

Chairman Augustine called the meeting of the Hinckley Township Board of Trustees to order at 6:30 p.m. on September 20, 2022. Present were Trustees Augustine, Ascherl and Swedyk, Fiscal Officer Martha Catherwood, Police Chief Centner, Service Superintendent Mike Behary and Fire Chief Grossenbaugh. 28 residents attended in person and 3 attendees via Zoom.

All present pledged Allegiance to the Flag.

There were no bids submitted for the East Wall of the Old Fire Station repair/renovation project.

Three bids were received for the Bethany Lane roadway improvement project, as follows:

- Set-In-Stone Concrete LLC: \$269,061.65
- Perk Company: \$287,913.40
- Tri-Mor Road Builders: \$237,072.00

Mr. Swedyk made a motion to adopt **Resolution #092022-01**, contracting with Tri-Mor Road Builders for the Bethany Lane roadway improvement project as submitted, pending Prosecutor's Office review. Augustine second. Vote: ASCH- yes, S-yes, AUG-yes

POLICE

Mr. Swedyk administered the Oath of Service to full-time probationary patrol officer Shelbie Palya. Officer Palya will begin October 3, 2022.

Ms. Augustine thanked the Service, Fire and Police Departments for taking part in the funeral procession for former Trustee Ron Rhodes.

FIRE

Ms. Ascherl made a motion hiring Firefighter/EMT Brad Potash at a rate of \$14.35/hr. for a one-year probationary period effective immediately. Augustine second. Vote: ASCH- yes, S-yes, AUG-yes

Ms. Ascherl made a motion hiring probationary Firefighter/Paramedic Jacob Bartinelli and Firefighter/EMT Tristan Battani at a rate of \$14.35/hr. for a one-year probationary period effective after passing background checks and physicals. Augustine second. Vote: ASCH- yes, S-yes, AUG-yes

Ms. Ascherl administered the Oath of Service to the three new firefighters.

Ms. Ascherl made a motion for appropriations of \$2,340 for graphics for Command Car 36 from Yoder Graphics. Swedyk second. Vote: ASCH- yes, S-yes, AUG-yes

Ms. Augustine made a motion to approve the following meeting minutes. Seconded by Swedyk.

- September 6, 2022 Regular Meeting as amended - Vote: ASCH- yes, S-yes, AUG-yes

Ms. Ascherl made a motion accepting the resignation of Firefighter/EMT Lt. Dan Landis effective October 1, 2022. Swedyk second. Vote: ASCH- yes, S-yes, AUG-yes

Chief Grossenbaugh reminded that audience that the Touch-a-Truck event will take place on Sunday from 1-4 p.m.

SERVICE

Mr. Behary provided the Trustees with the status of the Valley Brook concrete repairs.

SPECIAL GUEST

Special Guest Charles Gibson expressed his concern regarding the delay in placing signage on the State Road property he donated to the Township in 2021. Signage noting the Divorky and Gibson family donation was agreed upon by the former Board of Trustees. He would like the Trustees to fulfill his request in a timely manner. Mr. Gibson was assured that obtaining designs and quotes for the signage is underway. Mr. Gibson offered to assist in speaking to sign vendors in order to assure that the installed signage is to his satisfaction.

CEMETERY

Ms. Augustine presented a quote from C & M Corp. to seal the Maple Hill cemetery wall in the amount of \$2,370.00. Discussion ensued as to whether to seal the wall to prevent possible road salt damage or to maintain the wall in its present state in order for it to age naturally. It was decided at this time to hold off on the sealing to allow the wall to age naturally.

TRUSTEES

Ms. Ascherl informed the Trustees that the Township has been notified by Kimble Co, that a fuel surcharge will be added to the November bill. The surcharge amount is not known until 4 p.m. on October 31, 2022. She added that letters notifying businesses that they must apply for a residential opt-opt; as well as the annual opt-out mailing will be going out within a week.

The Trustees discussed suspending work sessions in the month of October and reconvening for work session in November and December in the evening. Concerns as to scheduling were still unknown and the topic will be tabled and discussed further in October.

Ms. Ascherl raised conversation regarding the CRA tax abatement program. Ms. Augustine feels that based on her research with several local, Medina County and Brunswick City officials that the Township should remain competitive with Brunswick to avoid annexation. She proposed a 100% abatement for fifteen years. Discussion ensued as to whether a 100% abatement was

necessary or whether the initial proposal of a 50% abatement should be revisited. All agreed that it was important to provide Medina County Economic Development Director Bethany Dentler a negotiation percentage which she can provide to interested parties.

There being no further discussion, Ms. Ascherl made a motion to create a general consensus of terms in POST 94 CRA Zone at 50% tax abatement to be reviewed annually and included in the January Organizational Meeting Minutes. Swedyk second. Vote: ASCH-no, S-yes, AUG-yes

Ms. Ascherl made a motion to adopt **Resolution #092022-02**, 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 parcel numbers 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 January installment of taxes, for collection in accordance with Ohio Revised Code §505.33.

Augustine second. Vote: ASCH- yes, S-yes, AUG-yes

Mr. Swedyk informed the Trustees that he has contacted A.S.A.P. Door to come in and adjust the keys that are not working in the new door. He also stated that the new fuel monitoring system has not been installed yet. He has been assured the install will occur on September 27th.

Ms. Augustine discussed a request by a resident to apply a variance fee to a new variance application due to the fact that his initial application had changed when the Board of Zoning Appeals (BZA) gathered for the property site inspection. The BZA held a hearing which ended

in the inability to review the application due to the changes. Discussion ensued regarding the fact that costs had already been incurred by the Township for the meeting notice and the site inspection and hearing. It was agreed that the request to apply the initial variance fee could not be applied to the second variance and the resident would have to pay the full cost of a second variance application.

Ms. Augustine thanked and complimented Ms. Ascherl for her work on the updated Township website and suggested the Township forward a letter of thanks to Webmaster Brian Latko for all his years of volunteering to assist with website maintenance. All agreed.

Ms. Augustine presented the following additional items:

- There will be an informational meeting with representatives of the Cleveland MetroParks and the Medina County Park System on October 19 at 6:30 p.m. to learn more about land donations and preservation opportunities.
- It has been decided to delay any formal legal proceeding against the 25 River Road nuisance in order to determine if the property owner can be assisted with clean-up in another way.
- A reminder that election signs must be located outside of the road right-a-way

FISCAL OFFICER

Mrs. Catherwood stated the fund status is \$7,389,037.42.

Ms. Augustine made a motion to adopt **Resolution #092022-03**, approving the following interfund reallocation transfers:

- \$20,000 from 2192-220-221-0000 (Medical/Hospitalization) to 2192-220-360-0000 (Contracted Services)
- \$50,000 from 2191-760-720-0000 (Buildings) to 2191-210-360-0000 (Contracted Services)

Ascherl second. Vote: ASCH=yes, S=yes, AUG=yes

Ms. Augustine made a motion to pay the bills/payroll in the amount \$97,601.60, plus an additional payment of \$1,013.05 to the U.S. Postmaster for Kimble mailing. This payment may be dated on September 21, 2022 as per the original appropriation approval.

Ascherl second. Vote: ASCH=yes, S=yes, AUG=yes

PUBLIC

Richard Pearl (King Road) indicated that 350 Hinckley had sent a letter to the Trustees indicating their “wish list” for the use of the ARPA funds and requested that the emailed letter be entered in its entirety into the public record of tonight’s meeting as follows:

Trustee Regular Meeting
September 20, 2022

Trustees:

1. Number one on our wish list is to suspend discussions bringing public water to Town Center; we are wasting time and there are other ways to extend water lines if really needed. Furthermore:

No resident expressed a desire to expand public water to Town Center during the CP Steering Committee meetings;

No business property owner has expressed interest at a township meeting to expand public water to the Town Center, and;

No survey has been conducted to determine how many residential and business property owners would go to the expense of connecting to public water if available.

Additional township funds would probably be needed to complete the water lines and connect the township buildings and the township would incur monthly water bills.

Public water would stimulate developers to expand the possible business assortment in the town center. There are pros and cons to rapid development with respect to the rural town feel residents desire. So far, the limited water network has helped to preserve the rural character of Hinckley.

The 57% positive survey response for expanding public water to the Town Center like the 52% positive response of bringing sewers were loaded questions. If the survey asked "Would you like a new free Lexus delivered to your address?" without any explanation of who would pay for this, the positive response rates would probably be more than 57%.

The survey questions had inherent errors. For example: At CP meetings, we heard it's impossible to connect sewers because Medina County does not allow pumping of sewage – gravity flow only.

Sewer lines in the Town Center are more difficult than water lines because of the requirement to flow by gravity under unusual topology. The elevation of Town Center is 1070 and the Medina County Wastewater Treatment Plant on Boston Road is 870. A drop of 200 feet over ~14,000 feet is simply not enough to keep the solids suspended.

The trustees should not spend the ARPA funds based on the survey results.

2. Spend the funds on a Stormwater Control Improvement Plan. The funds could be used to support vital stormwater infrastructure benefiting a greater number of residents and property owners.

The Trustees could solicit Environmental Consulting Companies to develop a Hinckley Township Stormwater Control Improvement Plan. The plan should parallel but not overlap the Medina County Stormwater Management Plan of October 18, 2018. The link to that plan can be found at: [MedinaCountyUnincAreasSWMP120419 \(4\).pdf](#)

Management and treatment of stormwater or subsurface drainage water projects are eligible under the Clean Water State Revolving Fund. Other benefits would be protecting and improving water quality, stream corridors, and public health and safety in general. Some riparian way restoration projects could be considered as well.

The plan might include:

A. Culvert many modest-grade road ditches alongside township roads. This project alone could consume much of the grant and would help to beautify Hinckley thereby benefiting all residents. Culverting many ditches could allow many homeowners to maintain their lawns to the edge of the road and take significant pressure off our service department to maintain all township ditches.

Any remaining funds could be allocated to other select Stormwater Control Measures such as:

B. Install new catch basins for easy clean-out and to detain and direct stormwater to designated watercourses

C. Rebuild banks and revetment anywhere streams pass under or near township roads to slow water and bank erosion. The plan could solve many township issues well into the future.

D. Resurface township parking lots with permeable or porous pavement,

E. Conduct annual septic tank workshops and provide funds to homeowners with matching Medina County Health Department grants to correct failing home sewage treatment systems (HSTS),

F. Provide help and education to livestock/horse/pet owners to prevent animal waste entering the Rocky River

G. Provide free rain barrel and rain garden kits to residents

H. Permanently mark all conservation areas in Conservation Developments to protect sensitive conserved areas and avoid disputes

A Stormwater Control Improvement Plan would align and show action on our 2015 Comprehensive Plan Community + Infrastructure section: CS.2 Public Input – Key Themes 3. Carefully plan and monitor stormwater impacts (page 62) and of Objective CS.4 - Comply with the EPA's National Pollutant Discharge Elimination System (NPDES) Phase II permit requirements by adopting the recommendations in the 2017 Storm Water Management Plan (page 65).

3. Install PV solar arrays on all township buildings – replacing the shingles on the Town Hall building

Net metering is available in Ohio, meaning electric meters measure energy in or used and excess unused generated energy out. Monthly bills combine the two uses and the meter is either billed or credited for the difference. Correct sizing of photovoltaic arrays could mean near zero electric bills from the electric meters connected to the arrays. Paybacks are generally less than ten years and most panels are guaranteed to lose less than one percent of their efficiency each year with an expected lifetime of over 30 years similar to the lifetime of a shingled roof.

4. Spend the entire amount on repairing roads. Road building and maintenance are eligible infrastructure expenditures. Unfortunately, not all Hinckley residents will benefit equally from this expenditure.

Please consider 2, 3, and 4 above should you move quickly to send possible projects to the prosecutor for evaluation.

Thank you for considering our Wish List,

Gary Jennrich and Richard Pearl, Spokespersons for 350 Hinckley

www.world.350.org/hinckley

Trustee Regular Meeting
September 20, 2022

Cindy Engleman inquired as to the schedule for the amendments the Zoning Commission is working on. It was determined that the will be discussed at the October Medina County Planning Commission meeting.

Ms. Augustine made a motion to adjourn at 8:01 p.m. Ascherl second. Vote: ASCH=yes, S=yes, AUG=yes

The Board reviewed and signed purchase orders, payroll and bills.

