



## ***Local Fiscal Highlights***

LOCAL GOVERNMENT	FY 2007	FY 2008	FUTURE YEARS
<b>Conservancy Districts</b>			
Revenues	Potential loss from foregone assessment revenue	Potential loss from foregone assessment revenue	Potential loss from foregone assessment revenue
Expenditures	Potential minimal increase in administrative costs	Potential minimal increase in administrative costs	Potential minimal increase in administrative costs
<b>Courts</b>			
Revenues	Potential increase in filing fees if imposed	Potential increase in filing fees if imposed	Potential increase in filing fees if imposed
Expenditures	Potential increase in administrative costs	Potential increase in administrative costs	Potential increase in administrative costs

Note: For most local governments, the fiscal year is the calendar year. The school district fiscal year is July 1 through June 30.

- **Conservancy districts.** Under the bill, conservancy districts that currently do not levy an assessment would not be able to levy an assessment on churches in the future. This would result in foregone revenue that may have otherwise been received. An accurate estimate of such a loss is unknown. The Muskingum Watershed Conservancy District estimates this provision may result in \$250,000 to \$300,000 in foregone revenue for its district. Further, conservancy districts may also experience added administrative costs due to database changes and other administrative filings/tasks related to the exemption of churches from assessments.
- **Court costs.** Conservancy courts may experience an increase in administrative costs to hold hearings regarding property owners objecting the incorporation of their land into the district. Any court filing fees may help to offset a portion of these costs. However, the total number of cases brought forth and time involved with each case will determine the overall administrative burden to the court. Any appeals will be heard in the district court of appeals or the Supreme Court which may also experience added costs.

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## ***Detailed Fiscal Analysis***

### ***The bill***

Generally, as it relates to the bill's fiscal impact, the bill specifies that a conservancy district that has not previously collected an assessment must not levy a general assessment or maintenance assessment on church property or church camp property. However, the bill gives the right to churches to "opt-in" and be assessed. The bill also makes adjustments to membership to the board of directors of a conservancy district. Finally, the bill requires a board of directors of a conservancy district to adopt a resolution to revise the boundaries to include those lands that are currently within the district watershed but not included within the boundaries of the district.

Discussion on the fiscal impact of these provisions is discussed below. Overall, the fiscal impact largely focuses on the Muskingum Watershed Conservancy District (MWCD).

### ***Board structure***

This bill makes changes to the appointment of members of the board of directors to require the appointment be made by the presidents of the board of county commissioners rather than by the district court; increases the number of board members; and modifies board vacancies, appointments, and reappointments. Further, the bill requires the presidents of the boards to divide the district into three distinct geographic regions based on the three largest sub-watersheds within the district. These provisions may result in minimal administrative expenditure increases to MWCD.

### ***Incorporation of lands into the district***

The bill provides that the MWCD board may adopt a resolution to revise the boundaries of the district to include those lands that are currently within the MWCD watershed but not included within the boundaries of the district. Property owners can approve or object this action. If they object, they must file the objection in the district conservancy court. Once the action is filed, the conservancy court will hold a hearing on the matter and make the final decision and either approve or deny the incorporation as specified in the adopted resolution. Before the hearing, the clerk of the court is required to send notice to the affected property owners regarding the hearing. Any appeals would likely be brought to the district court of appeals and/or Supreme Court.

From a fiscal perspective, a court, be it a conservancy court, appellate court, or the Supreme Court, may experience an increase in administrative costs to hold hearings regarding property owners objecting the incorporation of their land into the district or other issues related to the bill. Court filing fees may offset the majority of these costs. Since the number of cases that may be brought forth is unknown as well as the associated administrative burden, any new costs courts may incur are uncertain.

Further, the MWCD may experience administrative costs to make the determination which properties this would include, make the appropriate filings in the appropriate court and mail a written

notice to each property owner whose land is proposed to be incorporated into the district. The notice is to include a statement regarding the procedure the property owner has for objecting to the incorporation of his or her property.

For those lands that are approved by the conservancy court, this could result in additional properties subject to an assessment, resulting in additional revenue to the district. An estimate of the number of properties that currently are within the watershed but not within the MWCD is unknown. An estimate of any resulting potential revenue gain is likewise unknown.

However, using an example to provide perspective, since the MWCD's current plan is to levy an assessment on 500,000 parcels of property both residential and commercial, if 10% more parcels are within the watershed but not within the district, this could result in 50,000 more parcels being assessed. Using the residential rate of \$12 per parcel, this could generate \$600,000 in additional revenue. Note that this does not consider revenue gained from commercial properties. Overall, increasing or decreasing the percentage of additional parcels that may be affected will affect the overall revenue gain. For example, if 5% or 20% more parcels were assessed an additional \$300,000 or \$1,200,000 may be gained.

### **Church exemptions**

LSC surveyed several conservancy districts throughout the state and found that approximately 7 out of 21 conservancy districts currently do not levy an assessment. Under the bill, these seven districts would not be able to levy assessments on churches in the future. This results in foregone revenue that may have otherwise been received.

An accurate estimate of the potential loss is unknown; however, the MWCD estimates its future loss to be between \$250,000 to \$300,000 in foregone revenue. As for the other six conservancy districts, LSC is uncertain how much such revenue they would forego. Such an estimate would need to take into account the estimated amount of annual assessment revenue collected in each of these districts. Overall, any loss is contingent on the approval of general assessments or maintenance assessments as well as the number of churches opting to be assessed.

### **Administrative expenses**

Conservancy districts may also experience added administrative costs due to database changes and other administrative filings/tasks related to the exemption of churches from assessments.

Similarly, since the Department of Natural Resources (DNR) advises conservancy districts on various administrative matters, DNR may experience increased advisory assistance requests from conservancy districts regarding the provisions in the bill. However, any increased costs are expected to be minimal.

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