

Miami Township Trustees
Minutes of September 3, 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, Fire Chief James Cannell, Zoning Administrator Bryan Lucas, and Recorder Cyndi Pauwels were in attendance.

Yellow Springs News Editor Lauren Shows, residents Lori Askeland, Kami Berkey, Mike Breza, J.D. (sp), Ralita Hildebrand, Monica Hohl (sp), R. Hohl (sp), Jimmy Kingsolver, Barbara Krabec, Leslie Singstock, Fred Stockwell, Kathy Stockwell, Jane Sweet, KellyAnn Tracy, and several others who did not sign in were also present.

Adoption of Minutes

Trustee Hollister **moved to adopt the minutes** of August 18, 2025, as presented. Trustee Moir **seconded**, and the **motion carried unanimously**.

Payment of Accounts

Trustee Hollister **moved** and Trustee Moir **seconded to pay bills** in the amount of **\$71,516.68**:

- General Fund – \$9,622.41
- Cemetery – \$8,157.17
- Fire Fund – \$21,559.27
- Road – \$32,177.83
 - 2021 – \$30,013.90
 - 2031 – \$2,163.93

After Trustee Moir asked for clarification on **two charges to GoDaddy**, and Trustee Mucher said they were for **domain name renewals**, the **motion carried unanimously**.

Correspondence

Trustee Moir reported on an email from the Greene County Prosecutor re: the **Purdue Pharmaceutical class-action case**. The Township had previously accepted a settlement agreement, which was thrown out, and a new acceptance is needed. Mr. Hayes recommends a “Yes” vote before the September 30, 2025, deadline. The matter will be voted on at the next meeting.

In response to the several **public records requests** received recently from both in-house and from the general public, Trustee Moir shared the current Township policy and noted she could find no information on who had been appointed as **Custodian of Record to handle them**, even though it has been generally assumed the Fiscal Officer would do so. Ms. GunderKline said she has been responding to said requests, but hopes the Trustees would assist when historical information or documents other than financial are requested. After a brief discussion, it was agreed the policy will be reviewed.

Trustee Mucher reported on an email from Tecumseh Land Trust noting the **sunflower field** will be in full bloom soon; however, he said it appears no signage, traffic control, etc., as in previous years has been planned. Trustee Moir noted the Chamber of Commerce handled those matters last year under an agritourism permit. Mr. Lucas will check into it.

Public Comment on Agenda Items

Due to the number of assembled residents, Trustee Hollister **moved** to address the **Village annexation request for East Enon Road** listed under Old Business at this point in the meeting. Trustee Moir **seconded**, and **the motion carried unanimously**.

Before opening the public discussion, Trustee Mucher reviewed the proposed agreement and shared several related sections of the Township's **Comprehensive Land Use Plan (CLUP)** before adding the CLUP "does not address annexation per se." After remarking on previously-stated concerns re: **the urban service boundary and drainage issues, as well as frontage and ingress/egress**, he noted those items are formally addressed in the development stage, not annexation. He finished by stating that, as things stand now, **he is against the proposal**.

Trustee Hollister agreed with Trustee Mucher's assessment, adding his concerns re: the **Jacoby Creek watershed** and potential **sanitary sewer issues**.

Trustee Moir expressed her agreement in general as well, noting several emails received with concerns about "**uncontrolled sprawl**." She added the importance of **weighing property values/rights with the common good**, and questioned **why this property would be annexed before development concerns were discussed**. If the Trustees agree to the proposal, the annexation proceeds as an "**Expedited 1**" with **no future hearings**, etc. If not, the project falls under "**Expedited 2**," in which case the Greene County Commissioners may take public input (but possibly not open meeting commentary) before making a final decision.

Trustee Mucher noted the "building boom" in the Village and its possible **effect on MTRF services**.

Following are residents' comments, in summary and paraphrased; no time-stamp included due to technical issues; see the posted video for the complete discussion.

Ralita Hildebrand thanked the Trustees for sharing residents' **concerns over Jacoby Creek**, noting the extensive efforts Agraria has gone through to preserve it.

James Kingsolver said he has an easement at his farm on areas that would be adjacent to ingress/egress, adding that the **Village is "not doing their due diligence"** in reference to the **watershed, pollution, and potential pesticides** flowing into Jacoby Creek. In response to Trustee Moir's "Why now?", he stated

that Village Manager Burns told him the **annexation has been advanced due to a proffered donation of 3 acres of land** to the schools for a new soccer field. Mr. Kingsolver added, “We need the Township to protect the wetlands and Jacoby Creek.”

Derrick Muncie (sp), representing several of the affected residents, addressed the “Why now?” question as well, noting the **Expedited 1 status would “strip” the residents – and the Trustees – of any future rights re: the land in question.** After noting that Village zoning is less restrictive than the Township’s, he pointed out that the **Village is currently revising its zoning regulations re: PUD**, and while “not nefarious,” makes any objections deal with a “moving target.” He suggested the Township would be well served to retain what challenge rights they can by rejecting the proposal.

Yellow Springs News Editor Shows asked Mr. Muncie for **clarification of the three (instead of two) Expedited categories**, which he provided for 1 and 2 (3 is uncommon) as summarized above.

Ms. Shows then asked the Trustees if they had **agreed to the earlier annexation further north on East Enon Road.** Trustee Mucher said **they had, but that it was a very different situation.** That land had been zoned industrial for ~60 years, the request met the CLUP goals, and it had little opposition.

Kami Berkey added her appreciation re: the Trustees’ shared concerns for Jacoby Creek. She reiterated the residents’ **development concerns**, noting there are options – suggesting maybe some of the residents would want to get together and buy the land versus a big developer.

Jacob Schmidt asked **if Trustees’ and residents’ concerns could be added to any Greene County Commissioners’ deliberations.** Trustee Mucher said probably on an Expedited 2 proposal, likely in written form/as statements only. He added that **the place for residents’ pressure is at the Village Council level.**

Barbara Krabec asked if the annexation was not a “done deal,” and when told it was not, noted that **the 3-acre donation “doesn’t matter anymore”** as the previous affordable housing proposal for the current soccer fields is off the table.

Mike Breza said that, as an adjacent landowner, he had been **approached by the Joneses to sell part of his land to add to their ingress/egress portion;** he declined. He also pointed out the **damage that would be done to the new Agraria walking trail** if the land were developed.

There being no further comments, Trustee Hollister **moved to not enter into an annexation agreement** with the Village of Yellow Springs for the 84.115+/- acres on East Enon Road owned by the Joneses, and Trustee Moir **seconded.** The **motion carried unanimously.**

Fire Department Report

Chief Cannell presented his written report of **MTFR activity**, noting the improvement from July's 32% 3-versus-2-man coverage, to 65% in August. They also attained 24/7 paramedic coverage in August.

The **old tanker was sold** today.

At Chief Cannell's request, Trustee Mucher **moved** for an **Executive Session** pursuant to ORC 121.22(G)(1) to "consider the appointment, employment, dismissal, discipline, promotion, demotion, or compensation of a public employee." Trustee Moir **seconded**. The meeting recessed at 5:55 p.m., and reconvened at 6:01 p.m.

Trustee Mucher then asked for a motion to **adjust a former MTRF employee's vacation pay-out total from 158.72 hours to 223.4 hours** due to a confusing policy change last year. Trustee Hollister so **moved**, and Trustee Moir **seconded**. The **motion carried unanimously**.

Chief Cannell presented **Resolution 2025-26 To Amend Permanent Appropriations (General Fund, Special Levy Fire, EMS Revenue)**. Trustee Moir reported that **MTFR is in "great shape culturally, procedurally, and fiscally,"** and commended Chief Cannell and Captain Ayers for their work with Consultant Frederick Kauser to make that happen by: canceling unused contracts, securing new vendors, returning to the previously abandoned drug package, and creating their new staffing structure. She then read aloud the accounts and totals to be amended before **moving** for its acceptance. Trustee Hollister **seconded**, and the **motion carried unanimously**.

Ms. Askeland asked **why the Resolution had not been included in the agenda packet**. Ms. Pauwels said she had not received a copy in time, noting the new agenda procedure is still being worked out.

Cemetery and Road Report

Cemetery:

No report due to Mr. Gochenouer's absence.

Roads:

No report due to Mr. Gochenouer's absence.

Fiscal Officer's Report

2025 mid-year Appropriations Amendment for General Fund – **see Resolution 2025-26 above**

Ms. GunderKline asked if current **AES service at the Clifton Firehouse** is still Township responsibility given the termination of the lease agreement on May 5, 2025. Trustee Moir said it was not, after what should be a final statement in June or July.

Captain Ayers has discovered a **Township PayPal account**. Since he was able to recover password access, it may offer a route for residents to make credit card payments to the Township.

US Bank checking balance 9/1/25: \$663,171.00

StarOhio investment account balance: no August statement received yet

Zoning Administrator's Report

No permits issued in August.

- **Board of Zoning Appeals** met on August 20, 2025, and **approved an area variance for a property on E. Hyde Rd (in the Vale)**. The dwelling in question currently sits 32 feet from the rear property line and the applicants asked for a variance to build a 450 SF addition which will bring the dwelling 23 feet from the rear property line. The rear set backs for a dwelling in a R1B district is 40 feet. The property to the rear of the applicant is an 81 acre lot that is wooden and has a significant downward slope. The applicants are getting up in age and are planning to move into the addition and allow one of their children to take over the primary living space.
- **Zoning Commission** met on August 7, 2025, where they received a **presentation by Michelle Hudnell from Greene County RPCC**. She discussed the 12-month plan to use recently awarded Ohio grant money to make upgrades to the zoning resolution and outlined the proposed timeline for utilizing the Zoning Resolution Grant money:
 - September – review 5 revised sections
 - October – review 4 revised sections
 - November – review 6 revised sections
 - December – review 3 revised sections
 - January – Open house to hear concerns of residents
 - February – review and edits amendments based on results of open house
 - March – ZC meeting to finalize and forward to RPCC
 - March – RPCC executive committee and full board votes to approve
 - April – ZC public hearing and forward to Trustees
 - April 20 – Trustees public hearing and resolution
 - May 20 – New amendments go into effect
 - June 1 – Grant is finalized with State of Ohio

Trustee Moir asked **how the public would be able to provide input**, given the accelerated schedule. Mr. Lucas said the proposed items can be **listed on the website**, and then all proposals will be available for **public discussion at the January open house**.

Zoning Commission member Greg Schrader has resigned, effective after the August meeting. Mr. Lucas recommended **appointing Alternate Jenifer Adams to finish out his term** (which expires in at the end of December 2025). He noted that while Ms. Adams and Ms. Sweet were appointed alternates at the same meeting, and that he values Ms. Sweet's active participation, Ms. Adams brings more experience to

the table. After a brief discussion, Trustee Hollister so **moved**, and Trustee Moir **seconded**. The **motion carried unanimously**.

Trustee Mucher asked if the Zoning Commission would be able to take on a **review of the CLUP** in the foreseeable future. Mr. Lucas said the matter had been mentioned a few months ago, but given the extremely tight grant schedule and other more important matters, it **probably can't happen before the end of next year**.

New Business

- Trustee Mucher shared a **request from the Yellow Springs Senior Center (YSSC) for ongoing funding**, noting he has asked how much the Village will be contributing in the hopes any Township support would be proportional; however, he has not received a response. He is **not comfortable moving forward without that information**.

Trustee Moir said she had spoken with a Council member(s) and believes their support will be a “fairly high number.” She added that she feels the Township needs to focus on delivering the services it is responsible for before donating to other worthy organizations, noting an upcoming need to replace Trustees’ computers and to fill gaps in MTRF equipment maintenance. **“The best thing we can do for the YSSC is to do our job well.”** She suggested that during the next budget process, the Trustees look to **establish a discretionary fund** with an appropriate balance to handle such requests, noting she has been “guilty as well” of approving donations without such procedures.

Trustee Hollister **volunteered to review previously-approved donations for a total given and to whom**, noting the Greene County Commissioners make a lump-sum donation to the Greene County Foundation (GCF) for controlled distribution.

Ms. Askeland added the GCF method allows **an organization with grant experience and processes to handle those discretionary funds** per appropriate metrics.

The matter will be addressed again when the Village contribution is known.

- Trustee Mucher combined the next two agenda items (**Consideration of mileage and meal reimbursement for Trustee service to Ohio Cemetery Dispute Resolution Commission (OCDRC)** and a **draft Resolution for Policy Update for Travel Reimbursement** proposed for consideration of a vote on September 15. He began with a history of a “dysfunctional township board” (Sugarcreek). Trustee Mucher then stated at length his feelings of being **“insulted” by another Trustee acting as “judge, jury and executioner”** in regards to his requests for reimbursement – specifically for his work with the OCDRC.

Trustee Mucher expounded on his service to the Township, shared that he found it “disturbing” how many elected officials are “me-me-me” versus public service, and stated, **“I don’t do it for the money.”** He suggested a change to the Miami Township

Personnel Policy and Procedure manual that “I wrote in 1999” to remove reimbursements, and said, following the example of one of the aforementioned Sugarcreek Township Trustees, **“I will not accept reimbursement for anything.”** He repeated his claim of being insulted, of his “worth” and “value” being questioned, and ended with, **“I’m not doing this”...“Nobody on this Board has done more service than me.”**

Trustee Moir said it was **not her intent to eliminate reimbursements**, noting the proposed Resolution amending Township policy was presented “as suggested to us.” She added, “I don’t disagree with your worth... or service.” Trustee Moir then explained her opinion that **reimbursement for service on the state-level OCDRC should be made by the State**, as allowed, and **not by the Township** since service there is a state appointment not directly under Trustees’ duties. She shared the criteria (citing the *Ohio Township Handbook* at 1957 Op Att’y Gen. No. 1957-243) to be used in determining expenses are:

1. actually and necessarily incurred
2. made in the performance of a public duty
3. in furtherance of a definite project or undertaking (then or now), or in immediate contemplation thereof
4. necessary for the benefit of the political subdivision
5. in the performance of a duty enjoined or authorized by law

Trustee Moir restated her view that **OCDRC travel did not meet #4**, and explained her position at length, with several interruptions.

Trustee Mucher **strongly disagreed** and shared his opinion that his OCDRC work was **of value to his management of the Township’s cemeteries**. He noted an earlier verbal opinion from OCDRC personnel that his travel could be requested from either jurisdiction and that, **because of the more complex State reimbursement system**, he chose to file his requests with the Township.

Trustee Hollister said he believed the discussion addressed **two separate issues**: a needed **review of Township policy**, which he supports; and **the specific reimbursement in question**, adding that since Trustee Mucher said he would no longer accept reimbursements, that was “almost a moot point.”

Trustee Moir disagreed that the matter was moot, and **moved to not reimburse Trustee Mucher for his OCDRC-related mileage and meal expenses**. The **motion died without a second**.

Ms. Askeland offered her experience with organizational reimbursement policies, noting it is **“very common practice” for them to be approved only when specific to the work of the organization, not as tangential education benefit**. She did not see the denial as an “insult” to Trustee Moir, noting that as the OCDRC work was done for the State, it should be reimbursed by the State.

Trustee Mucher said there is **no provision for prior approval** as has been suggested.

Trustee Moir disagreed, saying, **“We just don’t do it.”**

Trustee Mucher offered his **“different interpretation,”** saying he had discussed the matter with Greene County Prosecutor Hayes.

Ms. Tracy thanked Trustee Moir for her **“fiscally responsible” proposal** in the presented Resolution, adding that expecting the Township to pay for State services was not fiscally responsible. She then asked **if**, in light of Trustee Mucher’s decision to not take further reimbursements, **he would still accept his health benefit reimbursements and pension.**

Trustee Mucher said that was **not an appropriate question** and ended the discussion.

Trustee Moir added that she **“absolutely feels” he should be reimbursed** for the work he does for the Township.

Ms. Askeland stated there is a **difference between judging** someone’s actions and holding them **accountable.**

Old Business

Village annexation agreement – see **Public** section above

Adjournment

The meeting was adjourned at 7:16 p.m., with the next meeting scheduled for **Monday, September 15, 2025**, at 5 p.m.

Chairperson _____ **Attest** _____

***Acronyms:**

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

/clp