

Miami Township Trustees
Minutes of October 2, 2023

Call to Order

The meeting was called to order at 5:01 p.m. by Chairperson Moir, with Trustee Mucher and Trustee Hollister present.

Fire Chief Denny Powell, Zoning Inspector Richard Zopf (late, due to Antioch College work week), and Road Department employee Dan Gochenouer were in attendance.

YS Chamber of Commerce President Mark Heise and NE Broadband representatives Larry Shriver and Corey King were also present.

Adoption of Minutes

Trustee Mucher **moved to adopt the minutes** of September 18, 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 **\$47,603.18**:

- General Fund – \$15,609.15
- Fire Fund – \$28,417.49
- EMS – \$188.03
- Cemetery – \$230.11
- Road and Bridge – \$3,158.40
 - 2021 – \$67.35
 - 2031 – \$377.69

The motion carried unanimously.

Correspondence

The Trustees received correspondence as follows:

- Robert Graham Jones: Engraving for cemetery scatter grounds
- Michele Burns: Inviting Trustee Mucher to join a task force formed re: a new parcel of land for sale
- Brad Ruwe, Dinsmore Law: Document/resolution request
- Ohio Power Siting Board (OPSB): Denial of rehearing for the Kingwood solar project (see Old Business below)
- Chrisonna Anderson-Lutz, . Special Project Administrator for the Greene County Engineer: Grant money available for townships
- Cynthia Livesay: Request for permission to clean headstones to honor veterans – **Trustees Mucher and Moir will coordinate who is to respond to requests such as these**
- Ohio Township Association Risk Management Authority (OTARMA): Renewal documents (proxy statement appointing a member and alternate for contact) due November 10, 2023

Public Comment on Agenda Items

At the earlier suggestion of Trustee Mucher, NE Broadband representatives Larry Shriver and Corey King were present to answer questions re: the **business/equipment they purchased from Zot Barazzotto that is installed at the Township Road Department building**; however, Trustee Mucher felt it necessary to recuse himself from the discussion and left the room.

Mr. Shriver and Mr. King offered a detailed description of the business (see video for details) and answered Trustee Moir's questions, specifically:

- **Is it legal?** – Yes; appropriate permits have been obtained from the FCC.
- **Is there a lease agreement?** – No, but the company would like to enter into one with the Township.
- **What about liability issues?** – NE Broadband carries a \$2 million liability policy for their equipment and operations.

Trustee Hollister agreed with their **request that a formal agreement be signed**, with attorney input to formalize same. A follow-up meeting will be arranged via email with Trustee Moir. NE Broadband will also forward a generic lease agreement that they currently use with several other entities for the Township attorney to review.

Trustee Hollister asked if NE Broadband has a **key to the Road Department Building**. They do not at this time, but it would be helpful for after-hours equipment servicing/repair.

In answer to Trustee Moir's question, Mr. Gochenouer confirmed that **the Road Department does receive Internet service from the company in exchange** for housing the equipment.

Trustee Mucher rejoined the meeting at this point.

Yellow Springs Chamber of Commerce President Mark Heise had questions for Zoning Inspector Richard Zopf re: the **permit issued for the sunflower field activities**. In Mr. Zopf's absence, he was advised to wait to see if Mr. Zopf arrived late, or to return next meeting to get answers, not the Trustees' best guess (see Zoning Inspector's Report below for further discussion).

Fire Department Report

Chief Powell reported **23 EMS runs and 8 fire calls**, including **MTFR request for mutual aid on 9 EMS runs and 3 fire calls** since last meeting.

MTFR is working with a former Underwriters Laboratories testing rep from Cedarville to complete the required **ground ladder testing and pump testing** (UL is no longer in the business).

The new **scheduling software** will go live at 0100 hours on October 7, 2023.

Chief Powell is finalizing **scheduling for YS Street Fair** on October 14, 2023.

A recent **traffic crash on SR 68 near the sunflower field** was discussed. Mr. Heise asked why Xenia responded via mutual aid and not Husted, which was closer. Chief Powell noted it just depends on staffing.

Chief Powell provided an **update on staff medical situations**. He is talking to the Bureau of Workers' Compensation on these.

Trustee Mucher reported the **concrete aprons at the fire station have been sealed**. The process used more sealant than anticipated, and therefore cost more, but it should be good for 3-5 years. Chief Powell said he would check on sealing the inside at the same time the aprons are re-done to possibly save time/cost; however, it may be a different product needed.

Cemetery and Road Report

Cemetery:

Mr. Gochenouer reported **1 Natural burial** on Thursday, but with services Saturday that drew a large crowd.

Twelve **gravesites have been sold** recently: 5 traditional and 7 Natural.

Trustee Hollister asked **how many sites are purchased by people out of the area**. Mr. Gochenouer said most are local, with one from Cincinnati. Trustee Moir said it generally runs about half and half.

Mr. Gochenouer noted a **hornet's nest** at the building on the Natural burial ground will be dealt with, and that Brandon had recently **cleaned the scattering grounds**.

Roads:

Mr. Gochenouer reported that after the **Brannum Road overlay** on Friday, he noticed a spot at the curb that will need attention.

They will finish the **ditches** this week.

He answered Trustee Mucher that, yes, all the road work has been completed.

Mr. Gochenouer updated the Trustees on his coming **medical leave**.

Trustee Mucher presented and **moved** to adopt **Resolution 2023-40 Annual Report of Township Roads** and Trustee Hollister **seconded** – noting the Township has 21 different roads listed. The **motion carried unanimously**.

Fiscal Officer's Report

Resolution 2023-41 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

Trustee Moir reported on the **finalized procedure for a new Board of Zoning Appeals coordinator** as previously discussed. This will split administrative duties for the Zoning Committee and the BZA, and lighten the workload for the Zoning Inspector. She will forward a copy to Trustee Hollister.

A webpage has been created for the **new BZA forms**. After discussion, Chief Powell indicated the webmaster's issues with the new email system are at her end.

Mr. Zopf arrived during the Old Business discussion below to address **Mr. Heise's question re: why the Chamber of Commerce needed permits for the sunflower field** activity when that hasn't been the case in previous years. Mr. Zopf stated no one had asked in the past; this year, Sarah called to inquire. He talked to Neuhardts and the Tecumseh Land Trust, learning for the first time the extent of the field's activity, and while it falls under the "permitted activity" of Ohio's agritourism ruling, there were aspects of it – specifically, t-shirt sales – that required other permitting. Since the process was too lengthy to meet the timetable, he recommended a Temporary Use Permit to allow them to proceed, which is what happened.

Mr. Heise expressed his desire to avoid such issues in the future.

Mr. Zopf reported issuing **3 permits** recently: one pool and two houses.

The **Zoning Committee** met and is making progress on Temporary Use Permits and the solar issue.

Mr. Zopf will be attending the **Greene County RPC** meeting.

He reported continuing issues with the **new email system**, as he's been unable to access it for several weeks. It requires two-factor authentication, and since he does not have a cellphone, a work-around needs to be found. Chief Powell said Jeremy found a key fob that would take care of it, and one will be ordered.

Trustee Moir asked about **updating the Zoning files** in the Township office as Mr. Zopf had been directed. He said he will do so, with duplicates made for his reference. She agreed that was acceptable.

Mr. Zopf said he has received the **proposed zoning and BZA forms** for review. Trustee Moir indicated they are past that stage, and reiterated that, with the attorney's approval, the forms are available for use on the Township website.

New Business

Trustee Mucher reviewed Resolution 2023-42 that will enable the Township to release the 4901 fund balance of \$269,175.85 to a new 2023 Capital Fund project to pay for the new medic. He has been working closely with an attorney from Cincinnati who is familiar with such issues, and has learned the Ohio Department of Taxation Commissioner will authorize the creation of such a fund.

After Trustee Mucher asked for a motion to adopt **Resolution 2023-42 Authorizing the Creation of the 2023 Capital Fund Ambulance Acquisition** and the transfer of funds from the miscellaneous Capital Fund 4901 to the Capital Project Fund for the purpose of purchasing an ambulance, Trustee Hollister so **moved** and Trustee Moir **seconded**. The **Resolution was adopted unanimously**, and Trustees Hollister and Moir thanked Trustee Mucher for his efforts in making it possible. Chief Powell echoed their thanks.

Old Business

Trustee Hollister summarized the recent activity re: the Kingwood solar project. The **Ohio Power Siting Board has formally rejected the Kingwood appeal** of the OPSB rejection of the plan. Kingwood could still appeal that to the Ohio Supreme Court. Citizens for Green Acres could also appeal on the grounds that the rejection was based on overwhelming public opposition, not on the specified technical reasons of the project itself. If they do appeal, the Township could file a concurrence.

Adjournment

The meeting was adjourned at 5:59 p.m.

Next meeting scheduled for **Monday, October 16, 2023**, at 5 p.m.

Chairperson _____ **Attest** _____

/clp – from video