

Proponent Testimony for HB113 On Annexation; Local Government Committee

Tanya Wells

Bethel Township Community Resident

Chairwoman King, Vice Chair Kishman, Ranking Member Sims, and members of the Local Government Committee. Thank you for the opportunity to testify in support of HB113 on annexation reform.

My name is Tanya Wells, and I am a resident of Bethel Township in Miami County. I have lived in this community for over 16 years, buying the home my husband grew up in and sending our children to Bethel Local Schools where he and his parents graduated. But, because of Ohio's current annexation laws, that small school and rural community is no longer and not at all what we envisioned when we bought his family home. A home that we cannot just up and sell when the community landscape drastically changed. A change that was done TO US, not FOR US.

Like many residents, I'm not an expert on annexation laws. But since my research began in early 2022, it's evident this over 20-year-old law which was supposedly created to "help" the townships and counties with annexation proceedings in fact does the exact opposite. Type 2 Annexations, which most developers utilize, skips a township's say all together and petitions the county directly. And for BOTH Expedited Type 1 and Type 2 Annexations it states "commissioners must approve [grant] such a petition" based on correct submission of paperwork, no matter if the commissioners feel the annexation is beneficial to their community or not. Fear of legal retribution by the developer is a constant threat for those elected officials who would deny annexation. I have noted in a zoning meeting in New Carlisle and multiple city council meetings in both New Carlisle and Huber Heights in one manner or another that approval or acceptance was expected, or the developer could have grounds to sue. Because the way the law is currently written, true power and say lie with deep-pocketed developers and not with those officials who were elected to represent their constituents.

This has left townships and their taxpayers spending money, hiring lawyers and experts to fend off annexation. In the case of Bethel Township, taxpayers voted for a tax increase to assist with water infrastructure to help combat annexation only for it to be used FOR the annexation. County Commissioners, Township Trustees and School Board members (all elected officials) have no formal say in the annexation process and must beg municipalities to hear them, especially for those municipalities that have council members who champion annexation for personal reasons.

Communities with no voice, like mine, are being forced to endure unregulated growth and the array of negative consequences that come with it. Our schools have very little recourse and must take in the surge of new students which has led to them being overwhelmed, students learning in trailers, more services they don't have being required, and an inevitable levy increase. We elect officials to speak on our behalf, but current annexation laws do not allow that. I implore you to support HB 113 which would give a voice to those whose very fabric of their community is being changed through annexation.

Thank you, Chairwoman King and committee members, for hearing my testimony today and thank you for the work you do for our state. I will be glad to answer any questions if you have any for me.

NOTES if asked:

Legal Retribution

One developer sued the County Commissioners in Miami County when they tried to stand up for their constituents knowing that the detriments of the annexation far outweighed the benefits.

Personal interest on council noted

New Carlisle = council member picking out area to build his new house

Huber Heights = Mark Campbell personal friend of developer, who has also won multiple contracts with the city using various LLC. Both Mark Campbell and Jeff Gore received campaign funds from this same developer.