



**HAMILTON TOWNSHIP TRUSTEE BOARD**

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Hamilton Township, Ohio 45039  
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**Fiscal Officer**  
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**Community Development**  
Phone (513) 683-8520

**Emergency Services**  
69 West Foster-Maineville Rd.  
Hamilton Township, Ohio 45039  
Phone (513) 683-1622

**Human Resources**  
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**Maintenance**  
Phone (513) 683-5320

**Parks**  
Phone (513) 683-5360

**Police Department**  
P.O. Box 250  
7780 South State Route 48  
Hamilton Township, Ohio 45039  
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The Honorable Terry Blair, Chair  
Local Government Committee  
Ohio House of Representatives  
77 S. High Street  
Columbus OH 43215

RE: HB 50 Annexation

Dear Chairman Blair:

I forward this letter to you in my capacity as Law Director of Hamilton Township in Warren County, Ohio. The elected officials of the Township are very much in support of the referenced pending bill, and we request that the language in the bill mirror the language introduced in proposed legislation last year by Senator Seitz, SB 297 with regard to the annexation of land owned by political subdivisions.

Our Township has experienced two annexations where land owned by other political subdivisions was annexed from our Township to an adjacent village.

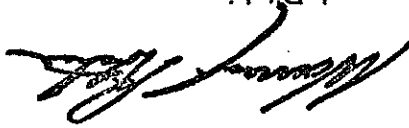
The first annexation of this nature included land owned by Warren County, Ohio and the Ohio Department of Natural Resources. The land was in Hamilton Township. The contiguous Village of South Lebanon, Ohio, desired to "control" the south bank of the scenic Little Miami River for tourist development. Village officials determined that such control would best be achieved by annexing all of the property into the Village. Neither the Warren County, Ohio land (a water well field) nor the land of the Ohio Department of Natural Resources (passive park land) was counted as an owner, nor did the political subdivisions indicate that they were in favor of the annexation. It was as if their land interest did not exist, and such provision is currently reflected in the Revised Code provisions governing Type 2 Annexation Petitions (R.C. 709.023).

February 22, 2011

The second example experienced by the Township was much more egregious. The same neighboring village, South Lebanon, Ohio, reached into the Township and annexed an elementary school that is part of the Kings School District. The Kings School Board did not join in the annexation petition, nor was it even notified of the annexation petition. The Warren County Commissioners felt that it was their duty to follow the provisions of Revised Code § 709.023, as currently written, and reluctantly approved the annexation petition by a 2-1 vote. The net result was that not only was land owned by a separate political subdivision (Kings School District) annexed without its consent, but all of the school campus employees, such as administrators, teachers and support personnel thus became subjected to the South Lebanon Village income tax. The dissenting Commissioner passionately felt that this was a classic example of taxation without representation.

Hamilton Township supports the proposal to require the consent of all property owners, including political subdivisions, when an expedited process of annexation is sought.

Very truly yours,



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WJR:sz  
Enclosure