

Crescent-News.com

Defiance County starts port authority

Todd Helberg
September 28, 2007

By TODD HELBERG

ccredit@crescent-news.com

Defiance County now has a port authority.

County commissioners approved a resolution establishing the new governmental body during their Thursday meeting.

Port authorities have the ability to build infrastructure to promote economic development in a specific geographic area and grant tax incentives. And, they are governed by a board of directors.

In this case, all of Defiance County is within the port authority's jurisdiction and will be governed by a five-member board.

Commissioner Otto Nicely said each of the following will recommend a board member -- county commissioners, Defiance mayor, Hicksville mayor, mayors of Ney and Sherwood and the county's townships. No elected officials can serve on the board, he said.

The appointment process is hoped to be completed by November, according to Nicely, who called the port authority another economic development tool.

"I think a port authority is an

additional tool for economic development in the county," he said.

Commissioners' initial intent for creating a port authority is to provide new companies that want to build a way to forgo paying sales tax on building materials. The sales tax in Defiance County totals 6.5 percent (a 5.5 state sales tax plus the county's 1 percent sales tax).

This could represent a considerable savings depending upon the size of investment.

"I believe the commissioners did this at this time for a specific need that's presented itself," said Defiance County economic development director Jerry Hayes. "That need revolves around the possibility of attracting companies here, particularly companies that might be erecting buildings. One of the unique powers of a port authority is that because they are viewed as public entities, they are allowed to have a (sales tax) exemption on purchases of certain materials."

Nicely said commissioners will consider joining a regional port authority with such counties as Henry, Fulton and Paulding, if their commissioners' are interested.

"Other commissioners have expressed interest," said Nicely.

One stipulation which commissioners added to the resolution approved Thursday is a restriction on declaring eminent domain on property for prospective economic development. Eminent domain allows government to take property for public projects.

According to Nicely, any request for eminent domain by the port authority would have to be approved by the affected jurisdiction, such as a municipality or township. Commissioners would also retain discretion over taxes that can be levied by a port authority on the value of real estate or personal property (ad valorem tax).

The resolution states that commissioners determine that "(i) without the consent (of commissioners), the Port Authority shall not levy any ad valorem property tax pursuant to Section 4582.40 of the Port Act, and (ii) the Port Authority shall not exercise the power of eminent domain with respect to any property, without the consent of the legislative authority of the municipality or township within which that property is located."

Commissioners also stipulated that "administrative and clerical support" for the port authority will be provided by the county government or by Maumee Valley Planning Organization.

In other business:

-- commissioners authorized the allocation of \$13,000 to the county's board of elections for the upcoming U.S. 5th District congressional primary on Nov. 6. That primary and a related special election on Dec. 11 will fill the unexpired term of Paul Gillmor,

who died Sept. 5, and may require more allocations, according to commissioners.

-- environmental services director Tim Houck reported that a mobile collection for household hazardous waste will be held from 10 a.m.-2 p.m. on Oct. 6. Residents of Defiance, Fulton, Paulding and Williams counties can drop off waste in the Johns Manville parking on Carpenter Road.

-- Houck reported that the county landfill took in 13,192 tons of waste in August compared to 9,882 tons during the same month last year. The landfill also collected 290,070 gallons of leachate during August which had sales totaling \$441,017.

-- Chad Hall of the county's soil and water office met with commissioners to discuss cropland reduction.
