

<b>RECORD OF PROCEEDINGS</b> <b>Minutes Of Brownhelm Township Board of Trustees Regular Meeting</b> <b>Held November 6, 2017</b>
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The meeting was called to order by the Chairman James Norheim.

The Pledge of Allegiance was given.

The roll call resulted as follows: Mr. James Norheim, Mr. Orrin Leimbach, and Mr. Donald Nieding were present.

Leimbach made a motion to dispense with the reading of the minutes of the September 5, 2017 regular meeting and to approve said minutes. Nieding seconded the motion. Leimbach, Nieding, and Norheim voted to accept the motion.

The following bills were presented for payment:

381-2017	Frank Andrasak	\$629.95	410-2017	EFTPS	\$2,455.55
382-2017	Richard Norheim	\$182.27	411-2017	Treasurer, State of Ohio	\$935.55
383-2017	Scott Schmalz	\$1,407.35	412-2017	Lorain County Health Plan	\$5,710.50
385-2017	Treasurer, State of Ohio	\$928.18	413-2017	Verizon Wireless	\$33.30
386-2017	EFTPS	\$2,408.80	414-2017	Orrin Leimbach	\$48.00
387-2017	RITA	\$298.40	415-2017	Ohio Edison	\$356.50
388-2017	OPERS	\$3,053.92	416-2017	Lorain County Engineer	\$1,217.26
389-2017	CenturyLink	\$226.45	417-2017	Orrin Leimbach	\$178.69
390-2017	Swineford Petroleum	\$2,412.05	418-2017	Frank Andrasak	\$635.52
391-2017	NAPA Auto Parts	\$9.57	419-2017	Richard Norheim	\$91.19
392-2017	Brownhelm Historical Assoc	\$190.15	420-2017	Scott Schmalz	\$1,449.66
393-2017	McQueen Sign Company	\$425.00	422-2017	P & J Sanitation	\$125.00
394-2017	Lowe's	\$64.41	423-2017	Florence Township Trustees	\$3,249.90
395-2017	Frank Andrasak	\$546.00	424-2017	21st Century Media	\$154.40
396-2017	Ryan Krieg	\$93.63	425-2017	Ohio Edison	\$103.48
397-2017	Richard Norheim	\$91.19	426-2017	OPERS	\$2,384.15
398-2017	Scott Schmalz	\$1,628.24	427-2017	Consumers Life	\$1,032.45
400-2017	Marsha Funk	\$280.48	428-2017	Cooper Hydraulic	\$15.54
401-2017	Orrin Leimbach	\$1,187.35	429-2017	21st Century Media	\$57.05
402-2017	Don Nieding	\$567.66	430-2017	CenturyLink	\$226.72
403-2017	James Norheim	\$403.72	431-2017	NAPA Auto Parts	\$466.32
404-2017	John Schmalz	\$401.72	432-2017	Steinacker & Sons	\$446.42
406-2017	Huntington National Bank	\$365.49	433-2017	Ohio CAT	\$102.91
407-2017	Northern Ohio Rural Water	\$63.40	434-2017	Mercy Occupational Health	\$25.00
408-2017	Lorain County Health Plan	\$296.10			
409-2017	Verizon Wireless	\$100.00			\$39,762.54

Leimbach made a motion to pay the bills. Nieding seconded the motion. Nieding, Norheim, and Leimbach voted to accept the motion.

**20171106-01**

In correspondence, a letter was read from the Lorain County Commissioners adopting Resolution #17-710 accepting a petition filed October 23, 2017 from Brownhelm Township residents requesting the Board

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of Commissioners to clean Mapleview Ditch from Mapleview Dr north to West River Rd. A viewing is scheduled for November 21, 2017 at 10:30 am and a hearing will be held December 5, 2017 at 9:45 am.

John Schmalz, Zoning Inspector, submitted 4 permits, 1 home and 3 barns. J Schmalz sent a courtesy letter to a Heritage Way property owner about high grass. A resident on Claus Rd complained about a neighbor putting up a snow fence; this is not a zoning violation, but may be a deed restriction which is not controlled by the township. Trustee Norheim noted that there is a resident at 49655 Middle Ridge Rd who is concerned with any new construction on the north side of Middle Ridge Rd, because of drainage issues on the south side of the road; J Schmalz will check on this.

Scott Schmalz, Labor Superintendent, reported that the Baumhart & Middle Ridge intersection has been opened. The road work on Mapleview is nearing completion. The backhoe has had major repairs with fuel pumps, injection pump, and belts and hoses. S Schmalz will mulch around the new BHA sign in front of the school. The Brownhelm Lakefront Park's garbage can has been broken and since the garbage can has been there people are now dropping off their own garbage. There are two dead trees by the township soccer field; Owens quoted \$1650 to take down the trees and remove the wood, EcoTree quoted \$2450 for the same work. S Schmalz wants to wait until the ground freezes before the heavy trucks drive in this area. Township is still waiting for the specs from the Lorain County Engineer's office for the crossover pipe at the south end of Claus Road.

From the audience, John Perry read a lengthy letter about his views on the Zero9 Solutions shooting range with permit naming issues, disputes with the architectural drawings, and noise issues. Another resident asked about the Lorain Pistol & Rifle Clubs' expansion; J Schmalz said that expansion was approved several years ago. It was noted that there needs to be clarification on procedures for monitoring the noise level.

In old business, Leimbach made a motion that the township use its remaining \$380 grant from the Lorain County Solid Waste District to purchase additional insulated bags for Brownhelm Christmas. Nieding seconded the motion. Norheim, Leimbach, and Nieding voted to accept the motion. **20171106-02**

Concerning the open positions on the Zoning Commission and the Zoning Board of Appeals, Trustee Norheim talked with David Miller and he wants to remain on the Zoning Commission and Jeff Hoopes has agreed to remain on the Zoning Board of Appeals. Shawn Cline, a current alternate on the ZBA, and Greg Butchko, a current alternate on the Zoning Commission would be open to filling any of the open positions. These positions will be appointed at a later date.

The Lorain County Engineer's office is working on specifications for SWAC projects for Baumhart Rd and the hillside at the south end of Gore Orphanage.

Trustee Norheim explained that the township meeting hall has some major structural issues that need addressed as soon as possible. There is major rot under about 60% of the building at the south end. This is the oldest part of the building and was not built on a slab as is the other 40% at the north end. He has met with contractors and a mold inspector about the steps to correct this issue.

Leimbach made a motion to approve a contract, as presented in an estimate, with Loosli Construction at a cost of \$25000 for tearing out the existing joists, pouring a slab, rebuilding an existing bathroom, installing a new front door and painting the interior. Nieding seconded the motion. During a discussion, it was noted that there was a need to grant one trustee authority to handle the execution of contract documents between meetings. Leimbach withdrew his motion.

Leimbach made another motion to approve a contract, as presented in an estimate, with Loosli Construction at a cost of \$25000 for tearing out the existing joists, pouring a slab, rebuilding an existing bathroom, installing a new front door and painting the interior and to give Trustee Jim Norheim the authority to execute any documents for this contract. Nieding seconded the motion. Leimbach, Nieding, and Norheim voted to accept the motion. **20171106-03**

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Leimbach made a motion to approve a contract with Dutch's Mold Inspections at a cost of \$5400 to handle the removal and disposal of flooring, cabinetry, and bathroom and inspect remaining drywall and apply an EPA approved microbial sanitizer with the township supplying the needed dumpster and to give Trustee Jim Norheim the authority to execute any documents for this contract. Nieding seconded the motion. Nieding, Norheim, and Leimbach voted to accept the motion. **20171106-04**

Leimbach made a motion to approve a contract with Strittmather & Sons to remove the existing furnace and install a new 80% efficient furnace and install a new air conditioner, per estimate, at a total cost of \$6290 and to give Trustee Jim Norheim the authority to execute any documents for this contract. Nieding seconded the motion. Norheim, Leimbach, and Nieding voted to accept the motion. **20171106-05**

Leimbach made a motion giving Trustee Jim Norheim a \$3000 allowance for contract changes without getting prior approval. Nieding seconded the motion. Leimbach, Nieding, and Norheim voted to accept the motion. **20171106-06**

Leimbach made a motion approving an estimate from Owens Tree Service at a cost of \$1650 to take down the trees by the soccer field and remove the wood. The township would immediately want the broken limbs removed and then the remaining parts of the trees to be removed as soon as the ground permits. Nieding seconded the motion. Nieding, Norheim, and Leimbach voted to accept the motion. **20171106-07**

In new business, Leimbach made a motion accepting a three-year fire contract with the Village of South Amherst at a cost of \$27,315.52 for 2018, \$28,408.12 for 2019, and \$29544.44 for 2020. Norheim seconded the motion. Norheim, Leimbach, and Nieding voted to accept the motion. **20171106-08**

It was noted that the West Branch Rifle & Pistol Club has withdrawn their request for a variance.

Leimbach made a motion to accept a resolution supplied by the Lorain County Prosecutor's office for a six-month moratorium on issuing any permits for shooting ranges. Assistant Prosecutor Gerald Innes noted that this moratorium could be renewed at the end of the 6 months. Nieding seconded the motion. The resolution follows these minutes. In a roll call vote, Norheim, Leimbach, and Nieding all voted yes. **20171106-09**

Leimbach made a motion authorizing the township to set up a Facebook account for outgoing information only, with all proposed posts requiring approval from the township body responsible for the posts' information prior to its entry on Facebook. Nieding seconded the motion. Leimbach, Nieding, and Norheim voted to accept the motion. **20171106-10**

Norheim made a motion appointing Ron Mate to another four-year term on the Northern Ohio Rural Water Board beginning December 1, 2017. Leimbach seconded the motion. Nieding, Norheim, and Leimbach voted to accept the motion. **20171106-11**

Leimbach made a motion approving the Fiscal Officer's request to the Lorain County Auditor asking for an amended certificate of estimate resources with an increase in appropriations of \$17,000 in the Equipment Reserve Fund. Norheim seconded the motion. Norheim, Leimbach, and Nieding voted to accept the motion. **20171106-12**

Leimbach made a motion to change the Trustees' regular meeting of January 1, 2018 to January 2, 2018. Norheim seconded the motion. Leimbach, Nieding, and Norheim voted to accept. **20171106-13**

Contingent on the outcome of the November 7, 2017 Trustee elections, Nieding made a motion that if the Trustees remain the same, the 2018 Organizational meeting will be held on December 4, 2017 after the regular Trustee's meeting and if there is a change in Trustees, then the 2018 Organizational meeting will

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be held on January 2, 2018. Northeim seconded the motion. Nieding, Northeim, and Leimbach voted to accept the motion. **20171106-14**

The organizational meetings for the Zoning Commission and the Zoning Board of Appeals will take place at the Trustees meeting on January 2, 2018.

Leimbach made a motion to enter into an Executive Session with Assistant Prosecutor Gerald Innes to discuss pending litigation. Nieding seconded the motion. In a roll call vote, Northeim, Leimbach, and Nieding all voted yes. **20171106-15**

The Trustees returned from Executive Session.

Leimbach made a motion to adjourn the meeting. Nieding seconded the motion. Northeim, Leimbach, and Nieding voted to adjourn the meeting.

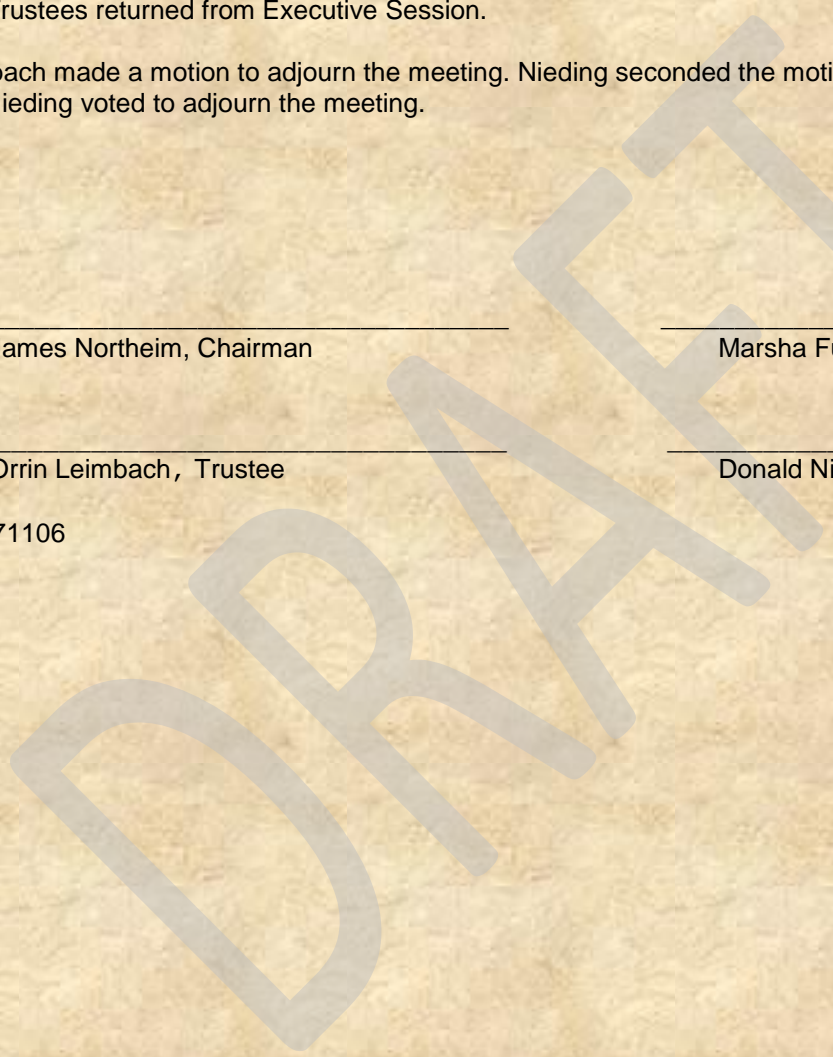
\_\_\_\_\_  
James Northeim, Chairman

\_\_\_\_\_  
Marsha Funk, Fiscal Officer

\_\_\_\_\_  
Orrin Leimbach, Trustee

\_\_\_\_\_  
Donald Nieding, Trustee

F:M171106



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**BROWNHELM TOWNSHIP**  
**Moratorium on Shooting Ranges**

The Board of Trustees of BROWNHELM TOWNSHIP, Lorain County, Ohio met in regular session on the 6<sup>th</sup> day of November, 2017 at the office of the Brownhelm Township Trustees with the following members present: James Northeim, Orrin Leimbach, and Donald Nieding.

Orrin Leimbach moved the adoption of the following Resolution 20171106-09:

WHEREAS, a large number of issues have arisen with respect to the recent opening of a gun range concerning noise levels and safety concerns; and

WHEREAS, there are already numerous gun ranges in and around the vicinity of the township; and

WHEREAS, the Board of Trustees deems it appropriate to gather information that will enable them to modify zoning and other township regulations to more adequately address the issues and concerns.

THEREFORE, BE IT RESOLVED, by the Board of Trustees of Brownhelm Township;

I. That a moratorium is enacted as follows:

No permit shall be allowed or issued for the construction or operation of a shooting range in Brownhelm Township for a period of six months. Shooting ranges shall be considered "a facility operated for the purpose of shooting with firearms or archery equipment, whether publically or privately owned and whether or not operated for profit, including, but not limited to, commercial bird shooting preserves and wild animal hunting preserves".

II. The board deems that this moratorium is necessary for the safety and convenience of persons within the township, and beneficial to the general welfare, health, and safety of the community.

Donald Nieding seconded the Resolution and the roll being called upon its adoption, the vote resulted as follows:

James Northeim	yes
Orrin Leimbach	yes
Donald Nieding	yes

Adopted the 6<sup>th</sup> day of November, 2017

Attest:

\_\_\_\_\_  
Marsha Funk  
Fiscal Officer of Brownhelm Township  
Lorain County, Ohio



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