

Meeting Minutes of the Miami Township Board of Trustees
Regular Meeting
February 3, 2026

CALL TO ORDER

Trustee President Terry Posey, Jr. called the Miami Township Board of Trustees Regular meeting to order on Tuesday, February 3, 2026, at 6:00PM and led in the reciting of the Pledge of Allegiance. Attendance was as follows:

Elected Officials:		Present	Absent
Terry Posey, Jr.	Trustee President	X	
Don Culp	Trustee Vice-President	X	
Drew Barry	Trustee	X	
Gregory Clingerman	Deputy Fiscal Officer	X	
Township Staff:			
Chris Snyder	Township Administrator	X	
Alex Carlson	Community Development Director	X	
Clay McCord	Finance Director	X	
Adam Nielsen	Police Chief	X	
John Schweickart	Public Works Director	X	

RECOGNITION OF FIRST RESPONDER CASUALTIES

Adam Nielsen read the First Responders Casualties for January 19 – February 2, 2026.

- **Deputy Sheriff Tim Jordan**, Bossier Parish Sheriff's Office, LA
- **Deputy Sheriff Derrick Bonham**, Weakley County Sheriff's Office, TN
- **Deputy Sheriff Christopher Ohlmeyer**, Jefferson Parish Sheriff's Office, LA
- **Senior Police Officer Pradeep Tamang**, Gwinnet County Police Department, GA

In recognition of these individuals, Trustee Posey, Jr. asked everyone to join him in a moment of silence.

RECOGNITION OF GUESTS

- Public Works Director John Schweickart provided an update on the progress the Parks Department has accomplished since the inception of the Parks and Trails Plan in May 2024.

Trustee Posey, Jr. expressed his appreciation for the thought and effort that has gone into the Parks and Trails plan.

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CONSENT AGENDA

All matters under the Consent Agenda are considered by the Board of Trustees to be routine and will be enacted by one motion. Any Trustee may remove an item from the Consent Agenda by request, and a second is not required to remove an item. Removed items will be considered after the motion to approve the Consent Agenda.

- A. Meeting Minutes: January 20, 2026 – Regular Meeting Minutes
- B. Purchase Orders through #2026000237
- C. Payments totaling \$215,824.49 consisting of:
 - Checks: #80501 – #80549, and
 - Electronic Transfers: #2026000009 – #2026000026
- D. Payroll #2, Check Date: 01/23/2026 totaling \$249,809.92

Trustee Posey, Jr. motioned, and Trustee Culp seconded the motion to approve the Consent Agenda items.

	Yes	No	Abstain	Absent
Trustee Posey, Jr.	X			
Trustee Barry	X			
Trustee Culp	X			

NEW BUSINESS

The following items were presented/opened for discussion and questions with the Board:

- Township Administrator Chris Snyder presented the following:
 - **Resolution 020-2026** to authorize the Township Administrator to engage Miller, Canfield, Paddock and Stone, P.L.C. (Miller Canfield) for legal services – Marc Swanson and Jonathan Green, Attorneys. (A copy of the engagement letter with the fixed compensation rate was provided to the Board and is attached to the resolution)

- Community Development Director Alex Carlson presented the following:
 - **Resolution 021-2026** to authorize the Township Administrator to execute a development agreement.
 - **Resolution 022-2026** to authorize the Township Administrator to execute an easement purchase agreement.

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- Finance Director Clay McCord presented the following:
 - **Resolution 023-2026** to approve amendments to the appropriations of funds for 2026.

PUBLIC COMMENTS

Trustee Posey, Jr. opened the floor for public comments and reminded those who wish to speak that the public comment period is an opportunity for the public to address the Board rather than dialogue. Presentations are limited to five (5) minutes each.

Bob Matthews, 2230 Cross Village Dr.

Mr. Matthews praised the Road Department for a great job clearing snow after the recent snowstorm.

Timothy Kaufman, 5431 Fort Way

Mr. Kaufman expressed his appreciation for the parks improvements.

CONSIDERATION OF RESOLUTIONS AND MOTIONS

Resolution 020-2026

Trustee Posey, Jr. motioned, and Trustee Culp seconded the motion to approve Resolution 020-2026 to authorize the Township Administrator to engage Miller, Canfield, Paddock and Stone, P.L.C. (Miller Canfield) for legal services – Marc Swanson and Jonathan Green, Attorneys.

Trustee Posey, Jr. called for any additional discussion. With none being brought forth, Mr. Clingerman called the roll and recorded the vote.

	Yes	No	Abstain	Absent
Trustee Posey, Jr.	X			
Trustee Barry	X			
Trustee Culp	X			

Resolution 021-2026

Trustee Posey, Jr. motioned, and Trustee Culp seconded the motion to approve Resolution 021-2026 to authorize the Township Administrator to execute a development agreement.

Trustee Posey, Jr. called for any additional discussion. With none being brought forth, Mr. Clingerman called the roll and recorded the vote.

	Yes	No	Abstain	Absent
Trustee Posey, Jr.	X			
Trustee Barry	X			
Trustee Culp	X			

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Resolution 022-2026

Trustee Posey, Jr. motioned, and Trustee Culp seconded the motion to approve Resolution 022-2026 to authorize the Township Administrator to execute an easement purchase agreement.

Trustee Posey, Jr. called for any additional discussion. With none being brought forth, Mr. Clingerman called the roll and recorded the vote.

	Yes	No	Abstain	Absent
Trustee Posey, Jr.	X			
Trustee Barry	X			
Trustee Culp	X			

Resolution 023-2026

Trustee Posey, Jr. motioned, and Trustee Culp seconded the motion to approve Resolution 023-2026 to approve amendments to the appropriations of funds for 2026.

Trustee Posey, Jr. called for any additional discussion. With none being brought forth, Mr. Clingerman called the roll and recorded the vote.

	Yes	No	Abstain	Absent
Trustee Posey, Jr.	X			
Trustee Barry	X			
Trustee Culp	X			

PUBLIC HEARINGS

Zoning Case #452-22

Resolution 024-2026, a resolution to adopt a final development plan under zoning case #452-22 FDP Roadway 2026.

Trustee Posey, Jr. motioned, and Trustee Culp seconded the motion to open public hearing for Zoning Case #452-22 as stated above.

Trustee Posey, Jr. called for any additional discussion. With none being brought forth, Mr. Clingerman called the roll and recorded the vote.

	Yes	No	Abstain	Absent
Trustee Posey, Jr.	X			
Trustee Barry	X			
Trustee Culp	X			

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After describing the public hearing process, Trustee Posey, Jr. asked Community Development Director Carlson if the legal requirements for the case had been met. Mr. Carlson replied affirmatively and gave an overview of the progress to date.

The Zoning Commission heard the final development plan for the Roadway within the Austin Crossing Planned Development at their January 13, 2026 meeting. The Zoning Commission recommended approval of the final development plan with a 5-0 vote with the following stipulations:

- 1) The ability of the Developer to obtain Zoning certificates for the proposed roadway is dependent on final approval by ODOT of the TIS currently under review for the project. Any changes made to the roadway configuration due to the results of the TIS must be reflected in the Roadway FDP via a Minor Modification application approved by Staff.

The road design is still in review by ODOT, however initial comments from their staff indicate no major changes recommended to the design. Staff is confident that any minor revisions may be reviewed administratively through the minor modification process if any are recommended.

- 2) Prior to issuance of a Zoning certificate, platting approval by Montgomery County Regional Planning must be obtained. Any changes to the Roadway design needed to obtain platting approval must subsequently be approved by a Major or Minor Modification to this Zoning Commission case.

Staff will coordinate with the applicant and Montgomery County prior to issuance of a zoning certificate.

- 3) Owner Affidavit forms or some other written communication from Spire and Austin Commons formally indicating their intent to include their parcels within the proposed roadway design must be on file with the Community Development Department.

Staff is continuing discussions with both Spire and Connor Group discussing potential donation of their relevant property to the Montgomery County Transportation Improvement District (MCTID) for use in the public roadway. Since the Zoning Commission recommendation was made, the township has committed to pursue acquisition of the property through a development agreement with RG Properties and a Project Management Financing Agreement with the MCTID.

- 4) A copy of the executed agreement between the City of Springboro and Miami Township accepting the proposed stormwater solution, acceptable to the Montgomery County Engineer's Office, must be on file with the Community Development Department.

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Approval of this document is contingent upon final Trustee approval. The stormwater easement document has already been approved by the City of Springboro. The stormwater calculations have also been initially reviewed and approved by the County Engineer's Office. We anticipate no issues having this document on file prior to approval of a Zoning Certificate pending approval by the Trustees.

- 5) Developer must provide an updated photometric plan which includes light temperature information in Kelvin to show temperature does not exceed 4000 K per Development Standards.

The applicant has provided all materials.

- 6) Developer must provide a spec sheet showing the style of lighting fixtures proposed and fixtures must match those required in the Development Standards.

The applicant has provided all materials.

- 7) Developer must change proposed names of public roadways to match criteria, indicated by Director Schweickart.

The applicant has provided updated names of Glennon and Green. Staff is waiting on final comments from Montgomery County on the updated street names.

- 8) Future FDPs for Lot 2 and Lot 3 (as shown on Plan Sheet C200) must include multiuse pathway connections for residential users to the east of said Lots.

Staff will review future plans to ensure these standards have been met.

- 9) All multi-use pathways will align with recommendations within ODOT Multi-Modal Design Guide, including proposed path from roundabout to SR 741, required new pathway from north of roundabout to stub, and connection to Covey Run.

The applicant has provided plans showing updates according to this stipulation.

Applicant Andrew Gunlock and David Marshall, RG Properties, 1050 Innovation Dr. Suite 100 is present. Mr. Marshall acknowledged the complex and ongoing input from ODOT. Trustee Posey, Jr. thanked Mr. Marshall and Mr. Gunlock for their participation.

Trustee Posey, Jr. opened the floor for Proponents of the case to step forward and speak, no one came forward to speak.

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Trustee Posey, Jr. opened the floor for Opponents of the case to step forward and speak, no one came forward to speak.

Trustee Posey, Jr. motioned, and Trustee Culp seconded the motion to close public hearing for Zoning Case #452-22.

Trustee Posey, Jr. called for any additional discussion. With none being brought forth, Mr. Clingerman called the roll and recorded the vote.

	Yes	No	Abstain	Absent
Trustee Posey, Jr.	X			
Trustee Barry	X			
Trustee Culp	X			

Trustee Posey, Jr. motioned, and Trustee Culp seconded the motion to approve Resolution 024-2026 to approve a rezoning under Zoning Case #452-22 and uphold the Zoning Commission recommendation.

Trustee Posey, Jr. called for any additional discussion. With none being brought forth, Mr. Clingerman called the roll and recorded the vote.

	Yes	No	Abstain	Absent
Trustee Posey, Jr.	X			
Trustee Barry	X			
Trustee Culp	X			

Zoning Case #452-22

Resolution 025-2026, a resolution to adopt a final development plan under zoning case #452-22 FDP Flying Ace 2026.

Trustee Posey, Jr. motioned, and Trustee Culp seconded the motion to open public hearing for Zoning Case #452-22 as stated above.

Trustee Posey, Jr. called for any additional discussion. With none being brought forth, Mr. Clingerman called the roll and recorded the vote.

	Yes	No	Abstain	Absent
Trustee Posey, Jr.	X			
Trustee Barry	X			
Trustee Culp	X			

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After describing the public hearing process, Trustee Posey, Jr. asked Community Development Director Carlson if the legal requirements for the case had been met. Mr. Carlson replied affirmatively.

The Zoning Commission heard the final development plan for Flying Ace within the Austin Crossing Planned Development at their January 13, 2026 meeting. The Zoning Commission recommended approval in a 4-0 vote with the following stipulations:

- 1) Final approval of the Flying Ace FDP is dependent upon final approval by the Trustees of ZC Case #452-22 Roadway FDP 2026. Any modifications to the roadway proposed in said ZC Case will require a Major or Minor Modification to ZC Case #452-22 Flying Ace FDP 2026 to reflect any changes.

Due to the nature of the site access being reliant upon the road location, approval of the Roadway FDP is required for approval of this case.

- 2) Applicant must provide an updated Signage Plan which meets all requirements of Article 41 and the Austin Crossing development Standards, including but not limited to Ground Signage maximum allowable area.

All signage requirements have been met.

- 3) Applicant must provide an updated Photometric Plan which includes light temperature information in Kelvin to show temperature does not exceed 4000 K per Development Standards.

All lighting requirements have been met.

- 4) Applicant must provide an updated photometric plan which conforms to the design specifications enumerated in Exhibit B of the Austin Crossing Development Standards.

All lighting requirements have been met.

- 5) Applicant must provide an updated landscape plan which relocates or removes the tree shown currently within the car wash structure.

Landscaping condition has been met.

- 6) Applicant must provide an updated landscape plan which includes parking island(s) which meet the requirements of the Austin Crossing Development Standards.

Landscaping condition has been met.

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Applicant is not present.

Trustee Posey, Jr. opened the floor for Proponents of the case to step forward and speak, no one came forward to speak.

Trustee Posey, Jr. opened the floor for Opponents of the case to step forward and speak, no one came forward to speak.

Trustee Posey, Jr. motioned, and Trustee Culp seconded the motion to close public hearing for Zoning Case #452-22.

Trustee Posey, Jr. called for any additional discussion. With none being brought forth, Mr. Clingerman called the roll and recorded the vote.

	Yes	No	Abstain	Absent
Trustee Posey, Jr.	X			
Trustee Barry	X			
Trustee Culp	X			

Trustee Posey, Jr. motioned, and Trustee Culp seconded the motion to approve Resolution 025-2026 to approve a rezoning under Zoning Case #452-22 and uphold the Zoning Commission recommendation.

	Yes	No	Abstain	Absent
Trustee Posey, Jr.	X			
Trustee Barry	X			
Trustee Culp	X			

Zoning Case #452-22

Resolution 026-2026, a resolution to adopt a final development plan under zoning case #452-22 FDP Chase Bank January 2026.

Trustee Posey, Jr. motioned, and Trustee Culp seconded the motion to open public hearing for Zoning Case #452-22 as stated above.

After describing the public hearing process, Trustee Posey, Jr. asked Community Development Director Carlson if the legal requirements for the case had been met. Mr. Carlson replied affirmatively.

The Zoning Commission heard the final development plan for Chase Bank within the Austin Crossing Planned Development at their January 13, 2026, meeting. The Zoning Commission recommended approval with a 4-0 vote with the following stipulations:

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- 1) Final approval of the Chase Bank FDP is dependent upon final approval by the Trustees of ZC Case # 452-22 Roadway FDP 2026. Any modifications to the roadway proposed by said ZC Case will require a Major or Minor Modification to ZC Case #452-22 – FDP – Chase Bank 2026 to reflect any changes.

Due to the nature of the site access being reliant upon the road location, approval of the Roadway FDP is required for approval of this case.

- 2) The applicant must provide a revised elevation plan showing the addition of screening for mechanicals on the north face of the building and any rooftop mounted mechanicals. The revised plan must also show the addition of a base treatment of stone or brick around the base of the structure.

The applicant has provided all materials.

- 3) The applicant must provide a revised sign package removing the second ground sign, closest to SR 741.

The applicant has provided all materials.

- 4) The applicant must provide a revised landscaping plan that meets the standards of the Zoning Resolution, that meets the intent of Zoning Resolution to provide adequate screening between commercial and residential uses.

The applicant has provided all materials.

- 5) The applicant must provide a revised photometric plan showing the reduction of light levels to the 10fc maximum in the drive-thru lanes and ATM areas, to the 6fc maximum throughout the site, and to the 0.5fc maximum along all property lines. This plan must also include the color temperature information of the lighting fixtures. The plan must also replace the proposed light poles with those called out in the Austin Crossing Development Standards.

The applicant has provided all materials.

- 6) The proposed development include bike racks with two points of contact for each bike.

The applicant has provided all materials.

Applicant Mike Dooley, engineer, 1404 St., Cincinnati, Ohio is present. Mr. Dooley stated his appreciation for staff efforts.

Trustee Posey, Jr. opened the floor for Proponents of the case to step forward and speak, no one came forward to speak.

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Trustee Posey, Jr. opened the floor for Opponents of the case to step forward and speak, no one came forward to speak.

Trustee Posey, Jr. motioned, and Trustee Culp seconded the motion to close public hearing for Zoning Case #452-22.

Trustee Posey, Jr. called for any additional discussion. With none being brought forth, Mr. Clingerman called the roll and recorded the vote.

	Yes	No	Abstain	Absent
Trustee Posey, Jr.	X			
Trustee Barry	X			
Trustee Culp	X			

Trustee Posey, Jr. motioned, and Trustee Culp seconded the motion to approve Resolution 026-2026 to approve a rezoning under Zoning Case #452-22 and uphold the Zoning Commission recommendation.

	Yes	No	Abstain	Absent
Trustee Posey, Jr.	X			
Trustee Barry	X			
Trustee Culp	X			

DEPARTMENT HEAD COMMENTS

Public Works Director John Schweickart thanked the Public Works staff for their snow removal efforts.

Community Development Director Alex Carlson expressed his gratitude to Mr. Schweickart for his presentation and to Mr. Schweickart and his team for their execution of the Parks Plan.

Township Administrator Chris Snyder expressed his appreciation of all Township staff for their hard work and efforts. Mr. Snyder recognized Officer McIntosh for assisting a stranded motorist during the harsh weather and Mel King for clearing mounds of snow to make sidewalks accessible to citizens.

COMMENTS FROM THE BOARD

Trustee Drew Barry echoed Administrator Snyders comments.

Trustee Don Culp thanked the Public Works, Parks, Community Development and Police Departments for all their efforts with the parks plan and snow removal.

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Trustee Terry Posey, Jr., echoed all the previous comments, addressed the litigation and stated that the press release will be included in the minutes (see below).

Miami Township is disappointed that the U.S. Supreme Court will not consider the Township's appeal regarding the constitutional conflict between governing federal civil rights law and Ohio's state indemnification statute covering political subdivisions. The Supreme Court receives thousands of petitions each year for cases to be granted merit review by the Court, but routinely only accepts several dozen for consideration.

Miami Township leaders continue to work to resolve this issue in a manner that preserves the Township's ability to provide our residents services.

Miami Township was judged by the federal courts to have no direct responsibility for the actions at issue in this case. Nevertheless, the Township is now at risk of having to hold harmless a former employee – the lone defendant found by the jury to be responsible and liable in this case – for the full amount of the judgment against him individually, a judgment far exceeding the community's ability to pay. The courts previously dismissed all claims against Miami Township, and the awarded judgment is solely against the former employee and not the Township. Miami Township continues to maintain that this indemnification obligation conflicts with the federal civil rights statute at the heart of this case.

Additionally, the Ohio Supreme Court has held that "the manifest purpose" of the Ohio statute at issue (Ohio Revised Code 2744) is the "preservation of the fiscal integrity of political subdivisions." Enforcing Miami Township to attempt to pay a judgment of this magnitude held by a third party against the Township's former employee is contrary to the express purpose of the Ohio statute. Had this been a State of Ohio employee or investigator, Ohio law caps liability at \$1 million. Further impacting the ability to pay is the 2003 insolvency of the Township's insurance company for events occurring in the early 1990's, an event outside the Township's control and which could not have been foreseen and could not have been remedied, now or then.

Miami Township will continue its efforts to preserve the interests of our residents in this matter.

EXECUTIVE SESSION

Trustee Posey, Jr. motioned, and Trustee Culp seconded the motion at 7:12PM to go into Executive Session.

	Yes	No	Abstain	Absent
Trustee Posey, Jr.	X			
Trustee Barry	X			
Trustee Culp	X			

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The following topics were discussed in Executive Session.

- Conferences with attorneys for the public body concerning disputes involving the public body that are the subject of pending or imminent court action; in accordance with ORC 121.22 (G)(3).

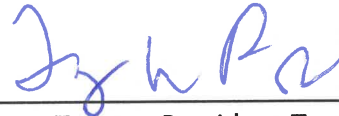
RETURN TO REGULAR SESSION

Trustee Posey, Jr. motioned, and Trustee Culp seconded the motion at 7:39PM to leave Executive Session and return to Regular Session.

	Yes	No	Abstain	Absent
Trustee Posey, Jr.	X			
Trustee Barry	X			
Trustee Culp	X			

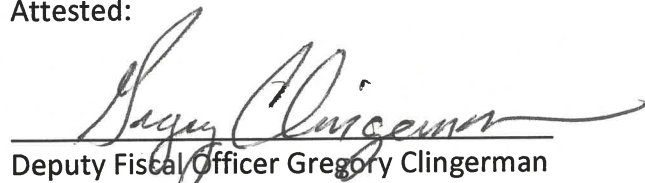
ADJOURNMENT

Trustee Posey, Jr. adjourned the meeting at 7:39PM.



Trustee President Terry Posey, Jr.

Attested:



Deputy Fiscal Officer Gregory Clingerman
February 17, 2026