

RECORD OF PROCEEDINGS
CLEARCREEK TOWNSHIP TRUSTEES
Minutes of Regular Meeting
August 12, 2024

Mr. Wade read Resolution 5530 – A Resolution dedicating a portion of Clearcreek Township’s share of funds from the American Rescue Plan Act to fund the purchase of financial software budget and reporting suites for \$10,000, dispensing with the second reading and declaring an emergency. The emergency being the need to utilize the software at the earliest time permitted by law. Mr. Clark, Township Administrator, added that the \$10,000 requested was already authorized under an earlier purchase order, but wanted to make sure that we authorized the purchase with Board approval. Mr. Carolus also noted that this was ARPA money being used. Mr. Wade asked for a motion to approve the Resolution. Mr. Muterspaw so moved with Mr. Gabbard seconding the motion. Upon roll call the vote was as follows: Mr. Muterspaw-yea; Mr. Gabbard-yea; and Mr. Wade-yea.

Mr. Wade read Resolution 5531 – A Resolution accepting public streets for maintenance in Pond View Estates subdivision, Clearcreek Township, Warren County, Ohio, and dispensing with the second reading. Mr. Jones, Road Superintendent, gave background information on the state of the subdivision. Mr. Wade, Mr. Clark, and Mr. Jones discussed how many miles were added to the Township’s Road system. Mr. Wade asked for a motion to approve the Resolution. Mr. Gabbard so moved with Mr. Muterspaw seconding the motion. Upon roll call the vote was as follows: Mr. Gabbard-yea; Mr. Muterspaw-yea; and Mr. Wade-yea.

Mr. Wade asked for an update on the Salt Barn Construction. Mr. Jones, Mr. Gabbard and Mr. Wade discussed the state of the project.

Mr. Wade read Resolution 5532 – A Resolution determining that the maintenance of vegetation on the following tracts of land constitutes a nuisance, dispensing with the second reading, and declaring an emergency:

1. 1097 E SR 73; Parcel ID #05-25-301-004
2. 2752 Harlan Road; Parcel ID #05-19-200-006.

Mr. Palmer updated the Board on the status of the properties in question. Mr. Wade asked for a motion to approve the Resolution. Mr. Muterspaw so moved with Mr. Gabbard seconding the motion. Upon roll call the vote was as follows: Mr. Muterspaw-yea; Mr. Gabbard-yea; and Mr. Wade-yea.

Mr. Muterspaw asked for an update on the nuisance violations on Mary Anne Drive. Mr. Palmer updated the Board on the status of the property.

Mr. Wade read Resolution 5533 – A Resolution approving Supplemental Appropriations to the Permanent Budget Appropriations for Fiscal Year 2024, dispensing with the second reading, and declaring an emergency. Mr. Clark and Mr. Agenbroad, Fire Chief, gave background information on the request stating that the Fire Department could save money by placing the order now instead of the planned 2025 expenditure. Mr. Wade asked for a motion to approve the Resolution. Mr. Gabbard moved to approve the Resolution with Mr. Muterspaw seconding the motion. Upon roll call the vote was as follows: Mr. Gabbard-yea; Mr. Muterspaw-yea; and Mr. Wade-yea.

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The Clearcreek Township Trustees met in regular session at 5:30 p.m. with the following members present: Mr. Gabbard, Mr. Muterspaw, and Mr. Wade.

Mr. Wade opened the meeting and led in the Pledge of Allegiance.

Mr. Wade asked for a motion to suspend the regular meeting to hold a Public Hearing on Resolution 5528 – A Resolution to approve/modify/deny exhibit 2024-1, an amendment that establishes Definitions and Standards for Medical and Recreational Marijuana for the Clearcreek Township, Warren County, Ohio, Zoning Code, and dispense with the second reading. Mr. Muterspaw so moved with Mr. Gabbard seconding the motion. Upon roll call the vote was as follows: Mr. Muterspaw-yea; Mr. Gabbard-yea; and Mr. Wade-yea.

Mr. Palmer, Planning and Zoning Director, gave background on the zoning code text amendment request. The Board discussed the request with Mr. Palmer. Mr. Muterspaw stated there is a breakdown in family and society with no studies showing that marijuana would help families in the township. He will support anything that stops this.

Mr. Wade asked for Public Comment on the text amendment. No comments were noted.

Mr. Wade asked for a motion to end the Public Hearing and to immediately resume the Regular meeting. Mr. Gabbard so moved with Mr. Muterspaw seconding the motion. Upon roll call the vote was as follows: Mr. Gabbard-yea; Mr. Muterspaw-yea; and Mr. Wade-yea.

The Regular meeting resumed immediately with Mr. Wade asking for a motion to approve/modify/deny the zoning change as defined in Resolution 5528. Mr. Muterspaw moved to approve the text amendment with Mr. Gabbard seconding the motion. Upon roll call the vote was as follows: Mr. Muterspaw-yea; Mr. Gabbard-yea; and Mr. Wade-yea.

Mr. Wade called for Public Comment. No comments were noted.

Mr. Carolus, Fiscal Officer, asked the Board to approve the Street Light Assessments for next year.

Mr. Wade read Resolution 5529 – A Resolution levying a special assessment on lands in Clearcreek Township for funding 2025 Street Lighting Districts and dispensing with the second reading. Mr. Wade asked for a motion to approve the Resolution. Mr. Gabbard so moved with Mr. Muterspaw seconding the motion. Upon roll call the vote was as follows: Mr. Gabbard-yea; Mr. Muterspaw-yea; and Mr. Wade-yea.

Mr. Carolus asked the Board to approve the purchase of report writing software for the Township's accounting system. The new software will make it easier to run reports for department heads and other casual users.

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Mr. Wade read Resolution 5534 – A Resolution authorizing the Township Administrator to incur obligations greater than \$10,000 on behalf of the Township, dispensing with the second reading, and declaring an emergency. The emergency being the need to authorize payment at the earliest time permitted by law. Mr. Clark and Mr. Terrill, Police Chief, gave background on the permission to purchase body armor for \$17,637 of which \$13,227.75 will be reimbursed from the Ohio Law Enforcement Body Armor Program. The other purchase is for \$100,567.35 for LUCAS chest compression systems from Stryker Medical for the Fire Department. Mr. Wade asked for a motion to approve the Resolution. Mr. Muterspaw so moved with Mr. Gabbard seconding the motion. Upon roll call the vote was as follows: Mr. Muterspaw-yea; Mr. Gabbard-yea; and Mr. Wade-yea.

Mr. Wade started discussion on the annexation request from the City of Springboro. Mr. Clark gave background information on the request, noting this request was unique because the area under discussion was a property island that is surrounded by the city. Mr. Clark stated while he rarely believes annexation of any kind is a positive action for the township, it would make sense to approve this request to begin to eliminate a small island. Mr. Wade stated his approval of the annexation in that this is a unique situation. Mr. Muterspaw hoped that all parties would appreciate the efforts of the Township in this regard. Mr. Gabbard stated his approval of the annexation due to the property being an island. Mr. Wade asked for a motion to approve the annexation request. Mr. Gabbard so moved with Mr. Muterspaw seconding the motion. Upon roll call the vote was as follows: Mr. Gabbard-yea; Mr. Muterspaw-yea; and Mr. Wade-yea.

Chief Agenbroad asked the Board for permission to change furniture vendors for the construction of Station 24 that was approved in November of 2023. Chief Agenbroad gave background information that the new vendor would give better furniture at a cheaper price. Mr. Wade asked for a motion to approve the change in vendors for Station 24. Mr. Muterspaw so moved with Mr. Gabbard seconding the motion. Upon roll call the vote was as follows: Mr. Muterspaw-yea; Mr. Gabbard-yea; and Mr. Wade-yea.

Chief Agenbroad asked the Board to accept a generous donation of fitness equipment through vendor Power Lift. Mr. Wade asked for a motion to accept the donation. Mr. Gabbard so moved with Mr. Muterspaw seconding the motion. Upon roll call the vote was as follows: Mr. Gabbard-yea; Mr. Muterspaw-yea; and Mr. Wade-yea.

Chief Agenbroad asked the Board for permission to make application for the 2025 Loeb Foundation Grant. Chief Agenbroad stated the application would ask for money to continue the Knox Box program. Mr. Wade asked for a motion to approve application to the Loeb Foundation. Mr. Muterspaw so moved with Mr. Gabbard seconding the motion. Upon roll call the vote was as follows: Mr. Muterspaw-yea; Mr. Gabbard-yea; and Mr. Wade-yea.

Chief Terrill thanked all the Township departments that made National Night Out a success.

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Mr. Wade asked for a motion to approve the Consent Agenda. Mr. Gabbard so moved to approve the Consent Agenda as presented to the Board:

- 1 Approval of Regular Minutes – July 22, 2024, Regular Session.
- 2 Current Bills and Financial Report.
- 3 Accept the Road, Planning and Zoning, Police, and Fire monthly reports for July 2024.

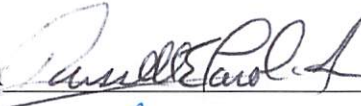
Mr. Muterspaw seconded the motion and upon roll call the vote was as follows: Mr. Gabbard-yea; Mr. Muterspaw-yea; and Mr. Wade-yea.

Mr. Clark thanked the Road Department for all their hard work and dedication.

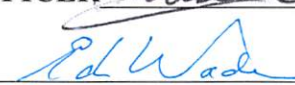
Mr. Pacheco, Law Director, thanked the department heads and administration for their work in resolving the issues with the Loeb Foundation lawsuit. Mr. Pacheco noted the wonderful work the Loeb Foundation does for the citizens of Clearcreek Township.

With no further business, Mr. Wade asked for a motion to adjourn the Regular Meeting at 5:56 p.m. Mr. Muterspaw so moved with Mr. Gabbard seconding the motion. Upon roll call the vote was as follows: Mr. Muterspaw-yea; Mr. Gabbard-yea; and Mr. Wade-yea.

FISCAL OFFICER



TRUSTEE



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