

**THREE OAKS TOWNSHIP BOARD OF TRUSTEES
REGULAR MEETING MINUTES
APRIL 10, 2023**

The regular meeting was called to order at 7:00 pm.

Roll Call; Present Gordon Osburn, Mitchell and Mangold. Absent Zabel

Public Comment; James Hermes, potential Marijuana License applicant, after reviewing the recommended Adult Use Marijuana Facilities Zoning Amendment, requested that the Township Board consider amending the proposed amendment to allow Retail Sales in an Industrial District. Dennis Kostka, parcel owner, concurred with the request.

Agendas;

Motion by Mitchell, supported by Gordon, to approve the agenda as presented. Motion carried
Motion by Mitchell, supported by Osburn, to approve the Consent Agenda with the Bills to be Paid estimated total of \$28,479.74 Roll Call; Ayes, Gordon, Osburn, Mitchell and Mangold, Nays; None, Absent; Zabel. Motion carried 4-0-1.

Old Business;

1. Mitchell gave an update of progress on the Phase II Spring Creek School Restoration Project. This past weekend, work continued on building the handicap ramp along with Mudding and taping of the drywall. Mitchell hopes that all work will be completed by deadline of the end of May.
2. Motion by Mangold, supported by Mitchell, to approve the Berrien County/Three Oaks Township Roadwork Agreement for sealcoating Flynn, Basswood and Schwark roads from Elm Valley to Kruger roads for an estimated cost to the Township of \$62,949. Roll Call; Ayes; Mitchell, Osburn, Gordon and Mangold, Nays; None, Absent; Zabel. Motion carried 4-0-1
3. Motion by Mitchell, supported by Osburn, to approve the updated Berrien County Emergency Management Coordinator Resolution BCEMHSD 7-002r-a. Roll Call; Ayes, Mangold, Osburn, Gordon and Mitchell, Nays; None, Absent, Zabel. Motion carried 4-0-1
4. Mangold reported on updated information of the Community Shred Event on Saturday, May 6, 2023 sponsored by The Pokagon Fund.

New Business;

1. The Board considered the recommendation from the Three Oaks Township Planning Commission on adopting the Adult Use Marijuana Facilities Zoning Amendment. The discussion centered on the request from the Public Comment session requesting that "retail" be allowed in an Industrial Zoned District which is an activity that is not allowed in the proposed zoning amendment. Mangold presented information from the present Zoning Ordinance: Chapter 380 Zoning, Article X Industrial District, 380-10.03, Special Land Uses and 380-15.24, Retail Sales in Industrial Uses which seems to conflict with the

- proposed zoning amendment. A motion by Mangold, supported by Mitchell, to table the adoption of the Adult Use Marijuana Facilities Amendment until the May 8, 2023 regular meeting to allow review from the Township Attorney. The motion carried 4-0-1.
2. Mangold reported that the due date for the ARPA Funding Project and Expenditure Report is April 30, 2023. Mangold will check with the Clerk and Treasurer as to where the Township is with the balance of the ARPA funding that could be possibly used to the roadwork budget deficit.
 3. Motion by Mitchell, supported by Osburn, to authorize the Township Clerk to negotiate an Early Election Agreement with other local communities and the Berrien County Clerk. The motion carried 4-0-1.
 4. Mangold informed the Board that a notice of the annual Forest Lawn Cemetery is being placed in the local paper.

Final Comment:

Three Oaks Village President Richard Smith commented if the Township has received any word on hosting again, this summer, the Berrien County Board of Commissioners as they indicated that they would like to return to Three Oaks. President Smith will contact Commissioner Freehling in regards to this possibility.

The next regular scheduled meeting is Monday, May 8, 2023 at 7:00 pm.

The meeting adjourned @ 8:07 pm.

Respectfully submitted,



George A. Mangold
Township Supervisor