

CLAY TOWNSHIP BOARD OF TRUSTEES SPECIAL MEETING

January 22, 2026

The Special Meeting of the Clay Township Trustees was called to order by Chairman, Angela Howell at 5:03 pm.

The Pledge of Allegiance was said and a moment of silence was observed for our active military, veterans, and first responders.

Roll: Angela Howell – Present      Dale Winner – Present      Mark Haworth – Present

Public Comment: Numerous concerned community members addressed the Trustees regarding opposition of the proposed removal of territory from Clay Township to form a new township. Reference audio recordings.

No Unfinished Business

New Business:

Angela Howell presented the 2026 Township Trustee Assignments. All assignments have been discussed and agreed upon.

Angela Howell made a motion to adopt and approve the 2026 Township Trustee Assignments. Seconded by Dale Winner.

Roll: All yes

Greg Stose presented Resolution 2026-005 Accepting and Adopting the Recommendation of the Clay Township Zoning Commission to amend the Clay Township Zoning Resolution. Zoning Case No. Z-01-25, to rezone property located at 7331 Pleasant Plain Road, Clayton, Ohio 45315, in Clay Township; Section 24, Town 6, Range 4E to have the said land reclassified from B-2 Business to I-1 Industrial. Greg reported that there were no complaints or opposition received regarding this case. General discussion held and questions among Trustees took place, Greg answered all questions.

Angela Howell made a motion to approve Resolution 2026-005 Accepting and Adopting the Recommendation of the Clay Township Zoning Commission to amend the Clay Township Zoning Resolution pursuant to Ohio Revised Code Section 519.12. Seconded by Dale Winner

Roll: All Yes

Angela Howell began the discussion regarding the opposition of the Northwest Initiative's Petition to propose removal of territory from Clay Township to form a new township. Angela said she was present for a meeting held by the Initiative on October 8th, 2025 and there was a packet of information distributed that contained ORC information that details how the petition process works. There were 2 ORCs referenced in the material.

Section 503.02 - Township boundaries changed by partition or division.

^) Except as otherwise provided in this section, the board of county commissioners may change the boundaries of any civil township, or partition any township among other townships within the county, by attaching a part of one township to another, by dividing one township and attaching the parts to other townships, or by laying off and designating a new township from the territory of one or more townships of the same county or from territory not before included in a civil township, when it is made to appear necessary or

expedient by a petition for that purpose, signed by a majority of the electors residing within the bounds of the townships to be affected by the partition or division, as determined by the number of votes cast in those townships for the office of governor at the most recent general election for that office.

If the board receives a petition to partition a township that has adopted a limited home rule government under Chapter 504. of the Revised Code, signed by a majority of the electors residing in that township, the board shall certify the question of whether or not the township shall remain intact to the board of elections. The board of elections shall determine the validity and sufficiency of the signatures on the petition and, if there are enough valid signatures, shall place the question on the ballot at a special election to be held on the day of the next general or primary election in the township occurring at least ninety days after the petition is filed, for a vote of the electors within that township. If a majority of those voting vote against keeping the township intact, the board of county commissioners shall proceed to partition the township. If a majority of those voting vote for keeping the township intact, the board of county commissioners shall not partition the township and shall deny the petition.

(B) If a township is divided or partitioned under this section, the board of county commissioners shall apportion the funds in the township's treasury to the township to which portions of the divided or partitioned township are attached, or to the new townships established. This apportionment may take into account the taxable property valuation, population, or size of the portions created by the division or partition, as well as any other readily ascertainable criteria.

Section 503.09 - Petition to erect new township excluding territory of municipal corporation.

Where a township contains a municipal corporation, either in whole or in part, if a majority of the freehold electors owning land in the portion of such a township outside the municipal corporation's corporate limits, petitions, with a map accurately setting forth such territory, praying to have such territory erected into a new township, and excluding the territory within the municipal corporation, the board of county commissioners shall enter an order erecting such territory into a new township, the boundaries of which need not include twenty-two square miles of territory. Upon the erection of such a new township, the territory lying within the limits of the municipal corporation in the original township shall be considered as not being located in any township.

Angela stated ORC 503.02 appears to give the entire township a say in the matter and ORC 503.09 doesn't, the decision would remain with the Montgomery County Board of Commissioners to vote to allow the new township if the required amount of valid signatures are verified, there is no ballot vote for all township citizens to have a say.

Mark Haworth stated that there are still residents that have not heard about this and more information needs to be provided to the community. Dale Winner mentioned based on citizen concerns that his understanding is that the Village of Phillipsburg and the Village of Verona wouldn't look to be included, they would be like an island by themselves according to the information and maps provided by the Initiative.

Angela stated that she has provided all of the information to the township's council at the Montgomery County Prosecutor's office to verify which ORC the Board of County Commissioners would have to go by if the petition was received. At this time there is no recommendation because we are unable to provide specific petition language and nothing in writing to review. Angela stated she contacted the Ohio Township Association and their recommendation was to release an opposition statement, that recommendation was accepted and a draft opposition letter has been created for review. Angela explained the BOT wants to provide factual numbers as to how this proposed split would financially impact the entire township and asked Dale to discuss his work on this aspect.

Dale Winner presented that he has been working with the Director of the Montgomery County Tax and Finance Department. He asked the department to confirm, if this were to happen, how will it affect our current levies and the revenue loss amounts for the parcels involved in the proposed area. Dale stated that he did receive his requested information, but it was shortly before tonight's meeting and these still need to be verified before presenting to the public.

Angela reported that she confirmed that to contract with the Sheriff's office to provide police services to the township, as the Initiative's proposal states would be done for the new township, that would be more costly and provide less coverage than our current police department spends and provides. Our Police Department employs 6 full-time officers and 2 part-time and provides 24/7 coverage with a sound budget, this split would not provide equivalent coverage at the same level of service we currently provide. Angela continued that based on the Initiative's proposal to have a new fire department a discussion was had at the last work session meeting with Chief Ron Fletcher from the Brookville Fire Department. He indicated there would be no way to state what the cost would be to build a new fire department. Dale commented that he will work to verify specific numbers on the levy amounts that would be lost and update as soon as possible.

Angela stated that someone mentioned a tax calculator the Initiative is using to show residents how much money they will save, but reports using this calculator and her township taxes would be more. The only way there would be a savings is if the Initiative's second petition was accepted to take the new township, remove it from Northmont City School District and Tri-County North School District and move to the Franklin-Monroe School District. There are two different petitions and if the school petition doesn't go through and the new township petition does, then no one is saving any money. Information was gathered regarding the school petition issue and Angela reports that their ORCs indicate that The Ohio State Board of Education, Northmont City Schools, Tri-County North Schools, and Franklin-Monroe Schools would all have to agree before the new area would be re-districted and children would be moved.

Fiscal Officer Vanessa Furrey reported that our general fund is the tightest fund, our funds come from property taxes and levies and this would have a very high impact on our township. She asked the BOT to consider outside counsel that is knowledgeable in the area we are dealing with and verify what our rights are. Angela stated that our counsel at Montgomery County has advised us that at this time it's not an issue yet because the petitions have not been turned in and they aren't able to provide counsel until there is more specific information to consider. Counsel agrees our best way forward is to release the opposition letter, and if and when the petition is received then our counsel would be able to provide more assistance.

Additional questions were asked from the public and general discussion held with public comment allowed - reference audio recordings.

Angela asked Dale and Mark if they have reviewed the draft of the opposition letter and are ready to move forward. Mark Haworth asked for clarity from legal counsel and believes the township needs more information on what we should be doing and need to look at hiring an attorney. Angela advised that our counsel is responsive, but per our counsel and the Ohio Township Association they have both indicated there is no precedence using these ORCs. A clear answer is not available at this time because there is a lack of verified information being presented for the Initiative's petition. Our counsel advised that we could look for outside counsel, but again because there is a lack of specific information most likely they would not be able to advise either. Angela stated that the opposition letter is the priority and we need to get this out to the public. If the petitions are filed and language is verified and we don't receive proper representation from the County then the board could look at an option for outside counsel.

Additional questions were asked from the public and general discussion held with public comment allowed - reference audio recordings.

Angela Howell stated that along with the opposition letter the Board is looking at including a signature page for any resident that supports the township's position. If the Initiative's petition is presented to the Montgomery County Board of Commissioners then the Board would deliver the opposition letter and any signatures to voice their concerns and request this not be allowed. Angela stated that the opposition letter will be mailed to every resident.

Angela Howell made a motion to approve the Urgent Opposition letter to be posted and released immediately, Dale Winner seconded.

Mark Haworth asked again if the Board needs to get outside counsel. General discussion held to review the possibility of seeking other opinions on the ORC information. Mark Haworth made a motion to seek the opinion of legal counsel on this issue, Angela Howell seconded.

Roll: All yes

General discussion held with public comment allowed - reference audio recordings.

With no further business, Angela Howell made a motion to adjourn the Special Meeting at 7:05 PM, seconded by Dale Winner.

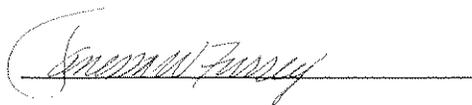
Roll: All Yes

The meeting was adjourned at 7:05 PM

 Angela Howell, Chairman

 Dale Winner, Trustee

 Mark Haworth, Trustee

 Attested, Vanessa Furrey, Fiscal Officer