



# Ohio Township Association

## 2011-2012 Legislative Priorities



## ABOUT US

The Ohio Township Association (OTA) was founded in 1928 with the purpose of promoting township government and providing township officials with a better knowledge of their rights and responsibilities. The Association has more than 5,200 active members, made up of trustees and fiscal officers, and more than 4,000 associate members.

One of the OTA's primary purposes is to secure from the General Assembly legislation which will enable township government to function more efficiently and to resist any effort that deprive townships of any rights, duties or privileges which they now possess. The Association accomplishes this by tracking legislation and educating members of the General Assembly on township issues.

# OHIO TOWNSHIP HISTORY

The Pilgrim Fathers brought the township form of government to America in 1620. This unit of local government eventually spread as far west as the Rocky Mountains. The township predates our state government as the townships' size and shape were determined by the Congressional Acts, which established the various land grants. Within each of the land grants, Congress set aside sections of land for the use of schools and the support of religious institutions.

To keep pace with the demands of changing times, the functions, duties and obligations of the township have changed over the years. Three trustees and a fiscal officer, each elected to a four-year term, administer our townships today. In addition, some townships now appoint a township administrator, whose duties are defined by the individual township. The township administrator typically helps plan, coordinate and implement township goals. Elected officials fill their offices on a part-time basis. Township officials are neighborhood officials and, hence, are more directly responsible to the voters than any other officials.

Township governments across Ohio provide a variety of essential services to residents living in the unincorporated territory of the state. Those services can include road maintenance, fire, EMS, police, parks, recreation, cemeteries, senior services and zoning. With more than 45 percent of the state's population residing in townships, the trustees that govern each township need the tools to effectively and efficiently provide those services. Townships, unlike municipalities, are creatures of statute and have only those authorities specifically or inherently granted to them by state law. The Ohio Township Association (OTA) is committed to preserving and protecting township government in Ohio and securing the necessary legislative changes to provide Ohio's townships with the tools needed to strengthen their communities.



# OHIO TOWNSHIP FACTS AND FUNCTIONS

Townships hold a necessary place in Ohio, as they are important to the delivery of valuable services to residents. They provide the best value for amount of money spent. Please see below for a description of services.

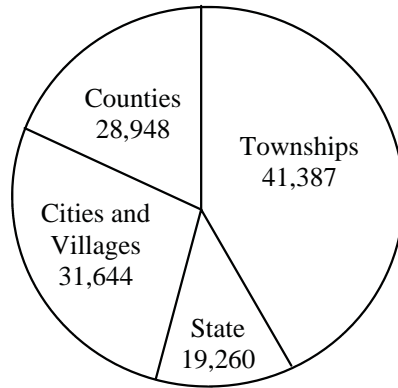
## CEMETERIES

There are approximately 2,400 registered township cemeteries in the State of Ohio.

## ROADS

Townships maintain more 41,387 miles of Ohio's roads, more than any other governmental entity. This is their largest responsibility and includes patching, chipping and sealing and removing snow.

**Maintenance of Ohio's Road Miles  
121,239 Total Miles**



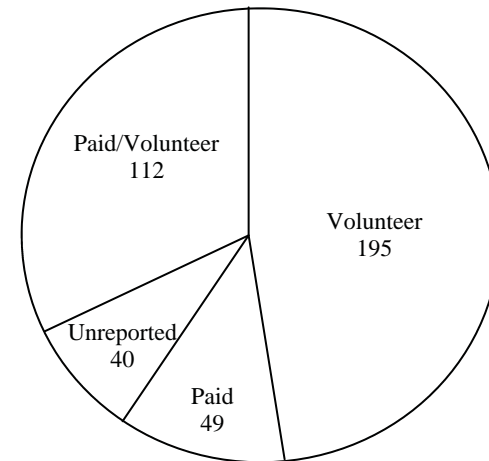
## FIRE PROTECTION

There are 405 township fire departments as listed on the state fire marshal's website.

## EMS

Ohio's townships operate 396 EMS units, comprised of the following: 195 volunteer; 112 combination paid/volunteer; 49 paid units; and 40 did not report their status.

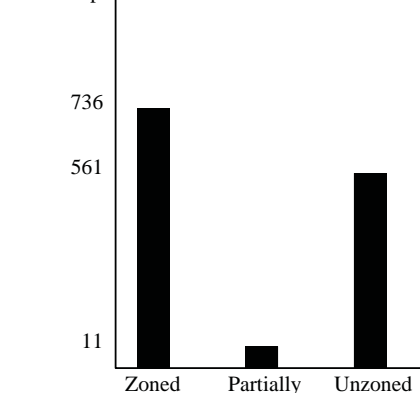
**Ohio Township EMS Units  
396 Total Units**



## ZONING

According to research compiled by OSU Extension Services, there are 736 townships that are zoned and 11 townships that are partially zoned.

**Ohio Townships Zoned**



# OHIO TOWNSHIP ASSOCIATION

## 2011-2012 LEGISLATIVE PRIORITIES

### TAX AND FINANCE

#### FINANCIAL ASSISTANCE

Since 1936 the state has committed to providing revenue to local governments for basic services the state does not and simply cannot provide. This revenue assistance, otherwise known as the Local Government Fund (LGF), was reformulated in the previous General Assembly to create a reliable and stable formula that reacts with the state's budget increases and decreases. The LGF is one of the primary sources of revenue for townships and the moneys received from the LGF go toward roads, safety services, parks and cemeteries, all major responsibilities of townships. The OTA requests that the state continue to honor their commitment to local governments by providing revenue assistance through the LGF.

#### REIMBURSEMENT OF LOST TPP TAX REVENUE

A key component of Ohio's 2005 tax reform was the phased out elimination of the tangible personal property (TPP) tax and the replacement of that tax with the commercial activity tax (CAT). Part of the tax reform package called for reimbursements to local governments to hold them harmless for five years and phased down payments through 2018. While the OTA does not have a position on the alteration of business taxes in Ohio, the state essentially eliminated a tax that funded local programs and replaced it with a tax that ultimately benefits the state's general revenue fund. After the phase out and reimbursement period concludes, townships statewide will lose an estimated \$71 million. The OTA is working with other local government, service and school groups on a proposal that would create a permanent replacement formula for lost TPP dollars. The OTA supports the creation of a state fund to fully and permanently reimburse townships for foregone TPP revenue by utilizing the suggested replacement formula. The OTA appreciates the extension of the hold-harmless period that was granted in the 128th General Assembly and encourages the 129th General Assembly to work toward long-term replacement funding to carry forward after 2011.

#### PROTECTION OF REVENUE SOURCES

Townships receive the bulk of their revenue from local property taxes. Additional money is received from the gasoline and motor vehicle license taxes as well as local government fund money from the state. Other sources of revenue could include estate tax revenue, cigarette licensing taxes, public

utility taxes and manufactured home taxes. Any changes to state tax policy must be done with full consideration of the impact that such changes will have on township resources.

#### UNFUNDED MANDATES

In 1994, the General Assembly passed legislation requiring local fiscal impact statements for all legislation affecting local governments. Even with the enactment of that procedure, the General Assembly is still passing laws that impose new or additional requirements on local governments without the funding needed to implement such requirements. A procedure should be established by which local governments can contest new laws that are not fully funded, yet give the General Assembly adequate time to modify or fund the mandates they impose.

### GROWTH & DEVELOPMENT

#### ANNEXATION

The annexation laws were greatly revised in the 124th General Assembly with the enactment of SB 5. Since then, experience has shown that the law needs to be refined. The OTA simply requests for the language in R.C. Chapter 709 to reflect what was originally agreed to by all parties during the SB 5 negotiations. Specifically, township-owned land is being included in annexation petitions and the township has no grounds for objection due to the township not being classified as an owner pursuant to the law. Additionally, when property is annexed under R.C. Section 709.023 (Type II) the land is to remain in the township, allowing the township to always collect inside millage on the territory that was annexed. Unfortunately, municipalities are using tax increment financing (TIF) and other tax diversion programs to divert the inside millage away from the townships. The OTA respectfully requests that language be added to R.C. Section 709.023 to expressly prohibit any diversion of funds from townships when land is annexed under this provision. Finally, current annexation law defines party or parties for Type I and Type III annexations, yet Type II annexations were excluded from the definition. The OTA requests that R.C. Section 709.021 be amended to include Type II annexations when defining party or parties.

## DEVELOPMENT PLANS

As previously noted, townships are home to more than 45 percent of the state's population and thus development activity - residential, commercial and industrial - is happening to townships. Creating and maintaining development opportunities in Ohio is critical to the state's economy. Where services are available, townships are often the preferred location for new development. County engineers are required to approve all road infrastructure needs for any development in townships. The OTA is requesting legislative timelines for the approval or denial of township road infrastructure projects by the county engineer. We recommend a 30-day turnaround time for approval or denial of township road projects. Furthermore, should a project be denied, the county engineer should provide specific recommendations for changes. Should the township resubmit the project for approval with the recommended changes, the county engineer shall approve the project.

## JEDDS/JEDZS

One way that townships and municipalities work together to foster development is in creating Joint Economic Development Districts (JEDDs) and Joint Economic Development Zones (JEDZs). The use of a JEDD allows the land to remain in the township and the municipality to levy the income tax on businesses within the JEDD. The OTA recommends the legislature overhaul the current JEDD and JEDZ law to make it easier for political subdivisions to understand and utilize. Furthermore, we recommend permitting all political subdivisions, not just those in charter counties, to use all types of JEDDs that are currently in the Revised Code.

## TAX INCREMENT FINANCING

In HB 66, passed in the 126th General Assembly, changes were made to the TIF law to require counties to sign off on municipal TIFs, as county service levies will be directly impacted by the granting of TIF districts. The OTA strongly encourages the General Assembly to extend that same courtesy to townships when land lies within the township and the municipality, such is the case when land is annexed under R.C. Section 709.023.

## WATER & SEWER



All local governments should have the authority to offer water and sewer services to their residents. Facilities built wholly or partially with federal or state funds should be available to all who live in the service area regardless of the jurisdiction in which they reside. Municipalities should not require annexation in exchange for services, nor

should residents of townships be forced to pay excessive charges for those services should the state or county require the resident to tap in.

## ECONOMIC DEVELOPMENT ONE-STOP SHOP

The General Assembly, in 2008, created the Ohio Commission on Local Government Reform and Collaboration. Throughout testimony presented to the Commission, a common theme relative to economic development was reoccurring. When a business is looking to locate or expand, it is preferred that all information relative to zoning, building permits, health regulations, tax incentives, etc. be available at one location. As suggested in the recommendations of the Commission, the OTA would encourage the General Assembly to examine ways to encourage local governments, including townships, within a county to have a one-stop shop for economic development purposes.

## ALTERNATIVE MERGER PROCEDURE

Current law permits a township and municipality to merge operations into a single entity after careful consideration and a majority vote of residents in both jurisdictions. While the current merger process has worked in some instances, it has also been cumbersome and burdensome in others, particularly where the governing bodies of both the township and municipality are in agreement to merge operations. The OTA respectfully requests that the General Assembly create an additional merger procedure whereby the legislative authorities of a municipal corporation and township, which have worked together on a proposal to merge the two governments using one of the two existing forms as the chosen government structure and have unanimously adopted an ordinance or resolution supporting the merger proposal, place the merger in question directly to the voters of each jurisdiction.

# LAND USE REGULATION

## CELL TOWER PLACEMENT

Abundant use of cellular telephones has prompted communication companies to search constantly for prime locations to enhance communication.

Townships currently have the authority to regulate the placement of cellular towers within residentially zoned areas, however, more and more problems are arising with the placement of towers on land that is zoned for agriculture or mixed use. Ideally, townships would like to regulate the placement of all cellular towers within their respective jurisdictions.

Additionally, the OTA proposes that notice be

given to all surrounding property owners and to the township officials prior to the erection of a cellular tower.

## GENERAL WELFARE

According to the last federal census, there was more growth in townships across Ohio than in cities. With growth comes the need for townships to have adequate planning and zoning tools available to help facilitate and manage the growth. Pursuant to R.C. Chapter 519, townships are given zoning authority. In the 125th General Assembly, the legislature gave and then took away broad authority for townships to pass zoning resolutions for the general welfare of the community, specifically in residential areas. Litigation has muddled the precise state of the law on this question. The OTA proposes that townships be clearly given broader general welfare zoning authority to mirror municipal zoning authority. Additionally, all aspects of zoning, including enforcement, should be streamlined and more person friendly in their use.

## IMPACT FEES

Local governments in 33 states are increasingly using impact fees to shift more of the costs of financing public facilities from the general taxpayer to the beneficiaries of those new facilities. Impact fees, when based on a comprehensive plan and used in conjunction with a capital improvement plan, can be an effective tool for ensuring adequate infrastructure to accommodate growth. While limited home rule townships have this authority, the OTA proposes all townships be given the authority to impose impact fees on new development and that revenue be used for infrastructure and service needs in that area.

## SUBDIVISION REGULATIONS

Townships should be able to adopt their own subdivision regulations or, at the very least, propose changes to plat and subdivision regulations. A clear voice in the process is needed. The OTA strongly recommends giving

townships that adopt home rule authority under R.C. Chapter 504 the permissive authority to approve or reject all subdivision regulations within their jurisdiction.

## WIND FARMS

In the previous General Assembly, legislation was enacted pertaining to the regulation of wind farms. Townships may regulate the placement of wind farms less than 5 mw, and wind farms 5 mw or greater will be regulated by the Ohio Power Siting Board. Language was added to R.C. Chapter 519 and R.C. Chapter 4906 detailing regulatory authority. One provision was overlooked during this legislative change. R.C. Section 4906.06 requires an applicant of a proposed major utility, which a wind farm 5 mw or greater is considered, to serve notice to the municipal corporation and county in which the major utility is wishing to locate. Wind farms 5 mw or greater will be sited in townships as well as municipalities. The Power Siting Board, through the enactment of a rule in 2009, instituted a requirement that townships must receive notification, however, the OTA respectfully requests that the rule be codified in R.C. Section 4906.06(B).



## ZONING

Pursuant to R.C. Section 703.20 and Section 703.201, a village may surrender corporate powers or may be dissolved under certain conditions. When a village surrenders its corporate powers or is dissolved, the land falls back under the governance of the township. The OTA recommends language in these respective R.C. sections that would apply township zoning, if currently in place, to the reverted village land automatically upon surrender of corporate powers or dissolution.

## CEMETERIES

### FUNDING

Under current law a township may sell plots and set fees for services performed at township cemeteries. The revenue received must be used to help offset the cost of the maintenance and upkeep of the cemeteries. Townships may also submit a cemetery levy before the voters to raise additional revenue. The OTA recommends language be included to permit townships to sell headstones and vaults, in addition to plots, and to allow the funds received to be used to ensure the perpetual care of the cemetery.

## ABANDONED CEMETERIES

With the discovery of abandoned cemeteries, townships become responsible for their maintenance and upkeep. Procedures for the takeover of an abandoned cemetery need to be clarified in the Revised Code. The OTA strongly urges the Department of Commerce - Real Estate Division to set up a grant program to assist townships in maintaining abandoned cemeteries.

## INDIGENT BURIALS

From 1974 through July 2001, the state reimbursed townships for expenses incurred when an indigent passed away within their jurisdiction. The state eliminated the assistance program in HB 94, enacted in the 124th General Assembly. The indigent burial program was facilitated by the Ohio Department of Job and Family Services and reimbursed up to \$750 for adults and \$500 for children. Now townships are responsible for all of the costs associated with an indigent death including: headstone, plot, urn or casket, and funeral services. The OTA recommends the indigent burial reimbursement program be reinstated at the previous funding levels.



## TRANSPORTATION & INFRASTRUCTURE

### DAMAGE TO TOWNSHIP ROADS

The outward migration to the unincorporated areas has caused an increase of traffic on township roads, especially by heavy commercial vehicles. Businesses that produce heavy truck traffic, such as mining, logging, CAFOs and solid waste to name a few, and do damage to township roads, should be required to provide financial help to the township in which the business resides for infrastructure improvements.

### FORCE ACCOUNT LIMITS

The limits on force account work (R.C. Section 5575.01) were last increased in 2003. Fuel and supply costs have increased significantly since 2003. The OTA is requesting an increase in the force account limits to reflect the cost of doing business today. Furthermore, we respectfully request that the force account thresholds be indexed to the construction price index so that the force account limits keep pace with inflation. Additionally we request clarifying language in R.C. Section 5575.01 to state the definition of construction/reconstruction projects versus maintenance and repair of a current road.

## SPEED LIMITS

Townships are not permitted to set speed limits on township roads. The OTA proposes granting townships the authority to set speed limits on their roads with the approval of the county engineer. At the very least, this authority should be granted to those townships that have adopted limited home rule authority under R.C. Chapter 504.

## VEHICLE WEIGHT LIMITS

Township roads are susceptible to heavy damage. Townships should be able to set weight limits on roads within their jurisdiction. We respectfully request the legislature provide an efficient and cost effective means for enforcement of such limits.

## SAFETY SERVICES

### FIREFIGHTER SERVICE

More than 90 percent of townships in Ohio have a good standard of fire protection covering more than 96 percent of the population in unincorporated areas of the state. Township fire departments are staffed with full-time and/or part-time and volunteer firefighters. Only full-time firefighters may contribute to the Ohio Police & Pension Fund for relief and retirement benefits. Part-time and paid volunteer firefighters are not eligible for the OP&F Pension Fund. Any part-time or paid volunteer firefighters hired on or after May 4, 1992, are not permitted to contribute to the Public Employee Retirement System (PERS) even if they have a full-time job in which they pay into PERS. Emergency medical technicians (EMT) are public employees per PERS definition and must contribute to PERS; however, a trained firefighter that is also an EMT may not be included in PERS. In a time when recruiting and retaining volunteers is very difficult, the OTA supports legislation that would permit part-time and paid volunteer firefighters' enrollment in PERS. At the very least, all currently enrolled PERS members should be able to keep contributing to PERS.

## JOINT POLICE DISTRICTS

Pursuant to state law, townships may create joint fire districts for fire, EMS and police services. Fire and EMS joint districts may be configured to include both townships and municipal corporations yet police districts, as created in R.C. Section 505.481, may only include one or more townships. The OTA requests that the Code be amended to permit one or more townships and municipal corporations to join together to form a joint police district.



## BENEFITS

### MONTHLY MINIMUM FOR SERVICE YEAR CREDIT

Local government officials work hard on behalf of the people of this state and should not be short changed at the time of retirement. The Ohio Public Employees Retirement System (OPERS) Board of Trustees has recommended increasing the monthly minimum earnable salary to earn full-time service credit from \$250 per month to \$1,000 per month. Under the plan, those officials that earn less than \$1,000 per month will receive partial credit. By altering the monthly minimum amount, many township trustees will not be eligible to receive a full-year service credit. Township trustee and fiscal officer salaries are set by the Ohio Revised Code (trustees - R.C. Section 505.24; fiscal officers - R.C. Section 507.09) and are based on the annual budget of the township. Township officials, like all elected officials, are prohibited by the Ohio Constitution (Art. II, Section 20) from receiving an in-term increase in compensation, therefore they cannot adjust their salaries. The change being proposed by OPERS today will impact almost every township *except* those with budgets over \$3.5 million, which includes only a few dozen townships across the state. Township officials work just as much and as hard as larger government officials but because they are smaller or are more fiscally prudent, we feel the proposed changes by OPERS penalizes these officials. As a compromise, the OTA proposes that the monthly minimum earnable salary be altered from \$250 to \$500 per month and index the monthly minimum amount yearly at a rate of three percent or the CPI, whichever is lower.

### PAY OF TOWNSHIP OFFICIALS

In 1977, state law was altered to permit townships to pay trustees by salary method rather than per diem. For 27 years, R.C. Section 505.24 allowed trustees to pay by the salary method by simply passing a resolution specifying the proportional amount of money to be used from each fund. In 2004, opinion (AGO 2004-036) was issued by the Ohio Attorney General stating that a township trustee must document, regardless if paid per diem or salary,

all time spent on township business if paid by a fund other than the general fund. The OTA respectfully requests that R.C. Section 505.24 be clarified by including language specifically stating that per diem type documentation is not needed when trustees are paid by salary.

While a trustee's salary may be apportioned from funds relating to the duties performed, the same philosophy is not applied to the township fiscal officer. State auditors (Township Handbook, page A-30) have concluded that the pay of a fiscal officer is a general fund expense, and thus unless expressly authorized by statute, the pay of the township fiscal officer shall be taken from the township's general fund. Townships have learned to do more with less while still providing quality services to their residents. However, the cost of doing business is rising yet general funds across the state are dwindling or remaining stagnant. The OTA urges language be included in R.C. Section 507.09 expressly authorizing the apportionment of the fiscal officer's salary dependent on the work performed.

## COURTS

### COMMUNITY COURTS

An urban township, as defined by R.C. Chapter 504, is a township that has adopted limited home rule government and has at least 15,000 people in the unincorporated territory of the township. Today, Ohio has 21 urban townships that govern more than 616,000 Ohioans. Urban townships are larger in population than most cities and three times the population threshold (5,000) for a village to become a city. These townships have the sophistication and financial means to create and operate such a court or district. The OTA firmly believes that urban townships should have the authority to have a community court or partner with a municipality or another urban township for a joint judicial district.



# REDUCING TOWNSHIP COSTS

## BLANKET AUTHORITY FOR COLLABORATION

Scattered throughout the Revised Code are limited provisions that enable political subdivisions to collaborate on services, such as joint fire districts (R.C. Section 505.371) and joint construction of infrastructure (R.C. Section 715.02). There are many other services that local governments, townships specifically, are interested in partnering with other governments to provide. The OTA recommends a blanket legislative statute, notwithstanding any other provision of the Code, which would allow collaboration and cooperation on the delivery of services, economic development or any other service agreed to by the local governments.

## FISCAL OFFICER BONDING

Township fiscal officers are required to be bonded for the “faithful performance of the duties of the office of township fiscal officer.” Faithful performance is not limited to theft in office; rather, this statement could include a simple error on a grant application, a bad investment or the transposing of two numbers on a check. The bonding levels for township fiscal officers are set by R.C. Section 507.04 and in 2004 the bonding levels were increased and set according to township budget categories. The OTA recommends lower bonding amounts for fiscal officers to secure their “faithful performance” and require townships to have theft insurance which covers all elected officials and employees.

## COLLECTIVE BARGAINING

Current law permits a township with a population less than 5,000 in the unincorporated territory to enter into collective bargaining agreements but does not require them to do so. The 5,000 population threshold in R.C. Section 4117.01(B) was established as a compromise between interested parties when the Public Employees’ Collective Bargaining statute was first written into law. The agreement stated that municipal corporations and townships with less than 5,000 people according to the most recent federal decennial census would not be subject to the collective bargaining statute. The Ohio Township Association has consistently opposed collective bargaining requirements for townships with less than 5,000 people in the unincorporated territory and requests the General Assembly not enact any laws that would alter this section of the Code.



## PREVAILING WAGE

Ohio’s prevailing wage law applies to construction projects undertaken by public authorities and requires that public authorities pay the local prevailing rate of wages to workers on the project. Ohio’s prevailing wage rates vary from locality to locality, and are based on collective bargaining agreements. The prevailing wage for township funded projects should be a local option, not a requirement. If prevailing wage is not made an option, the state should increase the thresholds for public improvements to \$250,000 or to the threshold established for the School Facility Commission.

## UNEMPLOYMENT COMPENSATION

Currently, when a part-time township employee loses his/her full-time job, the township must pay part of the unemployment even though the employment status with the township has not changed. The township is then paying the salary of the township employee and the unemployment compensation. Townships should not be required to pay unemployment compensation to an employee whose township employment status has not changed.

# OHIO TOWNSHIP FUNDING

## TAXES

Tax money is distributed to townships through the collection of inside millage, levies, motor and lodging taxes. Townships are primarily funded through property taxes levied on real property within the township.

**INSIDE MILLAGE** - The Ohio Constitution prohibits taxes on property in excess of one percent of true value without voter approval (Article XII, Section 2). Actual implementation of this amendment involved the creation of a statutory limit of ten mills. Apportionment of those ten mills followed a formula by which each local government received two-thirds of the taxes allowed to it under a previous system. Townships usually have somewhere between 1 and 2 1/2 unvoted mills. Generally, unvoted mills are used for general fund purposes. Some townships have divided the millage into two funds: general fund and road and bridge fund.

**LEVIES** - When a board of township trustees votes to collect revenue in excess of the ten mill limitation, a levy must be put before the residents of the township for a vote. Ohio Revised Code Section 5705.19 lists all of the different purposes of which a township may levy a tax in excess of the ten mill limitation.

Pass along taxes, such as the motor vehicle license tax or the hotel bed tax, may be implemented by a majority vote of the board of township trustees but both are subject to referendum by township residents.

**ADDITIONAL MOTOR VEHICLE TAX** - Pursuant to R.C. Section 4504.18, a township may levy an annual \$5 motor vehicle license plate tax for the purposes of paying the costs of construction, reconstruction, improvement, maintenance and repair of township roads, bridges, cost and maintenance of traffic control devices, purchase and maintenance of township road equipment and the construction,

reconstruction, improvement, maintenance and repair of township road buildings.

**LODGING TAX** - Ohio Revised Code Section 5739.08 permits a township to levy an excise tax up to three percent on guests that stay at a lodging facility located within the township. The revenue received from this specific lodging tax may be placed in a township's general fund for use on any lawful township purpose. In addition, townships may impose an "additional" lodging excise tax of up to three percent under authority granted by R.C. 5739.09(B)(1); however, this "additional" tax may not be imposed if the county has already imposed a lodging tax under authority provided by R.C. Section 5739.09(A)(1).

## FIXED FUNDING

Fixed funding, for the purposes of this document, are monies the Ohio Revised Code provides the authority for townships to collect. They require a limited amount of work on the township's part. These funds include the Local Government Fund, gasoline tax, motor vehicle license fees, solid waste host community fees, cigarette license and liquor permit fees, and the estate tax.

**LOCAL GOVERNMENT FUND (LGF)** - Ohio's Local Government Fund (LGF) was established by the General Assembly in 1934. The LGF was created during the peak of the Great Depression, when many local governments were experiencing severe financial difficulties. The LGF has undergone many changes since its inception, but the basic elements of the program have remained constant over the years: a designated portion of state revenues (currently 3.68 percent of the state's general revenue fund) are deposited into the LGF; a formula is used to allocate the monies to the county undivided local government fund in each Ohio county; and county budget commissions authorize and determine the distribution to local governments. Townships use this money to offset operational costs and fund unfunded mandates.

# OHIO TOWNSHIP FUNDING

**GASOLINE TAX** - The General Assembly adopted the first gasoline tax in 1925. The revenue collected from the tax is apportioned to state agencies and for use by counties, municipalities and townships. The tax is actually comprised of five separate statutory levies that have been enacted over the years. Townships receive a portion of proceeds from three of the five motor fuel tax levies. All told, townships receive about 1.9 cents or 6.8 percent of the total 28 cents per gallon motor fuel tax to maintain the 41,387 miles of township roads. The Ohio Constitution and state law require that any revenue received from any of the gasoline taxes be used only for expenditures on roads and bridges.

**MOTOR VEHICLE LICENSE FEE** - The state imposes several motor vehicle license fees upon owners of motor vehicles. The revenue the state receives from these various fees are collected and credited to the state's auto registration distribution fund. The state creates an account for each county and district of registration of the state, including townships. Of the total amount collected and deposited into the fund, not withstanding some prohibitions listed in R.C. 4501.03, five percent is distributed to townships. The township pot is divided based on a percentage of the total number of miles of township roads in the state and the township's number of miles of road maintained.

**SOLID WASTE COMMUNITY HOST FEE** - For the purposes of defraying the added costs to a township of maintaining roads and other public facilities and providing emergency and other public services, a township in which a solid waste disposal facility is located may levy a fee of not more than 25 cents per ton on the disposal of solid wastes at the facility. All revenue collected from this fee is to be deposited into the township's general fund pursuant to R.C. Section 3734.57(C).

**CONSTRUCTION AND DEMOLITION DEBRIS COMMUNITY HOST FEE** - Similar to solid waste law, R.C. Section 3714.07(C) permits a township in which a construction and

demolition debris (C&DD) facility is located to levy a C&DD host community fee of up to 4 cents per cubic yard or up to 8 cents per ton of the disposal fee required to be paid by the facility. Money received shall be paid into the township's general fund and may be used for the same purposes as the solid waste community host fee.

**CIGARETTE LICENSE FEE** - Ohio levies a charge on every person desiring to engage in the wholesale or retail business of trafficking in cigarettes. The township in which the charge originates shall receive 37.5 percent of the total wholesaler fees and 62.5 percent of the total retailer fees.

**LIQUOR PERMIT FEE** - Similar to the cigarette tax, a township that has liquor permit establishments located within the unincorporated territory are entitled to receive 35 percent of the undivided liquor permit fund, which is comprised of all liquor permit fees, except B-2a and S permit fees from B-2a and S permit holders who do not also hold A-2 permits.

**ESTATE TAX** - Estates of Ohio residents with a net taxable value over \$338,333 are subject to the state's estate tax law. Townships receive 80 percent of the revenue generated from the estate tax, while the remaining 20 percent is deposited into the state's general revenue fund. Townships use this revenue for capital investments such as new road or fire vehicles or improvements to a township building or park. Funds are also used to maintain a quality level of basic governmental services such as road repair, police, fire and emergency medical services.

## ASSISTANCE PROGRAMS

In addition to the above funding, townships receive help from a limited number of state and federal grants and donations from residents, local businesses and/or foundations.

# OHIO TOWNSHIP ASSOCIATION

## STAFF

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### ***Matthew J. DeTemple, Executive Director***

Matt oversees the day to day operations of the Association and sits on various committees and task forces.

### ***Heidi M. Fought, Director of Governmental Affairs***

Heidi is responsible for all legislative matters, sits on various committees and task forces for the Association, plans educational workshops for the annual conference and is liaison for OTA-related groups, such as the Ohio Township Association Law Directors' Group, Ohio Township Administrators Network (OTAN) and Coalition of Large Ohio Urban Townships (CLOUT). She also contributes to OTA publications.

### ***Kaitlin Hall, Director of Public Relations***

Kaitlin is in charge of all OTA publications, including the bi-monthly magazine, the *Ohio Township News*. She also updates the website and plans the annual winter conference and trade show. Additionally, she manages the Association's membership.

### ***Lisa Lewis, Accounts Manager***

Lisa oversees all OTA accounts and manages investments.

# OHIO TOWNSHIP ASSOCIATION

## BOARD OF DIRECTORS

### *Officers*

Greg Hanahan, Montgomery County - President  
Tom Willsey, Butler County - 1st Vice President  
Don Barzak, Trumbull County - 2nd Vice President  
Connie Fink, Muskingum County - Secretary-Treasurer

### *Directors*

Shirlee Bostdorff, Wood County  
Perry Brock, Lawrence County  
Tim Cassady, Champaign County  
Deana Detwiler, Morrow County  
Belle Everett, Tuscarawas County  
Scott Fabian, Jefferson County  
Roy Hollenbacher, Allen County  
Ed Huff, Jr., Darke County  
R.J. Lumbrezer, Fulton County  
Tim Lynch, Seneca County  
Ron Miller, Crawford County  
Darrell Shafer, Carroll County  
Janie Spade, Ashtabula County  
Jackie Terwilleger, Warren County  
Dennis Tippie, Lucas County  
Robert Wakefield, Ross County

