



# Perkins Township

## Board of Trustees

---

December 7, 2020

Chairman Manning, Vice Chair Brenner, Ranking Member Maharah, and Members of the Senate  
Local Government, Public Safety, and Veterans Affairs Committee  
Ohio Senate  
Columbus, Ohio

**Re: *House Bill 444***  
***Township Omnibus Bill***

Dear Chairman Manning et al:

This letter is being sent to indicate Perkins Township's support for the approval of House Bill 444, the Township Omnibus Bill scheduled to be considered by your Committee on December 8, 2020.

Perkins Township is located in Erie County and is the second largest local political subdivision in Erie County, second in population to the City of Sandusky. Perkins Township has a population of about 12,200, and is home to approximately a thousand businesses ranging from indoor water parks, other tourist attractions, a major indoor and outdoor sports complex that hosts regional and national sporting events, manufacturing and other industrial operations, motels, hotels, restaurants, a regional mall, and other retail, service, office and educational facilities. Our Township is the gateway to Lake Erie, the Lake Erie islands, and Cedar Point. Our region and community welcome upwards of 7 million visitors annually.

Like all Ohio townships, Perkins Township is a statutory township and it functions under the regulations contained in the Ohio Revised Code (ORC). Although our township is much larger than cities in our county such as Vermilion and Huron, and is vastly larger than villages such as Milan, Berlin Heights and Castalia, those municipalities enjoy more jurisdictional authority than us. While we appreciate that those communities need that authority to effectively operate, townships also need to be able to respond to community needs and expectations related to services in a similar manner. In this regard, we support the efforts of the Ohio Township Association to bring to your attention the need for various revisions to State law under House Bill 444 which omnibus bill addresses a number of issues that are important to us as well as other townships.

Our comments regarding the following matters are provided for your consideration:

### **Conforming Boundaries**

Cities or villages often move to “conform” boundaries after an annexation occurs. When a municipality undertakes such an action to conform boundaries or in other words have an area annexed from a township legally included in its corporate boundaries, there can be a fiscal impact on a township if the township has a levy or levies in place.

The proposed change included in this bill would require a municipality to provide ten (10) days’ notice to the affected township prior to voting on an ordinance to conform boundaries. Such a notice then affords a township with the ability to plan for any possible financial impact related to that proposal.

### **Nuisances**

Like cities and villages, our township and other townships receive many citizen complaints each year concerning junk vehicles and boats, unsafe buildings and structures, property neglect such as weeds, overgrown vegetation, trash accumulations, etc. Townships have recourse to three (3) sections in the statutes found in the Ohio Revised Code related to such nuisances. In this regard, it is noted that all three (3) of those sections of the ORC contain different language associated with the collection of nuisance abatement costs incurred by a township in abating those nuisances.

The proposed language in House Bill 444 would simply update the language in those sections to be uniform in nature.

### **Transfer of Cemeteries**

Perkins Township like many larger townships operates a large a cemetery. The ORC and our policies address how that cemetery is maintained and operated, and we budget annually to cover our costs associated with providing that important service for our residents. Under the statute, a township can be required to take control of a cemetery from a religious organization or cemetery association without any regard to information that is needed to properly maintain and operate that cemetery such burial records, information on deeds or vacant grave spaces, perpetual care funding, etc. There is nothing in the statute that would prohibit the transfer a cemetery from a religious or benevolent society to a township should they decide that they simply no longer want to maintain that cemetery. Such a transfer can have a significant fiscal impact on a township that would now have to budget for the maintenance and operation of that cemetery.

House Bill 444 would establish minimum standards related to the transfer of cemeteries and would clarify the process by which an entity may transfer a cemetery to a township.

### **Industrial Development Bonds**

As you know, Industrial Development Bonds are a revenue bond that can be sponsored by a government with the proceeds directed to toward a for-profit business. These types of bonds are important for use as an economic development tool by cities and counties. Townships are increasingly involved with economic development projects as many large economic development and redevelopment projects are occurring in townships. Unfortunately, townships are currently limited when it comes to be able to use this important tool which tool can be useful to our business community thereby increasing investment and creating employment opportunities, and it could potentially reduce the need for annexations.

The proposed language in HB 444 would allow townships to utilize these types of bonds for economic development purposes.

### **Levy Commencement**

This proposed amendment would clarify ORC Section 5705.25 regarding when real property tax collections related to a levy can commence. From our perspective, this proposed change is desirable as it would provide clear direction related to collections under a levy.

### **EMR Ambulance Response**

An EMS provider cannot directly respond by ambulance from a station to the location where that service is needed under the current law. Such a responder could be dispatched from a station on such a call event if they would be meeting a higher level EMT or Paramedic at the scene. Such a scenario leads to increased response time in situations where every second counts as the EMS provider would now first need to meet an EMT or Paramedic at a station and respond together to the emergency scene. This is seen as not only increasing response times but also failing to meet the emergency needs of a patient.

Perkins Township operates a full-time Fire Department that provides emergency medical or ambulance services, and this proposed amendment to the ORC would generally be more valuable to smaller or volunteer departments with more limited staffing resources. Nonetheless, when the goal is to provide emergency services in a timely and cost-effective manner, we certainly support the proposed amendment.

### **Special Improvement Districts**

The House has recommended that changes be made to legislation related to Special Improvement Districts (SIDs) through its substitute bill. These districts are useful in providing for public services or improvements to a specific geographic area, and are initiated by the property owners in that district. In essence, the property owners agree to assess themselves for a service or physical improvement that district. Under current law, a SID may only be created by a

contiguous township or municipality. That requirement then limits the ability to create such a district that could benefit local property owners.

The proposed language in HB 444 as recommended by the House would allow for additional flexibility by removing the contiguous requirement provided that the township(s) or city are located within the same county or adjacent counties.

### **Employee Honesty & Faithful Performance of Duty Policy**

The last general assembly passed House Bill 291 which bill allows local governments to use insurance policies instead of bonds for officials and employees required by statute to have such coverage. In this regard, Perkins Township decided to avail itself of that provision as allowed by statute. House Bill proposes to amend this law by allowing an elected official or employee to switch from bonds to insurance in mid-term or mid-employment, and to expand the use of insurance coverage to certain park districts, juvenile facilities, and detention facilities.

While this proposed amendment does not directly affect this township, it seems to us that it makes sense to allow others to be able to use insurance versus bonds if they are inclined to do that.

In conclusion, please be advised the Perkins Township supports the approval of House Bill 444, and we appreciate the opportunity to provide written comments to you on this important legislation.

Respectfully submitted,



Timothy D. Coleman  
Vice Chair  
Board of Trustees

cc: Sen. T. Gavarone, District 2  
M. Myers, Director of Governmental Affairs, OTA  
C. Maticic, Chair, OTA CLOUT Executive Committee  
Board of Trustees  
G. Boyle, AICP, Township Administrator