

## EMINENT DOMAIN TESTIMONY

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The Ross County Community Improvement Corporation (CIC) is a private non-profit economic development agency. The CIC has been involved in economic development on a full time basis for the past twenty years.

During those years, we have worked to develop industrial parks, located sites for business growth, and have worked to bring many jobs into Ross County.

We have also looked at and worked on a smart growth initiative. This would be a development plan for the entire county, locating areas that would be appropriate for future developments such as housing, commercial and industrial growth. These types of plans, developed by broad based community members, provide directions on developments within communities, and are supported by citizens and elected officials.

The recent ruling by the US Supreme Court concerning eminent domain has brought forth many questions and concerns not only to local citizens, but also to elected officials and economic development professionals. It jeopardizes the efforts of economic development professionals and severely puts these efforts at risk. The goals of development are to bring increased investment and jobs opportunities to local areas. However, there needs to be trust and understanding within communities to assure that everyone is protected.

Eminent domain has been available to local governments in Ohio for the taking of land for public purpose or for necessary purposes. Land owners are to be justly compensated. Public purpose and necessity were not intended for profit making. Giving local governments a much broader power to take property for the purpose of generating more tax revenue opens up a potential Pandora's Box.

Our public officials need to be protected. Most of Ohio has been experiencing the pressures of lower tax revenues, higher costs of services and the loss of jobs. Economic development has become very competitive with many thousands of economic developments organizations across the United States competing for projects, investments and jobs. Allowing local governments to take land for economic development purposes puts undue pressures on these elected officials. These pressures could come from different directions: developers who offer jobs and increased tax revenues; property owners who feel they could hold out for higher dollars if eminent domain is used; and lengthy legal battles. Recently I have seen recall elections brought about by just a few disgruntled citizens over frivolous things. Ohio's laws allow recall petitions to be

presented with a very small number of signatures and without just cause. This can severely effect communities and they can become fragmented and disorganized. These communities will suffer significant set backs, creating a lack of vitality and economic growth.

Our Constitution was written to protect citizens and government. The ruling by the US Supreme Court, to give governments more powers of eminent domain, could lead to more irate citizens recalling government officials. We could create a revolving door of elected officials with the end result being qualified people will not seek offices due to the fears associated with public service.

We thank you, Congressman Ney, for your interest in hearing how your constituents view the eminent domain ruling. We hope our U.S. Congress will protect the property rights of land owners and protect our elected officials who are facing increasing scrutiny and financial pressures.

Respectfully submitted

Dona Smith