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RICHFIELD TOWNSHIP
LUCAS COUNTY, OHIO
BOARD OF RICHFIELD TOWNSHIP TRUSTEES
SPECIAL MEETING FOR ZONING TOPICS

June 5, 2025

The special meeting of the Richfield Township Trustees was called to order by Steve Bettinger at 7:00 p.m. at the Richfield Township Fire Department, 11450 Sylvania Avenue., Berkey, Ohio 43504. All present were asked to rise for the Pledge of Allegiance.

ROLL CALL: Chairman: Steve Bettinger – present
Co-Chairman: Andrew Bick – present
Andrew Lumbrezer - present

Chairman Steve Bettinger opened the meeting. This meeting is being held to discuss zoning topics, because this is a special meeting we are unable to discuss other topics other than zoning. Trustees, Fiscal Officer introduced themselves to the public.

Trustee Bettinger introduced Keith Clonch, Administrator. Keith asked that all be respectful due to the large number of people attending we will allow three minutes for each individual who would like to speak. We welcome any questions you may have, you will not be able to yield time to another. After speaking you will have one additional minute for a rebuttal. We will follow Robert's Rules of Order.

A list of questions from the June 2, 2025 meeting were given to Mr. Clonch to address.

History of how we got here:

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- Economic development. Townships in general only have a couple ways to generate revenue. Primary way is tax levies. Currently at the township we have tax levies that support local township operations including Fire & EMS, Roads, Cemeteries, Township Hall, Etc. The current tax levies equate to 13% of total property taxes paid by Richfield Township Property Owners. Other tax levies that make of the remainder of taxes paid include Schools, Libraries, Tarta Buses, Metro Parks, Etc. Kieth was previous Fire Cheif , promoted to Administrator.
- In 2020 a Fire Levy was passed, it was meant to last 10 years, we are now five years into the levy. We were not aware of what a big impact Covid would have, it now cost twice as much to run a fire department due to inflation. A fire truck that

use to cost 350,000 now cost approximately 1 million. We do not have new equipment the average piece of equipment is 30 years old, we do have a new ambulance that we were able to get through Covid Funds provided by the Federal Government.

- There are additional ways to bring in revenue such as:
 1. TIF (Tax Increment Financing) a mechanism to provide a tax abatement on areas of land that are being developed, the funds would go to local government to offset any cost the township would have in buildings. Example: water lines, TIF funds could be used as a way to get water lines to the township. If there were increases in values, the increases would go to local governments.
 2. JEDD (Joint Economic Development District). For example, through development the township could partner with City of Sylvania, charge an income tax for people who work in that new development. The income tax would be shared with City of Sylvania in that JEDD along with Richfield Township based on the split agreement.

The Board does not want to go back to the community for additional levies. To operate a 24/7 Full-time Fire Department it would cost at a minimum of 1.2 million, this would include staffing three people around the clock. The current fire budget is \$300,000.00 . The township would need to increase the levy significantly to provide full staffing and provide services.

Volunteers have decreased significantly in the township, this is a nationwide issue. The township has to find alternative ways to provide funding, forecasting in 18 to 36 months we will have a lack of fire department volunteers capable of making a response and would create a deficit in the budget to provide for Paid Staff.

The other big issue the township has is water, cost for water lines is one million dollars per mile, the township has no funds for these water lines.

The Board of Trustees has been having on-going conversation about these issues for over one year, we are excited to see so many here to gather community input. Going through the current zoning process it was discovered our zoning process is broken. In the past 30 years we have had only one zoning change, the problem is we have people operating in the township outside of the correct zoning process getting approvals. The Board of Trustees are going to correct this moving forward.

This current zoning amendment has been followed correctly, a consultant was enlisted. The township was able to submit the zoning amendments to Lucas County, Lucas County Planning Commission set up a public hearing and sent out letters to our residents who were directly impacted by these changes. The Township did not send out the letters nor were they notified the letters were going out. There was an error in the letter as the

letter stated the approval came from the zoning board – this should have said the approval came from the Trustees. The township was not given an opportunity to review the letter, as we were not notified when the letters were going out.

The current Zoning regulations, Land Use Plan are outdated, the last updates were over 35 years ago.

Time line of events:

- 5/6/2025 Board of Trustees approached by Lucas County to consider a data center. 1000 acres were needed. Trustees declined.
- Realtors started to reach out to our residents for interest in selling their land. Administrator notified the realtors that the Township turned down the data center proposal, they were asked to stop sending out letters.
- Lucas County Economic Development continued to work with Oregon, OH. as they were interested in the development of a data center along with other surrounding townships.
- Spencer Township actively seeking to make Bancroft Corridor Section for potential businesses. One year ago they approved zoning amendments to allow data centers.
- 6/3/2025 Trustees received notice from residents complaining of water issues in the township.
- 9/3/2025 Board of Trustees created a position of Administrator as there was an increased need of representation at Lucas County meetings. The township needed a voice at the table as meetings/planning were going on.
- 10/7/2025 Continued discussions on Economic Development in Richfield Township as well as surrounding townships, data centers were a hot topic.
- 3/3/2025 Board of Trustees were contacted by Lucas County Economic Development again, reaching out to see if there was any interest in joining a development proposal on Fulton Lucas Rd. along with Spencer and Amboy Townships for a potential data center development. Property owners located in the development area were interested in the proposal.
- Richfield Township property owners notified there would be no action taken until signed agreements were in place. Zoning changes were already in process as we needed to update the current zoning resolution, land use plan. Township began to seek consultants to help us through this process as well as searching for available grants to provide funding for the consultants.
- 4/7/2025 Reville hired to provide guidance in the text amendment changes as the township received signed agreements from land owners.
- 5/5/2025 Draft of amendments for the Central Avenue Overlay District were reviewed, including expansions to include advanced manufacturing. Text amendments were approved by the Trustees, approving to start the process of public hearings for potential approval to zoning board and Board of Trustees.
- Lucas County Planning Commission will set the date/time for the hearing..

- Once a decision is made by the County this would go to the Zoning Board for review, a public hearing would be held inviting all residents. After a decision is made by the Zoning Board they would send to the Trustees for their review and decision.
- Recent legislative proposals and discussions in Ohio suggest a potential shift in how zoning decisions are made for townships, this would allow the state to make decisions on zoning. At this time the state cannot make a decision for the township.
- 5/12/2025 Township administrator attended the Zoning Board meeting, notifying the board the Trustees initiated a zoning text amendment process for potential industrial project, which would be sent to Lucas County Planning Commission for their review. The Board was also notified once the Planning Commission made a decision it would come back to them for a public hearing in which the township residents would be invited.
- 5/19/2025 The Board of Trustees were notified letters were sent out by the Lucas County Planning Commission to affected property owners without the approval of the Board of Trustees. At this time errors were noted on the letter, the Trustees were unable to do anything since the letters were already sent out.
- Lucas County Planning Commission met, delayed their decision by 60 days so the township could have a discussion with residents.

Keith explained a financial study has been completed, if we continue as we currently are the township will be broke in 10 years. The cost of everything has continued to go up, township has no new resources to provide funding. The Board is trying to be creative so we do not have to go back to the residents for additional money. If you are in favor of a tax levy, please let your Trustees know. In order to support the fire department a 24 mill levy would be needed, we currently have a 6 mill levy. Keep in mind this does not address any of our water issues, roads or any other issues that we may have.

At this time I would like to address the questions that you all had at the last township meeting.

1. What are the rules to implement eminent domain?

The Lucas County Assistant Prosecuting Attorney was contacted. John Borrell stated in Ohio, eminent domain gives the government-state, county and local government the power to take private property. However, the property taken must be for a “public use,” which traditionally means projects like roads or bridges. Meanwhile, the government must pay the owners “just compensation” for their property.

However, economic, or financial benefit alone is insufficient to satisfy the public-use requirement Any taking based solely on financial gain is void as a matter of

law, and the courts owe no deference to a legislative finding that the proposed taking will provide financial benefit to a community. A data center operated by a private entity is NOT a public purpose and therefore, eminent domain cannot be used for this purpose.

There was also concern that the federal government used eminent domain power to seize land in Texas for SpaceX-Elon Musk. This information is incorrect. SpaceX purchased property to build Space City, The residents of Space City voted to incorporate. The Federal government has no involvement in this.

2. What about eminent domain for utilities?

The utilities would most likely be underground utilities. Power lines would be in the easement so eminent domain would not be used.

3. Why did the Trustees decide to go this route of data centers?

We did not choose this route of a data center, the township was approached by residents that were interested. Data Centers bring large sums of money to townships along with installing water lines from the city. Water would not be tapped from the aquifer. Benefit would be free water, this included a loop most likely down Bancroft, Fulton Lucas, Central, State Route 295 to Berkey.

4. Why did we by pass the zoning board, they claim to know nothing about the changes?

Zoning Board was notified at their regular meeting in May. The Zoning Board would receive a decision from Lucas County Planning Commission after their hearing for their review/decision.

5. Why did we not have a meeting first with the community to inform them of what was going on, to include them in future planning?

Executive sessions were held for specific properties for purchase or development to keep speculators from having advance notice. The correct process was followed. The Board of Trustees has been talking about this for over a year, in the minutes there is reference to data centers eight times. The problem is before today there were few residents attending the board meetings.

6. Why did Zoning Solutions sign the zoning amendment document?

Zoning Solutions is part of Reveille (zoning contractor).

7. Did the township do their due diligence in researching data centers?

Yes, several data centers were visited. In their research there are numerous opinions in favor of or opposed to data centers..

8. Fire Department – feel it's poor planning on our part, why did we not ask for more money when we added the additional levy a couple years ago?

In 2020 we doubled the levy, going from 3 mills to 6 mills. The goal has been to plan for the future without asking residents for more money.

9. How many fire runs does the township do?

Chief Pete reported there are 132 calls in the township during daytime as of May, 2025, compared to last year at this time we had 101 calls. 70 % of our fire department live outside the township.

10. Why did you not send out letters to all landowners?

The County sent out the letters, we had no idea who they sent letters out to. Our intent was to have letters go to all affected land owners

11. Why can't we use Sylvania or Springfield Township?

We use mutual aid, we cannot put out fires by ourselves – we need three fire fighters. We rely on mutual aid for all fires not for EMS calls which is 90% of the calls we go on. Our average response time is 10 minutes when volunteers or nighttime volunteers respond. Average response for day time calls is 3.5 minutes, when we are fully staffed. Springfield Township cancelled their mutual aid agreement with us because they cannot staff their own department. We are currently in talks with Spencer Township to create a fire district. If we were to contract with Sylvania Township it would not be free, Sylvania Township fire department has a 16 mill levy to operate their department. Currently we have an agreement with Harding Township as we are providing fire/ems services for \$800.00 per call, this is another revenue source we have created.

Zoning amendment change is for the expansion of Central Avenue Overlay District. The Township does not want large scale development. Expansion plan was to include Fulton Lucas to Lathrop to Central to Bancroft. Zone 1 expansion included entire area as we were trying to put a cap on it, this amendment could be changed to include only the property owners who want this development.

Zoning for expansion area 2: Central Avenue/State Rt. 295 made the most sense for development since the land is uninhabited, the SW corner is 20 acres the SE corner property had a sign for auction awhile ago.

Currently with every house built in the township this puts a strain on all services provided by the township including Fire / EMS, Roads, Water Supply, and increases our population while not really increasing revenue for the township. does not provide enough tax dollars to support the township.

PUBLIC COMMENTS:

- Richfield Township zoning resolution 14.2.1 zoning amendments (3 options).
How do we initiate zoning amendment process? It can be initiated through the Trustees or Zoning Board. This amendment was initiated by the Trustees on April 7, 2025, it was decided upon during public session.
Section 14.2.4 – why was it never transmitted to the zoning board?
It was given to the zoning board at their meeting on May 12, 2025 however resident is stating she cannot find in the minutes. Keith stated he had spoken at the meeting for over an hour advised she would need to address with the zoning board secretary as to why this was not in the minutes.
Did the zoning board approve this?
To initiate the process the zoning board does not have to approve this, furthermore anything they send to the Lucas County Planning Commission the zoning board does not have to make a motion. If they are approached by a resident for a zoning change the zoning board does not need to approve, it is sent on to the Planning Commission.

Andrew Lumbrezer made a motion to follow Roberts Rules of Order. Steve Bettinger seconded the motion. Roll call: all voted yes. Motion approved.

Andrew Lumbrezer asked Chairman Bettinger for permission to make a motion to amend the previous resolution. Steve Bettinger approved.

Andrew Lumbrezer made a motion to follow Roberts Rules of Order, each person can speak for 3 minutes with an additional minute for rebuttal. Steve Bettinger seconded the motion. Roll call: all voted yes. Motion approved.

Did you all review the list of land owners the letter that was sent out to?
No, the township was not notified by the county regarding the letter they were sending out nor did they provide a list of residents it would be sent to.
Don't you think with such profound changes it should have been reviewed?

Keith, I cannot speak for what happened with Lucas County. I believe there were issues with this process.

Were there any signs posted as required?

There were no signs posted.

14.2.6 states zoning amendment should be submitted by zoning commission and it wasn't.

Process is: Public hearing at county level is held along with zoning board, final hearing goes to Trustees.

Are you aware the public hearing is a legal document and had many errors and omissions?

Yes, we became aware of it after it was mailed out, we were given no opportunity by Lucas County Planning Commission to review it before it was sent out.

- All residents who spoke were not in favor of the zoning amendment changes.
- All residents were not in favor of data centers, concerns expressed over environmental issues, water, noise levels.
- Majority of residents would like to keep the township as it is today, keeping it rural without development.
- A few residents stated they would be willing to pay more in taxes instead of bringing in development for additional revenue.
- Complaints from some residents who were in the affected zone areas, did not receive a letter.
- Suggestions were made to hold fund raisers for additional revenue.
- Residents expressed in the future they would like transparency, wanting to be notified prior to changes being made.
- Resident suggested studies should have been completed such as environmental studies, community impact study, as well as a cost analysis and feasibility study. Trustee Lumbrezer explained since there were no potential buyers no studies were completed.
- If this is not a data center then why the need for a zoning text amendment?
We want to add to the use of the property, conditional use has to go through the complete zoning process.
- Area 1 is the only area adding zoning changes – area 2 is the expansion of the Central Avenue overlay district, no zoning.
- If industrial development occurs and properties lose current agricultural use value status, who absorbs the tax increase and what would be the financial implications to the property?
All of the existing ag uses and ag tax abatements would remain they would only change the actual property sold and change to commercial use in advanced manufacturing.
- How will residents be protected from rising property taxes if industrial facilities are abated and residents have to cover the gap in local revenue? What guarantees will be made that any incoming industrial manufacturing pays their fair share?

There would be an agreement made should a development occur called payment in lieu of taxes. The idea is we are adding additional funds and not adding burden to the township.

- Similar situations with poorly agreed upon abatements has affected other Ohio communities what lessons have you drawn from those communities, and how would you protect Richfield Township for tax losses and broken promises?
We would work with Lucas County, and hire an attorney who specializes in this to make sure we address any loop holes that exist.
- How & when will Richfield Township benefit from rezoning?
Rezoning has no benefit to the township other than potential development. This would not be rezoning it would be kept as ag/residential with a conditional use of advanced manufacturing. If a developer came in, we would realize economic development. at that time.
- Potential developments should have clear plans, safe guards in place to protect the community.
- Tax abatement – all of these industries coming in want tax abatements how will trustees deal with tax abatements?

Trustee Bick stated we have had several meetings on this subject with Matt Heyrman (Deputy County Administrator). Normally you would ask these large corporations for a 15 year minimum tax abatement, in lieu of that the township would negotiate a price with all of the taxing sectors in that area. For example, Evergreen Schools, Fire Department, or negotiate water lines from the city out to the township paid for by the corporation. Corporations pay zero property tax although they pay the equivalent or more to all of the taxing jurisdictions in the area, this is called a “payment in lieu of taxes”, it is a negotiated rate. The township would go after the value of the property to get their agreement to be equal to what the tax break would be during this 15 year period. At the end of the abatement period, they would then pay the normal taxes like everyone else. In addition to the agreement the township would seek to create a JEDD (Joint Economic Development District) to receive income tax from people who work at the businesses. The goal of the township is to maximize the revenue from any development that comes into the township, in maximizing the revenue the township can limit the amount of development in the township. The township is not zoning every agricultural acre around us, our goal is to do what is in the best interest of the township.

- Why are there only 13% taxes in Richfield Township?
The only way to increase township funding at this time would be to increase or pass new tax levies. If the township were to pass a 24 Mill Fire Department Tax Levy, this would effectively increase property taxes and the local share of the new amount paid would equate to approximately 56% of the total property tax paid
- If the township passed a 24 mill levy (1.2 million a year for the fire dept) we would have 56% of your taxing revenue.
- What is payment in lieu of taxes?

Advantage of payment in lieu of taxes is the township could redistribute the allocation to whom they want such as schools, etc. This would keep the money here in the township

- Land use plan was to keep agricultural area, limiting to small scale commercial growth. Oppose amendment for advanced manufacturing.
- Concerned about the long term consequences, particularly as it relates to the finite natural resources and the impact to the quality of life for future generations in our community. The volunteer staffing model is no longer viable for consistent and timely response. The cost of apparatus, equipment, and facility maintenance continue to outpace tax revenue growth. We should focus our energy on what options exist, estimated fiscal impact, and community engagement to understand desired service levels and willingness to pay. What happens next? 60 day waiting period from county planning commission, trustees can take action before that, we are planning townhall meetings to keep community informed. So far what we have heard is nobody is in favor of these zoning amendment changes. The township officials hear you; we encourage you to attend future meetings. Understand not having development does mean more taxes.
- Would like to have seen a public vote on this zoning change. Against tax abatements, property taxes have increased as well as the county charging us now for cleaning ditches. Not against raising taxes as I love our community the way it is.
- Could you rebuild in a commercial zone?
In Richfield Township we are zoned agricultural/residential we are not changing zoning it will remain agricultural/residential, this would be conditional use manufacturing. If we were to change zoning to only commercial then we would have a problem. The plan is to expand only the Central Ave. overlay district, no changes to the existing zoning it would stay agricultural/residential. Ozzie's is the only property that was rezoned in the past 30 years.

Keith Clonch, Administrator, addressed Chairman Steve Bettinger, stating that hearing all negative comments and recommendations from the audience in attendance, that he would recommend that the board take action and withdraw the text amendment application request from the Lucas County Planning Commission. Chairman Steve Bettinger entertained a motion to rescind the text amendment resolution.

Andrew Bick made a motion to rescind the text amendment zoning changes that we presented to Lucas County Planning Commission.

Administrator Keith Clonch asked the Trustees to amend their motion to give him the authorization to contact Lucas County Planning Commission on their behalf to withdraw the text amendment that we submitted.

Andrew Bick made a motion to amend the current motion to include giving Administrator Keith Clonch the authority to contact Lucas County Planning Commission to withdraw the zoning text amendments on behalf of the Board of Trustees Andrew Lumbrezer seconded the motion. Roll call: Bick-yes, Lumbrezer-yes, Bettinger-yes. Motion approved.

Keith announced the meeting is still open, the Board will continue to take statements if residents have further comments.

- Resident from Spencer Township stated Spencer Township residents are not interested in data centers.
- Several residents thanked the Trustees for cancelling the zoning amendment submission.
- Recommendation to include impact studies in the future when planning development.
- What is the life of data center?
Trustee Lumbrezer stated he is not an expert, in researching he was told 15-20 years. The Trustees had discussed requiring the company to put money in an escrow account in case of abandonment.
- Residents asking Trustees to protect the community we live in, keeping it rural.
- Comments on need for community involvement, advertising for fire department volunteers.
- Request in the future for zoning changes, the Trustees hold a preliminary meeting. Focus on long term consequences with short term gain.
- Question on Administrators salary? Paid \$1000.00 per month, he is the lowest paid employee at the township. He has been a member of the volunteer fire department for 13 years and has continued to volunteer.
- Administrator is the lowest paid township employee at 1000.00 a month for both positions (administrator/safety director). As the public safety director, he provides advice and guidance to the new fire chief since he was the previous Chief. The entire time he was a fire chief he donated back his entire salary to the township.
- Resident provided information on the big beautiful bill which includes strict regulations on data centers.
- Resident commented we need to work together as a community and be respectful to each other.

There being no further business Andrew Bick made a motion to adjourn at 9:20 p.m., which was seconded by Andrew Lumbrezer: Roll call: all voted yes. Motion approved.

