

RECORD OF PROCEEDINGS
CLEARCREEK TOWNSHIP TRUSTEES
Minutes of Regular Meeting
July 8, 2024

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 Mr. Fred Vonderhaar, Warren County Township Association (WCTA), Vice President to come forward to make a presentation to Clearcreek Resident Mr. Connor Smith. Mr. Smith received a \$1,500 scholarship from the WCTA. The audience congratulated Mr. Smith. Mr. Smith thanked the WCTA and the Board for the scholarship, then read his essay aloud to all present.

Mr. Wade asked for a motion to suspend the regular meeting to hold a Public Hearing on Resolution 5521 – A Resolution to approve/modify/deny the zone change request of Jared M. Williams of J.M. Williams Realty LLC to amend the Zoning Resolution and Map for a total of .448 acres (2011 updated survey). The parcel is identified as 2570 State Route 122, Parcel ID #08-15-326-006, and Account Number 0618303. The request is in Section 15, Town 3, and Range 4 in Clearcreek Township. The zone change request is from Residence Zone “R-1” to Neighborhood Business Zone “B-1” and to 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 change request. The Board had no questions for Mr. Palmer.

Mr. Wade invited the applicant, Jared Williams of J.M. Williams Realty, LLC to speak to his application, however, Mr. Williams had nothing further to add.

Mr. Wade called for public comments in support of or opposition to the application, for which there was none.

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 5521. Mr. Muterspaw moved to approve the zoning change 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 quarterly interest transfer resolution.

Mr. Wade read Resolution 5522 – 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 second quarter

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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 asked the Board to approve a procedural resolution that authorizes the Fiscal Officer to make ACH payments.

Mr. Wade read Resolution 5523 – 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 authorize 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. Wade read Resolution 5520 – A Resolution to (approve/deny) the modification of the Board of Zoning Appeals (BZA) Bylaws (Rules and Regulations), dispensing with the second reading, and declaring an emergency. Mr. Palmer, Director of Planning and Zoning, gave background information on the requested changes. The Board and Mr. Palmer discussed the requested changes. Mr. Wade asked for a motion to approve or deny 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.

Mr. Wade read Resolution 5524 – Resolution determining that the maintenance of 3555 Mary Ann Drive constitutes a nuisance and ordering the removal of junk and a junk vehicle after sufficient notice, dispensing with the second reading, and declaring an emergency. Mr. Palmer updated the Board on the current status of the property 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. Wade read Resolution 5525 – A Resolution determining that the maintenance of vegetation on the following specific tracts of land constitute nuisances, dispensing with the second reading, and declaring an emergency:

- a. 1097 E SR 73; Parcel ID #05-25-301-004.
- b. 1133 E SR 73; Parcel ID #05-25-301-006.

Mr. Palmer, Director of Planning and Zoning, gave background information on the properties. The Board and Mr. Palmer discussed the violations. 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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Mr. Wade read Resolution 5526 – Resolution dedicating a portion of Clearcreek Township’s share of funds from the American Rescue Plan Act to fund alterations to the planned salt dome asphalt pad, dispensing with the second reading, and declaring an emergency. The emergency being the need to continue construction of the Salt Barn 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. The Resolution adds \$26,985 of authority to the existing \$48,115 encumbrance authorized by Resolution 5457, for a total authority of \$75,100 to pave the salt structure asphalt pad.

Mr. Terrill, Police Chief, asked the Board to accept the generous donation of \$1,000 from Randall and Robyn Lane, owners of Hidden Valley Orchards, to benefit National Night Out 2024. Mr. Wade asked for a motion to accept the donation. Mr. Gabbard so moved to accept the donation 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. Muterspaw asked who had donated meat in years past and will do so again this year for National Night Out. Chief Terrill advised that it was JTM Food Group who will again provide meat for National Night Out 2024, to be held on Tuesday, August 6th, 5:30 p.m. to 9:00 p.m.

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

- 1 Approval of Regular Minutes – June 24, 2024, Regular Session.
- 2 Current Bills and Financial Report.
- 3 Accept the Road, Planning and Zoning, Police and Fire monthly reports for June, 2024.

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


Mr. Clark, Township Administrator, updated the Board on an annexation request for the so-called Kaiser property on St. Rt. 741 in front of Springboro Junior High School. The Board briefly discussed the merits of allowing the annexation to move forward and concluded that they would need to think about the request before rendering an opinion.


Mr. Clark briefed the Board on the health insurance renewal offer from current carrier Anthem to renew their existing fully insured coverage for a 2.5% increase in premium if the Township agreed to not go to market to shop the quote. Mr. Wade asked for a motion to authorize the Township Administrator to sign the documents to accept the offer. 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 updated the Board on a levy request for the Police. He advised that he and Mr. Carolus would analyze the first half expenditures from 2024 to project the millage that would be needed to sustain the Police Department for a defined period of time.

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With no further business, Mr. Wade asked for a motion to adjourn the Regular Meeting at 6:12 p.m. 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.

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