

RECORD OF PROCEEDINGS
CLEARCREEK TOWNSHIP TRUSTEES
Minutes of Regular Meeting
January 12, 2026

Prior to the call to order, Steve Muterspaw was sworn in as Trustee by Township Law Director, Bryan Pacheco. The Honorable Judge Jeff Kirby swore in new-elected Trustee, Troy Holtrey.

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

Mr. Gabbard 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. Gabbard requested nominations for Chairperson of the Clearcreek Township Board of Trustees. Mr. Muterspaw noted that most townships rotate the duties of Chairperson and requested that the other members of the Board support that concept. Mr. Muterspaw then nominated Mr. Gabbard to be Chairperson of the Board for 2026. Mr. Holtrey seconded the nomination and upon roll call the vote was as follows: Mr. Muterspaw-yea; Mr. Holtrey-yea; and Mr. Gabbard-yea.

Mr. Gabbard nominated Mr. Holtrey to be Vice Chairperson of the Board. Mr. Muterspaw seconded the nomination and upon roll call the vote was as follows: Mr. Gabbard-yea; Mr. Muterspaw-yea; and Mr. Holtrey-yea.

Mr. Gabbard administered the Oath of Office for Firefighter/Paramedic Shane Snyder. Mr. Snyder's badge was pinned by his son Jacob. The audience congratulated Firefighter/Paramedic Snyder.

Mr. Gabbard read Resolution 5639 – A Resolution to (approve/modify/deny) the zone change request of Christopher D. Brian, agent for Brian Manor LLC/Christopher C. Brian, to amend the Zoning Resolution and Map for a total of 14.2327 acres. The parcels are identified as 129 W SR 122, parcel number 08-03-400-087, from Rural Residence Planned Unit Development “R-1PUD” to Residential Planned Unit Development “R-PUD” and parcel number 08-03-400-063 from Residence Zone “R-1” to Residential Planned Unit Development “R-PUD,” and dispense with the second reading.

Mr. Gabbard asked for a motion to suspend the Regular meeting to hold a Public Hearing on the proposed Resolution. Mr. Muterspaw so moved with Mr. Holtrey seconding the motion. Upon roll call the vote was as follows: Mr. Muterspaw-yea; Mr. Holtrey-yea; and Mr. Gabbard-yea.

Mr. Palmer, Planning and Zoning Director, gave a short presentation on the proposed rezoning request.

Mr. Christopher D. Brian, agent for Brian Manor LLC, came forward and addressed the Board. Mr. Muterspaw asked how many events would be expected. Mr. Brian estimated one or two per month for the first year. Mr. Muterspaw noted that wedding events would typically happen on weekends.

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Mr. Powell, a neighbor, came forward to state that he had no objection to the project although he was concerned about how the business would be handled once the property sold. Mr. Powell asked the Board to consider noise and light issues when setting conditions for the zoning. Mr. Gabbard noted that several conditions in the current proposal address noise and light concerns. Mr. Powell stated his main concern was with the parking area and was pleased that a smaller additional parking area was included in the most recent proposal.

Mr. Gabbard asked if anyone in the audience wished to speak on the rezoning proposal. No further comments were noted.

Mr. Gabbard asked Mr. Brian if he wished to answer any questions or issues raised. Mr. Brian indicated he had no further input.

Mr. Gabbard asked for a motion to close the public hearing and immediately resume the regular meeting. Mr. Holtrey so moved with Mr. Muterspaw seconding the motion. Upon roll call the vote was as follows: Mr. Holtrey-yea; Mr. Muterspaw-yea; and Mr. Gabbard-yea.

Mr. Gabbard then asked for a motion to approve/modify/deny Resolution 5639. Mr. Muterspaw moved to approve the Resolution with Mr. Holtrey seconding the motion. Upon roll call the vote was as follows: Mr. Muterspaw-yea; Mr. Holtrey-yea; and Mr. Gabbard-yea.

Mr. Gabbard called for general public comments. An anonymous audience member asked where this rezoning request was located. The Board noted it was located at the southwest corner of State Route 122 and State Route 48.

Mr. Gabbard 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. Gabbard read Resolution 5640 – 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 Fourth Quarter of 2025 and dispensing with the second reading. Mr. Gabbard asked for a motion to approve the Resolution. Mr. Holtrey so moved with Mr. Muterspaw seconding the motion. Upon roll call the vote was as follows: Mr. Holtrey-yea; Mr. Muterspaw-yea; and Mr. Gabbard-yea.

Mr. Carolus asked the Board to act on a resolution to receive property tax advances from Warren County.

Mr. Gabbard read Resolution 5641 – A Resolution requesting the County Auditor to make tax advances during calendar year 2026 pursuant to Section 321.34 of the Ohio Revised Code and dispensing with the second reading. Mr. Gabbard asked for a motion to approve the Resolution. Mr.

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Muterspaw so moved with Mr. Holtrey seconding the motion. Upon roll call the vote was as follows: Mr. Muterspaw-yea; Mr. Holtrey-yea; and Mr. Gabbard-yea.

Mr. Gabbard read Resolution 5642 – A Resolution of intent to dispose of unneeded, obsolete, or unfit personal property, including motor vehicles by internet auction for 2026, and dispensing with the second reading. Mr. Clark, Township Administrator, noted this is a procedural resolution that must be passed annually. Mr. Gabbard asked for a motion to approve the Resolution. Mr. Holtrey so moved with Mr. Muterspaw seconding the motion. Upon roll call the vote was as follows: Mr. Holtrey-yea; Mr. Muterspaw-yea; and Mr. Gabbard-yea.

Mr. Gabbard read Resolution 5643 – 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 this is the third year for the contract to use the City of Franklin firing range and is an annual agreement. Mr. Gabbard asked for a motion to approve the Resolution. Mr. Muterspaw so moved with Mr. Holtrey seconding the motion. Upon roll call the vote was as follows: Mr. Muterspaw-yea; Mr. Holtrey-yea; and Mr. Gabbard-yea.

Mr. Gabbard read amended Resolution 5644 – 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 is the need to authorize and to approve immediate payment for the obligations below at the earliest time permitted by law. The items being purchased are:

- A. One-year agreement with Ferrell Gas to provide propane to all applicable Township facilities at a rate of \$2.09 per gallon (Est. 11,000 gallons = \$22,990).
- B. One-year agreement with Buckeye Ecocare to provide chemical lawncare at Patricia Allyn Park at an annual expense of \$16,867.50 for 2026.
- C. Two-year agreement with Vestis to provide rug, linen, and bathroom sanitation services to the Township at an estimated cost of \$5,669.04 in year one, and \$5,952.49 in year two (\$11,621.53 total) replacing the services of Cintas.
- D. Approve an additional \$13,837.38 in authority to REPLACE the motor in a 2018 Ford E Super Duty medic unit at Kirby's Auto & Truck Repair (added to the \$19,580.00 in authority granted by Resolution 5636 on 12/22/25) for an estimated total cost of \$33,417.38.

Mr. Clark gave background information on the items being purchased. Mr. Clark recognized Firefighter Marinelli for helping identify cost savings for the propane contract. Mr. Gabbard asked for a motion to approve the Resolution. Mr. Holtrey so moved with Mr. Muterspaw seconding the motion. Upon roll call the vote was as follows: Mr. Holtrey-yea; Mr. Muterspaw-yea; and Mr. Gabbard-yea.

Mr. Gabbard read Resolution 5645 – A Resolution certifying the changes to Clearcreek Township Road mileage during calendar year 2025 and dispensing with the second reading. Mr. Gabbard noted

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the new total for 2025 was 98.396 with the addition of .114 miles of accepted roadway. Mr. Gabbard asked for a motion to approve the Resolution. Mr. Muterspaw so moved with Mr. Holtrey seconding the motion. Upon roll call the vote was as follows: Mr. Muterspaw-yea; Mr. Holtrey-yea; and Mr. Gabbard-yea.

Mr. Gabbard asked for a motion to accept the retirement resignation of Dennis West as a Road Crewperson effective February 28, 2026, with the thanks and gratitude of a grateful township for his 26-plus years of dedicated service. Mr. Holtrey so moved with Mr. Muterspaw seconding the motion. Upon roll call the vote was as follows: Mr. Holtrey-yea; Mr. Muterspaw-yea; and Mr. Gabbard-yea.

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

- 1 Approval of Regular Minutes – December 22, 2025, Regular Session.
- 2 Current Bills and Financial Report.
- 3 Reclassify Road Crewperson Alex Harshbarger from probationary status to permanent, fulltime effective January 5, 2026.
- 4 Accept the Road, Planning and Zoning, Police and Fire monthly reports for December 2025.

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

At 6:02 p.m., Mr. Gabbard asked for a motion to enter Executive Session pursuant to Ohio Revised Code 121.22(G)(3), to conference with an attorney for the public body concerning disputes involving the public body that are the subject of pending or imminent court action. Mr. Muterspaw so moved with Mr. Holtrey seconding the motion. Upon roll call the vote was as follows: Mr. Muterspaw-yea; Mr. Holtrey-yea; and Mr. Gabbard-yea.

At 6:40 p.m. the Board returned from Executive Session and immediately resumed the Regular Session.

With no further business, Mr. Gabbard asked for a motion to adjourn the Regular Meeting at 6:40 p.m. Mr. Muterspaw so moved with Mr. Holtrey seconding the motion. Upon roll call the vote was as follows: Mr. Muterspaw-yea; Mr. Holtrey-yea; and Mr. Gabbard-yea.

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