



**Enhancing the
Quality of
Life for
Rural Texans**



Would you like to help sponsor a regional conference in your community? You can contact ARCIT Executive Director, Kara Mayer Mayfield at kara@arcit.org for more information. Together we are making a difference for rural and small communities in Texas!

Eminent Domain – When land is needed for transportation and energy growth.

In the State of Texas, eminent domain, and the right to condemn are granted under various Texas statutes, and managed under different aspects of administrative law, government code, and the Constitution of the State of Texas.

During the legislative interim, Lt. Gov. Dan Patrick has requested lawmakers look into whether landowners are being fairly compensated for lost property. In turn, foreshadowing that next session State lawmakers may renew an age-old clash between two essential Texas values: property rights and growth.

On March 29, the Senate Committee on State Affairs heard testimony on whether to tighten eminent domain laws to benefit landowners battling pipeline companies, electric utilities, public agencies or other entities seeking to condemn land their land for public use.

The discussion comes as property rights battles persist across Texas, including Big Bend-area landowners’ and the Trans-Pecos natural gas pipeline through the largely untouched region. As well as, a private high-speed rail line between Dallas and Houston claiming to boost the economy, relieve traffic congestion, connect people in giant population centers. These expansion projects are once again pitting urban areas against rural ones.

Ranchers and landowners in counties along the proposed rail and pipeline routes are extremely concerned about the projects. They worry that the railway and pipeline will negatively affect their ability to graze and move cattle, transport equipment and continue to efficiently and effectively use their property. Thus, rural opposition to these types of growth projects largely center on the ability to use eminent domain to make fair offers to the owners of any land needed. The question becoming, “What is fair market value?”

Current law, passed in 2011 (Senate Bill 18), has a three-step process that requires condemning entities to make an initial "good faith" offer. If parties don’t agree, a local judge will appoint three special commissioners’ to weigh estimates from appraisals hired by each side. If gridlock persists, the dispute can go to a jury trial. However, despite reforms made in previous years, farmers, ranchers and other rural landowners are still forced to negotiate under eminent domain. Lowball early offers to property owners are often accepted because the alternative of going to court rarely pays off due to high legal fees that the appeal process incurs.

Among the changes suggested during testimony included, discouraging condemning parties from initial low offers by requiring that they pay landowners’ attorney’s fees if an appeal results in higher compensation above a certain threshold. Florida and a few other states have adopted the suggested provision. Other suggestions included that entities, in initial offers, differentiate between land they

can legally condemn and land they simply want. However, critics argued that the fee requirement would lead to a flood of litigation that would stall essential projects and drive up costs. Another recommendation included finding a way to conform to a level playing field so landowners, who lack the expertise and resources of companies and other entities, have resources to deal with such matters.

The eminent domain issue goes far beyond rail and pipeline projects. It is a topic that has been debated for numerous years. There must be a thorough and transparent process to seize private property for public use.

ARCIT Annual Membership Conference - October 25-27, 2016



The ARCIT annual conference will take place at the Hyatt Regency Hill Country resort in San Antonio this year, on Oct. 25th – Oct. 27th. It will be a 2 ½ day conference filled with keynotes, agency roundtable breakout sessions, industry expert roundtables, networking, and discussing issues impacting our communities that will come up during the 85th legislative session.

**ARCIT Annual Membership Conference:
Tuesday, October 25th – Thursday, October 27th
Hyatt Regency Hill Country Resort
San Antonio, Texas**

Accommodations will include room rate of \$120.00/ night. Hotel rooms will go fast. The passkey assigned to make room reservations is <https://resweb.passkey.com/go/RuralCommunities>. The deadline to book a reservation is Friday September 30.

Online registration will be at www.arcit.org “Annual Membership Conference Registration” in the near future. For more information, please contact Kara Mayfield at kara@arcit.org or [512.788.1819](tel:512.788.1819).



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ARCIT Speaks Before Texas Workforce Commission

ARCIT Board Member, Carolyn Gibson (El Campo) and Executive Director, Kara Mayfield, were invited to speak before the Texas Workforce Commission (TWC) on May 10th to discuss Employment and Training Challenges and Opportunities for Rural and Smaller Communities.

Gibson and Mayfield expressed that while traditional economic development often fosters a sense of competition within a region, incentivized economic development emphasizes collaboration between individuals as well as communities. Opportunities such as the Federal New Markets Tax Credit Program create a federal and state tax credit that allows the connection of rural producers to markets by building a “value chain” that links local producers and others to regional and national demand for products and services. It offers the creation of new permanent and construction jobs of new industries in areas that incentivizes private investment in underserved areas, i.e. rural areas, and the credit is only a small portion (1/3) of the total investment in these communities would otherwise not see these investments.

Local ownership and/or control of local assets is a key component to building wealth that remains in, and provides benefits for, the entire local community was also mentioned by ARCIT. Gibson and Mayfield also explained the importance of using all the tools in the toolbox because rural communities do not have all the same opportunistic tools of metropolitan areas. Examples of “all the tools” to be considered included items involving natural resources such as land, water, and clean air which are not as accessible in urban areas.

Employment and training challenges were also part of the discussion. The need for improved high-speed internet service is a must in small area, as well as the availability of housing and access to transportation.

In addition, finding ways to retain and attract youth to a rural and small community is critical. Providing higher income jobs for young people is difficult, however providing opportunities and a culture for young people to create jobs through entrepreneurship while investing in places for networking with other youth could provide the incentives needed to encourage younger adults stay or return back home after they are finished with school.

Another challenge mentioned was the personalization of block grants. Block grants are large chunks of money given to state and local authorities by the federal government for general purposes, such as public enforcement, law enforcement, or community development. They usually have few strings attached to them and give a lot of discretion to the local and state governments in how to spend the money. The personalization of these types of grants to small community needs could be more beneficial to growth.

Overall, ARCIT encouraged TWC to think outside the box when working with smaller and rural communities, as well as reach out to areas more frequently. Areas not asking for help, doesn't always mean it is not needed to keep workforce development programs in place.

ARCIT Member Top Policy Issues

At the 2016 ARCIT Regional Meeting in Brenham on April 21, attendees were asked what issues were important to their specific area in the state. Here is a compiled list of top policy issues mentioned affecting ARCIT members:

- Statewide Ban on Cell phone/Texting
- Differentiate between Rural v. Urban
- Economic Development for Rural Areas
- Elimination of Home Rule
- Enterprise Fund Expansion to Rural Areas
- Local Control
- Medicaid / Indigent Healthcare / Rural Emergency Medicine
- Over Regulation by State and Federal Government
- Rollback Tax
- Revenue Caps
- School Finance
- Solid Waste and HHW
- Transportation
- Unfunded Mandates
- Chapter 36 Water Code / Water Rights



Commissioner Miller Seeks Applicants for Annual Program to Honor 100-Year-Old Farms and Ranches

Application deadline extended to May 31

AUSTIN - Agriculture Commissioner Sid Miller is proud to invite Texas farmers and ranchers to apply for the Texas Department of Agriculture's (TDA) Family Land Heritage (FLH) program, which pays tribute to families who have kept their land in continuous agricultural production for at least 100 years. As TDA continues this proud tradition of honoring true Lone Star pioneers, Texas families are asked to submit their applications for recognition in the 2016 FLH registry by **Tuesday, May 31**.

"Family farms and ranches are key to our agricultural heritage in Texas and instrumental to our future success," Commissioner Miller said. "The Family Land Heritage program gives us the opportunity to recognize Texas families for their enduring commitment, perseverance and hard work, all of which has helped make our state's agriculture industry the powerhouse that it is today."

Eligible farms and ranches must be owned and operated by the descendants of the founder, either through blood, marriage or adoption. At least 10 acres of the land must have been in continuous agricultural production for the past 100 years or more. This fall, Commissioner Miller will honor farms and ranches established in 1916 or earlier at the FLH ceremony at the Texas Capitol.

"As a longtime rancher myself, I am proud to pay tribute to the men and women who nurture our land, and I encourage future generations to keep the legacy going," Commissioner Miller said.

To date, TDA has recognized more than 4,800 farms and ranches, including 211 for 150 years of operation. Seven ranches have been honored for 200 years of operation. There is no cost to apply. To apply for FLH recognition, visit www.TexasAgriculture.gov and click on the Family Land Heritage icon.

ARCIT's new committee chairmen and chairwomen willing to serve and lead are listed below along with their committee. A few committees have openings so if you know of an ARCIT member willing to serve, please extend them an offer.

	Public Policy	TDHCA	TCEQ	Eco. Devo
Chairman:	Jim Gray, City of Ingleside	Barry Mitchael, Kountze EDC	Larry Kuciemba, City of Sealy	Genora Young, Gonzales EDC
Board Mem- ber:	Lee Norman, Garza County Vicky Rudy, City of Oak Ridge North	Carolyn Gibson, El Campo CDC Erin Ford, Houston County	Marty Mangum, City of Somerville Chris Whitaker, City of Rockdale	Lynda Pack, Jacksboro EDC Byron Ryder, Leon County
Committee Members:	James Yohe, No- cona EDC John Brieden, Washington County Mindi Snyder, City of El Campo <i>Open</i>	Kim Little, Cole- man EDC Milton Koller, City of Weimr April Stoll, City of Venus <i>Open</i>	<i>Open</i> <i>Open</i> <i>Open</i> <i>Open</i>	<i>Open</i> <i>Open</i> <i>Open</i> <i>Open</i>
ARCIT Team Member:	Lucinda Saxon / Kara May- field	Kara Mayfield	Nick James / Kara Mayfield	Grace Porter / Kara May- field

***** ARCIT Has a New Mailing Address – Please Update Your Records *****

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Member Resources



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