

RECORD OF PROCEEDINGS
CLEARCREEK TOWNSHIP TRUSTEES
Minutes of Regular Meeting
January 13, 2025

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.

Pursuant to ORC 505.01, at the first meeting of each calendar year, the Board of Township Trustees shall select one of its members to serve as Chairperson for a one-year term, and should the Chairperson be unavailable, a Vice Chairperson to assume those duties.

Mr. Wade requested nominations for Chairperson of the Clearcreek Township Board of Trustees. Mr. Muterspaw nominated Mr. Wade to be Chairperson of the Board. Mr. Gabbard seconded the nomination and upon roll call the vote was as follows: Mr. Gabbard-yea; Mr. Muterspaw-yea; and Mr. Wade-yea.

Mr. Wade requested nominations for Vice Chairperson of the Clearcreek Township Board of Trustees. Mr. Wade nominated Mr. Gabbard to be Vice Chairperson of the Board. Mr. Muterspaw seconded the nomination and upon roll call the vote was as follows: Mr. Wade-yea; Mr. Muterspaw-yea; and Mr. Gabbard-yea.

Mr. Wade asked for a motion to promote Firefighters Eric Moncrief, Todd Wilson, and Brian Lykins to the position of Probationary Fire Lieutenant effective February 1, 2025, at the contractual pay rate of \$32.74 per hour. 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 administered the Oath of Office for Fire Lieutenants Eric Moncrief, Todd Wilson, and Brian Lykins. Lieutenant Moncrief was pinned by his daughter Sydney. Lieutenant Wilson was pinned by his wife, Monica. Lieutenant Lykins was pinned by his daughters Sophie, Gracie, and Maggie.

Mr. Wade then administered the Oath of Office to Probationary Firefighter/EMTs Todd Bramlee, William Black, Richard Scott, Ryan Yates, and Jonathon Patterson III. Firefighter/EMT Bramlee was pinned by his mother Carrie. Firefighter/EMT Black was pinned by his father Bill. Firefighter/EMT Scott was pinned by his grandmother Joyce Scott. Firefighter/EMT Yates was pinned by his wife Cora. Firefighter/EMT Patterson was pinned by his wife Elizabeth.

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

Mr. Wade then opened the floor for public discussion on a proposed noise resolution. Mr. Wade invited residents to come forward and state their concerns.

Mr. Robert May, 7898 Cahall Drive, came forward to discuss his concerns about the Resolution. Mr. May noted concerns for the 70dB decibel day reading to trigger a violation. Mr. May noted his concern about trash pickup times being moved to rush hour being a safety concern. Mr. May noted he worked on classic cars and is concerned when he's working on cars, it may trigger a violation. Mr. Mays also

RECORD OF PROCEEDINGS
CLEARCREEK TOWNSHIP TRUSTEES
Minutes of Regular Meeting
January 13, 2025

stated that he and his wife, Julie, liked the rodeo announcements in the summer from Fox Hollow Rodeo.

Mr. Dickerson, 7800 Lemay Street, came forward to discuss the 70dB level being too low, along with concerns about using snow blowers. Mr. Dickerson suggested adding snow blowers to the emergency uses clause on the Resolution. Mr. Dickerson noted that trash pickup occurred before 6 a.m. every day and that it prevented him having to deal with them when he did leave for work. Mr. Dickerson asked about moving where the decibel reading was taken from the property line to another spot a set distance away. Mr. Dickerson offered to help if needed in working with modifying the Resolution.

Ms. Angela Gram, 5913 N State Route 48, came forward to ask about the noise from the horse farm located next door. She stated that the Zoning Department told her that since the farm was an agricultural activity, that nothing could be done about the noise. Ms. Gram stated that the noise was adversely affecting her health and family's wellbeing. Mr. Wade noted that there is nothing we can do since the farm is agricultural property.

Mr. Charles Sweet, 653 Stokes Reserve Court, came forward to support the Resolution. Mr. Sweet asked for the Board's support in helping the changing and growing community to help keep peace and quiet in the township.

Mr. James Musser, 3828 Weisenberger Road, came forward to discuss the noise issue at the pallet reclamation site on old State Route 122. Mr. Musser stated that noise from the facility was pushing 150 dB and was operating six days a week.

Mr. Shawn Warren, 5498 Spring Blossom Drive, came forward in support of the Resolution to help township residents have peace and quiet.

Mr. James Gebhardt, 1150 Stokes Reserve Court, came forward in support of the Resolution asking the Board to reign-in some of the activities that cause issues at his property.

Mr. Douglas Cummings, 7893 Cahall Drive, came forward to discuss his concerns with the 70dB daytime limit. Mr. Cummings stated his support for open burns and the rodeo, asking the Board to ensure not all residents are punished because of the few offenders.

Mr. Wade advised the audience that this is the first shot at this Resolution and the Board would take their comments into consideration. Mr. Bryan Pacheco, Law Director, advised that agricultural exemptions are not under Township control and that the State of Ohio Legislature controls this issue and that residents with agricultural noise issues should consult their state Representatives and Senators. Mr. Pacheco added that there were opportunities for civil relief as well, and that aggrieved persons should consult their own legal counsel for advice. Mr. Wade advised that the Township would advise our State Representatives on the issues discussed at the meeting. Mr. Gabbard noted that the Township is walking a tightrope in working through the Resolution but wants to help make life better for residents. Mr. Wade thanked everyone for coming.

RECORD OF PROCEEDINGS
CLEARCREEK TOWNSHIP TRUSTEES
Minutes of Regular Meeting
January 13, 2025

The Board, Mr. Pacheco, and Mr. Clark, Township Administrator, discussed the Resolution working through issues brought forth by the residents. Mr. Wade advised they will continue working on the Resolution. Mr. Muterspaw asked Mr. Clark to circle back with people that are truly upset and advise them that they can respond to noise issues individually with the local court system. Mr. Wade asked to update the information on the website to state why agriculture is exempt from the proposed noise resolution.

Mr. Wade asked if the Board members had any consent agenda item or items that they wished removed. No removal from the consent agenda was requested.

Mr. Carolus, Fiscal Officer, asked the Board to approve the quarterly interest transfer of funds from the general fund to other funds.

Mr. Wade read Resolution 5560 – A Resolution approving a transfer of funds from the General Fund to other Funds in amounts equal to investment income generated by those Funds for the 4th Quarter of 2024 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 advised the Board that the next Resolution authorized the Fiscal Office to make electronic payments in addition to checks and is a yearly authorization.

Mr. Wade read Resolution 5561 – A Resolution authorizing payment of obligations of the Township by direct deposit of funds, dispensing with the second reading, and declaring an emergency. The emergency being the need to make timely payments at the earliest time permitted by law. 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. Carolus asked the Board to act on a resolution to receive property tax advances from Warren County.

Mr. Wade read Resolution 5562 – A Resolution requesting the County Auditor to make tax advances during calendar year 2025 pursuant to Section 321.34 of the Ohio Revised Code 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. Wade read Resolution 5563 – A Resolution of intent to dispose of unneeded, obsolete, or unfit personal property, including motor vehicles by internet auction for 2025, and dispensing with the second reading. Mr. Clark, Township Administrator, noted this is a procedural resolution that must be passed annually. Mr. Wade asked for a motion to approve the Resolution. Mr. Muterspaw so

RECORD OF PROCEEDINGS
CLEARCREEK TOWNSHIP TRUSTEES
Minutes of Regular Meeting
January 13, 2025

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 5564 – A Resolution declaring personal property as surplus and approving an internet auction, direct sale, donation, disposal, or destruction of said personal property and dispensing with the second reading. Mr. Wade asked about the Bobcat being declared surplus. Mr. Clark explained that the Bobcat was being used as a trade-in for the Kubota in the upcoming purchase resolution. Mr. Wade asked for an explanation on the amount of the trade-in. Mr. Wade and Mr. Gabbard asked Mr. Clark to check on the amount being credited on the trade-in. After a short discussion, the Board proposed to amend the upcoming purchase resolution to remove the Kubota purchase and continue with the current surplus resolution. Mr. Wade asked for a motion to approve the surplus 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 read Resolution 5565 – A Resolution approving a Memorandum of Understanding and agreement by and between Clearcreek Township, Warren County, Ohio and the City of Franklin, Ohio and dispensing with the second reading. Mr. Clark noted that the contract is for the Township to use the City of Franklin firing range and is an annual agreement. 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 asked for a motion to amend Resolution 5566 to remove section H (the Kubota purchase). Mr. Muterspaw seconded the motion. Upon roll call the vote was as follows: Mr. Wade-yea; Mr. Muterspaw-yea, and Mr. Gabbard-yea. Mr. Pacheco and Mr. Carolus crossed off section H and initialed the change in Resolution 5566.

Mr. Wade read amended Resolution 5566 – 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 reason for the emergency being the need to authorize and to approve immediate payment for the below obligations at the earliest time permitted by law. The items being purchased are:

- A. One-year agreement with Medicount Management, Inc.
- B. Three-year agreement with GovWell Technologies, Inc. for software modules.
- C. Purchase a 2025 Chevrolet Tahoe staff vehicle from McCluskey Chevrolet.
- D. Purchase 20 Mobile Data Computers (MDCs) and accessories from Law & Order Technology, LLC.
- E. Purchase 11 bullet-resistant vest replacements at \$14,860.
- F. Renew the software license for Road's asset management platform WorQ for 2025
- G. Purchase a RAM 4500 crew cab, 4WD pickup truck from Key CJD for Roads Department.

RECORD OF PROCEEDINGS
CLEARCREEK TOWNSHIP TRUSTEES
Minutes of Regular Meeting
January 13, 2025

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 5567 – Resolution amending and revising the Clearcreek Township Personnel Policies and Procedures Manual to govern management practices for all Township employees and elected officials and dispensing with the second reading. Mr. Clark gave a synopsis of the changes being made. 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. Clark asked the Board to approve an offer of probationary employment to Lori Stanley as a part-time Administrative/HR Clerk at an hourly rate of pay of \$22.00 per hour. Mr. Clark gave background information on Ms. Stanley along with her proposed duties. Mr. Wade asked for a motion to approve the offer of part-time probationary employment. 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. Agenbroad, Fire Chief, asked the Board to initiate a hiring process for Assistant Fire Chief with the upcoming (June) retirement of Assistant Chief Urban. Chief Agenbroad noted that he'd like the replacement to occur sometime in May to allow some overlap of time with A/C Urban. Mr. Wade asked for a motion to initiate the hiring process for Assistant Fire Chief. 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 to initiate a hiring process for FF/PM/EMT to establish an eligibility list for 2025 to make two initial appointments. Chief Agenbroad noted that this was a new practice to shorten the time from needing to fill a position to appointment. Mr. Wade asked for a motion to initiate the hiring process for the two FF/PM/EMT personnel. 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 asked for a motion to approve the Consent Agenda. Mr. Gabbard so moved to approve the Consent Agenda as presented to the Board:

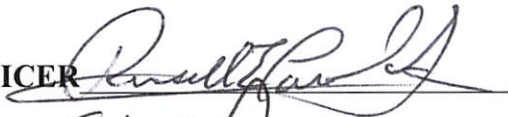
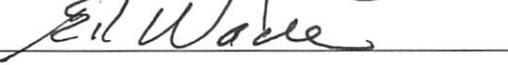

- 1 Approval of Regular Minutes – December 23, 2024, Regular Session.
- 2 Current Bills and Financial Report.
- 3 Accept the resignation of employment of FF/EMT Alex Becker.
- 4 Accept the Road, Planning and Zoning, Police and Fire monthly reports for December 2024.

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

RECORD OF PROCEEDINGS
CLEARCREEK TOWNSHIP TRUSTEES
Minutes of Regular Meeting
January 13, 2025

Mr. Clark wished to recognize the efforts of the Road Department during the recent heavy snow events. Mr. Gabbard also added his thanks for a job well done and noted that Warren County Engineer's Road crews had done a good job as well.

With no further business, Mr. Wade asked for a motion to adjourn the Regular Meeting at 6:45 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 
TRUSTEE 
TRUSTEE _____