

Miami Township Trustees
Minutes of May 19, 2025
**see acronym glossary following minutes*

Call to Order

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

Fiscal Officer Jeanna GunderKline, Acting Assistant Fire Chief Nate Ayers, and Recorder Cyndi Pauwels were in attendance.

Yellow Springs News Editor Lauren Shows, ~16 residents, and one MTRF staffer were also present (identified by name below if they spoke publicly).

Adoption of Minutes

Trustee Hollister **moved** to **adopt the minutes** of May 5, 2025, as presented. Trustee Moir **seconded**, and the **motion carried unanimously**.

Trustee Moir **moved** to **adopt the minutes** of the special meeting held April 29, 2025, as presented. Trustee Hollister **seconded**, and the **motion carried unanimously**.

Payment of Accounts

Trustee Hollister **moved** and Trustee Moir **seconded** to **pay bills** in the amount of **\$54,202.46**:

- General Fund – \$5,586.74
- Cemetery – \$2,995.89
- Fire Fund – \$39,803.16
- Road – \$5,816.67
 - 2021 – \$3,065.79
 - 2031 – \$2,750.88

The motion carried unanimously.

Correspondence

The Trustees received no correspondence that needed further discussion.

Public Comment on Agenda Items

Shadrack Adams from **Greene County Public Health** spoke about the **renewal levy** that will be on the November ballot, adding that the current renewal actually resulted in a lower inside millage and thus a reduction in the amount collected from residents. He said the regular **Community Health Assessment** would be administered soon, and provided an overview of the **community services** offered by GCPH. A few highlights:

- **Rabies testing**: Adams noted there are more bats turned in from Miami Township than another other area of the county; some of them do test positive.
- **Guard Care public health clinic** in partnership with the local National Guard held in August 2024: Over 2 days, ~1,100 people were provided free dental, vision, and medical services at an estimated \$600,000 value.

Trustee Hollister asked if GCPH provides any **well/septic testing**. Mr. Adams said that while it's not free, their testing – which is recognized by mortgage lenders, is generally at a lower price than commercial. He added that in recent well testing, ~25 of 60 wells tested showed a slight increase in the presence of naturally occurring arsenic that leaches from surrounding rocks. The amounts too small to be a problem, and no cause has been determined.

Mr. Adams also noted the **GCPH issues permits for all new well installations/alterations and septic systems**. The department also offers a **sewage repair program for low-income families** that can pay up to 100% of the cost involved. In response to Trustee Moir's query, he said there are ~30,000 septic systems the Greene County.

Mr. Adams left a **copy of the GCPH report and levy information** with the Trustees for public review.

(What follows is in summary and edited for clarity, with timestamps. See the meeting video for the complete discussion.)

Township resident **Mike Breza** (12:22) speaking unofficially on behalf of several others in the audience, expressed concern over the **pending annexation of 80+ acres on Enon Road south of the high school**. "Maybe we ought to draw a line. ...I don't know what population's target is, if there is one, ...but we can grow really fast. ...And if they talk about what they call low-cost housing...and high-density housing...that number [population/acreage] is a factor of two or three." Besides the population density, he is concerned with possible well and septic issues. He also feels that Township residents in that area have been left out of the discussion. "The 80 acres...backs up on one our properties, and we're not those members."

Chris Rolitsky (17:33) echoed Mr. Breza's comments, noting his concerns over **the lack of public information** and a perceived "opaque" coverage by the *Yellow Springs News* in the delay of reporting the May 5th Council meeting until the May 16th issue. He felt there was an "arrangement by at least some of the School Board members ...in exchange" for the the soccer field, questioning the **appearance of quid pro quo** in a Yellow Springs Schools/Village partnered land swap of the soccer fields for that area to develop low-income housing. He felt it was presented in the *News* as a done deal.

He asked for "assurance of no collusion" among the parties involved, and agreed that Township residents are **"shut out of the discussion."** and said that East Enon Road residents have to "bear the burden" of Village plans for low-income/high-density housing. "Everyone talks about green space, but **there is no green space on the western side of town.**" He ended with, "We have played no role in giving input in this. They have shut us out."

Barbara Krabec (26:18), another East Enon Road resident, asked, "Where is Tecumseh Land Trust in this matter? How come it's so important to save property...half a mile down the road from the corner of Enon and [Dayton-]Yellow Springs, but...I've seen

nothing at all about protecting” this parcel. **Mr. Breza** (26:39) responded, saying he had spoken to Michelle Burns who reportedly had a discussion with the landowner, Julie Jones – “trying to land swap these things.” He explained in detail the **“threshold” of properties traditionally on the radar for the Jacoby Belt green space**, noting that it has “slipped” over the years, and the land in question is not of concern to TLT at this time.

Linda Parsons (31:29) said the **Township Trustees need to “think a little bit beyond the good of Yellow Springs”** when discussing affordable housing in the Village. “There are people who live in the Township who feel like they are not being represented.” She added the Village hasn’t figured out how to do affordable housing in the Village itself. “Why do they need 80 acres?” **Trustee Mucher** (32:49) said they have, noting the **recent \$113,000 donation to TLT for the Welch Farm property** that will be discussed later in the meeting.

Cathy Crompton (sp) (33:17) asked about the **urban service district boundary** and its impact on annexation. **Trustee Moir**, with input from others as well (33:49), explained it is a physical barrier for public utilities at which physics **determines water/septic pumping boundaries**, and determines the maximum number of people who can tie into the service lines.

Trustee Hollister (35:01) advised the audience he had researched the Ohio Revised Code re: annexation at ORC 709, which states “the **Township doesn’t have direct authority**”; **approval lies with the County Commissioners**. “We can oppose,” but individuals reaching out to the County Commissioners and Village Council would have just as much influence, and he urged them to do so.

Trustee Mucher (38:44) said the proposed annexation will continue to be a “topic of discussion” at all relevant political subdivision meetings, and he likewise **encouraged residents to speak out at the County and Village level**.

Trustee Moir (40:38) noted, “There is **a lot of infill of affordable housing in Yellow Springs**. I just want to make that point....to ‘ship it out to [the Township]’ isn’t entirely accurate.”

Mitzi Miller (41:41) suggested residents need to speak at **the proposal’s second reading before Village Council at 7 p.m. this evening** – in one hour.

Trustee Moir (42:05) reminded everyone of Trustee Mucher’s point at earlier meetings: Over the late 20th century, **the Township donated ~\$488,000 from estate taxes to green space**.

Trustee Hollister (42:35) repeated the ORC 709 reference, with **Trustee Moir** noting that “**When the Village comes to us for an annexation agreement, we should be ready instead of off guard**.”

Fire Department Report

Acting Assistant Fire Chief Ayers reported **21 EMS runs** and **5 fire calls** since last meeting. This included **requesting mutual aid** for **4 calls**, and **mutual aid response** for **1 call**, for a total of **31 runs**.

The requested **reporting on the new Overtime and Force Recall Policy staffing** was presented. He noted that 16 of 31 days for the month will be staffed with two members, with 7 days BLS (basic life support, no paramedic). Only one BLS shift had a call which required requesting mutual aid. Trustee Moir added an explanation of the staffing changes implemented on advice of Consultant Fred Kauser, and noted the shortages are temporary.

The **memorial service for Chief Denny Powell will be held Saturday, May 31, 2 p.m.**, at the Greene County Fairgrounds. Assistant Chief Ayers is preparing a final list of needed items that he will share with the Trustees if they care to donate.

The **EMS testing protocol** is on track to be completed by the second week of June.

Equipment maintenance:

- **Medic 81** is the only vehicle still out of service.
- The **roof leak** has been taken care of.
- A second/new **fire alarm service company** had to be brought in as the original monitoring company does not service the equipment. Assistant Chief Ayers is looking into changing over all needs to just one company.

Budget:

- Phoenix Fire Safety has notified the department that the **cost of fire gear is expected to increase by 3.5% (~\$1,100) due to the tariffs**, to an estimated \$5,000 per set.
- Assistant Chief Ayers plans to apply for an **upcoming grant cycle through Fire House Subs** to help replace outdated gear.

Uniform Policy and Budget:

- Assistant Chief Ayers requested approval for a **budget line item of \$10,000 for uniforms**. After some discussion, and review of a recommendation for same from Mr. Kauser for direct purchase (versus stipend), it was determined a vote was not needed as the funds could simply be transferred from another Fire line item, as \$8,000 may already have been allocated.

Operations:

- Assistant Chief Ayers requested approval for a **subscription to the D4H emergency management software**. He explained the benefits of using a system that allows coordination with other departments for fairs/parades/festivals as well as unplanned natural disasters (fire, tornado, etc.). After consulting with Chief Burge and Village Manager Burns, he has already begun configuring a demo version to handle Street Fair. The app brings together maps, current weather, contact info, etc., and details can be exported as needed.

Resident Mark Heise asked how many **other Greene County jurisdictions** use the software. Assistant Chief Ayers said Fairborn, Beavercreek, Bellbrook, Xenia City, and possibly others are subscribers.

Given the time constraint of the request (Street Fair is June 14th), Trustee Moir **moved to approve a subscription for the D4H emergency management software at an estimated \$3-4,000 + \$134.40 fee/user**, as requested. Trustee Hollister **seconded**, and **the motion carried unanimously**.

- The department is **moving from brass badges to embroidery** on the uniform.

Cemetery and Road Report

Cemetery/Roads:

Trustee Mucher said there would be **no report as crews are busy catching up on mowing** between rainstorms.

Trustee Moir moved the **cemetery mowing issue noted on the agenda to next meeting** when the GFNB Committee plans to present a report.

Resident Mitzie Miller asked if mowing crews could **make sure overhanging trees, etc., at the sidewalk along Glen Forest at US 68 are trimmed to at least 8 feet so pedestrians are unimpeded**. Trustee Mucher will pass that along.

Fiscal Officer's Report

The **meeting with Auditor of State, Western Division noted on the agenda will be discussed internally**; no public review is needed at this time.

Ms. GunderKline reported the **new health insurance HSA accounts and Anthem percentages will be in place for this pay period**.

Trustee Mucher noted the **YTD numbers are “ramping up”** and coming closer to current.

US Bank checking balance 5/16/25: \$411,660.511

StarOhio investment account balance 4/30/2025: \$1,423,099.93

Standing Committee Reports

- Miami Valley Regional Planning Commission (MVRPC): **no report**
- Greene County Regional Planning & Coordinating Commission (RPC): Trustee Mucher reported the meeting was **largely informational**, with **reports on two Beavercreek subdivisions**.
- Clifton-Union Cemetery Board: **no report**
- YS Development Corporation (YSDC): **no report**
- Greene County Township Association (GCTA): **no report**

- Glen Forest Natural Burial Committee (GFNB): Trustee Moir said a **report will be presented next meeting.**
- YS Active Transportation Committee: Trustee Moir reported on a **successful bike event with Yellow Springs Schools**, with the welcome present of MTFR staffers.

New Business

Nothing to address

Old Business

Trustee Hollister reminded everyone of the **public meeting re: the expiring solar exemption zone that will be held Wednesday, May 21, 5 p.m.**, in the Township building.

Extended discussion re: Resolutions 2025-13 passed May 5, 2025:

(What follows is in summary and edited for clarity, with timestamps. See the meeting video for the complete discussion.)

Trustee Mucher (1:11:51) spent a few minutes **reviewing how the internal processes of the Township have “morphed” over the years:** “Not like the old days” when issues were discussed, motions/Resolutions were decided, and Trustees moved on. “Maybe it’s a new normal. I’m not saying it’s bad, I’m not saying it’s good. ...I’ve just been noticing it.

“Nowadays it just seems so much different...we’ve got a \$4,000/month consultant. We have 2 lawyers and multiple auditors on speed dial. We’ve even got a suggestion for seating a citizens’ committee to choose a new replacement for the deceased fire chief. ...There’s multiple requests for delays and to verify things and to think about things. ...Again, I’m not saying it’s bad, but I’m not saying it’s good. It’s just different, ...and so it’s hard to get a real handle on ...it sometimes feels like we’re a school board or a village council or Ohio Statehouse type of organization... morphed away from just old township folks who are elected, and they do their damndest to get help. ...It just seems like a lot more stuff that we have to do in order to get on with our business.”

Trustee Moir (1:14:15) said, “I agree with you. ...Our processes aren’t stellar. We kind of follow Robert’s Rules. ...I think we can do a lot of tightening up on our procedures and policies and how things are presented.” She added, “When I first came on, [Trustee Mucher said] ‘There’s nothing new under the sun. We’ve been through all that before.’ And I used to sit here and think that they’re wrong. There’s industrial solar, there’s development, there’s ARPA grants, Covid funds things. There land trusts. ...There’s moving away from volunteer firefighters to being fully professional firefighters.

“So I agree with you that it’s a very uncomfortable time as far as process goes. And I think we need to come to a new normal, because I don’t think you historically ...had to deal with a lot of these things. ...There were issues that came before us, ...we discussed them and decided on them.”

Trustee Hollister (1:16:02) described the township model of government, noting, “In a lot of ways [trustees] having an executive role, but were’ not allowed to make decisions during a normal working day. We have to wait two weeks to have a business meeting.”

Trustee Moir (1:17:06) noted, “If I were a Village Council member, I would tell a staff member, could you check with the lawyer on that...could you get those figures for me. But here I’m calling the auditors. I’m calling the lawyers. So it’s different...I don’t know how we could do it otherwise. ...It’s a very different job.”

Trustee Mucher (1:18:33) continued: “The second thing I had was...Resolutions in general. ...I think Resolutions are the closest thing that townships can have to a law. We’re not home ruled. We don’t have the authority to make actual Ordinances. ...Resolutions mean that the Board requires certain actions to be taken. We resolve to do this or that thing. It *shall* be done. One of the Resolutions we have before us tonight says whereas the Board of Trustees *shall* commit – it uses the word *shall*. This is the approved Resolution 2025-12 – *shall*. It does not say *may* commit. It does not say *maybe* commit, and it doesn’t say it *might* commit unless someone changes their mind. It says *shall*. It will be done.

“Now townships in Ohio were formed from agriculture...comes from trustees who are almost always farmers, people who depend upon farming to feed their family are smart. ...A farmer’s motto is ‘a promise made is a promise kept.’ A handshake was all that’s necessary to agree to a commitment. They didn’t need a Resolution.

“Since Resolutions aren’t actual laws, their power rests in the Board of Trustees to carry out this action that they themselves have ordered. It’s our responsibility to get it done. We made a promise, need to keep a promise.

“Now let’s think about the reality of reneging Resolution 2025-12 (number was corrected by Recorder Pauwels at 1:20:30). Resolution 2025-13 was passed. Reneging on this Resolution is going to have long-term detrimental effects. ...We may very well be labeled the...flip-flop township in the county, or the Trump Musk Township. If we don’t like somebody, they’re fired. If we don’t like an existing program, cut the funding. Don’t believe me? Ask the folks at WYSO how that’s going.

“Our fellow townships and villages and counties are not going to be able to trust us to partner with them on future important beneficial projects if they believe we might back out two weeks later.” Trustee Mucher went on to present several potential scenarios (1:21:30) that he feels illustrate that possibility.

“I ask that you folks think long and hard about reneging on Resolution 2025-13. It is just bad policy.”

Trustee Moir (1:27:22) shared the **legal opinions received** from the Greene County Prosecutor’s Office and Township-retained private lawyer Jen Huber (*interspersed with*

repeated interjections and asides). “If the Trustees would like to **give away the entirety of their General Fund reserves**, every penny of cushion we have to give away, you are absolutely entitled to do that. It doesn’t mean it’s wise. It means until you go into the red, nobody can stop you.”

“The second thing I asked them (1:29:10) – **are we legally allowed to take \$8,000 appropriated to the General Fund for cemetery and move it to another line for other expenses** as part of this? – yes, we are.”

More asides and interjections before **Trustee Moir continued** (1:29:51): “The third one I asked them about – I said, if according to the plan we proceed with the steps below that are outlined in our Resolution: **Do we need to have a system for certifying the percentages of time spent working on matters to be paid from Township General Fund and from other Township funds?**” *Additional interjections and debate*. “One said it is not sufficient to just set percentages of salary and certify letters. Your actual time spent has to match up to those percentages. Trustees will need to keep track of their hours, regularly accounting for the percentages spent on each so that you’re able to say the purposes for the funds that were spent. It doesn’t have to be exhaustive, but you need to be reasonably confident in the amounts that match purpose. ...That was for per diem, and I think the suggestion was that we would convert [Trustee salaries] to per diem and then list it.”

Additional debate was held on which funds monies had been moved to, the source of said monies, and proposed means of reimbursement.

Trustee Mucher (1:33:56) said, “We’re having a discussion without any Resolution on the table.”

Trustee Moir (1:34:09) responded, “You guys unanimously agreed that we would get legal advice, and I’m reporting on it.”

Trustee Mucher (1:34:22) advised, “Well, I never saw those reports, and I would have challenged the attorney....[re:] per diem payments to the Board, not yearly salary.” Following **Trustee Moir** (1:34:36) noting the reports had been received earlier this afternoon, **Trustee Mucher** continued, “It worked fine for 5 years and the auditors never said a thing about it.”

Following additional debate, **Trustee Moir** (1:35:36) shared **communication to all the Trustees from Michelle Burns, TLT**, reading in part, “We’re grateful for the support you can comfortably provide. TLT is committed to this project and will continue to raise money to bridge the gap between the original pledge and the \$50,000 being proposed.”

Trustee Moir (1:36:46) added, “Our budget isn’t the size of the Village budget. We’re pretty simple. \$50,000 is the equivalent of the Village of Yellow Springs giving \$250,000. The one we voted on last week, \$113,000 that for the Village would be a donation of \$552,000. ...[Trustee Mucher] says the whole \$488,000 we gave in the past

came from estate taxes. ...I'm going to check, I'll take your word on that until then. That's not the situation we were talking about."

Further debate was held over **budget appropriations and projections**, largely repeated from the May 5, 2025 meeting (1:37:45).

Ms. GunderKline (1:39:41) said, "But it doesn't get divided exactly three thirds of the year. Every place I've ever worked, and I'm only a quarter of the way into this, so...I haven't seen all the ups and downs that happen in the Township specifically, but anywhere else, things are not steady every part of the year. ...There's this big bill that comes in the fall or you pay a lot more for the Village this year because you're paying for AC...those things fluctuate. It's not an even third throughout the year, in my experience."

Trustee Mucher (1:40:16) said, "Thank you for the work that you've done, and your experience, Jeanna. [To Trustee Moir] I more than appreciate the work you've done since you've been on here, on everything. However..." he then reiterated his 28 years of experience with the Township budget process, adding, "No, we're not going to have some big expense. ...We talked about this last meeting: General Funds do not have big expenses. They have fixed expenses. We have salaries, we have electricity, we have the Zoning Office. ...So that's why every quarter, every month you can make an estimate. You can divide those four months by four – gives you a monthly figure and average. You can multiply it by 12 and get a projection for what the year is going to be."

After additional interjections and debate, **Ms. GunderKline** (1:43:07) said, "Well, I'm trying to do that, but it makes me nervous to...I need wiggle room. Like I said, I'm a quarter of the way in and there's a lot of things...last year was kind of a mess, and I'm trying not to have 2025 be that, and I need some grace to keep figuring that out. And taking away all the reserves...I just don't think from a financial standpoint that cutting all the reserves when we're in the tenuous situation we were in along with things that have been brought up at the other meetings of not knowing what's coming down the pike and rising costs and all of those things. It doesn't seem prudent to cut all that out. I know I haven't been here long enough, but I feel like...I definitely would like to have reserve. I think that's just wise."

Further debate was held over **budget appropriations and projections**, largely repeated from the May 5, 2025 meeting (1:44:08).

After additional interjections and debate, resident **Sharon Bonadies** (1:50:52) said to **Trustee Mucher**, "Excuse me a second. It's real important to me that you show respect to her. Your body language and your comments are so disrespectful, and I find it offensive. ...Don't interrupt me. ...Please don't interrupt me, please don't interrupt me and don't interrupt her, and show respect for somebody we voted for." After **Trustee Mucher** interjected, "You don't have the floor," she continued, "I stood up and I'm talking."

Trustee Moir (1:51:43) said, “I would like to propose...a motion to adopt...**Resolution 2025-14, entitled Rescission of Resolution 2025-13** (read in its entirety).”

Trustee Hollister (1:53:03) said, “I **second** that.”

Trustee Mucher (1:53:29) added, “Assuming this passes, I want to make it understood I agree with Trustee Hollister that the project the TLT is undertaking to obtain conservation on prime farmland in the Township is **probably the largest, single most important conservation project that the TLT has entered into for many, many, many years**. It’s been pointed out that if and when the Welch Farm becomes available, it’s going to be potentially...possibly one great big housing development. And the TLT has worked tirelessly to try and get to this point where an easement may be available on all or part of the land. ...And secondly (1:54:44)...**if we renege on this Resolution**, I wouldn’t blame the TLT for not even asking for any money because how could they even trust us to give them \$50,000. We look forward...we can change it at the next meeting. ...So you renege on this, you’re looking at a lifetime of being a flip-flopper.”

A debate was held between Trustee Mucher and Trustee Moir about TLT’s position re: **social media posts** (1:55:51) and the **history of the TLT donation commitment and ARPA funds**.

Trustee Hollister (1:59:22) added, “Michelle’s letter is a tiny bit of the communication that I’ve gotten...TLT feels like it’s been pulled into our kerfuffle. ...**I’ve had two different people pull me over and say money’s not the problem – TLT will find the money**. These are not staff or Board members, these are supporters. I think the community is enthusiastic about this...a significant part of the community...and will rise to the occasion to make up the gap that we will leave after withdrawing from our previous commitment and, I hope, adopting a second Resolution setting a \$50,000 commitment.”

A roll call vote was taken (2:01:12) on **Resolution 2025-14 Rescission of Resolution 2025-13, which passed 2-1**. Trustee Mucher voted no, stating, “I will not take part in having this Township turned into the untrustworthy township in the county. There are concerns about this. Next meeting we’ll probably renege on buying the new ambulance that we have committed to.”

Trustee Moir (2:01:56) said, “Next, I’d like to propose **Resolution 2025-15 Pledge of Financial Support to Tecumseh Land Trust Toward the Acquisition of Conservation Easements** in the amount of \$50,000 (read in its entirety with commentary and interjections).

Trustee Hollister (2:06:08) said, “I **second**.”

A roll call vote was taken (2:06:14) on **Resolution 2025-15 Pledge of Financial Support to Tecumseh Land Trust Toward the Acquisition of Conservation Easements** in the amount of \$50,000, which **passed 2-1**. Trustee Mucher voted no,

stating, “I don’t want to put TLT in the position of not being able to count on the funds from Miami Township because they could be withdrawn at the next meeting. I don’t want to get their hopes up.”

Resident **Barbara Krabec** (2:06:51) said, “I’m very happy with this Resolution. But on the idea of commitments ‘flip-flopping,’ ...that’s what the voters want. Because...they heard the voters, the citizens who were here last week and the week before that and now. So there’s nothing wrong with...that’s what you should be doing is listening to your citizens.”

Resident **Lori Askland** (2:07:43) said, “It’s perfectly normal for somebody to look at their bottom line and make adjustments on discretionary payments that have been pledged but not acted on. ...Your economic situation changes, you get a clearer picture of what you’re actually able to do, and you change it. And I’m really proud of you for doing that.”

Resident **Kelly Ann Tracy** (2:08:24) said, “I’m also really proud of TLT for doing this, and for giving grace to Jeanna to get one more year of a sense of the ups and downs of this particular cycle. So thank you for asking. I know this is something that’s been really important to you for years, and you wanted to be a part of it, and I really appreciate you doing the hard negotiations that were necessary that everybody in the community feels like it’s a win-win...that we can participate, but we’re protecting our fire department and we’re protecting what’s really important here.”

Trustee Mucher (2:09:11) said, “Thank you. Unfortunately, it did not protect our integrity.”

Adjournment

The meeting was adjourned at 7:12 p.m., with the next meeting scheduled for **Monday, June 2, 2025**, at 5 p.m.

Chairperson _____ **Attest** _____

*Acronyms:

- MTFR: Miami Township Fire & Rescue
- MVC: motor vehicle collision
- MVRPC: Miami Valley Regional Planning Commission
- OTA: Ohio Township Association
- GCTA: Greene County Township Association
- RPC: Greene County Regional Planning & Coordinating Commission
- YSDC: Yellow Springs Development Corporation
- GFNB: Glen Forest Natural Burial Committee

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