

**Miami Township Trustees**  
Minutes of June 2, 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.

Acting Assistant Fire Chief Nate Ayers, Zoning Administrator Bryan Lucas, and Recorder Cyndi Pauwels were in attendance.

*Yellow Springs News* Editor Lauren Shows and 19+ others were also present (identified by name below if they signed in and poked publicly).

**Adoption of Minutes**

Trustee Moir **moved** to **adopt the minutes** of May 19, 2025, as presented. Trustee Hollister **seconded**, and the **motion carried unanimously**.

**Payment of Accounts**

Trustee Moir **moved** and Trustee Hollister **seconded** to **pay bills** in the amount of **\$69,042.11**:

- General Fund – \$11,827.06
- Cemetery – \$5,470.58
- Fire Fund – \$46,665.12
- Road – \$5,079.35
  - 2021 – \$2,070.60
  - 2031 – \$3,008.75

**Trustee Mucher** (1:04) stated, “It seems as though I’ve been deemed not qualified to speak on accounting financial matters, I have asked the fiscal officer to employ a private accounting firm to go over our accounts”; therefore, **he will not vote on financial issues**, adding he is “not comfortable certifying any payment of expenses.”

**Trustee Moir** said Ms. GunderKline, with assistance from a local accountant, is making progress in that regard. “I’m not sure what you want the auditor to show.”

**Trustee Mucher** responded, “I want to show how much money we have in each fund.”

**Trustee Moir** clarified, “So you won’t be voting—”

**Trustee Mucher**, “I’ll be voting.”

**Trustee Moir**, “If you’re not signing the checks and you’re refusing to sign payroll, how can you vote on the expenditures?”

After further discussion, the **motion to pay the bills carried on a 2-1 vote**, with Trustee Mucher voting no.

### **Correspondence**

- Leslie Singstock: **Enon Road annexation**
- Barbara Krabec: **Enon Road annexation**
- Jacob Schmidt and Emma Robinow: **Enon Road annexation**
- Kami Berkey and Steve Shaw: **Enon Road annexation**
- Trustee Marilan Moir to Trustees: **MTFR Levy language** from Attorney Jenn Huber from March
- Trustee Marilan Moir forwarded from Sam Scarfo, Greene County: Invitation to participate in **Harbison Road bid**; Trustee Moir asked for information from fellow Trustees – no response
- Trustee Marilan Moir to Trustees: **Resolution of Necessity re: renewal levy** will be on the agenda this week (*see below*)
- Tisa Adkins (3<sup>rd</sup> notice): Miami Township has not registered on the portal for **National Opioid Settlement funds** – *Trustee Moir reported on her findings, noting she and Ms. GunderKline will take care of the matter so the Township can receive any appropriate pay-outs.*
- Greene County Engineer Stephanie Goff: **2025 Chip Seal Agreement**
- Nate Ayers, EAA: **D4H Incident Management Software Collaboration Agreement** – *Acting Assistant Fire Chief Ayers noted that, instead of the expected \$4,000 fee, MTFR only pays a small portion of that collective bid amount, so the cost is \$537.60.*

After thanking all those who communicated re: the pending annexation on East Enon Road, Trustee Moir said it will be discussed later on the agenda.

Trustee Moir then asked Trustee Mucher for the **status of necessary filings for the MTFR renewal levy** (4:49). She said, “I’ve asked for an update from the Chair by email and...received no response to two emails.” Trustee Mucher had no report, and suggested she contact the Board of Elections with her questions.

### **Public Comment on Agenda Items**

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

**Dr. Rosemary Shaw** (9:02) read into the record a prepared statement on behalf of a **group of East Enon Road residents in reference to the Village’s proposed annexation of 84 acres surrounding their homes** (copy on file). She expressed their concerns about the “wide-ranging implications for land use infrastructure, taxation, and the character of both Miami Township and the Village of Yellow Springs.” Dr. Shaw asked, “Why are we fast-tracking something right now when there’s no rush except to not let us have any opportunity for discussion?” On the residents’ behalf, she said, “We respectfully **request a referendum on the current annexation process and a pause on further action until the East Enon residents are fully informed and able to**

**participate** meaningfully in the discussion. The process demands transparency, community engagement, and accountability, especially when it threatens the quality of life, the property values, and the rural identity of our entire neighborhood.”

Other East Enon Road residents spoke in support of Dr. Shaw’s statement, echoing her concerns and adding their own personal history/commentary on the matter:

- **Kami Berkey** (20:08) discussed **easements, right-of-way, and traffic issues**.
- **Peter Backa** (sp) (25:03) raised a procedural point, asking the Township and the Village to **coordinate meeting times** to eliminate any overlap until this annexation issue is resolved in order to allow concerned residents to attend both sessions.
- **Gregory Lind** (26:38) addressed the wetlands involved, and asked **what the residents of Miami Township have to gain from the proposed annexation**. He added, “We have **contacted legal counsel** for a meeting with us on Thursday. We would **ask that this matter be postponed** so that we can have due process rights and bring our attorney to the next meeting.”
- **Leslie Singstock** (27:21) **reiterated the request for a hold** on any action.
- **YS News Editor Lauren Shows** (29:36) asked about “different types of expedited annexations.” She was told **the proposed annexation is a “Type 1.”**
- **Trustee Moir** (30:08) noted the **Township has not been approached by the Village** re: the proposed annexation as of yet. The 30-day countdown to do so started on May 5, 2025.
- **Mike Breza** (30:41) reviewed that **timeline** and the Village Manager’s job in making said notification. **Trustee Moir** added, “We can’t possibly do something tonight we’ve not even been asked to do.”
- **Trustee Hollister** (32:19) reported he had spoken with two Village Council members, but got no direct answers. He reiterated his ORC 709 reference from last meeting, noting, “**We have no power to block an annexation, but we can speak up.**”
- **Lisa Crosswhite** (33:07) spoke on a **letter she received on the matter** that she subsequently posted on [Facebook’s] Open Discussion. “I was asked by a private message from the School Board president to take it down because they wanted it to remain confidential.” She also received a message from the landowner asking her to remove a second Facebook post, stating “there was no 400 houses planned there and there was no contract signed.” Ms. Crosswhite added, “We do need housing, sure, but not this way.”

- **Barbara Krabec** (35:43) spoke to the “**rush,**” noting that was connected to the **housing planned for the soccer fields**, which has now been scrapped due to lack of funding.
- **Trustee Hollister** (36:10), in response to Mr. Backa’s comment, said, “Seven years ago we changed our meeting from 7 p.m. to 5 p.m. so people could go to both meetings. But they started a work session at 6 p.m. or something. ... Your concern has been an issue in the past, and we tried to deal with it.”

When public comments were finished, **Trustee Moir** reported she’s communicated with several of the East Enon Road residents, noting, “I need to get to know that land better.” She agreed **there did not seem to be an emergency** in the process.

In response to the question of **what would the Township gain** from the annexation, **Trustee Moir** discussed the various Township taxes, and asked for input on the taxation totals of agriculture versus residential development. **Trustee Mucher** offered an estimate of a “10-fold increase” because farmland is taxed differently, of which the Township receives only a percentage. **Trustee Moir** added, “I’m not saying that would be motive to do it, I’m just answering the question.”

**Dr. Shaw** (40:54) added her comments on **tax revenue versus quality-of-life issues**. **Trustee Moir** agreed, “It’s a balance.”

A brief **general discussion on the matter** continued for several minutes.

#### **Fire Department Report (51:01)**

Acting Assistant Fire Chief Ayers reported **24 EMS runs** and **7 fire calls** since last meeting. This included **requesting mutual aid** for **3 calls**, for a total of **34 runs**.

#### **Personnel:**

- Acting Assistant Fire Chief Ayers and two MTFR lieutenants will be attending **officer development classes**.
- **Paramedic students** are doing well and on track.

#### **Equipment maintenance:**

- **Medic 81** will be back in service by tomorrow, with a new light bar.
- The Township building’s **fire alarm system damage** evaluation by Koorsen (\$1,961.45) and estimate for repairs (\$10,718) was discussed at length in an effort to determine if repairs would be covered by OTARMA insurance. **Trustee Hollister** then **moved to approve the repairs** (50% up-front) with the understanding Acting Assistant Fire Chief Ayers would try to get a definitive statement from Koorsen on the cause of the surge (lightning?) that resulted in the damage. **Trustee Moir seconded**, and the **motion carried 2-1**, with Trustee Mucher voting no.

The **memorial for Chief Powell** held Saturday, May 31, was well attended. Acting Assistant Fire Chief Ayers thanked Xenia City and Spring Valley for covering MTFR

calls during the service. Trustee Hollister thanked Trustee Mucher for his “heartfelt” comments.

The **Force Holdover Policy/Overtime Policy** will be updated again before further discussion, with Acting Assistant Fire Chief Ayers noting the force holdover is standard practice.

Jamestown and Silver Creek Township, and possibly Cedarville, will provide **stand-by medics for Street Fair**. A brief discussion was held on MTRF costs for Street Fair and their estimates to YS Chamber of Commerce on same.

### **Cemetery and Road Report**

#### **Cemetery:**

Mr. Gochenouer was absent due to mowing duties.

#### **Roads:**

Mr. Gochenouer was absent due to mowing duties.

### **Fiscal Officer’s Report**

**US Bank checking balance 6/2/25: \$431,310.09**

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

### **Zoning Administrator’s Report**

Mr. Lucas reported **no permits** have been issued since his last report.

New members to the **Zoning Commission**, Jane Sweet and Jenifer Adams, attended the May meeting. The monthly meetings have been **moved to the first Thursday of each month** at 7 p.m.

Mr. Lucas presented a **Zoning Resolution text amendment** (Section 502 Accessory Structures) for Trustee approval. When Trustee Mucher noted two others (Section 513/514 Junk and Junk Vehicles, and Section 503 Fences, Walls & Screening) are still with RPC for review, it was agreed to wait and vote on all three sections together.

Mr. Lucas asked the Trustees to **appoint Cyndi Pauwels to take minutes for the Zoning Commission**. Trustee Moir so **moved**, and Trustee Hollister **seconded**. The **motion carried unanimously**.

Further discussion was held on the **procedures for advertising public hearings** for the Zoning Commission and BZA. Mr. Lucas presented three options: 1) continue ads in the *Yellow Springs News*; 2) publish on the Township website only; and 3) publish on the Township website, with *Yellow Springs News* ads at the Zoning Administrator’s discretion. Trustee Moir **moved to continue publishing in the Yellow Springs News**. Trustee Hollister **seconded**, and the **motion carried 2-1**, with Trustee Mucher voting no

because of the expense (1:13:41). Mr. Lucas added that ads are sized by content, not by his request.

Mr. Lucas asked that he be permitted to **attend the second Trustees' monthly meeting when there is a text amendment public hearing** for timing purposes. The Trustees agreed.

He has attended **two RPC zoning trainings**, and completed the training series.

The **newly-formatted Zoning Resolution** adopted by the Trustees on April 21st **went live on May 21, 2025**. Each Zoning Commission member has been provided with a binder containing the full text, and binders are ready for the BZA's next meeting. Mr. Lucas will also deliver a copy along with the Fiscal Officer's certification and payment to the County Recorder. It will be loaded to the website soon.

### **New Business**

Trustee Moir (1:17:12) continued the discussion from earlier re: **the MTRF renewal levy for the November ballot**. She asked Trustee Mucher if the Resolution of Necessity used last time was the simplified version or the more complex received from Attorney Jen Huber.

Trustee Mucher stated he used **Ms. Huber's language**, and that it **had been rejected by the County Prosecutor**. Upon further discussion, he agreed **it had been rejected because of errors in the date (as pointed out by Trustee Moir) and because of errors in the language**, possibly by the Secretary of State through the Prosecutor's Office. When the exact language errors could not be determined, he directed Trustee Moir to the Board of Elections.

Trustee Moir reviewed the levy for the audience, noting it is **a renewal, no new taxes, and represents approximately 40% of the budget – \$580,000**. To the Trustees, she said, "We need to vote that I can move ahead and start working with the County Auditor and Prosecutor on this." Trustee Mucher said, "Just do it. No one voted me to do it the last time." Trustee Moir agreed to do so, adding, "I ask that we all participate and communicate with each other and have all eyes on this."

Trustee Moir (1:20:30) then asked for **clarification on Trustee Mucher's decision not to vote "on anything financial"** until we have an independent audit. What does that look like?" He said an independent auditor from Springfield has helped the Township in the past, "Very satisfied with their work. It's timely and it's accurate." Trustee Moir noted, "It will cost money, but luckily we've reserved...funds so that we have money to pay for it. ...I'm not clear that's what we should be doing now. We're working with a local CPA. I'd like to follow through with that process...before we turn ourselves upside down."

Further discussion was held as to deliverables and related costs, account status, and Trustee Moir's outstanding request to the Western Region auditor for assistance. **Trustee Hollister said he would investigate cost alternatives.**

**Kelly Ann Tracy** (1:25:52) said, “I feel like Chris is absolutely right. I think that if he doesn’t feel comfortable, ...it should be very clear exactly how much we have. But my concern is you all ...were comfortable enough to give away \$50,000, were comfortable to give \$113,000 away, and now all of a sudden. we have to have a full audit to see if we can even pay...and a refusal to sign anything whatsoever. I mean, that’s extremely alarming.”

**YSN Editor Shows** (1:26:57) asked, “At this moment, people are still getting paid?”

Trustee Moir responded, “**People are still getting paid and bills are still getting paid** because Don and I are willing to. ...I assume that if I got hit by a bus tomorrow, Chris would come around and sign the paychecks.”

At 1:27:42, Trustee Moir asked Trustee Mucher about his refusal to sign **Resolution 2025-15 Pledge of Financial Support to Tecumseh Land Trust Toward the Acquisition of Conservation Easements in the amount of \$50,000** before it is sent to the County Auditor as required so it can go before the Budget Commission. He responded, “It has to do with spending money that I’m not convinced we have because I have been considered to be not competent in knowing our Township finances. ...Until we receive from the independent auditor that we actually have funds available to make our commitments, I can’t support making those commitments.”

## **Old Business**

Trustee Hollister (1:29:31) offered a report on the May 21st community input meeting regarding **the solar exclusion zone south of the Little Miami River**. He reviewed the history of **Resolution 2023-29** establishing same which expires July 27, 2025. Thirty-one people signed in to the meeting and offered comments for two hours (video available). He said “Most of the the people were for continuing an exclusion,” and offered a Resolution to establish one.

Discussion was held as to the timing of the Resolution’s presentation as it did not meet the agenda deadline, and the full text was presented to all the Trustees only a few minutes before tonight’s meeting began. Trustee Moir said, “I’m sorry to see that you didn’t put it on the agenda. If you had, I was going to ask for more time. I listened very carefully [May 21]... I’ve made several meetings with [citizens from the solar groups].” Re: the 31 people in attendance at that meeting, she noted, “We received...multiple emails from people who were against the permanent exclusion zone.”

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

**Kathy Garrison** (1:34:49) asked Trustee Moir, “What will more time do for you?” She responded, “Maybe nothing,” but reviewed the proposal for a solar field in the northern end of the Township, SB 52, and “fossil fuel industry-backed legislation.”

**Trustee Moir** (1:36:07) added, “I have empathy for you guys. I also have empathy for the people who...do have a lease with Vesper and didn’t get to do what they wanted to do. I’m really torn over this, so I don’t know what [a delay] will do for me.”

**Trustee Hollister** (1:37:22) admitted his lapse at not adding the Resolution to the agenda, saying, “We sort of all knew it was coming.”

An extended discussion was held on **agenda/Resolution procedures** past and future possibilities, with a general agreement that changes would be good.

**Kathy Garrison** (1:39:47) said, “**We’re still in limbo**, we’ve been in limb for a long time. It’s very difficult. And the people you talk to – I wonder if they are directly affected as we are.”

**Jenifer Adams** (1:40:42) said, “It feels as though, Marilan, you’re dragging your feet because you didn’t get the input from the right people that you hoping for from the meeting...and I say that because you pushed...for the meeting even though the County said we didn’t need to have the meeting. So Don acquiesced...you had an excellent turnout, and you got input. **I don’t think you liked the input and therefore you’re dragging your feet.** ...This has dragged on and on and on, and this just feels like another ploy by Marilan to draw it out longer so that Vesper has more time to get their project together.”

Vesper’s **Aviation Energy** proposal was discussed briefly.

**Kate LeVesconte** (1:43:41) said, “**I’ve talked to multiple landowners who would have liked to put solar on their land and haven’t been able to...that might help them keep their farm.** ...I consider your point of view about your viewshed important, and I consider their view about their land and how they get to keep their land and what their landowner right is...and I consider that important as well.”

**(unidentified male)** (1:44:36) responded, “Land owner rights get thrown around a lot. It’s zoned [Agriculture], and to try to claim solar farms is truly a stretch.” He noted the “**overwhelming turnout**” at the OPSB hearing as well. “**I don’t know how many people have to come to the plate for this. ...I would think that we’ve already established the fact that we do not want this, a huge majority of that community that is actually affected by this does not want this.** You keep talking about going north where people are more amicable about this, and in my eyes, that’s a win for everybody. Let them.”

**Trustee Hollister** (1:46:18) clarified the **location and size of the proposed exclusion zone** as well as the two-year time frame since Trustee Mucher stated earlier he would not support permanent.

**Trustee Mucher** (1:48:18) added, “We’re not compelled to make a decision,” the OPSB will decide.



**Bella Bogin** (1:48:33) stated, “The OPSB already has a very rigorous process of approving these projects where...community input is one of three pillars they listen to very much. ...**an SB52 ban puts a blanket ‘no’ over all renewable energies here in our county, and I don’t know if that’s a good way to do things.**” **Trustee Hollister** (1:49:04) clarified, “It puts a ban over a certain size.” **She continued**, “Other counties that have these are not like Yellow Springs at all. These are the most conservative counties in Ohio...and I just don’t think we should be **utilizing this law that doesn’t affect dirty energy at all.**”

**(unidentified male)** (1:49:15) noted, “We keep talking about ‘dirty energy’ ...We’re talking about **fracking and oil and this and that**, but they’re not knocking on our doors. ...That’s a fight for another day.”

**Jenifer Adams** (1:50:43) said, “**This does not shut the door on solar as a whole for Miami Township.** It is only for those projects that are 50 megawatts or greater, and it is only for the area south and east of the Little Miami River. ...It would not impact the layout of Aviation Energy. ...It does, however, protect those who have already gone through this for years now, since 2017, who have shown up time and time again...to provide their feedback, to include overwhelming numbers that...the OPSB demanded, and in overwhelming numbers at the town hall in Greene County.” She referenced the potential expense involved in intervening at OPSB, with Ms. Bogin’s interjections.

**Trustee Hollister** (1:53:57) asked, “Chris, do you want to say anything?” **Trustee Mucher** responded, “No, I think you’re on the right track.

**Trustee Hollister** ended with, “In the spirit of trying to get as much...support within the Board, **I’ll bring this up in two weeks. ...I’d like 5 years [exclusion],** I like Kelly Ann [Tracy]’s suggestion that 2 years in pretty minimal,” adding he would **revise and circulate the proposed Resolution.**

**(unidentified male)** (1:54:17) added, “I know the word ‘permanent’ gets kicked around. ...I just feel like everyone’s scared to death of making it permanent. **I doubt much goes on in here that is ‘permanent,’ that can’t be reversed if it really came to it.** ...That’s just a thought.”

## **Adjournment**

The meeting was adjourned at 6:58 p.m., with the next meeting scheduled for **Monday, June 16, 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

/clp