

Miami Township Trustees
Minutes of June 5, 2023

Call to Order

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

Assistant Fire Chief Denny Powell, Zoning Inspector Richard Zopf, Road Department Employee Dan Gochenouer, and Recorder Cyndi Pauwels were in attendance.

Township residents Kathy Garrison, Geof Garrison, Susan Fischer, Mark Heise, Stacey Wirrig, and Steve Wirrig were also in attendance.

Adoption of Minutes

Trustee Mucher **moved** and Trustee Hollister **seconded** to **adopt the minutes** of May 15, 2023, with earlier corrections as noted. **Motion carried unanimously.**

Trustee Hollister **moved** and Trustee Moir **seconded** to **amend the minutes** of March 6, 2023, to note action taken after the reported Executive Session: **increasing the pay** of Road Department employee **Brandon Morris** by \$1/hour. **Motion carried unanimously.**

Payment of Accounts

Trustee Mucher **moved** and Trustee Hollister **seconded** to **pay bills** in the amount of **\$86,625.46:**

- General Fund – \$10,618.66
- Fire Fund – \$61,384.14
- EMS Billing – \$1,806.92
- Cemetery – \$5,627.02
- Road and Bridge – \$7,188.72
 - 2011 – \$2,098.65
 - 2021 – \$4,625.47
 - 2031 – \$464.60

After noting the total was higher than usual because of two pay periods since the last meeting due to the five-Monday month, the **motion carried unanimously.**

Correspondence

The Trustees received correspondence as follows:

- Lisa Abel, YSDC: Request letter of support for Department of Energy (DOE) community solar grant
- Zoning Inspector Richard Zopf: Reminder to Trustees that the Board may require person making a zoning appeal to pay a fee to defray cost of advertising, announcements, etc.
- Steve Wirrig: Request for written public testimony, Zoning Commission minutes of April 2023 meeting(s)

- Fire Chief Colin Altman: Continuation of data collection for Fire/EMS assessment with June 1st goal, and request for document
- Yellow Springs Chamber of Commerce President Mark Heise: Forwarded invitation to Greene County Legislature Breakfast
- Jen Huber/Chris Mucher: Correspondence regarding auction of snow plow
- Lee A. Sloane: Re: entering no objection to dismissal of our cross-appeal if appeal by Kingwood Solar LLC is likewise dismissed
- GRPCC: Questionnaire for input into financial audit, directed to Mr. Mucher
- OPERS News
- OTA training opportunities
- OEPA: Inspected status of our surface water permit associated with fire station construction, with recommendation to submit a Notice to Terminate (NOT) – **Trustee Mucher will handle**

Public Comment on Agenda Items

See notes under Zoning Inspector’s Report below

Fire Department Report

Deputy Chief Powell reported **35 EMS runs** and **14 fire calls** since last meeting, including a serious two-car crash at Clifton and Grinnell Roads. Care Flight was called.

Street Fair staffing on June 10th will be similar to previous years, with no problems anticipated.

Data collection for the **Ohio Fire Chiefs’ Association (OFCA) assessment** has been completed; no timeline currently on when to expect their report.

Deputy Chief Powell presented the Trustees with the **911 Dispatch Service contract** for signature. He noted the increase (previously discussed) will bring the department more in line with actual costs:

- 2023: \$11,506.15
- 2024: \$15,000
- 2025: \$20,000
- 2026: \$25,000

After providing the **2022 Employee Assistance Program (EAP) report** to the Trustees, Deputy Chief Powell noted that use was down from previous years. Efforts will be made to make EPA services more widely known, and he reminded them that EAP is available to all Township employees and officials.

Deputy Chief Powell offered the quote from Penn Care Public Service Technology for a **new F550 4x4 Braun Chief XL medic unit in the amount of \$336,037.00**, and asked for Trustees’ approval to place the order. After a brief discussion on the increased costs, the accounts that will be used to pay for it (General Fund, Fire Fund, and set-aside funds from sale of the old building) and expected delivery timeline (possibly 12-18 months,

with payment due on delivery), Trustee Mucher **moved** to authorize him to sign the contract; Trustee Hollister **seconded**. **The motion carried unanimously.**

Cemetery and Road Report

Cemetery:

Dan Gochenouer reported **two burials** of ashes, one in Oak Grove, with another scheduled for Friday.

The **water line** leak/damage is being cleaned up. Mr. Heise apologized for calling Trustee Hollister on Memorial Day to report the leak, which was already being repaired. Trustee Mucher noted **signs** similar to the existing section markers will be posted **at each water access point**.

Mr. Zopf noted how the **blooming peonies** planted by citizens in the past help beautify the cemetery grounds, and bemoaned the fact that there isn't room for the Township to plant more.

Trustee Mucher asked Trustee Hollister how the **Clifton Cemetery** looked for Memorial Day, noting the others looked much better than last year due to more timely mowing. Trustee Hollister had not been out to check Clifton over the holiday.

Trustee Moir asked about the **encroaching black locust trees** at the Natural Burial Grounds. Mr. Gochenouer said they would be cut back. Other eradication efforts are being explored.

Trustee Mucher thanked Mr. Gochenouer and Brandon Morris for their work **cleaning up the old village dumping ground at the edge of Oak Grove**. Now there is room to put in an exit lane at the back.

Roads:

Mr. Gochenouer reported they would be **wedging in Clifton**, and Trustee Hollister noted that is a contracted service between the Village and the Township.

Ditch mowing continues.

Trustee Mucher reported that, after consulting with the Township attorney, there are **no methods for the disposal of the old dump truck** other than the public bid process. He was also advised that the **online listing must be advertised** in the *Yellow Springs News* on two separate occasions. He will take care of it.

Fiscal Officer's Report

Resolution 2023-28 Amendment of Permanent Appropriations as enumerated.

Trustee Hollister **moved to adopt** and Trustee Mucher **seconded**. **The Resolution was adopted unanimously.**

Zoning Inspector's Report

Trustee Hollister presented an **update on the pending OPSB/Kingwood solar appeals**. Technicalities and missed deadlines will not change the current denial status.

Trustee Moir **reviewed the ongoing industrial solar discussion**. She recently visited a Madison County site and spoke with several area residents to get their opinions on the array under construction in their community. Those who shared with her had no problems with site, although she noted, in response to questions from Miami Township resident Kathy Garrison, it is not yet operational. She plans to visit the Hillcrest site outside of Cincinnati next week. Ms. Garrison asked about property tax versus PILOT payment amounts. Trustee Moir said a Madison County-area township trustee told her local schools received \$1.2 to \$2 million, but there's no accurate comparison of the difference between the two.

Trustee Moir also outlined her **research into Township soil and water concerns**, and shared a map of **existing transmission lines**. All available land in the Township is deemed prime farmland, although some less so because it has yet to be drained. She still questions the varying impact on water, taxes, etc., between industrial solar and other development.

Trustee Hollister reiterated his reliance on **current Township zoning, with its emphasis on agriculture**. He expressed concern for the tangential businesses servicing the farming community as well, while a Township resident noted the majority of crops produced here are not for local human consumption (cattle feed, ethanol, export). Trustee Hollister believes a more unified state/region-wide solution is needed to address industrial solar.

After further discussion, Trustee Moir presented **Resolution 2023-29** formally requesting the Greene County Board of Commissioners declare **all unincorporated land south and east of the Little Miami River in Miami Township a restricted area** for economically-significant wind farms, large wind farms, and large-scale solar facilities **for a period of two (2) years**. Trustee Hollister **moved** to adopt the Resolution, and Trustee Mucher **seconded**. The **Resolution was adopted unanimously**.

Trustee Hollister noted that while the matter has been contentious, the Trustees were able to work out an **effective compromise** solution, and he applauded those efforts.

Township resident Geof Garrison thanked the Trustees for their diligence.

Zoning Inspector Zopf reported he has issued a **permit** for an in-ground pool and for a garage expansion. He also signed a **survey record**.

No **Zoning Commission meeting** has been held due to planting season.

Mr. Zopf received a **complaint about a large unauthorized gathering** held at 115 West Yellow Springs-Fairfield Road. The property owner was unaware it had happened.

Township resident Steve Wirrig shared several **concerns** he had **re: the Zoning Inspector, Zoning Commission, and Board of Zoning Appeals (BZA) operations**, specifically related to **temporary use permits**, the April BZA meeting, and the Zoning Commission follow-up May 3rd.

After a lengthy and sometimes heated exchange with Mr. Zopf, Mr. Wirrig said there needs to be **training for BZA members**, and **bylaws guiding their procedures**. In addition, he specifically called for:

- **Mr. Zopf's resignation/dismissal** by Trustees for undermining the BZA process, leading to a lack of trust by Township residents
- a **halt to the use of personal emails** for Zoning Commission business
- Zoning Commission **meetings to be recorded and published**
- **enforcement of the Comprehensive Land Use Plan** – which calls for “harmony” with the Villages of Clifton and Yellow Springs, instead of focusing solely on agricultural pursuits

He also outlined the **festival permit processes** used by 9 of the 12 townships in Greene County and asked Miami Township to adopt something similar.

Trustee Hollister said the **Trustees will take up the formal request to review Mr. Zopf's status**.

Trustee Moir said she will **review the Comprehensive Land Use Plan** more closely as several of the items Mr. Wirrig noted were unfamiliar to her.

Trustee Mucher said it is **not the Trustees function to direct the Zoning Commission** to do anything, and laid out the details that should be followed to change a zoning regulation.

Mr. Wirrig disagreed with Trustee Mucher's interpretation of the process and insisted Trustees' **Resolutions can serve as the initiation point** for change and to **offer guidance**.

After asking for the other Trustees' agreement, Trustee Moir stated she would organize a **townhall to have an open discussion on creative business interests in the township** that will include a range of viewpoints: parties requesting to hold events, rural dwellers, farmers or owners of farms, zoning officials from the Township and the general public.

For **specifics of the discussion**, see the **video** of the meeting online.

New/Old Business

With the contact for Yellow Springs Community Access TV on leave, **the process for delivering meeting recordings to the Village needs to be reviewed**. Until that can be done, Trustee Hollister volunteered to deliver the video camera to police dispatch for hand-off to CATV.

Adjournment

The meeting was adjourned at 6:52 p.m.

Next meeting scheduled for **Wednesday, June 21, 2023**, at 5 p.m., due to Monday's Juneteenth holiday.

Chairperson _____ **Attest** _____

/clp