

February 26, 2021

Dear Civil Justice Committee,

This letter is in support of HB 63. I feel it is imperative that my duly-elected local officials have not only a voice but the power to determine if private properties within their municipalities are taken by eminent domain. The following is a brief description of our family's experiences and some of what I have learned through this event.

As a life long resident of Stark County and part of a family that has farmed in Osnaburg Township for nearly 80 years it is hard to over emphasize the importance of "the family farm". My wife and I purchased an adjoining parcel of property to our operation from my great aunt and uncle (who owned and farmed the property since the 1940's). Soon after closing on the parcel of ground, I was approached by the executive director of Stark Parks and was *informed* that the Parks would be placing a trail through the parcel in the near future. I informed him, that it was private property and I had no intentions of selling the ground, nor did I want a trail. He said that I was a very inconsiderate member of the community, since all my neighbors had already agreed to the trail. I immediately made a phone call to an adjacent neighbor, Mr. Randy Pero, concerning the conversation I had with Mr. Fonte from the Parks. He said that was interesting to hear, because Mr. Fonte had told him recently that they had acquired right away through my property and that he was the final hold out. Since that original conversation with Stark Parks nearly 10 years ago, I and a number of other rural landowners have been fighting accusations and threats concerning our private properties. I even had a board member of Stark Parks, threaten me twice with eminent domain of both my own, and my fellow neighbors' property. At first I felt he was kidding, until I read the Ohio Revised Code that authorizes such actions with no recourse by local government. It is extremely scary and my opinion unconscionable that nonelected officials have the ability to use eminent domain authority.

Since that time, the parks and its supporters have even went as far as listing us as "hold outs", "obstructionist", and "greedy land owners" at their public meetings and fundraisers. They have also disseminated false information concerning their legal right-away and have paid to have maps drawn showing their "soon to be constructed" or "presently being developed" trails crossing my private property. They even applied for grants referencing they have right away across the property. This has furthered the idea amongst some in the community, that the few of us protecting our private property rights are somehow acting in an illegal or unbecoming fashion. After explaining it is private property and not Park owned property, many folks question why the Parks would even discuss the trail until they had acquired the properties- Good Question!

In our situation with Stark Parks there are no elected officials on their board and truly are unaccountable to local elected government. I think when most folks hear the word "park" they think of a mowed grassy area with possibly a playground, or ballfields, and possibly a pavilion located on a piece of poorly productive ground or in a flood plain. Today, our Stark Parks has purchased a \$40,000 per acre 206 acre golf course with tax payer money, is working with ODOT to build bridges costing millions of dollars, and used over \$250K of local taxpayer dollars to fight a small group of landowners in a property dispute. The time has come to limit these organizations' powers and allow local

government to become involved and represent the interest of their constituents. I feel HB 63 will do just that!

HB 63 would prevent other folks all over the state from having to fight and defend their private properties from Park systems that don't understand how their actions affect local farms. Even those that have won, have lost when you look at what it has done to operating capital in their operations. I appreciate your time and considerations and would be willing to answer any questions or concerns you may have.

Sincerely

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