

DISTRICT RESPONSE TO RESIDENTS' QUESTIONS

1. Why were some reassessed in 2019 and some were not?

No properties were “reassessed” in 2019, the increase in the maintenance assessment in 2019 to all 2353 properties is provided for in Ohio Law. A reappraisal of benefits has never been conducted.

And if the state law that we were told at the meeting is the formula used why would a house valued at approximately \$79,000 in 2019 pay an assessment of \$218 per year?

The first appraisal of benefits was performed in 1958. Only the properties that were flooded from the 1948 flood were assessed. The Ohio Revised Code 6101 is the Ohio law that provides the requirements for the operation of a Conservancy District. Currently 2353 parcels are being assessed from the original Appraisal of Benefits. There have been additional parcels added over the years based on that appraisal.

The original assessment was based on a value of one percent of the original benefit which was the cost of the project at approximately \$1,300,000. Ohio Law provides for the collection of one percent of the original benefit without Court approval. This amount was approximately \$13,000 in 1958 dollars.

Ohio Law allows increasing the assessment, by Court order, to more than one percent to those same properties that were currently being assessed. In 2017 the Court approved an increase in the assessment to five percent of the original benefit value. This raised the total of assessments collected to approximately \$65,000.

It was at this time; the Board of Directors petitioned the Court to order a Readjustment of Appraisal of Benefits study and it was approved by the Court. Without the funding necessary to hire economists and engineers to perform the study, the assessments remained at the approximate \$65,000 until 2019.

In 2019 it became clear that it would require an increase in funding to keep the dams clear of brush, trees, and invasive weeds. The District also did not have current Emergency Action Plans for the dams, did not have a consistent inspection reporting process and regular inspections were not being conducted. Considering the amount of work needed to be in compliance with current dam safety regulations, it was necessary to increase the maintenance assessment.

Therefore, the Board of Directors petitioned the Court to increase the assessment to fifteen percent of the original \$1,300,000 benefit. Again, without the necessary funds to perform a Readjustment of Appraisal of Benefits the assessment was increased to \$195,000 on the same properties. This resulted in tripling the assessments to those same properties.

It should be noted that the original \$13,000 assessment in 1958 would be equivalent to \$141,000 in 2024 dollars.

DISTRICT RESPONSE TO RESIDENTS' QUESTIONS

2. Where can we get a copy of the supposed state law that states the “formula” for the reevaluation/ assessment? (Readjustment of Appraisal of Benefits)

Ohio law doesn't provide a specific formula, it provides for a specific procedure to follow in seeking a reappraisal. Ohio Revised Code 6101.54 provides that the District can seek a “readjustment of the appraisal of benefits for the purposes of making a more equitable basis” for the assessment. The HRCB board of appraisers has relied upon data and input from contracted engineers and economists in arriving at the methodology that represents an equitable basis for the assessment.

A link to the Ohio Revised Code 6101 is provided on the Hunter's Run website.

3. If this law was used previously why would some be reassessed and different times than others?

There was no “reassessment” of the properties. The current maintenance assessment was increased, and the assessments were increased proportionately to those same 2353 parcels.

(See answer to Number 1)

4. Are HRCB board meetings made public? And if so, what schedule are they on for 2024?

Yes, they are public. The notice is posted on the District website at huntersruncd.org and on the Facebook site, Hunters Run Conservancy. The schedule of meetings is also posted in the County Administration Building and Lancaster City Hall.

5. Why was there not a meeting for input with the public before this re-evaluation?

(Readjustment of appraisal of Benefits Process)

We are required by law to apply the assessments equitably to everyone based on benefit. For the direct benefit, an assessment based on the value of the structure that is being protected is the most equitable method of assessment. The indirect benefit was applied evenly across the district.

There is no provision for property owners to “negotiate” the assessment. For all the discussion on Facebook and the District notices and phone call messages, we had very little participation at the open house meetings. Ohio Law dictates how Conservancy Districts are to assess properties and collect assessments. The information is getting out and the feedback received doesn't change the State Law.

6. What was the need for an attorney at the meetings at Liberty Center? And did her pay for this come from the funds we pay through the assessment?

As in any Government organization, there is a need for legal representation to address all legal matters. The District's attorney was present to answer questions about the statute or the legal process. The District has always contracted for part time legal services that are paid for with the district assessments as are all district expenses.

7. Are board members paid positions? And if so, does this come from our assessment funds?

Board members are paid for the meetings, and it is approved through the Court's order authorizing board compensation.

DISTRICT RESPONSE TO RESIDENTS' QUESTIONS

8. How many paid workers currently oversee the land/ dams regularly at this time? (General labor)

One part time employee, paid for with the assessments, with oversight from an employee from the Fairfield Soil and Water Conservation District. Currently the Fairfield Soil and Water Conservation District is not charging for that employee's time.

9. Do we hire contract workers for the actual dam repair work? (Take bids and choose) or how does that work?

We are a functioning government entity very much like a township and the Board would contract out larger-scope dam construction projects. Under Ohio Law does not require bids for services under \$75,000, however, we do check prices and compare quotes for services. Engineering services are solicited through a Request for Qualifications and those firms are selected based on their qualifications for the work that is required. With the limited funds we currently have we have not had any job over \$50,000. We have two contractors that mow the dams and neither contract is over \$50,000 below the limit of \$75,000.

10. Why did the dams get to the point of this much repair without the public knowing there was a need?

The public is being informed now. The dams are now 60+ years old. Sediment storage capacity was estimated at 50 years. Concrete deteriorates through the years as does galvanized metal pipe risers and outlet piping. There are no drastic measures needed today, however, we must address priorities and build reserves for the upcoming projects. **There seems to be an unfounded belief that the dams are in terrible condition. This is just not true.**

The Ohio Department of Natural Resources enforces current dam safety regulations and the larger dams do not meet current regulations. There are modifications needed to comply. Reserves need to be available to provide matching funds for these reconstruction projects. One dam modification could cost \$2,000,000. The district will be required to provide \$700,000 in matching funds. The Natural Resources Conservation Service would pay the remainder. The Concrete spillway structures are deteriorating as would be expected with 60-year-old concrete. They do not need to be replaced all at once and as the funds become available, they will be repaired and replaced. We hope to be able to obtain grant funding for much of this work and with this additional funding we will have the matching dollars needed to acquire those grants.

Insufficient funds to pay for those projects and the need to increase the maintenance assessment has been documented throughout various agencies and public meetings with local governments providing temporary as-needed support. Below is a link for an article in the Lancaster Eagle Gazette from 2019:

<https://www.lancastereaglegazette.com/story/news/local/2019/11/09/city-council-considers-payment-hunters-run-conservancy-district/2517145001/>

11. Why are the larger profitable businesses not assessed according to their property value?

DISTRICT RESPONSE TO RESIDENTS' QUESTIONS

Some of the larger shopping parcels that are protected will be paying several thousand dollars a year in assessments. Smaller businesses within the direct flood area will pay based on the value of the structure just like the homeowners. In fact, the commercial assessment rate is higher than the residential rate. If a business is receiving the indirect benefit just like a homeowner, they would only pay \$41. So, there is no difference between assessments on a commercial business or a homeowner except that the business pays more per \$1,000 of value.

It should be noted that the businesses and residents must be within the District boundary of the 49 square mile area. The district can't assess anyone outside of that area.

Details addressing all the questions are available on the Hunter's Run website:

www.huntersruncd.org

The entire Ohio Revised Code 6101 which is the Ohio Law that governs Conservancies is posted on the website. The entire Reappraisal Report from Jack Faucett is posted on the website as well.