

**Miami Township Trustees**  
Minutes of July 5, 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.

Fire Chief Colin Altman, Zoning Inspector Richard Zopf, Road Department employee Dan Gochenouer, and Recorder Cyndi Pauwels were in attendance.

*Yellow Springs News* reporter Reilly Dixon was also present.

**Adoption of Minutes**

Trustee Mucher **moved to adopt the minutes** of June 21, 2023, as presented. Trustee Hollister **seconded**, and the **motion carried unanimously**.

**Payment of Accounts**

Trustee Hollister **moved** and Trustee Mucher **seconded to pay bills** in the amount of **\$47,360.30**:

- General Fund – \$8,503.87
- Fire Fund – \$32,931.80
- EMS Billing – \$230.23
- Cemetery – \$2,816.72
- Road and Bridge – \$2,877.68
  - 2021 – \$2,518.68
  - 2031 – \$358.63

**The motion carried unanimously.**

**Correspondence**

The Trustees received correspondence as follows:

- US Department of Treasury – Coronavirus State and Local Fiscal Recovery Funds **(SLRFR) funds**
- Miami Valley Regional Planning Commission (MVRPC) – Safe Streets for All grant – **letter of support request**: Trustee Mucher **moved** to submit the requested letter in support, and Trustee Hollister **seconded. The motion carried unanimously.**
- Greene County Board of Health Activity Report
- Greene County Township Association (GCTA) meeting/dinner July 11th, RSVP by July 6th
- Ohio Concrete – detailed description and explanation of flaking of concrete at the fire station, with a remedy suggested: After noting the flaking is cosmetic, with no structural integrity issues, **Trustee Mucher will talk to contract manager Jason Funderburg** to review the options for correcting the problem.
- Greene County Regional Planning & Coordinating Commission (RPCC) meeting agenda and packet

- MVRPC Age-friendly Network meeting announcement: A short discussion considered **grant options** the Township might apply for.
- Ohio EPA Division of Surface Water – Notice of Termination **completed** by Trustee Mucher
- Ohio Auditor – Basic audit of RPCC – engagement letter
- Ohio Township Association (OTA) Legislative Alert
- David Graham, Greene County Auditor – presentation about Current Agricultural Use Value (CAUV)
- Greene County Commissioners – public notice to consider adopting 2-year moratorium on utility-scale solar requested by Miami Township Trustees: **Vote to be held July 27th**
- Star Ohio/State Treasury – authorized signers certificate form: Likely unnecessary, since the Township account is no longer active
- Lee Sloan, attorney – Ohio Power Siting Board (OPSB) Motion to Dismiss Appeal to Ohio Supreme Court

### Public Comment on Agenda Items

Note: A number of issues and queries regarding zoning procedures and commissions have been received in recent weeks. The Trustees are taking this opportunity to fully investigate claims and consider policy changes. They are not prepared to speak about these until their inquiry is complete.

### Fire Department Report

Agenda reminder: A **Retirement Open House for Chief Altman** will be held at the fire station on Friday, August 11, 2023, from 5-7 p.m.

Chief Altman reported **33 EMS runs** and **12 fire calls** since last meeting. Five incidents occurred on July 4th from 7 a.m. to midnight. Tragically, one of those involved a car versus bike fatal crash on Polecat Road.

Crew members participated in the **Independence Day parade** and covered the **fireworks** with pre-show inspections and post-show detonation coverage for several unexploded shells. MTRF also distributed glow sticks, which the crowd enjoyed immensely.

In a follow-up to the discussion last meeting, Chief Altman reported **staffing costs for the Yellow Springs Street Fair**, minus the duty crew, were \$2,482.94. MTRF invoiced the Chamber of Commerce for \$1,050, recouping 42% of the costs. This is in line with data from FEMA and the US Department of Transportation showing the average rate of cost recovery for public services provided to municipalities for planned special events is 39%.

He detailed a **new staffing model** implemented in June:

- 2-person ambulance crew (\$100/hour)
- 2-person bike team (\$100/hour)
- 1 fire inspector/supervisor (\$75/hour)
- 2 volunteers

Under that model, MTRF would bill the Chamber for \$2,200.

Chief Altman further noted the current fees include a festival permit cost of \$25 plus \$50 for the food-tent permit, with no direct-bill for staffing. Given the new staffing model, and a **planned festival permit increase** to a standard \$.08/estimated attendee (equaling \$1,840 for the ~23,000 Street Fair attendance), future events will more closely cover actual costs.

After further details and discussion on this matter, Trustee Mucher **moved** to approve the proposed fee adjustments; Trustee Moir **seconded**. **The motion carried unanimously.**

Chief Altman detailed the progression of Firefighter/Paramedic Justin Turner's **certification training**, and asked to **reimburse him for the costs expended**, with the signing of a two-year service contract. Trustee Mucher **moved** to approve the reimbursement, and Trustee Moir **seconded**. **The motion carried unanimously.**

Chief Altman provided a written summary of MTRF **leadership development training**.

After a brief discussion, Trustee Mucher **moved** to support the **Village fireworks display** as the Township has done in the past with a donation of \$750. Trustee Hollister **seconded**. **The motion carried unanimously.**

No update was available on the Ohio Fire Chief's Association (OFCA) contracted **Organizational Assessment** of Miami Township Fire & Rescue Department. Trustee Moir will contact Frank Cook. Trustee Hollister asked if the assessment will consider the department's **performance evaluation process**. Chief Altman said the OFCA was given copies of Township policy in that regard.

Trustee Moir will talk to Assistant Chief Denny Powell about the **new email** arrangements, since he was not present to answer questions.

Chief Altman requested an **Executive Session** with the Trustees to discuss a matter related to employee discipline. Trustee Mucher **moved** for same, and Trustee Hollister **seconded**. The meeting recessed at 5:43 p.m. and reconvened at 5:48 p.m., with **no further action taken**.

## **Cemetery and Road Report**

### **Cemetery:**

Mr. Gochenouer reported **2 burials** recently, one of ashes in Clifton, and one full at Glen Forest. Two others are pending.

The row of **birch trees at the front of Glen Forest have been trimmed**. In light of the concerns from last meeting, Trustee Moir asked what method was used. Mr. Gochenouer said they used a pull-saw and loppers. Further discussion was held over those tools versus the rotary trimmer/boom mower. Trustee Mucher said the

mechanical trimmers are needed for use along Township roads to ensure clear passage for agricultural machinery. Trustee Moir agreed, but repeated her request that the cemetery trimming be done manually due to aesthetics. Trustee Hollister shared comments on those various methods based on his knowledge as a trained tree trimmer.

#### **Roads:**

Mr. Gochenouer is still trying to reach the office in charge of the online bid system to **remove the reserve listed on the dump truck offer**.

A **storm-damaged tree was trimmed**/removed along John Bryan Park Road. Other trimming will continue tomorrow.

#### **Fiscal Officer's Report**

Trustee Mucher noted a potential **MTFR budget issue** to be reviewed later.

**Resolution 2023-30 Amendment of Permanent Appropriations** was presented. Trustee Hollister **moved to adopt** the Resolution as enumerated, and Trustee Mucher **seconded**. The **Resolution was adopted unanimously**.

#### **Zoning Inspector's Report**

Mr. Zopf issued a **permit** for a swimming pool.

He reported the **Zoning Commission** met recently and continued their discussion on **Temporary Use Permits**. Richard Silliman, from the Board of Zoning Appeals (BZA), was present. They also “acknowledged the need to start working on solar issues” in light of the Trustees’ moratorium. No action was taken.

The **BZA** will meet July 6th to hear a **request for a Temporary Use Permit** at 115 Yellow Springs-Fairfield Road. Mr. Zopf noted the address has a gazebo that was built without a permit – which he said is a separate issue – and that they have **4 scheduled events (book signing, weddings)**, hence the request. He outlined a **potential loophole in the zoning code** concerning property owners leasing a residence.

Trustee Moir asked about a pending request for an **agritourism permit** on Kyle Road that the Trustees have received correspondence on. An extended discussion was held on that request as well as on the **procedures that should be followed for zoning permits and appeals**. Mr. Zopf stated he requests information from residents that the BZA would need to hear an appeal, which he admitted may be “overstepping” on his part. Trustee Moir shared correspondence from the Trustees’ attorney on these and other zoning questions including agritourism and CAUV. It was agreed that zoning permits and appeals **procedures and filings need to be documented**, and shared with Trustees who may hear about them only when a resident has problems, especially in light of the “ramping up” of zoning issues.

Trustee Hollister asked what the **next step is to make that documentation happen.** Trustee Moir said she has consulted with Jen Huber, and would prefer not to put all the work on Mr. Zopf. It was agreed **Trustee Moir will meet with Mr. Zopf** to modify permit forms and formalize a filing system Trustees can access.

**Executive Session:**

Trustee Moir **moved** for an **Executive Session** to “consider the appointment, employment, dismissal, discipline, promotion, demotion, or compensation of a public employee.” Trustee Mucher **seconded**. The meeting recessed at 6:44 p.m., and reconvened at 7:21 p.m. with **no action being taken at this time.**

**Adjournment**

The meeting was adjourned at 7:21 p.m.

Next meeting scheduled for **Monday, July 17, 2023**, at 5 p.m.

**Chairperson** \_\_\_\_\_ **Attest** \_\_\_\_\_

/clp