DRAFT

Three Oaks Township Board of Trustees

Regular Meeting Minutes — October 12, 2026

The regular meeting was called to order at 7:00 p.m. by Supervisor Smith.

Pledge to the Flag

Roll Call

- **Present:** Miles, Swanstrom, Mitchell, Osburn, Smith
- **Absent:** None

Moment of Silence

A moment of silence was observed in honor of John Kramer for his over 30 years of dedicated service to the Township and the Village on the Planning Commission and the Board of Review.

Public Comment: None

Approval of Agenda

Request made to amend the agenda by moving New Business Item No. 3 Chuck Sittig to New Business Item No. 2.

Motion by Swanstrom, supported by Mitchell, to approve the Agenda as amended. Motion carried, 5-0.

Approval of Consent Agenda

Motion by Swanstrom, supported by Mitchell, to approve the Consent Agenda as presented. Motion carried, 5-0.

Approval of Prior Minutes

The Board reviewed the minutes from the September 14, 2026 meeting. The following corrections were noted:

- **Window Washing:** Corrected from "window watching" to "window washing" on page 2.
- **Public Comments:** Corrected the spelling to “Zebell” and "appreciation" at the bottom of the section.
- **Snowmobile Contract:** Corrected the text to read "allowing".
- **Library Separation:** Corrected from “to allow to allow” to “to allow”

Motion by Mitchell, supported by Osburn, to approve the September 14, 2026 meeting minutes as corrected. Motion carried, 5-0.

Treasurer's Report
Treasurer Osburn presented the general treasurer's report for board review.

Discussion on Closing Fund Accounts

- **Public Safety / Emergency Fund Account:** The board discussed a special account originally set up for emergency capital outlays. It was noted that the fund balance is currently under $10,000 ($5,430.12) and that these needs are now covered under the Public Safety Fund. A suggestion was made to transfer the remaining $5,430.12 back into the General Fund and close the account.
- **Township Restoration Fund (Schoolhouse):** A suggestion was made to close the Township Restoration Fund and transfer the remaining balance into the General Fund to simplify budgeting, utilizing general ledger line items for rentals and maintenance moving forward.

Approval of Bills

The October bills to be paid were presented to the Board for review. A question was raised regarding the payment to the Berrien County Road Department, which was clarified as the final payment for the Phillips Road project.

Motion by Swanstrom, supported by Miles, to approve the payment of the October bills in the amount of **$42,857.36**. Roll call—Ayes: Osburn, Mitchell, Miles, Swanstrom, Smith; Nays: None. Motion carried, 5-0.

Committee Reports

Committee reports were submitted. The Board discussed the current status of the fire station project, noting that plans are ready to move forward with setting bid dates, locations, and times.

Fire Station Remodel

- **Focus on Construction First:** A suggestion was made to prioritize the physical construction of the fire station remodel and address potential ambulance lease

or contract options as a separate board action down the line, leaving the extra space vacant or adaptable for alternative township uses if necessary.

- **Committee Structure & Public Safety History:** The Board debated forming a preliminary group or an advisory public safety board—similar to historical township boards that included representatives from the Village Council, Township, and a "personnel-at-large" community member.

- **Public Application Posting:** The Board agreed to post an invitation on the Township website for interested community members to submit their names to apply for a citizen-at-large position on the upcoming advisory committee. The committee's findings will ultimately be brought back to the full Board for a vote.

Project Financing and Bidding Progress

- **Architectural Bidding Timeline:** Brooks Architectural will be contacted to request dates, locations, and timeframes to officially initiate the project bidding process.

- **Outstanding Architectural Fees:** The Board noted an open balance due to Brooks Architectural. Supervisor Smith will review the exact amount and report back next month, with budget adjustments brought to the Board if necessary.

- **Bond Financing Update:** Supervisor Smith reported that she has begun reviewing the 30-page bond procedural packet and has established contact with Steve Mann from Miller Canfield for legal and administrative assistance to ensure the bond process is executed correctly.

Police Report

Lieutenant Ryan Reith from the Berrien County Sheriff's Department presented the monthly report and statistics for August.

- **Township Activity:** The Sheriff's Department handled 13 complaints within the township during August (including a slight increase in animal control complaints), issued 1 ticket, and made 0 arrests.
- **County-Wide Comparison:** Across Berrien County, the department responded to 1,480 complaints, issued 268 tickets, and made 142 arrests. Criminal trends remain minimal and manageable in Three Oaks Township.
- **Vacation & Home Checks:** Residents who travel for the winter (snowbirds) or go on vacation are reminded to log a property verification request on the department website (**BCSheriff.org**). This registers the home for periodic checks and provides deputies with local emergency contact details if an issue arises.
- **Firearm Regulations and Hunting Safety Update:** A legal clarification was provided regarding the 150-yard safety zone law. State legislation changed the restriction from *discharging* a firearm to strictly prohibiting *hunting* within 150 yards of an occupied structure or barn without written permission. Residents may lawfully target-shoot or sight-in rifles closer than 150 yards, provided it is done in a safe manner with an adequate backstop or berm.

Old Business

Library Separation: Library separation has not yet been resolved.

Ad for Cement Mason: Ad has not yet been put in the paper.

Policies and Procedures Advisory Committee: Clerk Miles provided a brief update on the newly formed Advisory Committee, noting that the members held an informal introductory meeting. The committee has established its regular meeting schedule for the third Thursday of each month, with the next meeting scheduled for this coming Thursday.

Bird Watching Platform: An estimate of approximately **$3,800.00** was presented by Jessie Brewster to repair five damaged sections of the fence/facility at the Forest Lawn Road bird watching property.
Motion by Miles, supported by Swanstrom, to accept the $3,800.00 repair bid, contingent upon the township receiving a completed W-9 form and proof of insurance before any work begins. Roll call—Ayes: Osburn, Mitchell, Miles, Swanstrom, Smith; Nays: None. Motion carried, 5-0.

New Business

Legal Counsel Rate Increase
The Board reviewed a notification from the Township's legal counsel regarding an upcoming rate adjustment effective January 1, 2027.

- **Rate Clarification:** Following a review of the notification letter, the Board clarified that the current billing rate is $200.00 per hour.The rate will increase by $20.00 per hour, bringing the new billing rate to **$220.00 per hour** starting January 1st.
- **Budget Impact:** The Board noted that while this approval updates the billing rate for the remainder of the current term, the Board can evaluate legal service options or alternatives during the upcoming April budget cycle if necessary.

Motion by Miles, supported by Mitchell, to accept the legal counsel rate increase to $220.00 per hour effective January 1, 2027. Roll call—Ayes: Miles, Osburn, Swanstrom, Mitchell, Smith; Nays: None. Motion carried, 5-0.

Public Comment / Presentation: Form L-4029 Tax Rate Request
Resident Chuck Sittig addressed the Board primarily regarding municipal tax procedures and the status of the Township's Form L-4029 (Tax Rate Request).

In response to an inquiry from Chuck regarding whether the Board intended to take action on Form L-4029 tonight, Supervisor Smith indicated that the Board would not

vote on the form at this meeting in order to ensure all figures are properly verified by the assessor first.

Audit Presentation Announcement
The Board received an informational synopsis from the auditing firm, **Lauterbach & Amen** (transcribed as *Luderbach and Amen*), regarding the township's recent financial audit.

- **Meeting Scheduled:** The formal audit presentation is scheduled for **November 9, 2026, at 7:00 p.m.**. A question-and-answer session with the auditors will follow the presentation.
- **Policy & Procedure Integration:** It was noted that the auditing firm has provided several structural suggestions. The Board intends to route these recommendations to the newly formed Policy and Procedure Advisory Committee to evaluate implementation strategies and ensure alignment with best operational practices.

Plumbing Permit Fee Update
Motion by Miles, supported by Mitchell, to approve and accept the updated plumbing permit application and the corresponding state-aligned fee schedule. Motion approved 5-0.

Greater Berrien Transportation Authority (GBTA) Membership Decision
The Board held an extensive discussion regarding whether Three Oaks Township should opt out of or remain a member of the Greater Berrien Transportation Authority (GBTA), noting that a final certification choice was due to the County Clerk the following day.

Motion by Smith, supported by Swanstrom, that Three Oaks Township remain a member of the Greater Berrien Transportation Authority at this time. Motion approved 5-0.

Return to Financial Business: Closing of Accounts

Following the conclusion of the transit topic, the Board returned to the previously discussed general ledger adjustments to formally close out the special capital outlay accounts.

Motion by Miles, supported by Swanstrom, to formally close the public safety capital outlay fund and transfer the remaining balance of $5,430.12 back into the General Fund. Motion approved 5-0.

Motion by Miles, supported by Mitchell, to formally close the Township Restoration Fund and transfer the remaining balance of $1,371.00 back into the General Fund, with future rental revenues and maintenance expenditures to be handled via specific General Fund line items. Motion approved 5-0.

Re-adoption of FY 2026-2027 Budget
The Board reviewed the projected FY 2026-2027 municipal budget. Supervisor Smith noted that following legal counsel's recommendation, the Board should formally re-adopt the budget to ensure proper procedural compliance. It was verified that the budget figures are identical to the comprehensive version originally presented at the March 30th meeting, with no structural changes made.

Motion by Swanstrom, supported by Miles, to formally re-adopt and approve the FY 2026-2027 budget as presented. Roll call—Ayes: Miles, Swanstrom, Mitchell, Osburn, Smith; Nays: None. Motion carried, 5-0.

Public Comments

- Resident Ron Jelinek addressed the Board with recommendations regarding the Township's financial management and meeting accessibility.
- A resident raised a concern regarding the ongoing condition of the back area of the cemetery.
- A discussion took place regarding potential avenues to secure grant funding to offset the purchase costs of a new fire truck before relying on millage or tax increases.

Adjournment

The meeting was adjourned by Supervisor Smith at 9:44 p.m.The next regular meeting will be held Monday, November 9, 2026, at 7:00 p.m. at the Three Oaks Township Hall.

Minutes Submitted by:

Marcie Miles, Three Oaks Township Clerk