

Chairman Ray Schulte reconvened the September 21, 2020 Special Meeting of the Hinckley Township Board of Trustees on September 25, 2020 at 8:48 a.m. for the purpose to discuss and approve a resolution for the Board to adopt and send to the County Auditor for the collection of the delinquent waste disposal charges. Present were Trustees Augustine, Burns and Schulte, Fiscal Officer Catherwood, Chris Miller, one reporter and one resident.

Mr. Schulte informed the Trustees that he spoke via conference call with Kimble representatives and Beth Biggins Ramer of the Medina County Solid Waste District and it was decided that Kimble would halt its debt collection process and rely on the terms of the Hinckley Township contract for collection of outstanding debt through the property tax assessment process as outlined by the contract and statute. Kimble has provided the Township an updated list “Exhibit A” to provide the Medina County Auditor along with the following Resolution:\

Mr. Schulte made a motion to approve **Resolution #092520-01** as follows:

WHEREAS, In accordance with and in adherence to R.C. Sections 505.27-505.33 et seq., the Hinckley Township Board of Trustees has performed the following processes:

- On November 20, 2018, the Hinckley Township Board of Trustees created a waste Disposal District in accordance with Ohio Revised Code §505.28.
- On September 17, 2019, the Hinckley Township Board of Trustees in accordance with Ohio Revised Code §505.27 entered into an Agreement for Collection, Transportation and Delivery for Disposal or Processing of Residential Solid Waste and Recyclable Materials Generated in and Collected from Residential Units in Hinckley Township and Township facilities (“Agreement”) with Kimble Recycling & Disposal Inc. (“Kimble”).

WHEREAS, in accordance with the Agreement and Ohio Revised Code §505.29:

- The Hinckley Township Board of Trustees established, by resolution, equitable charges of rents, or service charges, to be paid to the Township for the use and benefit of such Collection Services by the Owner of every Residential Unit whose premises are so served. The Service Charges include all related collection, disposal and processing fees, as well as any Optional Services in the amount specified on the Bid Forms attached, as Bid Form 3 to Kimble’s Bid: Price Sheet: Unlimited Service and the attached Recycling Processing Formula (per Ton and per RU Calculations) for Unlimited Services; and Bid Form 4 of Kimble’s Bid: Price Sheet: Bag Service and the attached Recycling Processing Formula (per Ton and per RU Calculations) for Bag Service, which documents are part of the September 17, 2019 Agreement.

WHEREAS, In accordance with the September 17, 2019 Agreement, Kimble for itself and by and on behalf of the Township and as its agent, shall directly invoice and collect all Service Charges from each Owner

of a Residential Unit under the Agreement on a quarterly basis, pursuant to the authority in Section 505.31(B) of the Ohio Revised Code. Such debt is owed directly to the Kimble.

WHEREAS, By and on behalf of the Board of Township Trustees, Kimble shall create a list of residential units whose premises are served by Kimble that are delinquent in the payment of service charges for the disposal of waste pursuant to the Agreement, which list shall be provided to the Hinckley Township Board of Trustees. Kimble’s obligation to provide this list is mandatory in order for the Township’s Fiscal Officer to certify to the Medina County Auditor the names of the property owners for the purpose of collection pursuant to O.R.C. §505.33 which those delinquent charges be certified on or before the first day of October of each year. Any funds received by the Township pursuant to O.R.C. §505.33 shall be forwarded to Kimble.

WHEREAS, the Hinckley Township Board of Trustees now desire to have the Township’s Fiscal Officer certify to the Medina County Auditor the names of the property owners of residential units that are delinquent in the payment of waste disposal service charges and a description of their lands for placement of the delinquent waste disposal service charges on the tax duplicate for collection in accordance with Ohio Revised Code §505.33.

NOW THEREFORE, BE IT RESOLVED by the Hinckley Township Board of Trustees that, Kimble has created a list of residential units whose premises are served by Kimble and that are delinquent in payment of service charges for disposal of waste, which Kimble has provided to the Hinckley Township Board of Trustees.

BE IT FURTHER RESOLVED that, the list includes the names of the property owners of residential units that are delinquent as to waste disposal service charges and a description of their land, which list is attached as Exhibit “A” to this Resolution.

BE IT FURTHER RESOLVED that, the Hinckley Township Board of Trustees hereby requests the Township’s Fiscal Officer to certify this Resolution and list attached as Exhibit “A” to the Medina County Auditor for placement of the delinquent waste disposal service charges on the tax duplicate for the ensuing December installment of taxes, for collection in accordance with Ohio Revised Code §505.33.

Mr. Burns second. Vote: A=yes, B=yes, S=yes.

Further discussion as to whether or not the Medina County Auditor’s Office would place a tax collection fee on the assessment. Mr. Schulte stated that the Auditor is not currently collecting a fee on these assessment’s, but that could change.

Mr. Schulte made a motion to adjourn the Special Meeting at 9:14 a.m. Burns second. Vote: A=yes, B=yes, S=yes.

Hinckley Township Board of Trustees – Special Meeting
September 25, 2020

Meeting minutes approved by:
