC for water treatment coagulant used in the Water Treatment Facilities for the City of Branson and authorizing the Mayor to execute the contract was read by title by City Clerk Westfall and a staff report was presented by Larry VanGilder. Mayor Presley asked for a motion approving the first reading of Bill No. 3640. Alderwoman Williams so moved, seconded by Alderman Marshall. Mayor Presley asked for anyone in the audience wishing to speak regarding this matter. Hearing none, Mayor Presley asked for comments from the Board. Discussion. Voting aye: Barker, Davis, Williams, Marshall, Bohinc and McDowell. Nays: none. Motion carried.

BILL NO. 3641**Awarding the bid to Brenntag Mid-South, Inc. for chlorine, sulfur dioxide and hydrofluosilicic acid used in the water and wastewater treatment facilities.**

First reading of Bill No. 3641 an ordinance awarding the bid to Brenntag Mid-South, Inc. for chlorine, sulfur dioxide and hydrofluosilicic acid used in the water and wastewater treatment facilities for the City of Branson and authorizing the Mayor to execute the contract was read by title by City Clerk Westfall and a staff report was presented by Larry VanGilder. Mayor Presley asked for a motion approving the first reading of Bill No. 3641. Alderman Barker moved to approve, seconded by Alderman Marshall. Mayor Presley asked for anyone in the audience wishing to speak regarding this matter. Hearing none, Mayor Presley asked for comments from the Board. Voting aye: Barker, Davis, Williams, Marshall, Bohinc and McDowell. Nays: none. Motion carried.

BILL NO. 3642**Awarding the bid to H2O Technical Services, Inc. for aluminum sulfate and liquid chlorine bleach used in the water and wastewater treatment facilities.**

First reading of Bill No. 3642 an ordinance awarding the bid to H2O Technical Services, Inc. for aluminum sulfate and liquid chlorine bleach used in the water and wastewater treatment facilities and authorizing the Mayor to execute the contract was read by title by City Clerk Westfall and a staff report was presented by Dean Kruithof and Larry VanGilder. Mayor Presley asked for a motion approving the first reading of Bill No. 3642. Alderwoman Bohinc so moved, seconded by Alderwoman Williams. Mayor Presley asked for anyone in the audience wishing to speak regarding this matter. Hearing none, Mayor Presley asked for comments from the Board. Voting aye: Barker, Davis, Williams, Marshall, Bohinc and McDowell. Nays: none. Motion carried.

BILL NO. 3643**Awarding the bid to F2 Industries, LLC for potassium permanganate used in the water and wastewater treatment facilities.**

First reading of Bill No. 3643 an ordinance awarding the bid to F2 Industries, LLC for potassium permanganate used in the water and wastewater treatment facilities for the City of Branson and authorizing the Mayor to execute the contract was read by title by City Clerk Westfall and a staff report was presented by Larry VanGilder. Mayor Presley asked for a motion approving the first reading of Bill No. 3643. Alderman Davis so moved, seconded by Alderwoman Williams. Mayor Presley asked for anyone in the audience wishing to speak regarding this matter. Hearing none, Mayor Presley asked for comments from the Board. Discussion. Voting aye: Barker, Davis, Williams, Marshall, Bohinc and McDowell. Nays: none. Motion carried.

APPOINTMENTS

Mayor Presley requested the following appointments be made:

Joe P. Hall to the Industrial Development Authority Board with a term expiring December, 2014.

Dr. Sherry DeVore to the Industrial Development Authority Board with a term expiring December, 2014.

Mayor Presley asked for a motion approving the appointments. Alderman Marshall so moved, seconded by Alderman Davis. Mayor Presley asked for questions or comments. Voting aye: Barker, Davis, Williams, Marshall, Bohinc and McDowell. Nays: none. Motion carried.

MAYOR/ALDERMEN/ADMINISTRATOR'S REPORTS

Alderman Davis thanked those in attendance at the Nature Center visionary meeting. He is anxious to see the construction begin on connecting the trail under Highway 65 to the Hospital area. He said there will be a volunteer clean up of debris in the woods around Stockstill Park and asked if mining gravel out Roark Creek would be possible to help increase capacity.

Alderwoman Williams said she attended the meeting on trails and parks and felt it was very informative. She commented the basketball game and pie contest was a success.

Alderman Marshall stated he enjoyed being on the Council with Bob McDowell who has served the city well. He said Alderman MacDowell is an intelligent person, a deep thinker and it has been honor to serve with him.

Alderwoman Bohinc said it has been a pleasure to serve with Alderman McDowell and the Board appreciates him. She stated the Senior Breakfast was very successful and thanked everyone who attended.

Alderman McDowell stated it has been a pleasure to serve. He has learned a lot and it has been an honor working with staff and dealing with city issues. He said he thinks the city has moved in a good direction, and he knows the Board will continue to do so. He thanked everyone for the experience and the opportunity.

Administrator Kruithof reminded everyone there was not a meeting scheduled for Thursday, April 2, 2009; however, he would like to have a public meeting to address Ruth Denham's memo as soon as possible. He said interviews for the Economic Development Director and Planning and Zoning Director candidates would take place March 19 and 20, 2009. He thanked staff for their efforts on the nature center program. He provided an update on Fall Creek Road and said if the weather cooperates it should be completed in two weeks. He said he spoke with Kevin Faught regarding the refinancing of the 1998B bonds and was told a rating on our bonds was being requested. Mr. Faught reported that Moody's have said they would do a free of charge rating.

Mayor Presley expressed condolences to Cindy Shook for the loss of her mother Ruth Shook and also to the family of Sylvia Reisch, a long time business woman and owner of Reisch Shoes. She said they were both much admired women and a great loss to the community. She noted the basketball game was fun and thanked the fire and police departments for their participation. She said that Pete Ron, the Director of MoDot, will be at the RecPlex on Monday, March 30, 2009 and encouraged everyone to stop by and show support and thanks for the Taneycomo Bridge money. Mayor Presley expressed a sincere thanks to Bob McDowell for the huge amount of time, effort and commitment he put into serving as an Alderman for the last two years and said he made a wonderful difference in the city of Branson. She stated he will be missed.

EXECUTIVE SESSION

Mayor Presley stated, that concluded the Regular Agenda and entertained a motion to adjourn to a closed Executive Session. Alderwoman Bohinc moved to go into Closed Executive Session pursuant to 610.021.1 RSMo for litigation and 610.021.3 RSMo for personnel, seconded by Alderwoman Williams. Voting aye: Barker, Davis, Williams, Marshall, Bohinc and McDowell. Nays: none. Motion carried.

ADJOURN

At this time Mayor Presley asked for a motion to adjourn. Alderman Marshall so moved, seconded by Alderwoman Williams. Voting aye: Barker, Davis, Williams, Marshall, Bohinc and McDowell. Nays: none. Motion carried. Meeting adjourned at 9:57 p.m.

Raeanne Presley
Mayor

Lisa K Westfall
City Clerk

MEMORANDUM

TO: DEAN KRUTHOF, CITY ADMINISTRATOR
MAYOR PRESLEY AND ALDERMEN BARKER, MCDOWELL, BOHINC, WILLIAMS, DAVIS
AND MARSHALL

FROM: RUTH DENILAM, INTERIM PLANNING AND DEVELOPMENT DIRECTOR *Ruth Denilam*

SUBJECT: FREE SPEECH

DATE: 03/24/09

I have been employed with the city of Branson for over thirteen (13) years. During this time, I have given countless hours to the city beyond the normal "forty hours a week" work schedule. I love my work and believe in the betterment of this city in which I live. My performance evaluations reflect both the quality of my work and excellent personnel skills for the City. Further, I take it that the aldermen had faith in me and my abilities as I have held the position of Assistant Director of Planning and Development, and now the position of interim Director since November. All of my work and the trust placed in me by the aldermen has occurred during a time of tremendous growth in Branson, with the emphasis of work placed on the planning and development department.

It is after serious consideration and prayer that I am writing you. Further, it is as a citizen, as well as an employee, that I express my concern. I feel that I have not given up my right to express concerns as a citizen, and thus now come to you. Our taxpayers have no idea what is going to happen to them – over a million has been spent to date and before this is over, I anticipate millions more will be paid by the taxpayers for the fraud, inefficiency and greed involved related to the below.

I am writing to advise you of a fraud occurring within our city and government and with those it has contracted. I am writing to advise you of severe, illegitimate pressure being placed on me (as it has others) to commit illegal acts. This hurts our citizens and has wasted over a million in taxpayers monies. And, it has the potential of FEMA placing the city on probation as well as loss of additional millions of misspent and to be spent monies – all of this known from day one as related to the Branson Landing project.

It has been documented from the very beginning of the building plan review of the Branson Landing project that buildings 1-6 do not meet and most likely were never going to meet either the Branson Municipal Code (BMC) or NFIP (National Flood Insurance Program) requirements. Regardless, certain members of city government have chosen to cover up this fact from FEMA and our citizens. The basements of building 2 and 3 are located below the Base Flood Elevation (BFE) and will never have a legitimately signed certificate of occupancy (CO). In order to obtain a CO, these buildings must meet the BMC and NFIP requirements, though it is clear that they don't. Because this fact was not provided to FEMA, they have made decisions based on fraudulent information. It will only take one issuance of a CO for any of the mentioned buildings, and an audit can be expected by FEMA. FEMA cannot continue to be misled. The city will not pass this audit without a fraud, a fraud which I am being pressured, as have other employees of the city, to join in participation of, by signing the CO's.

Until now, FEMA has been told by administration that Buildings 1-6 are all slab on grade, without stating the truth of the existence of the building basements in buildings 2 and 3. The previous floodplain administrator, Sam Proffer, refused to sign the CO's and finally resigned after additional pressure. The position of floodplain administrator was then contracted to The Benham Companies, LLC. This made things even worse. Benham has a licensed engineer who will not provide specific information to me or the city related to the basements of buildings 2 and 3. On the other hand, Benham has a project manager on site, who is not an engineer with fear of losing his license, which Benham is using in an attempt to get around the white elephant of CO's for buildings 2 and 3. The city has paid over \$1,300,000 to Benham for their services, which include hotel stays, meals, and meeting attendance, when the first thing to address is the white elephant, which Benham's project manager and the city administrators refuse to address.

With this information, and a lot more, I prepared a memo to our interim city attorney, with a copy to city administrator Kruthof and Mayor Presley. The memo, with attachments, made clear the white elephant of inability to obtain a CO's for the buildings. The only response was from the city administrator, who was very upset that I had put the white elephant in writing and sent him and the mayor a copy, in an attempt to bring the issue to the forefront. As an employee, I can't do my job when asked to engage in, overlook or cover up illegalities and misrepresentations to FEMA and our citizens. As a citizen, it sickens me that I and our citizens are not being represented and will eventually have to pay for the failures of those in our government to uphold their responsibilities to the citizens. As it stands, it seems to me that there's a lot of lying, no one is willing or wants to take responsibility and no one wants to address the white elephant. Those who aren't playing along with the cover up game are resigning, or being terminated, for failing to play according to the morals of their supervisors.

I am writing to you as a last resort of plea of help. I have used the chain of command and the response was clear and consistent with the memos and communications – the buck is going to be passed down, not up, and the citizens of this community will eventually have to pay the check for the misfeasance and malfeasance. Additional negative effects to the city include city-wide probation, inability to obtain flood insurance, continuing payments to Benham to skirt and not address the issue, and last but not least, the lying to our citizens. We have had businesses leave because they cannot obtain flood insurance – thus hurting our sales tax revenue now and in the future. I as a citizen have had enough.

Similarly, I as an employee have had enough. I as an employee am being pressured to go along, and be part of what I believe to be illegalities, and will not do so.

I beg of you to please investigate this matter. Though in fear of retaliation, I have finally decided to step forward and hope others will as well.

MEMORANDUM

TO: DEAN KRUTHOF, CITY ADMINISTRATOR
MAYOR PRESLEY
ALDERMEN BARKER, MCDOWELL, BOHINC, WILLIAMS, DAVIS AND MARSHALL

FROM: RUTH DENHAM, INTERIM DIRECTOR PLANNING & DEVELOPMENT *Ruth Denham*

SUBJECT: FEMA VIOLATION/FRAUD

DATE: 3/24/2009

I am advising you that I have met with Connie Wisniewski of FEMA, this past Friday, March 20, 2009. I was and am tired of misrepresentations and the failure to address what I have referred to as the white elephant of our citizens of Branson related to Buildings 1-6, Branson Landing. I have addressed the issue in my separate writing to you.

I want everything to be above board and am therefore advising you of my having blown the whistle on the conduct that has occurred within administration as it is hurting all of us, citizens and the integrity of the city officials of Branson.