

**RECORD OF PROCEEDINGS**  
**CLEARCREEK TOWNSHIP TRUSTEES**  
**Minutes of Regular Meeting**  
**March 25, 2024**

The Clearcreek Township Trustees met in regular session at 9:00 a.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 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 asked Mr. Carolus to come forward to renew the Oath of Office as Fiscal Officer for the Township. Mr. Wade administered the Oath. Mr. Carolus thanked the Board for their service to the Township.

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

Mr. Wade read Resolution 5493 – A Resolution accepting the donation by bequest, devise, deed of gift, or otherwise, of real or personal property for any township use and dispensing with the second reading. This is for two very generous cash donations of \$500 each from Sandy’s Towing and Simpkins/Foley Insurance for the benefit of Safety Town 2024. Mr. Carolus noted that all deposits received by the Township must be deposited within 72 hours. If the Board ever chose to not accept a donation, a Township check will need to be sent back to the donor. 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 5494 – A Resolution authorizing the Township Administrator to incur obligations greater than \$10,000 on behalf of the Township and dispensing with the second reading. The items being purchased are:

- a. Seven pallets of mastic road repair material from DJL Material, Akron, OH at a total cost of \$19,488.00.
- b. Five pallets of road sealant from DJL Materials, Akron, OH, at a total cost of \$11,193.75.
- c. 2024 Contribution to the Warren County Drug Task Force at a total cost of \$17,176.00.

A discussion by the Board, Mr. Pacheco, Law Director, Mr. Agenbroad, Fire Chief, and Mr. Carolus, ensued about the need to consider timing for purchase orders and payments. The Board then decided to amend the Resolution to reflect the need for an emergency clause to allow payment before thirty days on the items in the Resolution. Mr. Wade asked for a motion to amend the Resolution to add an emergency clause. 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 then asked for a motion to approve the amended 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.

**RECORD OF PROCEEDINGS**  
**CLEARCREEK TOWNSHIP TRUSTEES**  
**Minutes of Regular Meeting**  
**March 25, 2024**

Mr. Wade read Resolution 5495 – A Resolution authorizing Clearcreek Township (Tenant) to acknowledge and consent to easement being granted by the City of Springboro (Landlord) to Duke Energy Ohio on real property upon which Fire Station 24 is being constructed and dispensing with the second reading. Mr. Clark, Township Administrator, explained the need for the agreement. 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 5496 – Resolution approving the Memorandum of Understanding (MOU) by and between the Board of Clearcreek Township Trustees and International Association of Fire Fighters Local 4207, dispensing with the second reading, and declaring an emergency. Mr. Clark gave a short explanation for the MOU. The reason for the emergency being the need to meet the contractual change in a timely manner. 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. Jones, Road Superintendent, noted that construction of the new Salt Barn had begun with the removal of leftover salt being temporarily placed in other jurisdictions during construction.

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 Minutes – March 11, 2024, Regular Session.
- 2 Current Bills and Financial Report.
- 3 Fire District Annual Report for 2023.
- 4 Approval to make application for the annual State EMS Grant through the Ohio Department of Public Safety / Division of EMS.
- 5 Accept the employment resignations of the following personnel:
  - a. Jed Fernbaugh, last shift effective March 20, 2024
  - b. Tony LeMaster, last shift effective April 7, 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.


At 9:19 a.m., Mr. Wade asked if the Board wished to go into executive session. 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. Pacheco noted that the motion didn't include the reason for the executive session and the motion would need to be presented again. Mr. Wade then asked for a motion to enter executive session pursuant to Ohio Revised Code 121.22(G)(1) To consider the appointment and compensation of a public employee. Mr. Muterspaw moved to enter executive session per ORC 121.22(G)(1). Mr. Gabbard seconded the motion and upon roll call the vote was as follows: Mr. Muterspaw-yea; Mr. Gabbard-yea; and Mr. Wade-yea.

**RECORD OF PROCEEDINGS**  
**CLEARCREEK TOWNSHIP TRUSTEES**  
**Minutes of Regular Meeting**  
**March 25, 2024**

The Board returned from executive session at 9:57 a.m. with Mr. Wade immediately resuming the regular meeting.

With no further business, Mr. Wade asked for a motion to adjourn the Regular Meeting at 9:57 a.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**

