

1 THE ALLEN TOWNSHIP ZONING COMMISSION
2 VAN BUREN, OHIO

3 - - -

4 In Re: Allen Township Zoning Commission

5 - - -

6 TRANSCRIPT OF PROCEEDINGS

7 - - -

8 Thursday, August 22, 2024
5:00 p.m.

9 Allen Township Center
10 12829 State Route 613
11 Van Buren, Ohio 45889

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13 SUSAN L. COOTS, RPR
14 REGISTERED PROFESSIONAL REPORTER

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23 VERITEXT LEGAL SOLUTIONS
24 41 South High Street, Suite 1670
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25 (614) 232-1313

1 APPEARANCES:

2 CINDY LAND, Attorney at Law
3 Hancock County Prosecuting Attorney's Office
4 514 South Main Street
5 Suite B
6 Findlay, Ohio 45840
7 (419) 424-7089
8 lmland@co.hancock.oh.us
9 On behalf of the Allen Township
10 Zoning Commission.

11 BOARD MEMBERS:

12 John Timmerman, Chairperson
13 Deb Stacy, Secretary
14 Dave Evans

15 ALSO PRESENT:

16 Kevin Flanagan, Township Trustee

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THURSDAY EVENING SESSION

August 22, 2024

5:00 p.m.

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P R O C E E D I N G S

- - -

BE IT REMEMBERED THAT, on the 22nd day of August, 2024, this cause came on for hearing before the Allen Township Zoning Commission. And the parties appearing in person and/or by counsel, as hereinafter set forth, the following proceedings were had:

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CHAIRPERSON TIMMERMAN: It's 5:00. We're going to call the meeting to order.

We'll do roll call first, I guess.

SECRETARY STACY: Yeah.

CHAIRPERSON TIMMERMAN: Is that on here somewhere?

SECRETARY STACY: Just -- just right here is everybody. Why don't you go ahead.

CHAIRPERSON TIMMERMAN: Dave Evans.

MR. EVANS: Here.

CHAIRPERSON TIMMERMAN: Clara Pargeon.

(No response.)

CHAIRPERSON TIMMERMAN: Darrin Rehus.

(No response.)

1 CHAIRPERSON TIMMERMAN: Deb Stacy.

2 SECRETARY STACY: Here.

3 CHAIRPERSON TIMMERMAN: John Timmerman,
4 here.

5 SECRETARY STACY: All right. I have two
6 sets of minutes and so I will read and, then, we can
7 do a motion to approve.

8 July 24th, 2004. Attendance: Dave Evans,
9 Clara Pargeon, Deb Stacy, John Timmerman. Darrin
10 Rehus was absent.

11 Deb Stacy, Allen Township Zoning Commission
12 Secretary, read the July 3rd, 2024, minutes.

13 Motion 24-4-58M. John Timmerman moved to
14 approve the Allen Township Zoning Commission minutes
15 from the July 3rd, 2024, meeting. Dave Evans moved to
16 second the motion. Motion passed.

17 Deb Stacy, Allen Township Zoning Commission
18 Secretary, read the July 12th, 2024, special meeting
19 minutes.

20 Motion 24-4-59M. John Timmerman moved to
21 approve the Allen Township Zoning Commission minutes
22 from the July 12th, 2024, special meeting. Dave Evans
23 moved to second the motion, motion passed.

24 Cindy Land, Assistant County Prosecutor,
25 announced that Hancock County Regional Planning will

1 hold an emergency meeting on July 31st, 2024, at
2 7:00 p.m. to discuss the proposed Allen Township
3 Zoning Resolution.

4 Joe Smith and Kevin Flanagan, Allen Township
5 Trustees, were in attendance at the Allen Township
6 Zoning Commission meeting.

7 Discussion took place between the zoning
8 commission, Cindy Land, and the township trustees
9 regarding the upcoming public hearing on August 6th,
10 2024, at 7:00 p.m. in the auditorium located at
11 Van Buren High School. The Allen Township Trustees
12 will post the hearing, and zoning maps will need to be
13 posted.

14 Motion 24-4-60M. John Timmerman moved to
15 adjourn the meeting. Clara Pargeon seconded the
16 motion. Motion passed.

17 MS. LAND: Just one thing in there.
18 Regional Planning had a special meeting, not an
19 emergency meeting.

20 SECRETARY STACY: Okay. Sorry.

21 MS. LAND: That's all right.

22 SECRETARY STACY: How do I note that?

23 MS. LAND: Just -- you can change it and
24 then the motion is to adopt them as corrected.

25 SECRETARY STACY: Okay. Adopt as corrected.

1 All right.

2 CHAIRPERSON TIMMERMAN: Anything else?

3 SECRETARY STACY: We'll do a motion to
4 approve those.

5 CHAIRPERSON TIMMERMAN: Yeah. I move to
6 adopt the minutes as corrected.

7 SECRETARY STACY: Okay.

8 MR. EVANS: I'll second that.

9 SECRETARY STACY: Thank you. Everyone in
10 agreement, say Yes.

11 (Vote taken.)

12 SECRETARY STACY: Motion passed.

13 All right.

14 CHAIRPERSON TIMMERMAN: Do you want me to --

15 SECRETARY STACY: Yeah. Go ahead and --

16 CHAIRPERSON TIMMERMAN: I'm going to sign
17 yours because that's the one that's corrected.

18 SECRETARY STACY: Oh, yeah. Yeah.

19 All right. So then we have the August 12th.
20 And just so that you know, there's that Resolution
21 attached to that. So...

22 CHAIRPERSON TIMMERMAN: Do we want that
23 attached to the one that we just --

24 SECRETARY STACY: This is the meeting that
25 we did that. So I can go ahead and read and, then,

1 our --

2 CHAIRPERSON TIMMERMAN: Do you want it
3 attached --

4 SECRETARY STACY: To this set.

5 MS. LAND: To the one that's attached.

6 SECRETARY STACY: Yeah. Because --

7 CHAIRPERSON TIMMERMAN: That's the one we
8 signed. Oh, that's -- Okay.

9 MS. LAND: It's a different set.

10 SECRETARY STACY: I have a second set.

11 CHAIRPERSON TIMMERMAN: Switched them on me.
12 Okay.

13 SECRETARY STACY: All right. So -- and we
14 made that motion with that number and that corresponds
15 to the Resolution there.

16 CHAIRPERSON TIMMERMAN: Okay.

17 SECRETARY STACY: I will go ahead and read
18 that.

19 August -- Allen Township Zoning Commission,
20 August 12th, 2024. Attendance: Dave Evans, Clara
21 Pargeon, Darrin Rehus, Deb Stacy, John Timmerman.

22 Motion 24-4-61M. John Timmerman moved to
23 enter into Executive Session for the purpose of
24 discussing litigation against the zoning commission
25 from One Energy at 8:31 a.m. Dave Evans seconded the

1 motion. On roll call vote to enter into Executive
2 Session, the members voted: Dave Evans, yes. Clara
3 Pargeon, yes. Darrin Rehus, yes. Deb Stacy, yes.
4 John Timmerman, yes. The motion passed and the
5 members entered into Executive Session.

6 Motion 24-4-62M. John Timmerman moved to
7 leave Executive Session and return to regular session
8 with no action taken at 9:03 a.m. Darrin Rehus
9 seconded the motion. The motion passed.

10 Motion 24-4-63M. Deb Stacy moved to adopt
11 the Resolution for the Allen Township Zoning
12 Commission to give authority to John Timmerman,
13 Chairman of the Allen Township Zoning Commission, to
14 sign the Resolution on behalf of the Allen Township
15 Zoning Commission. Dave Evans seconded the motion.

16 On roll call vote, the members voted: Dave
17 Evans, yes. Clara Pargeon, yes. Darrin Rehus, yes.
18 Deb Stacy, yes. John Timmerman, yes. The motion
19 passed.

20 Motion 24-4-64M. Clara Pargeon moved to
21 adjourn the meeting. Darrin Rehus seconded the
22 motion. The motion passed.

23 CHAIRPERSON TIMMERMAN: Anything on that
24 one?

25 MS. LAND: No, it's fine.

1 SECRETARY STACY: So if you want to go ahead
2 and sign. And --

3 CHAIRPERSON TIMMERMAN: Do you want to move
4 to accept it first?

5 SECRETARY STACY: Oh, I'm sorry. Yeah.

6 Okay. Can I have a motion to approve the
7 August 12th, 2024, minutes?

8 CHAIRPERSON TIMMERMAN: I move to accept the
9 meeting minutes as read.

10 SECRETARY STACY: All right.

11 MR. EVANS: I'll second it.

12 SECRETARY STACY: Everyone in agreement, say
13 Yes.

14 (Vote taken.)

15 SECRETARY STACY: Motion passes.

16 CHAIRPERSON TIMMERMAN: The 22nd?

17 MS. LAND: Same as the last one.

18 SECRETARY STACY: Like, all day long.

19 MS. LAND: You get double barrels tonight.

20 SECRETARY STACY: All right. Done with the
21 minutes.

22 CHAIRPERSON TIMMERMAN: Okay. I think the
23 purpose of this meeting was to discuss what the
24 trustees have sent back to us from their hearing and
25 then followed up at their trustee meeting the next

1 night.

2 I was at the meeting. They -- basically
3 they heard from the audience and they discussed
4 amongst themselves to -- basically the one thing they
5 wanted to change was the region up at the top of the
6 map where we had it Industrial and Business, they
7 said, Let's just take that all to Agricultural.

8 MS. LAND: Here are more copies of that map
9 if you guys want to look at it.

10 CHAIRPERSON TIMMERMAN: Sure.

11 SECRETARY STACY: Let's get it the right
12 way.

13 MS. LAND: Or you can unroll the big one.

14 CHAIRPERSON TIMMERMAN: We will eventually,
15 I would assume. So, yeah, it looks like it cleared
16 all of that out --

17 SECRETARY STACY: Yeah. Yeah.

18 CHAIRPERSON TIMMERMAN: -- and made it all
19 Agricultural.

20 SECRETARY STACY: Okay.

21 MS. LAND: Except the one portion is still
22 Industrial.

23 CHAIRPERSON TIMMERMAN: Right here
24 (indicating)?

25 MS. LAND: Yeah.

1 CHAIRPERSON TIMMERMAN: Okay.

2 MS. LAND: It had been Business. They
3 changed it to Industrial because the current use there
4 is an Industrial use, Light Industrial use.

5 CHAIRPERSON TIMMERMAN: Yeah. So it made it
6 fit what it currently is.

7 MS. LAND: Yeah. That's what they were
8 recommending happen.

9 SECRETARY STACY: Okay.

10 CHAIRPERSON TIMMERMAN: Yeah.

11 SECRETARY STACY: All right.

12 CHAIRPERSON TIMMERMAN: Was there anything
13 else from that?

14 MS. LAND: Those were the only requested
15 modifications.

16 519.09 of the Ohio Revised Code says, If it
17 goes to them at their hearing, they review it and,
18 then, they can either accept, deny, or ask for
19 recommendations -- or modifications.

20 They asked for modifications here. Because
21 of that, it has to come back to you to have a meeting
22 and, then, you have to decide to accept their
23 requested modification, deny their requested
24 modification, or modify their modification. Please
25 don't do that. We're starting to need a flowchart.

1 They, then, have to set a hearing that has a
2 10-day notice that they're going to have another
3 hearing on whatever you guys have recommended on this
4 particular change.

5 SECRETARY STACY: Okay.

6 CHAIRPERSON TIMMERMAN: Okay. So, I mean,
7 I sat through the meeting.

8 SECRETARY STACY: Right.

9 CHAIRPERSON TIMMERMAN: I don't think either
10 one of you was there.

11 SECRETARY STACY: No.

12 MR. EVANS: No.

13 CHAIRPERSON TIMMERMAN: I sat through it.

14 Seemed like everybody was in agreement with
15 it. They understood where our strategy was coming
16 from, but I think there was enough people that said,
17 Hey, let's just keep it Agricultural that it seemed
18 like everybody --

19 SECRETARY STACY: Yeah.

20 CHAIRPERSON TIMMERMAN: -- was in favor of
21 that.

22 SECRETARY STACY: Okay.

23 CHAIRPERSON TIMMERMAN: So I agreed with it
24 in the moment.

25 SECRETARY STACY: Yeah.

1 CHAIRPERSON TIMMERMAN: So I don't know if
2 you guys have anything you want to add.

3 SECRETARY STACY: You can make a valid
4 argument any way. And I understand it's Ag now, keep
5 it Ag.

6 CHAIRPERSON TIMMERMAN: Sure.

7 SECRETARY STACY: I don't have a problem
8 with that.

9 CHAIRPERSON TIMMERMAN: Yeah. If there was
10 a need to move it to Industry in the future, well,
11 then, you sort that out in the future, is kind of how
12 they left it, I guess, at that point.

13 MS. LAND: This was also that issue of
14 having something zoned that wasn't -- didn't have a
15 current use on it was what Matt Cordonnier complained
16 about the most. You know, that was his biggest
17 comment when he was here was that he really wasn't
18 comfortable zoning where there wasn't anything to a
19 particular way. So I think you're also leaning
20 towards anything that had the negative connotation
21 from Regional Planning, as well, if you make that
22 change.

23 SECRETARY STACY: Okay.

24 CHAIRPERSON TIMMERMAN: Sure. So any other
25 thoughts from --

1 MR. EVANS: No. I think that's a good idea.

2 CHAIRPERSON TIMMERMAN: Okay.

3 SECRETARY STACY: So do you want to go ahead
4 and make a motion?

5 MS. LAND: Wait. Wait.

6 SECRETARY STACY: Or do we make a --

7 MS. LAND: Let me wake up here. I have --

8 CHAIRPERSON TIMMERMAN: Is this going to
9 become the official map? Will we have to sign this
10 one?

11 MS. LAND: Yeah.

12 CHAIRPERSON TIMMERMAN: Okay.

13 MS. LAND: You'll have to sign that one.

14 I created three Resolutions: One that says
15 you're approving their requested changes, one that
16 says you should deny their requested changes, and one
17 that says you should modify their requested changes.

18 Actually, I was waiving them around wrong.
19 This is the one that says you would approve, so if
20 that's the one you want to consider, but there's the
21 other two here if you wish to go another --

22 SECRETARY STACY: Since you're Chairman,
23 should I hand that to you? Or how should we handle
24 that?

25 CHAIRPERSON TIMMERMAN: I mean, we've just

1 got to fill it out. So I'll read through it for sure.

2 SECRETARY STACY: Okay.

3 CHAIRPERSON TIMMERMAN: Unless you want to
4 read it out loud.

5 MS. LAND: You can just start with the
6 "Whereases." You don't have to read the rest of that
7 stuff.

8 SECRETARY STACY: The Whereases. Right
9 there is a Whereas.

10 CHAIRPERSON TIMMERMAN: "Whereas, the Board
11 of Allen Township Trustees held a public hearing on
12 August 6th, 2024, to receive public comment as to the
13 proposed Allen Township Comprehensive Zoning Plan and
14 Map, and;

15 "Whereas, after consideration of the public
16 comment expressed at such hearing, the Board of Allen
17 Zoning and Trustees --

18 MS. LAND: Oops.

19 SECRETARY STACY: Whoa.

20 CHAIRPERSON TIMMERMAN: -- requested the
21 attached modifications to the proposed map portion of
22 the proposed Allen Township Comprehensive Zoning Plan
23 and Map, and;

24 "Whereas, pursuant to Ohio Revised Code
25 Section 519.09, such requested changes must be

1 considered by the zoning commission for consideration
2 and approval, disapproval, or suggestions.

3 "Now, be it, therefore, resolved that the
4 Allen Township Zoning Commission hereby recommends the
5 approval of the requested changes to the Proposed
6 Allen Township Comprehensive Zoning Plan and Map as
7 set forth in Attachment 1 attached hereto and
8 incorporated herein.

9 "Now, be it therefore resolved by the Allen
10 Township Zoning Commission that the secretary of the
11 commission is directed to certify the proposed Allen
12 Township Comprehensive Zoning Plan and Map, including
13 text and map, to the Board of Trustees of the township
14 for approval, disapproval, or modifications."

15 And then it's just the formalities of
16 signing everything there. So...

17 SECRETARY STACY: Okay. Does it make it --

18 MS. LAND: That's just a typo.

19 SECRETARY STACY: That's a typo. Okay. So
20 we can still move forward with this?

21 MS. LAND: Yeah.

22 SECRETARY STACY: Correct?

23 MS. LAND: You can line through the word --
24 just say "Allen Trustees." Line through the word
25 "zoning" there and initial.

1 SECRETARY STACY: Board of Allen Trustees.
2 So cross out "zoning"?

3 MS. LAND: Yeah.

4 SECRETARY STACY: Okay.

5 MS. LAND: That's what happens when I try to
6 multitask.

7 CHAIRPERSON TIMMERMAN: So yeah. I mean --

8 SECRETARY STACY: Okay.

9 CHAIRPERSON TIMMERMAN: I'm good with this.

10 SECRETARY STACY: So this is we're just
11 modifying the map?

12 MS. LAND: You're accepting the modification
13 of the map that they requested.

14 SECRETARY STACY: Gotcha. Okay.

15 MS. LAND: These other two that are here are
16 almost exactly the same Resolution with the same typo,
17 except that, you know, it recommends the modification
18 of, and the other one says recommends the denial of.

19 CHAIRPERSON TIMMERMAN: Well, again, I was
20 at the trustee meeting and --

21 SECRETARY STACY: Right.

22 CHAIRPERSON TIMMERMAN: -- I support what
23 they decided/what the community was in favor of.

24 SECRETARY STACY: I'm on board.

25 CHAIRPERSON TIMMERMAN: I'm --

1 MR. EVANS: I'm good with it.

2 CHAIRPERSON TIMMERMAN: Okay. Well, then,
3 I make a motion to accept this Resolution to approve
4 the trustees' changes to the map.

5 MR. EVANS: I'll second it.

6 SECRETARY STACY: Okay.

7 MS. LAND: Their printer was running out of
8 ink, that's why we have scrape-y sections. It was
9 supposed to be gray. The small maps are perfectly
10 good, but the other ones, not so good. Gray is in bad
11 shape.

12 MR. EVANS: Uh-huh.

13 CHAIRPERSON TIMMERMAN: How does that
14 affect, as far as -- I mean, it's the same map, but
15 it's --

16 MS. LAND: Yeah. It's the same map. If you
17 would prefer to sign one of the smaller maps which are
18 very clear and --

19 SECRETARY STACY: Yeah.

20 CHAIRPERSON TIMMERMAN: I think that might
21 be a smart move.

22 MS. LAND: -- vivid --

23 SECRETARY STACY: Yeah.

24 MS. LAND: Then when they get more
25 printer -- or --

1 SECRETARY STACY: We have one.

2 MS. LAND: When the trustees have their
3 hearing, then, hopefully, by then, we'll have a --

4 CHAIRPERSON TIMMERMAN: Is that an
5 acceptable way to --

6 MS. LAND: Oh, yeah. Yeah. Absolutely.

7 CHAIRPERSON TIMMERMAN: -- go? Okay.

8 SECRETARY STACY: Okay. So...

9 CHAIRPERSON TIMMERMAN: So let's -- want to
10 sign that map?

11 SECRETARY STACY: Yeah.

12 CHAIRPERSON TIMMERMAN: Dave seconded it.

13 SECRETARY STACY: He did. And we did --

14 CHAIRPERSON TIMMERMAN: We need a roll call.

15 SECRETARY STACY: Let me go ahead and do
16 the --

17 CHAIRPERSON TIMMERMAN: Yeah.

18 SECRETARY STACY: And, I guess, to be on the
19 safe side, I'll do a roll call vote.

20 All right. Dave Evans.

21 MR. EVANS: Yes.

22 SECRETARY STACY: Clara is absent.

23 Deb Stacy. Yes.

24 John Timmerman.

25 CHAIRPERSON TIMMERMAN: Yes.

1 SECRETARY STACY: And everyone's on board.
2 Okay. All said Yes. Okay. Everyone in agreement,
3 say Yes.

4 (Vote taken.)

5 SECRETARY STACY: Which we did, so we yes'd
6 it twice.

7 MS. LAND: Yeah.

8 SECRETARY STACY: It's been yes'd
9 sufficiently. So the motion passed.

10 CHAIRPERSON TIMMERMAN: Let's do the map and
11 get it signed.

12 SECRETARY STACY: Yeah. One of -- any of
13 these -- I think they're all the same.

14 MS. LAND: Yeah. And the copy that you had
15 your hand on there is what's attached to the
16 Resolution you just did.

17 CHAIRPERSON TIMMERMAN: Here?

18 MS. LAND: Yeah.

19 SECRETARY STACY: Oh.

20 MS. LAND: If you want to just sign that
21 one, that would be fine.

22 SECRETARY STACY: Yeah. We can do that.
23 Do you want our full names probably?

24 MS. LAND: Yes.

25 SECRETARY STACY: Okay.

1 MS. LAND: And a date beside that.

2 SECRETARY STACY: A date. Okay. It's still
3 the 22nd.

4 CHAIRPERSON TIMMERMAN: Tell me in a second
5 when I'm ready for it.

6 MS. LAND: Since he's signing in red, I've
7 got a pink pen, if anybody would like --

8 SECRETARY STACY: I'll be a rebel and just
9 do plain.

10 MS. LAND: Okay.

11 CHAIRPERSON TIMMERMAN: I sign everything --
12 I -- I only used use red pens at work. That way, any
13 time I see something, I know if it was me or not.

14 MS. LAND: That's why I use pink on most of
15 my notes so I know if they're my notes or somebody
16 else's notes in the file.

17 CHAIRPERSON TIMMERMAN: Then somehow it just
18 got drug here.

19 SECRETARY STACY: We'll see what Dave does.
20 Be a rebel.

21 MS. LAND: I had the county treasurer one
22 time sign a receipt for about \$22 million with a blue
23 felt tip marker. Purple. Purple marker. Apparently
24 his crayons were at home. We still have the receipt
25 for \$22 million. It was all good.

1 SECRETARY STACY: Wow.

2 MS. LAND: It wasn't the current treasurer,
3 just so you know.

4 SECRETARY STACY: Okay.

5 CHAIRPERSON TIMMERMAN: Do we want -- do you
6 want to fill this out now? Actually, we probably need
7 to sign right there.

8 MS. LAND: Yeah. You need to sign and
9 record your vote beside your name.

10 SECRETARY STACY: Yeah.

11 MS. LAND: And then, Kevin, would you like
12 to take this with you? That way --

13 TRUSTEE FLANAGAN: Sure.

14 MS. LAND: -- it's been certified and handed
15 off to the trustees?

16 TRUSTEE FLANAGAN: I can do that.

17 MS. LAND: That way, Mark can get a notice
18 in the paper for your hearing --

19 TRUSTEE FLANAGAN: Right here.

20 MS. LAND: -- which would be I think
21 probably --

22 SECRETARY STACY: Go ahead and sign that.

23 MS. LAND: -- September 9th, would probably
24 be about the closest time you could have that.

25 TRUSTEE FLANAGAN: Okay.

1 SECRETARY STACY: All right. So we need
2 to -- made the motion. And let's see --

3 CHAIRPERSON TIMMERMAN: Put --

4 SECRETARY STACY: I've got to put who is
5 present.

6 CHAIRPERSON TIMMERMAN: Yeah.

7 SECRETARY STACY: Okay.

8 John made the motion. Dave seconded.

9 MS. LAND: Okay. Do you think we could get
10 into the office and make a copy of that --

11 SECRETARY STACY: Yeah.

12 MS. LAND: -- before you hand it off?

13 SECRETARY STACY: Yeah. Yeah, I can do
14 that.

15 MS. LAND: You can hand him the copy --

16 SECRETARY STACY: Yes.

17 MS. LAND: -- and keep the original in your
18 file.

19 SECRETARY STACY: Okay. Yeah, I can do
20 that. Okay.

21 MS. LAND: That's all that was on the -- for
22 us to be able to discuss tonight.

23 SECRETARY STACY: Okay. All right.

24 CHAIRPERSON TIMMERMAN: Do we open it up to
25 the floor?

1 MS. LAND: You can ask them.

2 CHAIRPERSON TIMMERMAN: Does anybody have
3 any comments? Questions?

4 FROM THE FLOOR: Do you have any new maps
5 that contain what --

6 CHAIRPERSON TIMMERMAN: There's a couple --
7 there's a couple of them sitting up here. Yeah.

8 Anything else?

9 (No response.)

10 CHAIRPERSON TIMMERMAN: Okay.

11 SECRETARY STACY: Do we move to adjourn?

12 MS. LAND: You kind of need to because you
13 can't discuss -- bring up anything else and discuss it
14 among yourselves because it was a special meeting for
15 only this issue.

16 SECRETARY STACY: Okay.

17 CHAIRPERSON TIMMERMAN: So, at this point,
18 the trustees need to schedule their --

19 MS. LAND: Yeah.

20 CHAIRPERSON TIMMERMAN: -- hearing and
21 that -- okay.

22 MS. LAND: Yeah. And since you're going to
23 give the copy of it to Kevin tonight, it's handed off
24 to the trustees because he is -- the trustee is here;
25 it's in their hands. And then, tomorrow, Mark can set

1 up their hearing.

2 CHAIRPERSON TIMMERMAN: Okay.

3 SECRETARY STACY: Okay.

4 MR. EVANS: Extra ones.

5 CHAIRPERSON TIMMERMAN: Yeah. There are a
6 couple more maps if anybody has a desire for one.
7 Okay.

8 MR. EVANS: I move we adjourn the meeting.

9 SECRETARY STACY: All right. Dave, thank
10 you.

11 CHAIRPERSON TIMMERMAN: I second it.

12 SECRETARY STACY: Everyone in agreement, say
13 Yes.

14 (Vote taken.)

15 SECRETARY STACY: Motion passed. We are
16 adjourned.

17 - - -

18 And, thereupon, the proceedings were
19 concluded at 5:21 p.m.

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1 16:7 10 12:2 26:13 12829 1:9 12th 4:18,22 6:19 7:20 9:7 1670 1:24	41 1:24 419 2:4 424-7089 2:4 43215 1:24 45840 2:4 45889 1:10	acceptable 19:5 accepting 17:12 action 8:8 actually 14:18 22:6 add 13:2 adjourn 5:15 8:21 24:11 25:8	apparently 21:23 appearances 2:1 appearing 3:9 approval 16:2,5 16:14 approve 4:7,14 4:21 6:4 9:6 14:19 18:3
2	5		
2004 4:8 2024 1:8 3:1,7 4:12,15,18,22 5:1,10 7:20 9:7 15:12 26:7 2025 26:13 22 1:8 3:1 21:22 21:25 22nd 3:6 9:16 21:3 26:6 232-1313 1:25 24-4-58m 4:13 24-4-59m 4:20 24-4-60m 5:14 24-4-61m 7:22 24-4-62m 8:6 24-4-63m 8:10 24-4-64m 8:20 24th 4:8	514 2:3 519.09 11:16 15:25 5:00 1:8 3:2,12 5:21 25:19	adjourned 25:16 adopt 5:24,25 6:6 8:10 affect 18:14 ag 13:4,5 agreed 12:23 agreement 6:10 9:12 12:14 20:2 25:12 agricultural 10:7,19 12:17 ahead 3:19 6:15 6:25 7:17 9:1 14:3 19:15 22:22 allen 1:1,4,9 2:6 3:8 4:11,14,17 4:21 5:2,4,5,11 7:19 8:11,13,14 15:11,13,16,22 16:4,6,9,11,24 17:1 announced 4:25 anybody 21:7 24:2 25:6	approving 14:15 argument 13:4 asked 11:20 assistant 4:24 assume 10:15 attached 6:21 6:23 7:3,5 15:21 16:7 20:15 attachment 16:7 attendance 4:8 5:5 7:20 attorney 2:2 attorney's 2:2 audience 10:3 auditorium 5:10 august 1:8 3:1 3:7 5:9 6:19 7:19,20 9:7 15:12 26:7 authority 8:12
	6		
	613 1:9		
	614 1:25		
	6th 5:9 15:12		
	7		
	7:00 5:2,10		
	8		
	8:31 7:25		
	9		
	9:03 8:8		
	9th 22:23		
	a		
	a.m. 7:25 8:8		
	able 23:22		
	absent 4:10 19:22		
	absolutely 19:6		
	accept 9:4,8 11:18,22 18:3		

b	9:22 10:10,14 10:18,23 11:1,5 11:10,12 12:6,9 12:13,20,23 13:1,6,9,24 14:2,8,12,25 15:3,10,20 17:7 17:9,19,22,25 18:2,13,20 19:4 19:7,9,12,14,17 19:25 20:10,17 21:4,11,17 22:5 23:3,6,24 24:2 24:6,10,17,20 25:2,5,11	comfortable 13:18 coming 12:15 comment 13:17 15:12,16 comments 24:3 commission 1:1 1:4 2:6 3:8 4:11 4:14,17,21 5:6 5:8 7:19,24 8:12,13,15 16:1 16:4,10,11 26:13 community 17:23 complained 13:15 complete 26:5 comprehensive 15:13,22 16:6 16:12 concluded 25:19 connotation 13:20 consider 14:20 consideration 15:15 16:1 considered 16:1 contain 24:5 coots 1:13 26:9 copies 10:8 copy 20:14 23:10,15 24:23	cordonnier 13:15 correct 16:22 26:5 corrected 5:24 5:25 6:6,17 corresponds 7:14 counsel 3:9 county 2:2 4:24 4:25 21:21 couple 24:6,7 25:6 crayons 21:24 created 14:14 cross 17:2 current 11:3 13:15 22:2 currently 11:6
c	change 5:23 10:5 12:4 13:22 changed 11:3 changes 14:15 14:16,17 15:25 16:5 18:4 cindy 2:2 4:24 5:8 clara 3:22 4:9 5:15 7:20 8:2 8:17,20 19:22 clear 18:18 cleared 10:15 closest 22:24 co.hancock.o... 2:5 code 11:16 15:24 columbus 1:24 come 11:21	d	
b 2:3 back 9:24 11:21 bad 18:10 barrels 9:19 basically 10:2,4 behalf 2:6 8:14 big 10:13 biggest 13:16 blue 21:22 board 2:8 15:10 15:16 16:13 17:1,24 20:1 bring 24:13 buren 1:2,10 5:11 business 10:6 11:2		d 3:4 darrin 3:24 4:9 7:21 8:3,8,17 8:21 date 21:1,2 dave 2:10 3:20 4:8,15,22 7:20 7:25 8:2,15,16 19:12,20 21:19 23:8 25:9 day 3:6 9:18 12:2 26:7 deb 2:9 4:1,9,11 4:17 7:21 8:3 8:10,18 19:23	
c 3:4 26:2,2 call 3:13,14 8:1 8:16 19:14,19 cause 3:7 center 1:9 certified 22:14 certify 16:11 26:4 chairman 8:13 14:22 chairperson 2:9 3:12,16,20 3:22,24 4:1,3 6:2,5,14,16,22 7:2,7,11,16 8:23 9:3,8,16			

<p>decide 11:22 decided 17:23 denial 17:18 deny 11:18,23 14:16 desire 25:6 different 7:9 directed 16:11 disapproval 16:2,14 discuss 5:2 9:23 23:22 24:13,13 discussed 10:3 discussing 7:24 discussion 5:7 double 9:19 drug 21:18</p>	<p>evening 3:1 eventually 10:14 everybody 3:19 12:14,18 everyone's 20:1 exactly 17:16 except 10:21 17:17 executive 7:23 8:1,5,7 expires 26:13 expressed 15:16 extra 25:4</p>	<p>following 3:10 foregoing 26:4 formalities 16:15 forth 3:10 16:7 forward 16:20 full 20:23 future 13:10,11</p>	<p>handle 14:23 hands 24:25 happen 11:8 happens 17:5 heard 10:3 hearing 3:7 5:9 5:12 9:24 11:17 12:1,3 15:11,16 19:3 22:18 24:20 25:1 held 15:11 hereinafter 3:9 hereto 16:7 hey 12:17 high 1:24 5:11 hold 5:1 home 21:24 hopefully 19:3 huh 18:12</p>
<p>e</p>	<p>f</p>	<p>g</p>	<p>i</p>
<p>e 3:4,4 26:2,2 either 11:18 12:9 else's 21:16 emergency 5:1 5:19 energy 7:25 enter 7:23 8:1 entered 8:5 evans 2:10 3:20 3:21 4:8,15,22 6:8 7:20,25 8:2 8:15,17 9:11 12:12 14:1 18:1 18:5,12 19:20 19:21 25:4,8</p>	<p>f 26:2 far 18:14 favor 12:20 17:23 felt 21:23 file 21:16 23:18 fill 15:1 22:6 findlay 2:4 fine 8:25 20:21 first 3:14 9:4 fit 11:6 flanagan 2:12 5:4 22:13,16,19 22:25 floor 23:25 24:4 flowchart 11:25 followed 9:25</p>	<p>g 3:4 give 8:12 24:23 go 3:19 6:15,25 7:17 9:1 14:3 14:21 19:7,15 22:22 goes 11:17 going 3:13 6:16 12:2 14:8 24:22 good 14:1 17:9 18:1,10,10 21:25 gotcha 17:14 gray 18:9,10 guess 3:14 13:12 19:18 guys 10:9 12:3 13:2</p>	<p>idea 14:1 including 16:12 incorporated 16:8 indicating 10:24 industrial 10:6 10:22 11:3,4,4 industry 13:10 initial 16:25 ink 18:8 issue 13:13 24:15</p>
		<p>h</p>	
		<p>hancock 2:2 4:25 hand 14:23 20:15 23:12,15 handed 22:14 24:23</p>	

j	21:1,6,10,14,21 22:2,8,11,14,17 22:20,23 23:9 23:12,15,17,21 24:1,12,19,22	mark 22:17 24:25 marker 21:23 21:23 matt 13:15 matter 26:6 mean 12:6 14:25 17:7 18:14 meeting 3:13 4:15,18,22 5:1 5:6,15,18,19 6:24 8:21 9:9 9:23,25 10:2 11:21 12:7 17:20 24:14 25:8 members 2:8 8:2,5,16 million 21:22 21:25 minutes 4:6,12 4:14,19,21 6:6 9:7,9,21 modification 11:23,24,24 17:12,17 modifications 11:15,19,20 15:21 16:14 modify 11:24 14:17 modifying 17:11 moment 12:24	motion 4:7,13 4:16,16,20,23 4:23 5:14,16,16 5:24 6:3,12 7:14,22 8:1,4,6 8:9,9,10,15,18 8:20,22,22 9:6 9:15 14:4 18:3 20:9 23:2,8 25:15 move 6:5 9:3,8 13:10 16:20 18:21 24:11 25:8 moved 4:13,15 4:20,23 5:14 7:22 8:6,10,20 multitask 17:6
k	keep 12:17 13:4 23:17 kevin 2:12 5:4 22:11 24:23 kind 13:11 24:12 know 6:20 13:1 13:16 17:17 21:13,15 22:3		
l	land 2:2 4:24 5:8,17,21,23 7:5,9 8:25 9:17 9:19 10:8,13,21 10:25 11:2,7,14 13:13 14:5,7,11 14:13 15:5,18 16:18,21,23 17:3,5,12,15 18:7,16,22,24 19:2,6 20:7,14 20:18,20,24	m	
	made 7:14 10:18 11:5 23:2 23:8 main 2:3 make 13:3,21 14:4,6 16:17 18:3 23:10 map 10:6,8 14:9 15:14,21 15:23 16:6,12 16:13 17:11,13 18:4,14,16 19:10 20:10 maps 5:12 18:9 18:17 24:4 25:6	n	
		n 3:4 name 22:9 names 20:23 need 5:12 11:25 13:10 19:14 22:6,8 23:1 24:12,18 negative 13:20 new 24:4 night 10:1 notary 26:10 note 5:22 notes 21:15,15 21:16 26:8 notice 12:2 22:17	

number 7:14	pargeon 3:22 4:9 5:15 7:21 8:3,17,20	problem 13:7	recommended 12:3
o	particular 12:4 13:19	proceedings 1:6 3:10 25:18 26:6	recommending 11:8
o 3:4	parties 3:8	professional 1:14 26:10	recommends 16:4 17:17,18
office 2:2 23:10	passed 4:16,23 5:16 6:12 8:4,9 8:19,22 20:9 25:15	proposed 5:2 15:13,21,22 16:5,11	record 22:9
official 14:9	passes 9:15	prosecuting 2:2	red 21:6,12
oh 6:18 7:8 9:5 19:6 20:19	pen 21:7	prosecutor 4:24	regarding 5:9
ohio 1:2,10,24 2:4 11:16 15:24 26:11	pens 21:12	public 5:9 15:11,12,15 26:10	region 10:5
okay 5:20,25 6:7 7:8,12,16 9:6,22 10:20 11:1,9 12:5,6 12:22 13:23 14:2,12 15:2 16:17,19 17:4,8 17:14 18:2,6 19:7,8 20:2,2 20:25 21:2,10 22:4,25 23:7,9 23:19,20,23 24:10,16,21 25:2,3,7	person 3:9	purple 21:23,23	regional 4:25 5:18 13:21
ones 18:10 25:4	perfectly 18:9	purpose 7:23 9:23	registered 1:14 26:10
oops 15:18	pink 21:7,14	pursuant 15:24	regular 8:7
open 23:24	place 5:7	put 23:3,4	rehus 3:24 4:10 7:21 8:3,8,17 8:21
order 3:13	plain 21:9	q	remembered 3:6
original 23:17	plan 15:13,22 16:6,12	questions 24:3	reporter 1:14 26:10
p	planning 4:25 5:18 13:21	r	requested 11:14,23,23 14:15,16,17 15:20,25 16:5 17:13
p 3:4	please 11:24	r 3:4 26:2	resolution 5:3 6:20 7:15 8:11 8:14 17:16 18:3 20:16
p.m. 1:8 3:2 5:2 5:10 25:19	point 13:12 24:17	read 4:6,12,18 6:25 7:17 9:9 15:1,4,6	resolved 16:3,9
paper 22:18	portion 10:21 15:21	ready 21:5	response 3:23 3:25 24:9
	post 5:12	really 13:17	
	posted 5:13	rebel 21:8,20	
	prefer 18:17	receipt 21:22 21:24	
	present 2:11 23:5	receive 15:12	
	printer 18:7,25	recommenda... 11:19	
	probably 20:23 22:6,21,23		

<p>rest 15:6 return 8:7 review 11:17 revised 11:16 15:24 right 3:18 4:5 5:21 6:1,13,19 7:13 9:10,20 10:11,23 11:11 12:8 15:8 17:21 19:20 22:7,19 23:1,23 25:9 roll 3:14 8:1,16 19:14,19 route 1:9 rpr 1:13 26:9 running 18:7</p>	<p>4:12,18 5:20,22 5:25 6:3,7,9,12 6:15,18,24 7:4 7:6,10,13,17 9:1,5,10,12,15 9:18,20 10:11 10:17,20 11:9 11:11 12:5,8,11 12:19,22,25 13:3,7,23 14:3 14:6,22 15:2,8 15:19 16:10,17 16:19,22 17:1,4 17:8,10,14,21 17:24 18:6,19 18:23 19:1,8,11 19:13,15,18,22 20:1,5,8,12,19 20:22,25 21:2,8 21:19 22:1,4,10 22:22 23:1,4,7 23:11,13,16,19 23:23 24:11,16 25:3,9,12,15 section 15:25 sections 18:8 see 21:13,19 23:2 seemed 12:14 12:17 sent 9:24 september 22:23 session 3:1 7:23 8:2,5,7,7</p>	<p>set 3:10 7:4,9 7:10 12:1 16:7 24:25 sets 4:6 shape 18:11 side 19:19 sign 6:16 8:14 9:2 14:9,13 18:17 19:10 20:20 21:11,22 22:7,8,22 signature 26:8 signed 7:8 20:11 signing 16:16 21:6 sitting 24:7 small 18:9 smaller 18:17 smart 18:21 smith 5:4 solutions 1:23 somebody 21:15 sorry 5:20 9:5 sort 13:11 south 1:24 2:3 special 4:18,22 5:18 24:14 stacy 2:9 3:15 3:18 4:1,2,5,9 4:11,17 5:20,22 5:25 6:3,7,9,12 6:15,18,24 7:4 7:6,10,13,17,21 8:3,10,18 9:1,5</p>	<p>9:10,12,15,18 9:20 10:11,17 10:20 11:9,11 12:5,8,11,19,22 12:25 13:3,7,23 14:3,6,22 15:2 15:8,19 16:17 16:19,22 17:1,4 17:8,10,14,21 17:24 18:6,19 18:23 19:1,8,11 19:13,15,18,22 19:23 20:1,5,8 20:12,19,22,25 21:2,8,19 22:1 22:4,10,22 23:1 23:4,7,11,13,16 23:19,23 24:11 24:16 25:3,9,12 25:15 start 15:5 starting 11:25 state 1:9 26:11 stenographic 26:8 strategy 12:15 street 1:24 2:3 stuff 15:7 sufficiently 20:9 suggestions 16:2 suite 1:24 2:3 support 17:22 supposed 18:9</p>
<p>s</p>			
<p>s 3:4 safe 19:19 sat 12:7,13 says 11:16 14:14,16,17,19 17:18 schedule 24:18 school 5:11 scrape 18:8 second 4:16,23 6:8 7:10 9:11 18:5 21:4 25:11 seconded 5:15 7:25 8:9,15,21 19:12 23:8 secretary 2:9 3:15,18 4:2,5</p>			

<p>sure 10:10 13:6 13:24 15:1 22:13 susan 1:13 26:9 switched 7:11</p>	<p>10:14,18,23 11:1,5,10,12 12:6,9,13,20,23 13:1,6,9,24 14:2,8,12,25 15:3,10,20 17:7 17:9,19,22,25 18:2,13,20 19:4 19:7,9,12,14,17 19:24,25 20:10 20:17 21:4,11 21:17 22:5 23:3 23:6,24 24:2,6 24:10,17,20 25:2,5,11</p>	<p>true 26:5 trustee 2:12 9:25 17:20 22:13,16,19,25 24:24 trustees 5:5,8 5:11 9:24 15:11 15:17 16:13,24 17:1 18:4 19:2 22:15 24:18,24 try 17:5 twice 20:6 two 4:5 14:21 17:15 typo 16:18,19 17:16</p>	<p>voted 8:2,16</p>
<p>t</p>	<p>15:3,10,20 17:7 17:9,19,22,25 18:2,13,20 19:4 19:7,9,12,14,17 19:24,25 20:10 20:17 21:4,11 21:17 22:5 23:3 23:6,24 24:2,6 24:10,17,20 25:2,5,11</p>	<p>u</p>	<p>w</p>
<p>t 26:2,2 take 10:7 22:12 taken 6:11 8:8 9:14 20:4 25:14 26:6 tell 21:4 text 16:13 thank 6:9 25:9 thing 5:17 10:4 think 9:22 12:9 12:16 13:19 14:1 18:20 20:13 22:20 23:9 thoughts 13:25 three 14:14 thursday 1:8 3:1 time 21:13,22 22:24 timmerman 2:9 3:12,16,20 3:22,24 4:1,3,3 4:9,13,20 5:14 6:2,5,14,16,22 7:2,7,11,16,21 7:22 8:4,6,12 8:18,23 9:3,8 9:16,22 10:10</p>	<p>tip 21:23 tomorrow 24:25 tonight 9:19 23:22 24:23 took 5:7 top 10:5 towards 13:20 township 1:1,4 1:9 2:6,12 3:8 4:11,14,17,21 5:2,4,5,8,11 7:19 8:11,13,14 15:11,13,22 16:4,6,10,12,13</p>	<p>uh 18:12 understand 13:4 understood 12:15 unroll 10:13 upcoming 5:9 use 11:3,4,4 13:15 21:12,14 used 21:12</p>	<p>wait 14:5,5 waiving 14:18 wake 14:7 want 6:14,22 7:2 9:1,3 10:9 13:2 14:3,20 15:3 19:9 20:20 20:23 22:5,6 wanted 10:5 way 10:12 13:4 13:19 19:5 21:12 22:12,17 we've 14:25 whereases 15:6 15:8 whoa 15:19 wish 14:21 word 16:23,24 work 21:12 wow 22:1 written 26:5 wrong 14:18</p>
	<p>transcribed 26:7 transcript 1:6 26:5 treasurer 21:21 22:2</p>	<p>v</p>	<p>y</p>
	<p>valid 13:3 van 1:2,10 5:11 veritext 1:23 vivid 18:22 vote 6:11 8:1,16 9:14 19:19 20:4 22:9 25:14</p>	<p>y 18:8 yeah 3:15 6:5 6:15,18,18 7:6 9:5 10:15,17,17 10:25 11:5,7,10 12:19,25 13:9 14:11 16:21 17:3,7 18:16,19 18:23 19:6,6,11 19:17 20:7,12</p>	

20:14,18,22 22:8,10 23:6,11 23:13,13,19 24:7,19,22 25:5 yes'd 20:5,8
z
zoned 13:14 zoning 1:1,4 2:6 3:8 4:11,14 4:17,21 5:3,6,7 5:12 7:19,24 8:11,13,15 13:18 15:13,17 15:22 16:1,4,6 16:10,12,25 17:2

Ohio Rules of Civil Procedure

Title V. Discovery

Rule 30

(e) Submission to Witness; Changes; Signing.

When the testimony is fully transcribed, the deposition shall be submitted to the witness for examination and shall be read to or by the witness, unless examination and reading are waived by the witness and by the parties. Any changes in form or substance that the witness desires to make shall be entered upon the deposition by the officer with a statement of the reasons given by the witness for making them. The deposition shall then be signed by the witness, unless the parties by stipulation waive the signing or the witness is ill, cannot be found, or refuses to sign. The witness shall have thirty days from submission of the deposition to the witness to review and sign the deposition. If the deposition is taken within thirty days of a trial or hearing, the witness shall have seven days from submission of the deposition to the witness to review and sign the deposition. If the trial or hearing is scheduled to commence less than seven days before the deposition is submitted to the witness, the court may establish a deadline for the

witness to review and sign the deposition. If the deposition is not signed by the witness during the period prescribed in this division, the officer shall sign it and state on the record the fact of the waiver or of the illness or absence of the witness or the fact of the refusal to sign together with the reason, if any, given therefor; and the deposition may then be used as fully as though signed, unless on a motion to suppress the court holds that the reasons given for the refusal to sign require rejection of the deposition in whole or in part.

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VERITEXT LEGAL SOLUTIONS

COMPANY CERTIFICATE AND DISCLOSURE STATEMENT

Veritext Legal Solutions represents that the foregoing transcript is a true, correct and complete transcript of the colloquies, questions and answers as submitted by the court reporter. Veritext Legal Solutions further represents that the attached exhibits, if any, are true, correct and complete documents as submitted by the court reporter and/or attorneys in relation to this deposition and that the documents were processed in accordance with our litigation support and production standards.

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