

Columbiana County Land Use Task Force Report
20 June 2006 - Lisbon Lions Club at 7 p.m.

Call meeting to Order: Tom Butch, Chairman, called the meeting to order, thanked everyone for coming, and introduced Ernie Oelker. Ernie reviewed the agenda and introduced Tom Konst from Carroll County to discuss the Carroll County Comprehensive Plan. Mr. Konst is a real estate and weights and measures inspector for the Carroll County Auditor. Previously he worked as a Sanitarian for the General Health District and a 4H Extension Agent. He has a Master's degree in Extension Education from Ohio State University and moved to Carroll County from Sandusky County 20 years ago.

Carroll County Comprehensive Plan: Mr. Konst reviewed the handouts. He grown up in rural Sandusky County which was zoned and his family farm was protected from unplanned growth. After moving to Carroll County he found there were no such protections. As young people left family farms the farms were sold off to people moving into Carroll County from urban areas. They were willing to pay more for acreage thus inflating land prices for county residents. The new residents wanted amenities and services they were used to in urban areas such as paved roads. How to pay for services was an issue.

As a result of the new development the Carroll County Chamber of Commerce put out a land use survey in 1999 at the Carroll County fair. 1,192 individuals responded. Responses documented many concerns about land use and the desire to protect agriculture and the rural nature of the county. Many respondents indicated rapid unplanned growth was of great concern.

The Chamber went to the Board of Commissioners and said "here's the survey results, what are you going to do about it"? Konst served on the County Regional Planning Commission for 18 years. Back in the early 1980's there was an effort to put a zoning initiative on the ballot but the Board of Commissioners would not agree to do so. It was putting the "cart before the horse" to push zoning before the County had a Comprehensive Plan. In 2000 the Regional Planning Commission began to develop a Comprehensive Plan. The one year timetable was unrealistic as it took 6 years before a final draft was presented to the Board of Commissioner this May for adoption. The cost was \$7,000 because OSU Extension staff did the technical writing and residents volunteered to gather data and survey public needs. Konst reviewed a flow chart of the process and said they had great maps from ARC VIEW to identify land uses and spot potential conflicts in the future. The draft plan is on the Internet. He said if we really want to make this happen we can; we just need to understand it will take time. Carroll County used Wayne County's plan as a template. Konst said a land use plan has no regulatory authority, it is just a

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plan. The plan cannot restrict development in public or private projects but it does let a developer know what the desires of the residents are. "If you want to regulate how many junk cars on blocks people can have in their yards, you need zoning", Konst said. The Carroll County Comprehensive Plan was not intended to be the first step to zoning as zoning "is a swear word" in Carroll County. Zoning also requires extensive public hearings and placed on the ballot. Developing the plan is time consuming as it took them 5 public meetings alone to come up with a mission statement. Konst said everyone's opinion must be treated as equally important.

Don Vos stated his opposition to a land use plan as he believed it would lead to eminent domain seizures of private property and said the County Militia would not permit this. Ernie Oelker said a Comprehensive Plan is not about eminent domain. A lively discussion ensued. Barbara Kreie stated that Columbiana County already has good quality of life; and if a plan is to have any "teeth" it has to have regulatory authority which county residents don't want. More discussion ensued. Konst said it took 2.5 year to have enough public meetings to write the plan. There were 4 separate drafts. There are tools contained within the Ohio Revised Code for communities to control land use citing a Section of the O.R.C. that permits Villages who create a Planning Commission to have authority to regulate development for a 1.5 mile area outside of the Village limits. This is one important reason unincorporated areas need a plan. Konst said development should go where infrastructure already exists, not on prime farm land.

Rusty Kiko stated private developers are more careful with their money than government and he is against Columbiana County having a comprehensive plan because development should go where it wants to. Townships should take care of townships. Mr. Kiko stated most of the Steering Committee members are not landowners and whatever they do the rest of us will have to live with it. He said "this is backdoor zoning".

Tom Butch took exception to Mr. Kiko's remarks noting that zoning has to be voted on. He asked Mr. Kiko if he was trying to say that people shouldn't have a vote on such an issue. Tom asked if Mr. Kiko had a plan for his business and Mr. Kiko replied that he did. Tom said that is no different than having a plan for land use. Don Vos said the Steering Committee should be concerning itself with regulating landfills and the dumping of asbestos, not developing a plan. Tom Butch said the Steering Committee does not have that authority. Another member of the audience asked why spend the time and money on a plan if it is not regulatory although he agreed a plan was needed. Tom Butch said one reason for a plan was the desire of some farmers to

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participate in Ohio's Farmland Preservation Program. Without a county land use plan in place, no application from the county will score high enough to receive funding.

Nancy Burbick also took issue with Mr. Kiko's statements stating "we all have to be willing to give a little on these kinds of issues". She said it is important that people take the time to come to these meetings to learn. She knows lots of people who feel a plan is needed. She told Mr. Kiko that she is entitled to an opinion and it counts as much as his. Ms. Burbick said she has young family members who will leave the county and she wants them to have a reason to stay. Commissioner Sean Logan asked what the major barrier to young people staying and farming? Commissioner Logan went on to say that Mr. Kiko keeps bringing up zoning to scare people. The only way residents can take advantage of the Farmland Preservation program is to have the plan. This is one strategy to help keep young people farming. Don Vos said he remembered when the federal government took Dean Bowman's land for the federal prison, and told Commissioner Logan he was full of malarkey.

Tom Butch explained how an agricultural easement works. Jim Converse said developers look for certain things when they assess an area and they don't want a free for all. They want to know what they are getting into; "if we want to create jobs we need a land use plan". Tom Konst said that the Carroll County Economic Development Director fields two or three calls weekly from outside developers and they ask if there is a comprehensive plan. Many federal grants now require a land use plan before funds are granted. Konst calls this "federal blackmail" but it is how things work. He noted 98% of the volunteers who worked on the Carroll County Comprehensive Plan were landowners.

Mr. Spack discussed the Perry Township Comprehensive Plan which was done some years ago. He said it is neither good nor bad. Initially zoning in Salem and Perry Township was a good thing until local officials got carried away regulating non-housing related issues. Mr. Spack said if the proposed plan sticks to what we say we're going and want to do; that will be a good thing.

Mrs. Kreie asked if this was the last public meeting and complained about the land use survey the Steering Committee developed. She said many questions are an invasion of privacy. She wanted to know what will happen to the survey and who will use it. Tom Butch explained the survey was revised and will be passed out tonight. Betty Sekula said she provided the survey document, [which was designed for Boardman Township in Mahoning County], as a courtesy and not all the questions were appropriate for Columbiana County which is why it was revised.

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A member of the audience asked the Steering Committee members to identify themselves, not just give names. Steering Committee members each stood up and provided information about themselves including if they were landowners and why they had an interest in seeing a land use plan developed.

Update on Plans and Progress to Date: Betty Sekula said for 20 years she owned 10 acres in Columbiana County and her son is now closing his business in Calcutta due to health reasons. She wants us to know she has fond ties to the county. Funds for the plan come from loan repayments to the County Revolving Loan Fund which was established with federal Community Development Block Grant funding. She will be paid up to \$2,000 for her consulting services. She was the Mahoning County Planning Director for many years and shepherded through a land use plan for the unincorporated areas in Mahoning County getting financial support from each township. She got the plan done in a year.

The Columbiana County plan will list all the assets in Columbiana County and areas of concern for land use such as soils, ground water issues, etc. She discussed the "red flag" concept that Mahoning County's plan uses. Betty will visit every township because the trustee's opinions are important. Only unincorporated areas will be covered by the plan. Betty said the plan is not a legal document; it simply shows that residents have enough pride in their county to put all this information together. She said Steering Committee members are great people who are a pleasure to work with; "they work things out and are not fighting with each other". She discussed the ease of modifying a plan when it is completed. A list of funding opportunities will be an appendix to the plan. Everyone will be kept informed as she meets with the townships. She asked for questions. Barbara Kreie asked if meetings with the trustees would be open to the public. Betty said yes but it is up to the Trustees to inform their residents. Betty noted we will have the "pro bono" services of Atty. Mark Finamore who specializes in township and municipal law. Mrs. Kreie asked if trustees will be expected to take a vote when Betty meets with them; Betty said "no".

Land Use Survey: Ernie handed out copies of the survey and asked people to complete it and return it to the Task Force. It will be available at many public events throughout the summer including the County Fair. Ernie said the Task Force thought this was the best and cheapest way to determine public opinion on land use matters as we develop the plan. Tom Butch thanked people for coming and adjourned the meeting at approximately 9:15 p.m.

Minutes by: CFB