



State Representative Rick Carfagna
Sponsor Testimony – Am. Sub. House Bill 500
December 13, 2018

Chairman Oelslager, Vice-Chair Manning, Ranking Member Skindell and members of the Senate Finance Committee. Thank you for allowing me the opportunity to provide sponsor testimony on Amended Substitute House Bill 500. As many of you are aware, Ohio's townships are creatures of statute. Therefore, unless specifically authorized under Ohio Revised Code, townships often lack many of the rights, processes, courtesies, and operational latitudes otherwise afforded to Ohio's municipal corporations via constitutional home rule.

After extensive consultation with the Ohio Township Association (OTA), I am presenting for your consideration today HB 500 that would authorize numerous items requested from townships across Ohio. These measures will further empower Ohio's 1,308 townships, allowing for improved service and operational flexibility at one of our most local, responsive, and effective levels of government. Many of HB 500's items are also OTA legislative priorities, and where possible I have identified the community where the need for the item originated. The items are as follows:

Zoning Issues

- To permit a township to charge a fee for any person appealing to the board of zoning appeals. (Liberty Township, Fairfield County)
- To permit a board of township trustees to temporarily suspend a member of the zoning commission or board of zoning appeals. (Sugarcreek Township, Greene County)
- Eliminate the mandatory requirement for limited home rule townships to submit proposed zoning resolutions or amendments to the county or regional planning commission for approval, disapproval or suggestions. (Jackson Township, Stark County)
- To abolish ORC 711.25, a provision originally enacted back in 1953 that involves making changes to the boundaries of a lot of record in a platted subdivision via bypassing re-platting requirements with minimal notice. (Bainbridge Township, Geauga County)

New Community Authority

- To eliminate the acreage requirement placed on a new community authority if it is located in a township. (Violet Township, Fairfield County & Prairie Township, Franklin County)

Election of a Board Chairperson

- To require a board of trustees to elect a chairperson at the first meeting of each calendar year to serve for a period of one year.

Obligations Incurred Threshold

- To increase the threshold that a township employee or official could incur from \$2,500 up to \$10,000 as authorized by the township board of trustees. (Coalition of Large Ohio Urban Townships)

Filing of Question or Issue for Ballot

- Would **require county boards of elections to put into place a system that would** permit a political subdivision, including a township, to file either electronically or in paper form the certification to a board of elections for placement of a question or issue on the ballot **by January 1, 2021**. (Orange Township, Delaware County)

Approval of a Township Road Name Change

- To require the county commissioners to act within 60 days on a request for a change in name of a county or township road. If the county does not act within 60 days on a township road name change, the name shall be changed. (Violet Township, Fairfield County)

Levy for Permanent Improvements and General Infrastructure in Townships

- To create a new levy opportunity for townships or municipal corporations for any combination of the following purposes: acquisition, construction, improvement, or maintenance of buildings, equipment, and supplies for police, firefighting or emergency medical services; the construction, reconstruction resurfacing or repair of streets, roads, and bridges; or for general infrastructure improvements. The levy may be for any number of years not to exceed 10 years. Also requires a township that has such a levy to place the proceeds of said levy in a special fund marked for such a purpose. (Boardman Township, Mahoning County)
- We are also creating a similar levy authority for counties, where a county may hold a levy to combine a number of capital improvement and infrastructure purposes already listed within ORC, or for the acquisition, construction or maintenance of county facilities, or for the acquisition of or improvements to land.

Tax Increment Financing (TIFs)

- To permit a township to exclude fire and police levies if a township creates a TIF.
- To permit a township to use TIF funds created pre-1994 for ongoing maintenance of infrastructure after the initial improvements. Currently, only post-1994 funds are allowed. (Anderson Township, Hamilton County)

Annual Inventory Report Filing

- To eliminate the requirement that townships file with the county engineer their annual inventory report.

Risk Pool for Township Well Insurance

- Under the budget bill (HB 49), counties that own oil and/or gas wells now have the ability to use a risk pool (like OTARMA) for the insurance. There are a number of townships that own oil and/or gas wells, so it makes sense to extend to townships the same ability when obtaining insurance. (Grafton Township, Lorain County)

Veterans Memorials

- To raise for \$5,000 to \$50,000 the amount that townships are authorized to spend on the erection of a veterans memorial. (Orange Township, Delaware County)

Vacating Township Roads

- To require the approval of the vacation of a township road by the board of township trustees prior to the county commissioners agreeing to vacate the road. Commissioners would not be able to approve a township road vacation if the township objects. (Springfield Township, Lucas County)

During committee deliberations in the Senate Local Government, Public Safety and Veterans Affairs Committee, HB 500 was amended to remove language from the original draft that permitted zoning resolutions to apply to platted subdivisions regardless of when they were platted or under which section of ORC they were approved. That original language was flagged as problematic by both LSC and the Ohio Farm Bureau Federation, and its removal was supported by both myself and the Ohio Township Association.

The bill passed unanimously out of the House State & Local Government Committee, unanimously out of the House and recently unanimously out of the Senate Local Government, Public Safety and Veterans Affairs Committee.

Chairman Oelslager and members of the committee, thank you again for allowing me to provide testimony on Amended Substitute HB 500.