

Miami Township Trustees
Greene County, OH
Minutes of May 18, 2026

**see acronym glossary following minutes*

Call to Order

The meeting was called to order at 5:03 p.m. by Chairperson Moir, with Trustee Mucher and Trustee Askeland present.

Fire Chief James Cannell, Fiscal Officer Cyndi Pauwels, and Road Department Supervisor Dan Gochenouer were in attendance.

Yellow Springs News Editor Lauren Shows and residents Peter Buswinka and Fred Stockwell were also present.

Trustees Agenda Approval

Trustee Askeland **moved** to approve the agenda as presented, and Trustee Mucher **seconded**. The **motion carried unanimously**.

Adoption of Minutes

Trustee Askeland **moved** to **adopt the minutes** of May 4, 2026, as presented, and Trustee Mucher **seconded**. Mr. Buswinka noted corrections to the attorney letter mentioned, adding names and proper spelling (letter was from Chris Rolitsky and Mr. Buswinka, via Attorney Derek Muncy). With those correction noted, the **motion carried unanimously**.

Correspondence

Ms. Pauwels presented a claim letter from State Farm Insurance asking for repair/replacement amounts for a **stop sign hit by a motorist on March 19, 2026, at Clifton and Grinnell Roads**. Mr. Gochenouer advised stop signs are a Greene County matter. Ms. Pauwels will notify State Farm.

Citizen Concerns

No comments

Fire Department Report

Chief Cannell thanked KellyAnn Tracy for organizing a **cookout for all the firefighters last week in anticipation of EMS Appreciation Week** May 17-23. It was much appreciated. Mayor McQueen stopped by during the event.

Chief Cannell then presented his regular report (**below**).

He requested approval **to hire Madison Terry**, a graduate of the Columbus Fire Cadet program and classmate of recent hire Zion Robinson, **as a part-time FF/EMT, effective today**. Trustee Moir so **moved**, and Trustee Askeland **seconded**. The **motion carried unanimously**.

Cemetery and Road Report

Cemetery:

Mr. Gochenouer reported **two (2) traditional burials** since last meeting, with two (2) more this week.

Foundations have been laid, and **mowing** is underway.

Roads:

Mr. Gochenouer reported crews are working on **ditch mowing**.

He asked Trustee Mucher if he had any update on the **Harbison Road grant**. Trustee Mucher said he spoke with Samantha Marlow at the Greene County Engineer's Office who is waiting to hear on final approval.

Fiscal Officer's Report

Presentation of Payment Listing for 5/4-5/15/2026: **\$104,714.77**

Ms. Pauwels directed the Trustees to documents received from the US Bankruptcy Court, Southern District of New York, re: the **Purdue Pharmaceutical opioid settlement**. It doesn't appear any action is needed from the Township. She will leave a copy in the **newly-designated correspondence tray on the copier table** for them to review. After they read and initial it, she will file it away.

Standing Committee Reports

- Miami Valley Regional Planning Commission (MVRPC): Trustee Moir reported most projects are on hold, and discussion centered on a **health insurance consortium** that she will continue to research.
- Greene County Regional Planning & Coordinating Commission (RPCC): Trustee Mucher reported they **reviewed two (2) subdivision proposals**, one each from Beaver Creek and Sugar Creek Townships.
- Clifton-Union Cemetery Board: Trustee Askeland reported the Committee will meet **Tuesday, May 19, 4 p.m., at Pitchin** in Green Township. They have reviewed and are addressing audit findings with their newly-appointed Fiscal Officer.
- YS Development Corporation (YSDC): Trustee Moir reported the Committee is **interviewing business tenants for the hardware building**. They have completed **\$40-50,000 in upgrades** to the building. The Township's second Committee seat, **an at-large position, remains open**. A brief discussion was held re: Trustee Askeland and Moir possibly swapping committee assignments on YSDC/MVRPC.
- Greene County Township Association: Trustee Askeland reported **the property tax issue** was the main topic; however, she felt the presentation by a group of primary-election candidates was very partisan.
- YS Active Transportation Committee: **no report**

Old Business

- Trustee Moir **withdrew the proposed discussion about requesting the Zoning Commission review specific topics** addressed in the recent text amendment. Mr. Lucas has advised her they are **already on board** to take on that task.
- Trustee Askeland provided an update on the **upcoming domain change** for the Township website and email. **The move from .net to .gov will take place June 1, 2026**, will provide great security and user confidence. She suggested all staffers add an auto-reply email announcing the new changes. She is arranging the approved *Yellow Springs News* ad and a Letter to the Editor that she will also share with the schools, Yellow Springs Community Foundation, and the Village.

Trustee Mucher added that the Village would probably add a note in their *Grapevine* newsletter. He asked about the previously-discussed postcard mailing. Trustee Askeland said that after further consideration, she had decided it was not cost effective; the money will be better spent on the *YSN* ad. She will also notify the Village of Clifton and possibly post an announcement at their mailbox location.

- Following a brief discussion, Trustee Moir **moved to provide reimbursement to KellyAnn Tracy for EMS Appreciation Week expenditures, with receipts, up to \$400**. Trustee Askeland **seconded**, and **the motion carried unanimously**.
- After referencing a **May 14, 2026, letter from Greene County Prosecutor David Hayes titled “Re: Medicare Premium Reimbursements,”** Trustee Mucher **moved to waive confidentiality** on its contents. Following a brief discussion, Trustee Askeland **seconded**, and **the motion carried 2-1, with Trustee Moir voting no**.

The following text is a summary of the lengthy, wide-ranging discussion that followed. See the meeting video for specifics beginning at timestamp 33:05. The text is longer than usual given Trustee Mucher’s request at the end of the meeting (see below).

Trustee Mucher noted two (2) specific points from the letter:

- Ohio state audits in other jurisdictions on similar situations had **raised no “dings”**
- A **suggestion to consult a tax attorney**, following which he asked the Trustees to do so

Trustee Askeland stated the reimbursement practice followed by the Township for a number of years was found to be **“illegal” under Ohio law, and it raises Medicare issues and with federal agencies**. “They are not prosecuting it, but that doesn’t mean it can’t be prosecuted.” She added, “Other townships [may] have found a way do it legally. There are ways...we don’t have those in place,” and disagreed with continuing the discussion by consulting a tax attorney.

A debate ensued over the **potential illegalities and differing interpretations of the Prosecutor’s letter**.

Trustee Askeland noted the Township medical insurance provider agreed with the letter. “We don’t have a Resolution [permitting it] and **we certainly can’t do it retroactively.**”

Trustee Mucher said, **“We can do it retroactively, we have a Resolution. There’s no question about that.”** He stated he had spoken to three (3) different people in the insurance company office and received “three conflicting responses.” He added he never got an answer from them about his questions re: coverage. Trustee Moir noted that information is in the plan outline provided to all employees considering coverage.

Trustee Moir said (38:33), **“I’m not in favor of taking this any further.”** When Trustee Mucher demurred, she added, “I don’t agree with your interpretation.”

Trustee Mucher then stated, **“I’m sure it’s well known that Marilan made the decision to stop my reimbursements** for...my family’s medical insurance premiums on her own.”

Trustee Moir interjected (39:15), **“Slander. ...The attorneys gave us that advice.”**

Trustee Mucher replied, **“The attorneys suggested it. ...They said we should consult a tax attorney for a definitive opinion because this refers to only one IRS notice that nobody has ever heard of. ...I have been for whatever reason financially punished to the tune of \$6,558. Now I’m sure to Lori and Marilan that’s just a drop in the bucket. But to me, that’s money I need to pay my income tax, and to pay my now going-forward Medicare premiums.”**

He continued, “Does that mean now we’re going to go back 15 years and take Lamar Spracklin and...Mark Crockett and Don Hollister...and **we’re going to pursue the reimbursement of all those expenses from each one of those people?** ...Our Fiscal Officer never mentioned it at any time from whenever she got that information, let’s call it five (5) years ago, that the Township couldn’t pay [Medicare premiums] out of Township funds. ...**it’s in the minutes: we had to pay it out of pocket and then put in for reimbursement. That’s what I did.”**

Trustee Mucher stated, “We want to keep saying resolution, resolution, resolution. **No one ever notified us that we had to make a Resolution to pay out-of-pocket premiums.** Never.”

Trustee Moir corrected premiums to “Reimbursements. **It’s either/or. You’re either on a group plan or you’re reimbursing people for premiums.”**

Trustee Mucher interjected (43:33), **“Are you asking me to yield the floor, or are you going to just jump in?”**

Trustee Moir said, “You asked me a question. ...Sorry. Go ahead, take the floor.”

Trustee Mucher continued, “It’s **an insult to my position and my dedication to this Township for over ...29 years now** that you would be so small and so unfair to somebody who’s only asking to be covered by the same envelope of medical insurance coverage...that everybody else who works for the Township has. ...**I have to pay for it**

myself because I didn't know any better. ...And you two (2) won't even provide an avenue of expertise from a tax lawyer, which has been recommended three (3) times by our attorneys. I'm glad you think you know more than they do."

Trustee Moir asked, "Are you done?" When Trustee Mucher responded, "Yes," she continued. **"I have a completely different reading.** I'm sorry that due diligence was not done 10 years ago or whenever this started. It is illegal. **It is unlawful to have both a group insurance plan and to reimburse people for insurance premiums outside the plan. The letter clearly stated that – it's either/or.**"

When Trustee Mucher interrupted (46:24), Trustee Askeland stopped him, saying Trustee Moir had not yielded. He asked, "Oh, are you running the show, Lori?" She replied, "Well, somebody's gotta referee." He answered, "She's the chair."

Trustee Moir resumed, **"This is not a punishment. It's something I stumbled upon when researching our new Trustee's situation, when I found out we are not compliant with the law by far on so many counts.** It is not lawful to have both a group insurance plan and a third-party reimbursement." She went on to explain the parameters under which such an option could be implemented, noting "It has to be offered as policy to everybody who walks in the door." Trustee Moir finished with, **"To go back and retroactively...to repay what you spent this year is like saying, it wasn't legal, but let's go ahead and reimburse him.** ...I wish we could. I really do. \$6,000 is a lot of money to me."

After confirming Trustee Moir yielded, Trustee Mucher said (49:07), "We don't know whether it's legal or not because **you both are refusing to allow us to go to a...tax attorney to get an opinion.**"

Trustee Moir stated (50:02), **"Our attorney said we can't do it this way.** You have to have a Resolution and **it has to comply with a lot of different parameters,** and it's impossible, given the size of our Township, given where we are right now. We can't."

Trustee Mucher asked, "So now **you're saying it's impossible for me to receive the same benefit as every other employee** in the Township?"

Trustee Moir replied, "Chris, you're not receiving the same benefit. We're receiving the group health insurance plan. **You are receiving complete premium reimbursement...**[and] how **you also have a supplemental insurance plan** that we've somehow been reimbursing is beyond me."

Trustee Mucher said, "Members of the Board were certainly happy when people who were over 65 made the choice to go on Medicare because **it saved the Township between \$8,000 and \$10,000 a year.**"

Trustee Moir noted, "It is a really nice savings. **It wasn't lawful. ...going forward, we have the option of offering people an opt-out incentive, not to reimburse**

premiums...and there's parameters and limits on that. We can offer that to you, but we cannot reimburse premiums."

Trustee Askeland added (52:15), "Under Medicare rules, **we can't incentivize going on Medicare**. And that's been in place since 2014...with the ACA (Affordable Care Act). ...But **not in middle of a term**, because people's compensation...can only be voted on before they run for office."

Trustee Mucher said, "Well, since it's my \$6,558 that I'm in jeopardy of losing, I would certainly **like to have a legal opinion from someone who is qualified to interpret the IRS notice** that you've referred to."

Trustee Moir noted, "The **first part of the letter was no, you can't do it**. But there's this tax thing. **If you had this idea in your head that you were going to try it anyway, talk to a tax attorney**. That's how I read it."

Trustee Mucher said, "When you're dealing with the precedent of over ten (10) years of Board action, and then decide to stop...**had it not been personal, you should have waited until...my last reimbursement and say, 'Okay, we're making a policy. No more.' I can live that.**"

Trustee Moir said, "**I didn't make the decision I was told by an attorney to stop doing it.**"

Trustee Askeland added, "We're not making a policy. **We're acknowledging that there is no policy, and we had no policy that would justify doing what we were being requested to do.**"

Trustee Mucher said (56:45), "I thought you'd agree that we could get a legal opinion and get a final answer on this. But...**this is obviously some kind of personal vendetta** that you've got."

Trustee Moir: "**Slander again.**"

Trustee Mucher, "Or, you know, if it quacks like a duck... Unfortunately, **I see it as being personal**, and I believe you're really doing a...disservice to the Board of Trustees. To me personally. ...**I think you should be ashamed of yourselves.**"

Trustee Moir: "**I don't care if you think I should be ashamed of myself. You're asking me to break the law for you.**"

Trustee Mucher (1:00:50): "It's just very interesting that **you didn't even think about this until Don Hollister was no longer on the Board.**"

Trustee Moir: "**That's exactly when Lori Askeland was coming onto the Board, and she had a husband who was on Medicare.** ...so I said, 'Is he also eligible?' ...I looked

it up...and that's when I came to [the Board] and said... 'I don't think we've been doing this right all along. **Do I have your permission to run this by our attorneys at the Prosecutor's Office?**' ...They came back with a halt."

After **Ms. Pauwels clarified there was no vote or motion made to consult a tax attorney**, Trustee Mucher said (1:03:33), "Okay, I'd **make that motion because I'm sure the judge in Common Pleas Court is going to be interested in the motions that have passed.**"

When **the motion died without a second**, Trustee Mucher said to Ms. Pauwels, "**Make sure that goes in the minutes. ...I'll be needing those.**" To the Board, he added, "Thanks for your support, I really appreciate that."

New Business

- After a brief discussion, Chief Cannell and Trustee Moir agreed to meet to discuss a regular **building maintenance/upkeep** duties/schedule that has never been in place.
- Trustee Moir set a **public Trustees' work session for Thursday, May 21, at 9 a.m.**, to discuss a capital equipment levy proposal (*later cancelled*).

Adjournment

The meeting was adjourned at 6:12 p.m., with the next meeting scheduled for **Monday, June 1, 2026**, at 5 p.m.

Chairperson _____ **Attest** _____

***Acronyms:**

- MTFR: Miami Township Fire & Rescue
- MVRPC: Miami Valley Regional Planning Commission
- OTA: Ohio Township Association
- RPCC: Greene County Regional Planning & Coordinating Commission
- YSDC: Yellow Springs Development Corporation

/clp

MTFRF Chief's Report

Personnel/Staffing

Staffing at (2) during day hours due to Capt. Ayers on L/D, CP Brewer covering 3rd person Madison Terry - Recommend hiring part time. Columbus Resident, recent graduate of the Columbus Fire Cadet program, classmate of Zion Robinson

Operations

465 runs year-to-date (see run/staffing report)

Mills Hotel Fire- Job well done by A Shift & C Shift, incident occurred at shift change

Building

Cleaned windows and gutters

Apparatus/Vehicles/Equipment

Still waiting on upfits for new chief car and pick-up truck

All SCBA bids are in, three companies, all prices close, will make decision this week

Personnel measured for Lion Turnout gear, 14 sets ordered

Misc.

EMS Week this week, cookout was a success and much appreciated

No official word on grant openings