

Miami Township Trustees
Minutes of May 1, 2023

Call to Order

The meeting was called to order at 5:03 p.m. by Chairperson Moir, with Trustee Mucher and Trustee Hollister present.

Zoning Commissioner Richard Zopf and Recorder Cyndi Pauwels were in attendance.

Fire Chief Colin Altman and Road Department employee Dan Gochenouer were absent.

Township residents Kathy Garrison, Geof Garrison, Joe Krajicek, Jenifer Adams, Jed Hanna, Nicole Marvin, and Eric Johnson were also in attendance.

Adoption of Minutes

Trustee Mucher **moved** and Trustee Hollister **seconded** to **adopt the minutes** of April 17, 2023. **Motion carried unanimously.**

Payment of Accounts

Trustee Hollister **moved** and Trustee Mucher **seconded** to **pay bills** in the amount of **\$205,847.24:**

- 1000 General Fund – \$7,209.34
- 2191 Fire Fund – \$35,587.00
- 2281 EMS Billing – \$3,536.03
- 2042 Cemetery – \$597.14
- Road and Bridge – \$2,240.24
 - 2011 Motor Vehicle – \$0
 - 2021 Gas Tax – \$0
 - 2031 Road and Bridge – \$2,240.24
 - 2231 Permissive – \$0
- 3101 General Bond Retirement – \$156,677.49

Motion carried unanimously.

Correspondence

The Trustees received:

- Steve Adam, Township resident in favor of exclusionary zone for utility scale solar for the entire township
- OTA Training Opportunities for Trustees, Fiscal Officer and Zoning personnel
- Kingwood Solar Notice to Appeal to the Ohio Supreme Court
- Miami Township – letter of support -MVRPC Carbon Pollution Reduction Grant
- OPERS- Webinar for imminent retirement
- Ohio Connects Newsletter – ARPA Report due April 30
- Nicole Marvin – township resident – Pickaway County Fire Chiefs Association – Opposition to Utility Scale solar due to the inadequacy of resources available for rural fire departments to respond to potential threats.

- Nestlewood Solar – citizen concerns addressed by OPSB regarding a facility operated by Vesper Energy
- Greene RPCC Agenda for board meeting April 25, 2023
- OPERS Board Report
- MVRPC Invitation for Virtual Meeting for NPSIS Implementation Strategy/Hebble Creek-Mad River Watershed.
- Bob and Tia Huston – urge exclusion zone for solar development 50 MW or higher, and temporary moratorium on smaller commercial solar until appropriate zoning regulations are established and adopted.
- Maggie Stack – not in favor of utility scale solar in Miami Township
- Eli Hurwitz – application of interest to serve on Township Board of Zoning Appeals
- Shep Anderson – strong support to establish exclusion zone to prevent utility scale solar in Township

Public Comment on Agenda Items

See discussion under **New Business**

Fire Department Report

Chief Altman’s written report showed **35 EMS runs** and **5 fire calls** since last meeting.

The department is developing **guidelines for responding to large-scale events** in the township that will include fire code and staffing requirements. Chief Altman plans to present a draft at the next Trustees meeting.

Cemetery and Road Report

Cemetery:

In Mr. Gochenouer’ absence, Trustee Mucher reported **4 burials**, including the **first at Oak Grove**. The **first tree** will be planted there at this time next year.

Trustee Moir noted that, contrary to her original concerns that all trees were planned to be **swamp white oak** rather than a variety, she visited a Washington, DC-area cemetery with only those swamp white oaks. Thus, her concerns have been allayed.

Roads:

Trustee Mucher reported the Road Department is ready to begin **mowing and berming** throughout the Township as needed.

No bids have been received on the dump truck or bush hog listed on the government auction site. Trustee Mucher will check with the Township attorney for **other disposal options**.

Fiscal Officer's Report

Resolution 2023-25 Authorization of Advance Repayment as specified. Trustee Mucher **moved to adopt** and Trustee Hollister **seconded**. The **Resolution was adopted unanimously**.

Trustee Mucher detailed **several account balances** that are confusing, as well as the revenue status re: property tax disbursements. Trustee Moir will relay those concerns to Fiscal Officer Silliman.

Trustee Hollister asked about the **Fiscal Officer's responsibility to attend Trustee meetings** regularly. Trustee Moir said Ms. Silliman is required to be present at least once per quarter, was present in January, and plans to attend later this quarter.

Zoning Inspectors Report

Mr. Zopf reported **no permits** have been issued since his last meeting.

The Zoning Commission met while Mr. Zopf was on vacation to **review the Temporary Use Permit section** of Township zoning code (BZA Chapter 18). The discussion will continue.

The **Board of Zoning Appeals will meet Wednesday, May 3, 2023**, at 7 p.m., to review the Wirrig/Chappelle request for summer concerts at the Wirrig Pavilion.

New Business

Following an extended **discussion on solar farm moratorium** options (see video for **complete text**), Trustee Mucher presented and **moved for passage of Resolution 2023-26 Resolution to Enact a Moratorium on All Small Solar Facilities in Miami Township, Greene County, Ohio**, with the insertion of "except for single family home structures" as noted. Trustee Hollister **seconded**, and the **motion was approved unanimously**, with Trustee Moir stating her desire that **public input be solicited** for any potential zoning regulation changes or Comprehensive Land Use Plan updates.

Comments were received from the following, **among others**:

- Trustee Moir: PowerPoint slides with a **history of SB501** and a Township **map showing the proposed Kingwood installations**
- Trustee Mucher: **summary of Kingwood proposal** thus far, as well as OPSB and State rulings, County Commissioners input, etc.
- Trustee Hollister: questioned the **difference between requesting time for the Zoning Committee to review** current regulations **versus** issuing a **moratorium**; stated **preference for full Township moratorium on industrial solar**; and added that while there is no industrial solar in anywhere in the Township "yet," the "devil is in the details"
- Zoning Commissioner Zopf: explanation of Township **zoning authority**; Trustee **input**; **Comprehensive Land Use Plan**, etc.; and noting **no one has requested a**

small-scale solar installation, and as current zoning stands (agricultural, residential), they are not allowed

- Resident Joe Krajicek: noted this matter has been **under discussion for years**, asked how long a decision would be put off, and **urged the Trustees to move forward**
- Resident Jenifer Adams: noted that **Vesper is reportedly prepared to move forward with a smaller installation proposal** if the current OPSB denial for Kingwood stands
- Resident Nicole Marvin: noted that, contrary to other comments, **Township opinion on large-scale solar is a settled matter**, and reiterated Mr. Cricheck's **request the Trustees move forward**
- Resident Kathy Garrison: read a prepared statement detailing the Kingwood project objections and **asking the Trustees to move forward**
- Specific discussions on residents of the **Village having a say** in Township-specific matters, **PILOT payments** to area school districts (Payment in Lieu of Taxes), and potential **exclusion zones** versus township-wide moratorium

Zoning Commissioner Zopf asked why they were being asked to rewrite/revise regulations, as **“So far the code has not failed us,”** and questioned whether doing so would not **encourage more solar proposals**. He stated it is the **Zoning Committee's decision to revise code**, not the Trustees.

Following the passage of Resolution 2023-26, Trustee Hollister **moved** to ask the Greene County Commissioners for a **moratorium on any utility-scale solar** in the Township. After discussion, the motion **died for lack of a second**. He may refine and represent his motion at a later meeting in light of comments.

Old Business:

Trustee Mucher said that, as follow-up to earlier discussions re: public records, there will be a **public hearing next meeting** to outline the Township's **Records Disposal Plan**.

Executive Session:

Trustee Moir **moved** for an **Executive Session** to “consider the compensation of a public employee.” The meeting recessed at 7 p.m., and reconvened at 7:05 p.m. Trustee Hollister **moved to increase compensation** to Recorder Cyndi Pauwels from \$50 to \$100/meeting. Trustee Mucher **seconded**, and the **motion was approved unanimously**.

Adjournment

The meeting was adjourned at 7:09 p.m.

Next meeting is scheduled for **Monday, May 15, 2023**, at 5 p.m.

Chairperson _____ **Attest** _____
/clp