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CONCORD TOWNSHIP BOARD OF ZONING APPEALS
LAKE COUNTY, OHIO
MEETING

August 12, 2009

Concord Town Hall
7229 Ravenna Road
Concord, Ohio 44077

7:00 p.m.

TRANSCRIPT OF PROCEEDINGS

Board of Zoning Appeals members present:

Gordon Hanford, Chairman
James Rowe, Vice Chairman
Richard Smith
Claudia Hemphill
Blair Hamilton

Also Present:

Christine Jarrell, Alternate
Kathy Miller, Alternate

King & Melton Court Reporters
11668 Girdled Road
Concord, Ohio 44077
(440) 946-1350

1 7:00 p.m.

2 CHAIRMAN HANFORD: The Board of Zoning Appeals
3 meeting for August 12th, 2009, is now in session. I would like
4 to introduce the Board. Moving left to right, Blair Hamilton,
5 Claudia Hemphill, Richard Smith, Vice Chair Jim Rowe. I'm
6 Gordon Hanford. To my far right is Kathy Mitchell, zoning
7 inspector.

8 And if you are expecting to or would like to talk
9 tonight, on advice of our counsel, we would like to have you
10 sworn in. So if you are expecting to talk or will talk, would
11 you please stand and we will swear you in, please. Do you
12 swear that the testimony you are about to give tonight is the
13 whole truth and nothing but the truth, so help you God? If so,
14 say "I do."

15 (Speakers responded affirmatively en masse.)

16 CHAIRMAN HANFORD: Thank you. When presenting your
17 case, we'd like you to come to the microphone and give your
18 name and address and then present your case.

19 Were the legal notices issued timely?

20 MS. MITCHELL: Yes, they were.

21 CHAIRMAN HANFORD: Thank you. The first on the
22 agenda is Appeal Number 0709-952, Tom Clifford, of 6311 Cheryl
23 Drive (R-1 Residential District) proposes to convert his
24 existing garage into living space for additional bedrooms, and
25 construct a 2-car garage addition to be located 10 feet from
26 the side property line, in lieu of the 15 feet minimum side
27 yard clearance required, as said forth in Section 15.07 of the
28 Concord Township Zoning Resolution. Section 15.08 I of the
29 Zoning Resolution requires that every dwelling have a 2-car
30 garage (attached or detached). Alternatively, the applicant

1 proposes to convert the existing garage without additional
2 garage space or to construct a single-car garage, in lieu of
3 the garage space requirements in Section 15.08 I of the Zoning
4 Resolution.

5 Would you please come forward and present your case,
6 please? Are you sworn in?

7 MR. CLIFFORD: Yes.

8 CHAIRMAN HANFORD: Thank you.

9 MR. CLIFFORD: My name is Tom Clifford, 6311 Cheryl
10 Drive, Concord, Ohio. And the reason I am here is we purchased
11 the house in the end of March and, at that time, I did not have
12 custody of some of my children. They were with my ex-wife.
13 Throughout the court process, I gained custody of one of them
14 on a full-time basis and the other one on alternating weeks,
15 and it's a three-bedroom house, and my fiance currently has
16 three children and we had the bedrooms filled.

17 So because of the way the house is laid out on the
18 property, there is nowhere else to expand for bedrooms because
19 the back of the house drops down approximately 40 feet or 50
20 feet down to the back yard, and then on the opposite side of
21 the house, of the garage, there is no room for anything, and
22 then on the front of the house we would be in violation of the
23 50-foot setback that is in place. So I started to convert the
24 garage into bedrooms and then I was stopped by the zoning
25 inspector. And he said, "You have to come here and explain
26 your case," and so on and so forth, so that's what I am here
27 for.

28 I am willing to build a 2-car garage, as per your
29 code, if I can get that variance, or I am willing to basically
30 go without a garage or a single-car garage but I need the

1 bedroom space for my children. I have no other room to house
2 them.

3 CHAIRMAN HANFORD: The first question I have is, we
4 received a letter which questions your ownership aspect of this
5 property. Did you bring any documents that you actually are
6 the owner?

7 MR. CLIFFORD: We have a — I don't have a document
8 that states that. I have — I was out of town here and I have
9 where it says — What happened is the current owners are acting
10 as the bank for a period of 24 months and we're paying them
11 lumps of money every month to pay the house off, so we don't
12 have conventional bank financing. But within that agreement,
13 we're paying the taxes, the, you know, everything. We're
14 paying the entire — everything. It is just that the closing
15 is pending us paying that balance off.

16 So I also have though where they put in the agreement
17 that we may finish — I mean, I have the document here if you
18 want me to —

19 CHAIRMAN HANFORD: Yeah, please.

20 MR. SMITH: Mr. Clifford, is this then a land
21 contract?

22 MR. CLIFFORD: Actually, it's a purchase agreement,
23 it's not a land contract in the fact that it's —

24 MR. SMITH: There is nothing filed with the recorder
25 that says that you're the owner?

26 MR. CLIFFORD: I do not believe so.

27 CHAIRMAN HANFORD: The first one is, "Tenant shall
28 make no alterations or modifications to premises without the
29 written consent of landowner, which consent shall not be
30 unreasonably withheld."

1 MR. CLIFFORD: But then read the next paragraph.

2 CHAIRMAN HANFORD: Well, still.

3 MR. CLIFFORD: That's where they give us the
4 permission.

5 CHAIRMAN HANFORD: See.

6 MR. SMITH: This is titled "Alterations and
7 Improvements," it's Section 14. What is this document from?

8 MR. CLIFFORD: That's out of the purchase agreement.
9 I was just not in town, so I asked the attorney to send me
10 that.

11 MR. SMITH: It does give the tenant permission to
12 convert the existing garage to bedrooms, construct a detached
13 garage. It does give him permission.

14 CHAIRMAN HANFORD: Is it signed? Is this signed?

15 MR. CLIFFORD: Yes. I mean, I can forward you the
16 whole — I just was out of town. I didn't have time to get the
17 whole signed, so I had him send that to me.

18 CHAIRMAN HANFORD: I will pass what we have to see if
19 that's —

20 MS. MITCHELL: Any decision you make, you can add a
21 condition if you want.

22 MS. HEMPHILL: I mean, we could, to clarify what you
23 said, we can make a decision with the caveat that, based on the
24 fact that he indeed is the owner?

25 MS. MITCHELL: And the contract will be provided.

26 MS. HEMPHILL: And he has X amount of time to do
27 that, is that how that happens?

28 MS. MITCHELL: We would just not issue the permit
29 until we are provided that information.

30 CHAIRMAN HANFORD: Any questions other than this?

1 MR. SMITH: Mr. Clifford, with the request for the
2 2-car garage addition, whether it's attached or detached, and
3 the side yard variance going to 10 feet in lieu of 15 feet,
4 what is your intent when to construct the garage?

5 MR. CLIFFORD: We would start within a week or two,
6 just long enough to get the permits turned into the county, to
7 get the prints turned in to get the permits.

8 MR. SMITH: At this point, you haven't made a permit
9 application to Concord?

10 MR. CLIFFORD: Because they said until I had this,
11 you know, I guess they work hand in hand. I don't know because
12 they told me —

13 MS. MITCHELL: We did them at the same time. It was
14 denied based on the variance.

15 MR. SMITH: So there is an application for the garage
16 then?

17 MS. MITCHELL: Yes. That's the second portion of
18 variance, so that's Application Number 0709-139-47.

19 MR. SMITH: Thank you.

20 CHAIRMAN HANFORD: Have you talked to any contractors
21 yet?

22 MR. CLIFFORD: I actually have a construction
23 business.

24 CHAIRMAN HANFORD: Oh, you do?

25 MR. CLIFFORD: Yes.

26 MR. HAMILTON: The home has T-111 siding on it?

27 MR. CLIFFORD: Actually, it has lap siding.

28 MR. HAMILTON: It has lap?

29 MR. CLIFFORD: On the side.

30 MR. HAMILTON: We have here that your garage plans,

1 as submitted here, would match well with the current design of
2 the home.

3 MR. CLIFFORD: Well, that was the blueprint for the
4 garage kit from Carter Lumber. We would — It comes with
5 either T-111 or lap siding, 6-inch lap or 8-inch, but it would
6 be the wood sided, cedar siding just like the house.

7 CHAIRMAN HANFORD: Now, I noticed, when we were
8 stepping in, you have a walk going on the side of the house,
9 left-hand side of the house —

10 MR. CLIFFORD: Correct.

11 CHAIRMAN HANFORD: — to the deck on the back.

12 MR. CLIFFORD: Correct.

13 CHAIRMAN HANFORD: Where do you propose to have the
14 garage abut the house?

15 MR. CLIFFORD: The garage would abut at the man door
16 on the side there. That sidewalk would be taken off and then
17 the garage would abut at that man door so that it's attached
18 because it would actually have to be an attached garage, we
19 found out, because there is a shed in the back yard and you
20 can't have two separate freestanding units. So to attach it,
21 we would attach it right at the man door on the side of the
22 home.

23 MR. SMITH: Mr. Clifford, you mentioned that you have
24 a construction company.

25 MR. CLIFFORD: Yes.

26 MR. SMITH: Do you do work in Lake County?

27 MR. CLIFFORD: Yes, we have.

28 MR. SMITH: You have, or is that where most of your
29 work is done?

30 MR. CLIFFORD: No. We work across the country,

1 actually. We're a national firm.

2 CHAIRMAN HANFORD: Would you build the garage
3 yourself?

4 MR. CLIFFORD: Yes. We started to do that and that's
5 when they stopped us.

6 CHAIRMAN HANFORD: Do you know, in your construction,
7 you have building permits?

8 MR. CLIFFORD: Right. And, honestly, I was not aware
9 that we couldn't convert the inside of the house to — without
10 a permit. I didn't know I needed a permit to convert a garage
11 because I have done it previously in my own houses in two other
12 cities and I had no issue. If it was any external alterations,
13 you're adding anything externally, that was —

14 MR. ROWE: Well, it's a pretty big external
15 alteration when you do away with the garage door.

16 MR. CLIFFORD: Okay.

17 MR. SMITH: There is quite a bit of information,
18 Mr. Clifford. I work for a building department. In the state
19 of Ohio, all building departments require any alteration to any
20 residential structure have building permits. That's just FYI
21 for you in the future, especially, if you're working in the
22 state of Ohio.

23 MR. CLIFFORD: Okay.

24 MR. SMITH: So as a contractor, you're responsible,
25 so I am looking at this as this act was irresponsible.

26 MR. CLIFFORD: Okay.

27 MR. HAMILTON: Mr. Clifford, have you discussed this
28 with either of your adjoining neighbors?

29 MR. CLIFFORD: Yes. One of the adjoining neighbors
30 is here and the other one has no issue with it.

1 CHAIRMAN HANFORD: Any other questions?

2 MR. ROWE: No.

3 CHAIRMAN HANFORD: Thank you.

4 MR. CLIFFORD: Okay.

5 CHAIRMAN HANFORD: Is there anyone here speaking on
6 behalf of the appeal or for the appeal? For it? For? Are you
7 for the appeal?

8 AUDIENCE MEMBER: I am for the appeal but I didn't
9 swear in to speak.

10 MS. MITCHELL: You can swear now.

11 AUDIENCE MEMBER: I don't need to make a statement.
12 I am just supporting.

13 CHAIRMAN HANFORD: Okay. Anyone speaking against the
14 appeal?

15 MR. MOOMAW: I held my hand up for.

16 CHAIRMAN HANFORD: For? Come on up.

17 MR. MOOMAW: I am James Moomaw, 6315 Cheryl Drive.

18 CHAIRMAN HANFORD: Have you been sworn in?

19 MR. MOOMAW: Yes, I was sworn in. I live on the
20 opposite side of the proposed garage. I have a question,
21 first. I see the proposed reduction of side width. But also
22 in the paragraph there is the alternative of no garage or
23 single car. Are those two all lumped with the appeal? Are
24 they separate? Do they come afterwards? I want to address
25 what's on the table now, not —

26 CHAIRMAN HANFORD: Both are being considered.

27 MR. MOOMAW: Okay. I guess, my opinion, I am not
28 against the garage with the 5-foot variance. I do think that
29 it's necessary to have a 2-car garage and that a no-car garage
30 or a single-car garage is not, in my opinion, a correct way to

1 go.

2 CHAIRMAN HANFORD: Okay.

3 MS. HEMPHILL: Thank you.

4 CHAIRMAN HANFORD: Thank you very much. Anyone else
5 speaking for the appeal? Anyone speaking against the appeal?

6 MR. WEST: My name is Randy West. I live at
7 6294 Cheryl. And I just think that for the aesthetics of the
8 neighborhood and the property value, number one, if he is a
9 contractor in the state of Ohio, which I am sure he is, he
10 knows you have to get a building permit and a zoning permit, so
11 to come in and do it — and they're living in it. I mean, it's
12 not like it isn't already done. And then to ask for permission
13 now to do it, I just think, you know, there should be no
14 special treatment for this situation. And that's — And as far
15 as him saying the guy on the other side doesn't care, I have
16 talked to the neighbor on the other side. He does care.

17 CHAIRMAN HANFORD: Thank you.

18 MR. ROWE: Thank you very much.

19 MS. HEMPHILL: Thank you.

20 CHAIRMAN HANFORD: This portion of the meeting is
21 closed. I will entertain a motion to approve Appeal Number
22 0709-952.

23 MR. HAMILTON: So moved.

24 MR. ROWE: Second.

25 CHAIRMAN HANFORD: It's moved and seconded.

26 Comments?

27 MR. SMITH: The appeal is for the 10-foot setback in
28 lieu of 15-foot for a 2-car garage, correct?

29 MS. HEMPHILL: Correct.

30 CHAIRMAN HANFORD: Comments?

1 MR. ROWE: It still has to, at some point, put in
2 this proviso of assuring that there is ownership.

3 CHAIRMAN HANFORD: Yes. Now, if we do that, does he
4 have to change his appeal, that we vote on the appeal but it
5 would be on the condition that he supply proof positive that he
6 is the owner?

7 MR. SMITH: We can make that part of the variance.

8 CHAIRMAN HANFORD: We can make that without
9 readdressing the issue? Okay. Is that what we want to do?

10 MR. ROWE: Absolutely.

11 MS. HEMPHILL: That absolutely has to go in.

12 CHAIRMAN HANFORD: Okay. Why don't we just change
13 the motion, that we make that as a condition that he provide to
14 Kathy the intention or the fact that he is the owner.

15 MR. SMITH: Signature of both parties to the purchase
16 agreement, the current owner and Mr. Clifford as tenant.

17 CHAIRMAN HANFORD: Second on that motion?

18 MS. HEMPHILL: Second.

19 CHAIRMAN HANFORD: Okay. Good.

20 MR. ROWE: Should that be reviewed by our legal
21 director?

22 CHAIRMAN HANFORD: Kathy?

23 MR. ROWE: What do you think?

24 MS. MITCHELL: I guess if it's unclear, I can
25 certainly hand it over to him.

26 MR. ROWE: Yeah. You'll handle that for us.

27 CHAIRMAN HANFORD: Yeah. I don't think we — The
28 next question now is the variance itself, the 10-foot, voting
29 on that with the condition. True?

30 MR. ROWE: True.

1 CHAIRMAN HANFORD: The question is on Appeal Number
2 0709-952. A yes vote is for the approval, a no vote denies the
3 use. Kathy, please call for a vote.

4 MS. MITCHELL: Mr. Smith?

5 MR. SMITH: Yes.

6 MS. MITCHELL: Mr. Hamilton?

7 MR. HAMILTON: No.

8 MS. MITCHELL: Mr. Rowe?

9 MR. ROWE: Yes.

10 MS. MITCHELL: Ms. Hemphill?

11 MS. HEMPHILL: Yes.

12 MS. MITCHELL: Mr. Hanford?

13 CHAIRMAN HANFORD: Yes. The appeal is approved on
14 the proviso.

15 MR. CLIFFORD: Thank you.

16 CHAIRMAN HANFORD: See Kathy as you go so she can get
17 things signed. Thank you.

18 The next item on the agenda is Appeal 0709-953. And
19 that is Herbruck Properties, LLC, requests a variance for the
20 wall sign located at 7466 Auburn Road (B-1 Restricted Retail
21 District). Specifically, the applicant requests additional
22 sign space of approximately 10 square feet in lieu of the
23 original variance granted on Application Number 0707-908 for
24 this sign. Please come forward and present your case. Your
25 name and address?

26 MR. KALMEYER: Mark Kalmeyer.

27 CHAIRMAN HANFORD: Have you been sworn in?

28 MR. KALMEYER: I was sworn in. 7466 Auburn Road,
29 Concord Township. When Mr. Herbruck first posted "Concord
30 Advisors" on the side of the building, his original plan was to

1 have "Registered Investment Advisors" on there. Apparently, in
2 the first appeal process, he agreed to have one sign up. From
3 there, he put that sign up and we, pretty much, immediately
4 started to get people coming into the building asking
5 questions. Where is the town hall? Where do I drop off my
6 garbage? Where do we recycle at? We had somebody come in and
7 ask where the pinochle game was being held. Today, I had
8 somebody come in and ask where the Time Warner service building
9 was, which was on Auburn Road just a little bit further down.

10 Also, he realized that just having "Concord Advisors"
11 didn't tell people what we actually did, like other signage in
12 the township does. So what he did was we drove around and
13 looked at the various buildings. Bellasano is coffee and
14 cuisine. F & T is Fit and Tan. Rebound is physical therapy.
15 And, at that point, his plan, he really felt we needed to get
16 "Registered Investment Advisors" on the sign of the building
17 and probably should have really requested it in the first
18 appeal that he did with you guys. That's pretty much where
19 we're at.

20 MR. ROWE: And then he, once he decided, then he put
21 the sign up?

22 MR. KALMEYER: Yes, he did.

23 MS. HEMPHILL: Is there a reason he didn't call to
24 say, "This isn't working. How can we work it out?" instead of
25 doing it first and then wondering why he got spoken to?

26 MR. KALMEYER: Unfortunately, I can't answer that.

27 MR. ROWE: The other thing I got a little confused
28 with was the packet that was submitted, the items from the Ohio
29 Department of Commerce —

30 MR. KALMEYER: Okay.

1 MR. ROWE: — which seems to have indicated, as of
2 September 11th of 2008, that you're not supposed to use that
3 "RIA" designation.

4 MR. KALMEYER: Correct. You're not allowed to
5 abbreviate it. It has to be —

6 MR. ROWE: I see.

7 MR. KALMEYER: — spelled out as Registered
8 Investment Advisors, what it is, because the general public,
9 they may not know what RIA stands for, so they want it spelled
10 out Registered Investment Advisor.

11 MR. ROWE: The letter says the correct designation is
12 Licensed Investment Advisor. Well, that's neither here nor
13 there. I am just curious that he, after being through the
14 drill, that he would decide to just add to the sign of his own
15 accord.

16 CHAIRMAN HANFORD: I'd just like to say to anybody
17 that's listening, either in the audience here or throughout
18 Concord, that we have regs. We're not country. And we're
19 getting a little tired of people moving ahead with things and
20 then coming in and saying, "Oh, you caught me." They don't say
21 that. "I made a mistake," or, "Oh, I didn't know."

22 I am telling you now, you do know. If you're in
23 business for yourself, you ought to know these things or not be
24 in business. Am I right in saying something like that?

25 MR. HAMILTON: In particular, I would add that there
26 was already a variance request made for this building for
27 signage. I think it was pretty clear that signage would be an
28 issue, no matter what.

29 MR. KALMEYER: I understand, yes.

30 MR. SMITH: I would ask that Mr. Herbruck go back to

1 the Ohio Department of Commerce and get verification on
2 Exhibit A where the compliance specialist for investment
3 advisors in the state of Ohio advises that the designation
4 "RIA" was not appropriate, that the proper, correct designation
5 of Ohio Licensed Advisor is "Licensed Investment Advisor." But
6 in this request, it's "Concord Advisors, Registered Investment
7 Advisors." I would like some clarification on that before I
8 grant any kind of approval or denial.

9 MR. KALMEYER: Generally, it's accepted, if you look
10 at broker-dealers or —

11 MR. SMITH: I am asking for the Department of
12 Commerce to verify that, sir.

13 MR. KALMEYER: Okay. So if I get a statement that
14 the term "Registered Investment Advisor" is an acceptable term
15 in lieu of "Licensed Investment Advisor"?

16 MR. SMITH: Yes, sir, from the Ohio Department —

17 MR. ROWE: From the same people.

18 MR. SMITH: — yes, Ohio Department of Commerce,
19 compliance specialist for investment advisors. Having said
20 that, I wouldn't take a vote on this.

21 CHAIRMAN HANFORD: It might be expedient though that
22 we take under discussion whether or not we even approve an
23 increase in signage, forget the wording.

24 MS. HEMPHILL: Can I ask Kathy a question? Kathy.

25 MS. MITCHELL: Yes?

26 MS. HEMPHILL: If the letters were smaller, would it
27 then fit within the regs of being the correct size?

28 MS. MITCHELL: The size was okay.

29 MS. HEMPHILL: The size was okay.

30 MS. MITCHELL: As is.

1 MS. HEMPILL: Just that it's not the way we stated
2 it?

3 MS. MITCHELL: Correct.

4 MR. SMITH: Kathy, wasn't the last zoning variance
5 due to the fact that the wall sign is only permitted on the
6 front wall?

7 MS. MITCHELL: Yes.

8 MR. SMITH: And this is the side wall?

9 MS. MITCHELL: Yes.

10 MR. SMITH: And that was the variance?

11 MS. MITCHELL: Yes.

12 MR. SMITH: So we already granted that to have the
13 sign on the side of the building?

14 MS. MITCHELL: Yes.

15 MR. SMITH: It wasn't about size?

16 MS. MITCHELL: It was about that it violated the
17 original variance approval.

18 CHAIRMAN HANFORD: Aren't we increasing it 10 square
19 feet?

20 MS. MITCHELL: We're increasing it but it still
21 works.

22 CHAIRMAN HANFORD: Okay. All right.

23 Well, are we ruling on what the Ohio Department of
24 Commerce, the wording? I mean, is that up to us?

25 MR. SMITH: Well, I don't think it's up to us but we
26 have, we have an exhibit that the applicant provided from Ohio
27 Department of Commerce that advises Mr. Herbruck, Concord
28 Advisors, that the correct designation for Ohio licensed
29 advisors is "Licensed Investment Advisors" when, in fact, the
30 application and the sign that's up there is "Registered/

1 Licensed Investment Advisors."

2 MS. HEMPHILL: It does say "Licensed/Registered" on
3 Number 1.

4 MR. KALMEYER: I would like to add that they review
5 all of our paperwork, letterhead, business cards, and on our
6 business cards is "Registered Investment Advisors," which they
7 have approved.

8 MR. HAMILTON: If I can suggest, Mr. Chairman, maybe
9 we would be best served by sticking to the square footage
10 variance and not concern ourselves with a vote on the letter.

11 CHAIRMAN HANFORD: Yeah, I agree. I mean, I don't
12 think that's — it would be up to the government to come along
13 and say they can change that or whatever.

14 MR. HAMILTON: As long as it fits within the signage
15 requirements in size and location.

16 CHAIRMAN HANFORD: Yeah, I agree with Blair. Any
17 other questions?

18 MR. ROWE: No.

19 CHAIRMAN HANFORD: Thank you.

20 MR. SMITH: Thank you.

21 CHAIRMAN HANFORD: Anyone speaking for the variance?

22 For the variance? Anyone speaking against the variance?

23 Seeing none, I close this portion of the public meeting and we
24 can have a —

25 MR. ROWE: A motion.

26 CHAIRMAN HANFORD: — a motion, please.

27 MR. ROWE: So moved.

28 MS. HEMPHILL: Second.

29 CHAIRMAN HANFORD: Thank you. We have it moved and
30 seconded. Questions?

1 MR. ROWE: Well, as long as it's spaced okay, I mean,
2 the wording, I guess, is up to a higher —

3 MS. HEMPHILL: The state says he has to say it. It
4 would have been nice if he would have made a phone call instead
5 of just changing it.

6 MR. ROWE: Oh, yeah.

7 CHAIRMAN HANFORD: I hope I have addressed that. I
8 am getting a little tired of this. It has nothing to do with
9 age but just —

10 MR. ROWE: Yes, it does.

11 CHAIRMAN HANFORD: Time and time again, people are
12 coming in here and saying, "Oh, I didn't know," and being
13 contractors.

14 All right. If there is no discussion, further
15 discussion, I guess we will proceed. The question is on the
16 approval for Appeal Number 0709-953. A yes vote is for the
17 approval, a no vote is for denial of the approval. Kathy, call
18 the roll, please.

19 MS. MITCHELL: Ms. Hemphill?

20 MS. HEMPHILL: Yes.

21 MS. MITCHELL: Mr. Rowe?

22 MR. ROWE: Yes.

23 MS. MITCHELL: Mr. Hamilton?

24 MR. HAMILTON: Yes.

25 MS. MITCHELL: Mr. Smith?

26 MR. SMITH: No.

27 MS. MITCHELL: Mr. Hanford?

28 CHAIRMAN HANFORD: Yes. That's approved. And just
29 before you leave, make sure you see Kathy, please. Thank you.

30 All right. The next item on the agenda is the

1 approval of minutes from the June 10th, 2009, meeting. Did
2 anyone take time to go through them?

3 MR. ROWE: Actually, I did, and near as I can tell
4 after two months — it's sometimes a challenge with one
5 month — it sure looked proper to me.

6 CHAIRMAN HANFORD: Do I have a motion to approve the
7 minutes?

8 MS. HEMPHILL: So moved.

9 MR. SMITH: Second.

10 CHAIRMAN HANFORD: All in favor, say "aye."

11 (Five aye votes.)

12 CHAIRMAN HANFORD: Minutes are approved. This
13 meeting is now closed. Thank you for coming.

14 (The meeting was adjourned at 7:39 p.m.)

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1 STATE OF OHIO)
2) CERTIFICATE
3 COUNTY OF CUYAHOGA)
4

5 I, Melinda A. Melton, Registered Professional
6 Reporter, a notary public within and for the State of Ohio,
7 duly commissioned and qualified, do hereby certify that, to
8 the best of my ability, the foregoing proceeding was reduced
9 by me to stenotype shorthand, subsequently transcribed into
10 typewritten manuscript; and that the foregoing is a true and
11 accurate transcript of said proceedings so taken as
12 aforesaid.
13

14 I do further certify that this proceeding took
15 place at the time and place as specified in the foregoing
16 caption and was completed without adjournment.
17

18 I do further certify that I am not a friend,
19 relative, or counsel for any party or otherwise interested
20 in the outcome of these proceedings.
21

22 IN WITNESS WHEREOF, I have hereunto set my hand and
23 affixed my seal of office this 28th day of August 2009.
24
25
26
27

28 _____
29 Melinda A. Melton
30 Registered Professional Reporter

31 Notary Public within and for the
32 State of Ohio
33

34 My Commission Expires:
35 February 4, 2013
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