

**RECORD OF PROCEEDINGS**  
**CLEARCREEK TOWNSHIP TRUSTEES**  
**Minutes of Regular Meeting**  
**April 14, 2025**

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

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

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. Wade called for General Public Comments. No comments were noted.

Mr. Wade asked Jonathon Neanover to come forward. Mr. Wade administered the Oath of Office as a Firefighter/Paramedic. Mr. Neanover's badge was pinned by his twin sister Amber. The Board and audience congratulated Firefighter/Paramedic Neanover.

Mr. Wade asked John Edelmann and Mike Smith to come forward. Mr. Wade administered the Oath of Office as Full Members of the Zoning Commission. The Board and audience congratulated Mr. Edelmann and Mr. Smith being reappointed to the Zoning Commission.

Mr. Wade opened public discussion on Resolution 5579 – A Resolution adopted under Ohio Revised Code Chapters 504 and 505 prohibiting unreasonable noise on real property in the unincorporated territory of Clearcreek Township, Warren County, Ohio, and dispensing with the second reading. Mr. Palmer, Planning and Zoning Director, gave background information on the Resolution noting changes that had been made from prior discussions.

Mr. Jim Gephart, 1150 Stokes Reserve Court, came forward to ask questions about the Resolution. Mr. Gephart, Mr. Palmer, and Mr. Clark, Township Administrator, discussed agricultural exemptions along with firearm usage.

Mr. James Musser, 3828 Weisenberger Road, came forward to discuss the noise issue at Spartan Supply Pallet Company on old State Route 122. Mr. Musser stated Mr. Palmer had visited his property. Mr. Musser noted that some improvements had been made to reduce noise but that he was still unhappy with the noise levels when the grinder was in operation. Mr. Wade advised that the current Resolution could be modified in the future if further action was needed. Mr. Pacheco, Law Director, noted constitutional issues with building noise barriers and advised Mr. Musser that he could bring private court action to help resolve the noise issue. Mr. Wade and Mr. Musser further discussed the issue. Mr. Palmer noted that the grinding operation was removing a canvas covering designed to be a barrier to reduce noise. Mr. Musser also noted issues with storm water drainage issues at the property. Mr. Wade asked Mr. Palmer to investigate the drainage issues.

Ms. Robin Murphy, 1150 Stokes Reserve Court, came forward to discuss noise issues at Hidden Valley Orchards. Mr. Palmer, Mr. Wade, and Ms. Murphy discussed the particulars of the Resolution. Mr. Palmer noted that the Township had met with the new owners and that concerts would be using



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acoustical instruments instead of amplified music. Mr. Gabbard noted that the Lanes no longer owned the property and related his noise experience where he lived.

Mr. Gabbard then stated that he would like all three trustees to vote on the Resolution. Mr. Wade advised that the Resolution could be tabled, and the vote could be moved back a couple weeks. After a short discussion, Mr. Gabbard moved to table the Resolution until the next meeting scheduled for April 28<sup>th</sup>. Mr. Wade seconded the motion. Upon roll call the vote was as follows: Mr. Gabbard-yea; and Mr. Wade-yea.

Mr. Carolus, Fiscal Officer, asked the Board to approve two transfer resolutions. The first Resolution was the quarterly interest transfer.

Mr. Wade read Resolution 5580 – 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 first quarter 2025 and dispensing with the second reading. Mr. Wade asked for a motion to approve the Resolution. Mr. Gabbard so moved with Mr. Wade seconding the motion. Upon roll call the vote was as follows: Mr. Gabbard-yea and Mr. Wade-yea.

Mr. Carolus then advised the second transfer resolution dealt with correcting a misapplied 2023 deposit that was supposed to be deposited into the One Ohio Opioid Settlement Fund.

Mr. Wade read Resolution 5581 – A Resolution approving a transfer of funds from the General Fund to the One Ohio Settlement Fund (Opioid) correcting a misapplied deposit and dispensing with the second reading. Mr. Wade asked for a motion to approve the Resolution. Mr. Gabbard so moved with Mr. Wade seconding the motion. Upon roll call the vote was as follows: Mr. Gabbard-yea and Mr. Wade-yea.

Mr. Wade read Resolution 5582 – A Resolution authorizing the Township Administrator to incur obligations greater than \$10,000 on behalf of the Township, dispensing with the second reading during a declared emergency period, and declaring an emergency. Mr. Clark advised that EMS unit 308's engine was inoperable and that the fix required \$20,009.84. The emergency period was only until the medic was repaired and to allow the medic to be returned to service as soon as possible. Mr. Clark noted that this was the first time this type of legislation had been available according to ORC 505.82(A). Mr. Agenbroad, Fire Chief, gave background information on the repair. Mr. Wade asked for a motion to approve the Resolution. Mr. Gabbard so moved with Mr. Wade seconding the motion. Upon roll call the vote was as follows: Mr. Gabbard-yea and Mr. Wade-yea.

Chief Agenbroad gave background information on a conditional offer of employment to Christopher Combs as Assistant Fire Chief at an annual salary of \$127,576. Chief Agenbroad then offered background information on a conditional offer of employment to Andrew Durniat as a Firefighter/Paramedic at a Step 3 pay of \$27.88 per hour. After a short discussion, Mr. Wade asked for a motion to approve a conditional offer of probationary employment to Chris Combs as Assistant



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Fire Chief. Mr. Gabbard so moved with Mr. Wade seconding the motion. Upon roll call the vote was as follows: Mr. Gabbard-yea and Mr. Wade-yea.

Mr. Wade then asked for a motion to approve a conditional offer of probationary employment to Andrew Durniat as a Step 3 Firefighter/Paramedic. Mr. Gabbard so moved with Mr. Wade seconding the motion. Upon roll call the vote was as follows: Mr. Gabbard-yea and Mr. Wade-yea.

Chief Agenbroad asked the Board to accept the generous donation of \$100 in memory of Claudia Bernard from the Bodary Family. Mr. Wade asked for a motion to accept the donation. Mr. Gabbard so moved with Mr. Wade seconding the motion. Upon roll call the vote was as follows: Mr. Gabbard-yea and Mr. Wade-yea.

Chief Agenbroad gave a short update on Station 24 after its grand opening.

Mr. Terrill, Police Chief, asked the Board to accept the generous donation of \$500 to benefit Safety Town 2025 from Simpkins Foley Insurance Associates. Mr. Wade asked for a motion to accept the donation. Mr. Gabbard so moved with Mr. Wade seconding the motion. Upon roll call the vote was as follows: Mr. Gabbard-yea and Mr. Wade-yea.

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

- 1 Approval of Regular Minutes – March 24, 2025, Regular Session.
- 2 Current Bills and Financial Report.
- 3 Accept the resignation of Steve Bond, Board of Zoning Appeals.
- 4 Accept the transmittal of Zoning Commission Action and set a Public Hearing for May 12, 2025, at 5:30 p.m. in the matter of the rezoning request for 100.296 acres known as 1176 State Route 73, parcel number 04-07-200-004, from Suburban Residence Zone “SR-1” to Residential Planned Unit Development “R-PUD”.
- 5 Accept the Road, Planning and Zoning, Police and Fire monthly reports for March 2025 and accept the 2024 Fire District Annual Report.

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

Mr. Clark noted that Mike Stater from the Warren County Small Business Development Alliance (SBDA) asked him to pass along their 2024 Annual Report to the Board. Mr. Clark also noted that the Township’s annual insurance policy would need to be brought to the next meeting as an emergency measure, as the effective date had already passed (April 1, 2025). Mr. Clark updated the Board on the Chamber of Commerce golf outing in June.

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Chief Agenbroad noted that tornado sirens are not meant to be heard indoors and are only designed to alert people who are outdoors. Chief Agenbroad noted that using a weather alert device inside a home is the best warning device.

With no further business, Mr. Wade asked for a motion to adjourn the Regular Meeting at 6:10 p.m. Mr. Gabbard so moved with Mr. Wade seconding the motion. Upon roll call the vote was as follows: Mr. Gabbard-yea and Mr. Wade-yea.

**FISCAL OFFICER**



**TRUSTEE**



**TRUSTEE**



**TRUSTEE**

