



COALITION of LARGE OHIO URBAN TOWNSHIPS Executive Committee Meeting

**Monday, July 19, 2010
10:30 am**

MINUTES

- I. Welcome (10:30 am) - Chair Earhart called the meeting to order at 10:38 am. Those in attendance were: Vicky Earhart (Hamilton County - South), Karl Gebhardt (Delaware County - NW), Karl Schultz (Clermont County - South), Chris Galloway (Lake County - NE), Christine Maticic (Butler County - South), and Jeff Ferrell (Erie County - NW). Also in attendance were Matthew DeTemple (OTA Executive Director) and Heidi M. Fought (OTA Director of Governmental Affairs).

- II. Old Business
 - A. **Approval of May 17, 2010 Minutes - Maticic moved, seconded by Schultz, to approve the May 17 minutes. Without objection, motion carried.**
 - B. Review of CLOUT Membership - Chair Earhart noted that there are two townships that have been CLOUT members in the past but are not in 2010. Schultz stated that he had spoken to Batavia Township (Clermont County) and encouraged them to join. Ferrell noted that he had called a trustee in Springfield Township (Lucas County) but have not heard back. He will follow-up.
 - C. Communication - Sharing of Information
 1. E-mail Lists - Chair Earhart reiterated that she would like all CLOUT members to be informed of CLOUT activities and OTA activities. She stated that she had an e-mail list that former chair Ed Humphrey had organized. She further noted that she had updated the South region township information and encouraged members from the other two regions to do the same. Fought recommended breaking the two remaining regions down into three - NE, NW and Central. She recommended that Galloway work with Costello on a NE group, Ferrell work on a NW group and Gebhardt work on coordinating a central Ohio list.
 - D. Commission on Local Government Reform & Collaboration - Fought provided the Committee with an update on the Commission. She stated that the Commission is in the report writing stage, finalizing the recommendations and word-smithing the document. The Commission will be meeting at the OTA office on Friday, July 30 to review a draft of the report, which is being prepared by the John Glenn School at OSU.
 - E. Review of Legislation Pending 128th General Assembly - Fought informed members of the effective dates of several pieces of legislation recently enacted:
 1. HB 393 (Nuisances) - effective June 18, 2010
 2. HB 449 (Human Remains) - effective June 18, 2010, certain sections effective September 17, 2010

3. SB 58 (Bodily Substances) - effective September 17, 2010 - The Committee discussed concerns regarding this legislation and the liabilities communities may face.
 4. SB 110 (HSTS Regulations) - effective September 17, 2010
 5. SB 232 (Alternative Energy) - effective June 17, 2010
- F. Review of CLOUT Priorities for 128th General Assembly**
- 1. Preparing for 129th GA Priorities - Chair Earhart encouraged Committee members to review the current list of priorities and to suggest changes to her or to the OTA office. The Executive Committee will vote on 129th priorities at the October meeting. Fought suggested that the Committee examine a few of the priorities that may not have the full support of CLOUT or have a chance of passing. Galloway moved, seconded by Maticic, to drop the earning tax request from the list to be considered for next general assembly. Without objection, motion carried.**
- G. Review of Amicus Curia Briefs Filed - DeTemple reviewed with Committee members the Dialysis Clinic v. Levin case, which involves the significant issue of whether a for-profit health facility is eligible for a property tax exemption due to having a charitable purpose. The OTA and CLOUT had submitted an amicus brief objecting to the Clinic being treated as a non-profit. He noted that the Supreme Court has asked for oral arguments. DeTemple also mentioned that the Ohio Turnpike Commission has requested the OTA join an amicus brief regarding the expansion of a road project being declared a takings. He noted that the OTA has joined with several other organizations on a brief.

III. New Business

- A. CLOUT Regional Meetings - Chair Earhart stated that the South region will hold a meeting in late August or early September. She encouraged the other regions to organize a meeting prior to the next Executive Committee meeting in October. It was suggested that the following topics be considered for discussion: loss of revenue, trend of paying for county services, CLOUT legislative breakfast reception in 2011 and a review of how to lobby. Fought encouraged the Northeast and Northwest group to split into three regions, as described for e-mail lists to make the meetings more convenient for everyone.
- B. Recommended Process for Requesting CLOUT Support/Funding - Chair Earhart noted that there is no clear process for CLOUT townships to follow when requesting CLOUT's participation in a lawsuit. She informed the Committee that she will prepare a guide for requesting CLOUT support. She will have the draft document for Committee members to review and approve via e-mail in the next few weeks. She stated that it was her intention to have the document finalized prior to regional meetings.
- C. NATaT Conference - September 15-17, 2010 - Chair Earhart asked Fought to explain the NATaT conference to Committee members and she did. Earhart asked Committee members to consider attending either this year or in the future.
- D. 2011 Legislative Breakfast Reception - Fought updated committee members on details for the reception explaining that the OTA is considering two locations - Capital Club and the Riffe Center. She noted that the Capital Club will be a little more expensive but is a routine place for political functions. She informed the Committee that the cost for a small bus to transport members to and from the Hyatt, the conference hotel, will cost approximately \$350. The breakfast will be from 8:00 - 9:00 am and then the CLOUT meeting will be held at the Convention Center at 10:00 am. Chair Earhart encouraged Committee members to publicize the event and to encourage all CLOUT members to attend.

- IV. Items for the Good of the Organization - Maticic shared with the Committee that she is a member of the "Go Ohio" task force that is in the process of examining the funding and prioritization policies of ODOT with the goal of providing a blueprint for transforming Ohio's transportation system that will ignite the economy and add value to communities across the state. She encouraged Committee members to visit the go.ohio.gov website and provide comments and feedback.

Schultz informed members of a tax challenge being initiated by Duke Energy which allows Duke, during the appeal, to pay only those taxes they feel they owe, which at this time is 40% less than what they have paid in previous years. DeTemple noted that the OTA has been in on discussions relative to this matter with school and other local government groups and that, should the matter get to the Board of Tax Appeals or the Supreme Court, the OTA will likely join with other groups on an amicus brief.

Chair Earhart explained a situation in Hamilton County pertaining to the Health District Advisory Board and the lack of a quorum of township officials. She indicated that she has requested a legislative change to allow alternates to be fiscal officers or non-elected officials. Executive Committee members gave suggestions on ways to improve attendance at the meeting, including having the meeting during a county township association meeting and serving a meal at the meeting. Fought noted that the one draw back to having non-trustees on the Advisory Board would be that decisions are made at the Advisory Board meeting pertaining to budget and appointments and only trustees can have the legislative authority for townships.

- V. Next Meeting Date (Late October) - The next meeting of the CLOUT Executive Committee will be held on Monday, October 25, 2010 at the OTA office.
- VII. Adjournment (12:30 pm) - **With no further business to come before the Committee, Gebhardt moved, seconded by Maticic, to adjourn. Without objection, motion carried and meeting was adjourned at 12:41 pm.**