

RECORD OF PROCEEDINGS
CLEARCREEK TOWNSHIP TRUSTEES
Minutes of Regular Meeting
September 14, 2026

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.

Mr. Gabbard asked for a motion to appoint Brandon Lingenfelter as a lateral entry, Probationary Police Officer at an hourly rate of pay of \$43.74, effective October 1, 2026. 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 administered the Oath of Office to Mr. Lingenfelter. Officer Lingenfelter was pinned by his wife Emily and his son Weston. The audience congratulated Officer Lingenfelter on his appointment.

Mr. Gabbard asked for a motion to promote Firefighter/Paramedic Sean O'Neill to the position of Probationary Lieutenant at an hourly rate of pay \$36.84 per hour, effective September 12, 2026. 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 administered the Oath of Office to Mr. O'Neill. Lieutenant O'Neill was pinned by his wife Meredith. The audience congratulated Lieutenant O'Neill on his appointment.

Mr. Gabbard noted that the next three people to be sworn in had been approved at prior meetings. Mr. Gabbard administered the Oath of Office to Cameron Deye, Ethan Murphy, and Jamie Burgasser. Firefighter/Emergency Medical Technician (EMT) Deye was pinned by his mother Shannon Deye. Firefighter/EMT Murphy was pinned by his father-in-law, Dr. William Marriott. Firefighter/Paramedic Burgasser was pinned by her husband Matt. The audience congratulated the trio on their appointments.

Mr. Gabbard asked for a motion to suspend the Regular meeting and conduct a public hearing on a Stage 1 zone change application of 70.9292 acres owned by the Daniel J. Kahmann Revocable Living Trust from R-1A to R-PUD, parcel ID #05-33-200-003. 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. Jeff Palmer, Planning and Zoning Director, gave a presentation on the application. Mr. Gabbard noted the elimination of the school access path that was in the original Regional Planning committee recommendation. Mr. Palmer noted the school district did not want the path due to lack of appropriate infrastructure and location. Hearing no other questions from the Board, Mr. Gabbard asked the proponent to come forward. Mr. Daniel Kahmann noted that he had attempted to keep the general character of the surrounding subdivisions (Crown Point and Crown Point Meadows) with this new development. With no questions from the Board, Mr. Gabbard then opened the floor to Public Comment on the zone change.

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Mr. Don Leesman, 9505 Monaco Circle, came forward to address two concerns. The first concern was the depth of the open space between the Soraya Farms development and the proposed development. The second concern was the additional traffic that would occur in the Soraya Farms and Winding Creek developments, with additional emphasis on adding a traffic signal at State Route 48. Mr. Leesman thanked Mr. Kahmann for adding additional open space between the new development and Soraya Farms. Mr. Leesman asked Mr. Palmer about the process of working through the warrants to get the intersection signalized. Mr. Palmer explained the process. Mr. Leesman expressed his concern about the existing Soraya Farm street design leading into the final section of Soraya Farms subdivision being developed along with the Soraya Farms entrance. Mr. Gabbard noted that street issues at the entrance are not under discussion for this rezoning. Mr. Leesman stated he wanted his concern to be on the record. No further comments from the audience were noted. No further comments from the developer or Board were noted.

Mr. Gabbard asked for a motion to conclude the Public Hearing and 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 amend Resolution 5698 to modify condition 10(f) - Minimum Open Space to 25.0%. 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 read Resolution 5698 – An amended Resolution to (approve/modify/deny) the zone change request of Richard Evans of Evans CivilPro Engineers, LLC agent for Daniel J. Kahmann revocable living trust to amend the Zoning Resolution and Map for a total of 70.9292 acres of the 71.1578 acre parcel from Residence Zone “R-1A” to Residential Planned Unit Development “R-PUD,” and to dispense with the second reading. Mr. Gabbard asked for a motion to approve, modify, or deny the amended Resolution. Mr. Muterspaw moved to approve the amended 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 noted that he had an update for people in the audience concerning Weidner Road and Springboro Schools connector before opening the Public Comment section of the meeting. Mr. Gabbard noted he had asked for, and that the Township had attended a meeting along with the school district, the county engineer’s office, and representatives from the City of Springboro to discuss Township concerns. Mr. Gabbard asked during that meeting that the decision to build the connector be delayed until construction was completed to allow time for the main campus traffic issues to be mitigated by construction of the Easton Farm pre-K through second grade building. Mr. Gabbard emphasized that the plan was in its early stages with initial plans to just allow gated bus access with a right turn only onto Weidner Road. Mr. Gabbard further offered that there were other mitigation alternatives that should be considered as well. Mr. Gabbard noted that even with speed reductions along the road, there would still be problems with young drivers. Mr. Holtrey thanked the audience for voicing their opinions and noted that the Board had received petitions and phone calls. Mr. Holtrey noted that the Township had limited ability to stop the new access road and that the County would

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have the final approval to any changes to road access. Mr. Holtrey noted that he felt the group was being heard and that the parties involved with the new road access were aware of the group's concerns. Mr. Gabbard reiterated that the Board had long been aware of the concept and been grappling with it for years.

Mr. Gabbard called for Public Comments.

Mr. Brian Smith, 5441 Weidner Road, came forward to discuss his concerns with a new school connection to Weidner Road. Mr. Smith was concerned with speed limits and heavy traffic on roads that will now have bus and school traffic. Mr. Gabbard and Mr. Smith discussed the issues with traffic. Mr. Smith stated his concern that future school superintendents might change the intent of how traffic is handled. Mr. Gabbard noted that a school board manages school superintendents and that any change to how the road would be used would require further County study and work.

Mrs. Terri Whittridge, 6956 Weidner Road, thanked the Board for supporting efforts to be heard. Mrs. Whittridge offered an alternative to how students are dismissed. Mr. Gabbard stated that changing how students are dismissed would not change the total amount of student traffic and would be ineffective. Mr. Holtrey told Mrs. Whittridge that her efforts and concerns were being heard and to maintain focus on developments as they occur.

Mr. Dave Diemunsch, 6615 Weidner Road, came forward to discuss his concerns with other local jurisdictions actions and with additional traffic on Weidner Road from State Route 741. Mr. Gabbard noted the Cotermminus Agreement allowed the Township to deny annexation requests from the City. Mr. Diemunsch thanked the Board for listening to their concerns.

Mr. Driskoll "Pete" Gibbs, 7328 Larkspur Court came forward. Mr. Gibbs commented on storm water issues at his property. Mr. Gabbard noted that an attempt had been made to ameliorate the situation but had been rejected by Mr. Gibbs.

Mr. Benjamin Fogle, 9818 Knoll Creek Court, came forward to ask the Board to post no parking signs along a section of Knoll Creek Court to alleviate issues with accessing the remainder of the cul-de-sac. Mr. Fogle gave the Board information on how snow removal and trash collections were denied due to parking along the road. Mr. Fogle also stated his concerns with property damage and emergency vehicle access if snow removal wasn't done. Mr. Fogle also stated his concerns about the limited sightlines and the safety of many children who live on the street. Mr. Jones, Road Superintendent, noted that the road had not been released by the County to the Township for maintenance. Mr. Gabbard stated the Township would review the situation when the County Engineer's Office and Township meet to release that section of the subdivision.

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.

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Mr. Carolus, Fiscal Officer, asked the Board to accept the amounts and rates as approved by the Warren County Budget Commission.

Mr. Gabbard read Resolution 5699 – A Resolution accepting the amounts and rates as determined by the Budget Commission of Warren County, authorizing the necessary tax levies and certifying them to the county auditor 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. Gabbard read Resolution 5701 – A Resolution accepting public streets for maintenance in Country Creek Estates, Sections Two and Three, Clearcreek Township, Warren County, Ohio, and dispensing with the second reading. Mr. Jones noted that the acceptance of the road added 1.1 miles to the Township's total road mileage for a total of 99.38 road miles under Township maintenance. 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 Resolution 5702 – A Resolution amending the Section 125 Cafeteria Plan for township officers and employees pursuant to Ohio Revised Code Section 505.603, dispensing with the second reading, and declaring an emergency. The reason for the emergency is the need to make the Cafeteria Plan amendment effective by the plan renewal date of October 1, 2026. 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 asked the Board to accept a generous \$150 donation to benefit the Echo Valley Disc Golf Course at Hoffmann Reserve from Jay Harbin, hole not designated. Mr. Gabbard asked for a motion to accept the donation. 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. Terrill, Police Chief, asked the Board to accept the retirement resignation of Police Lieutenant Wallace Stacy, effective November 1, 2026, with the thanks of a grateful community after 19 years of dedicated service to Clearcreek Township. Mr. Gabbard added his personal thanks for Lieutenant Stacy's service and noted that "Wally" will be missed. Mr. Gabbard asked for a motion to accept the retirement resignation. 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.

Chief Terrill reminded the Board that National Night Out was Thursday at Patricia Allyn Park from 5:00 p.m. to 8:00 p.m.

Mr. Agenbroad, Fire Chief, asked the Board to make a conditional offer of probationary employment to Frederick (Tom) Courville as a Firefighter/EMT at the rate of \$24.91 per hour, effective September 12, 2026, pending acceptable background and pre-employment screenings. Chief Agenbroad noted

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that Mr. Courville is currently a part-time firefighter for Trotwood, Ohio. Mr. Gabbard asked for a motion to accept the recommendation of conditional probationary employment. 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.

Chief Agenbroad asked the Board to accept a generous \$100 donation from Jerry & Shirley Hidy to benefit the Fire District. Mr. Gabbard asked for a motion to accept the donation. 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.

Chief Agenbroad noted that the Fire Open House was scheduled for Sunday, October 4th.

Mr. Jones noted that the 2026 Cape Sealing Project was starting this week after a couple of weeks delay due to weather.

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 – August 24, 2026, Regular Session.
- 2 Current Bills and Financial Report.
- 3 Accept the seasonal employment resignation of Park Crewperson Brogan Miller effective September 18, 2026.
- 4 Adjust Police Officer Nick Horwarth's rate of pay to \$42.26 (Step 5 Patrol Officer), effective September 12, 2026, as prescribed by the collective bargaining agreement.
- 5 Accept the Road, Planning and Zoning, Police and Fire monthly reports for August 2026.

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

Mr. Pacheco, Law Director, wanted to address Mr. Gibbs' comments. Mr. Pacheco noted that an offer to help Mr. Gibbs was rejected a couple of years ago. Mr. Pacheco and Mr. Gabbard noted that Mr. Gibbs had invited the Board to come to his property and then later asked the Police Department to place a trespass charge on the Board for being on his property. Mr. Pacheco noted that the Board had great sympathy for Mr. Gibbs' problems and that the Board had tried to address the problem. Mr. Gibbs wanted a different solution.

With no further business, Mr. Gabbard asked for a motion to adjourn the Regular Meeting at 6:54 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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