

VILLAGE OF THREE OAKS REGULAR COUNCIL MEETING - DATE: 08/11/2010

Chair called Village Council Meeting to order at 7:00 PM at the Three Oaks Village Hall.

Pledge of Allegiance

Roll Call: Present: Capiak, Kramer, Pappa, Shawver, Grosse. Absent: Graziano, Whittaker

Approval of the Agenda: Moved: Capiak Supported: Kramer Aye: 5 Nay: 0 Absent: 2 Abstain: 0 MOTION CARRIED.

Public Comments on the Agenda: None

Approval of the Consent Agenda, to include: Approval of minutes from 07-14-10 meeting, Approval of Invoices to be paid (\$17,862.07), Approval of Disbursements made from July 1 thru July 31, 2010 (\$182,418.21), Acceptance of Prepaids, and Payroll as paid (\$47,116.49), and Acceptance of Treasurer's Report. Moved: Capiak Supported: Kramer Aye: 5 Nay: 0 Absent: 2 Abstain: 0 MOTION CARRIED.

- **MARY DUNBAR – THE POKAGON FUND:** Presented guidelines to use for applying for Pokagon Funds. Stated that basic governmental costs that are necessary for the daily function of the Village, and projects that concern political, church, police or water-sewer infrastructure are NOT eligible – only projects that would enhance the livability of the Village or projects that would assist the economic development of the Village. She stated that currently there is \$141,469 available for use by the Village of Three Oaks.
- **JOSH VAN MALSEN - 401K ADMINISTRATION UPDATE:** Josh VanMalsen, the Village's 401K Financial Advisor has changed firms, from Morgan Stanley to Wells Fargo. He stated that there will be no change in the type of funds, service fees charged, our contact personnel, etc., only the name of the firm he works for. **A Motion was made to retain Josh Van Malsen, of Wells Fargo, as the Village's 401K financial advisor and to authorize Dave Grosse to sign the change form certifying this.** Moved: Capiak Supported: Shawver Roll Call: Aye: Capiak, Kramer, Pappa, Shawver, Grosse Nay: None Absent: Graziano, Whittaker Abstain: None MOTION CARRIED.
- **Ordinance #188 – WHICH AMENDS and SUPPLEMENTS ORDINANCE #67 and ORDINANCE #108:** A Motion was made to adopt Ordinance #188, an Ordinance amending and Supplementing Ordinance #67 and Ordinance #108 to authorize and provide for the issuance of an additional series of Revenue Bonds to pay the cost of acquisition and construction of improvements to the Village's Water Supply System under the provisions of Act 94, Public Acts of Michigan, 1033, as amended; to prescribe the form of the bonds, and to provide for other matters relative to the additional bonds. Moved: Capiak Supported: Kramer. Roll Call: AYE: Capiak, Kramer, Pappa, Shawver, Grosse Nay: 0 Absent: Graziano, Shawver Abstain: 0 MOTION CARRIED.
- **RESOLUTION #08-2010-1 - ADOPTING HAZARD MITIGATION – BERRIEN COUNTY EMERGENCY PREPAREDNESS:** A Motion was made to support Berrien County's efforts to develop a Hazard Mitigation Plan that will identify, analyze and prioritize significant hazards in the county and meet the requirements of the Disaster Mitigation Act of 2000 and 44CFR 201.6. Moved: Shawver Supported: Kramer Roll Call: Aye: Capiak, Kramer, Pappa, Shawver, Grosse. Nay: None Absent: Graziano, Whittaker Abstain: None MOTION CARRIED.
- **RECYCLING OUTDOOR KIOSK:** The Harbor Country Chamber of Commerce requested permission to place an outdoor informational Kiosk at the Village of Three Oaks. This kiosk will provide information on recycling and help to promote environmental awareness and recycling in the Harbor Country area. The Village Council had no objections and agreed to the request.

- **LIVING OAKS – PUD RENEWAL – A Motion was made to support the request of the Living Oaks development to submit a request to the Planning Commission for a renewal of their PUD. Moved: Capiak Supported: Kramer. Aye: 5 Nay: None Absent: Graziano, Whittaker Abstain: None MOTION CARRIED.**
- **CROSBY OAKS – PUD RENEWAL: A Motion was made to support the request of the Crosby Oaks development to submit a request to the Planning Commission for a renewal of their PUD. Moved: Capiak Supported: Kramer. Aye: 5 Nay: None Absent: Graziano, Whittaker Abstain: None MOTION CARRIED.**
- **PROPOSED 2011 BUDGET:** The preliminary 2010-2011 budget was presented to the Council. The budget reflects anticipated reductions in State and Local revenue sharing and in payroll costs, it addresses anticipated road construction projects, it reflects no increase in sewer rates, but an (estimated) small increase in water rates. Council will review the budget and make adjustments as necessary prior to the September 8, 2010 hearing.
- **AUTHORIZATION for the PRESIDENT to EXECUTE REMAINING DOCUMENTS for the USDA RURAL DEVELOPMENT WATER GRANT: A Motion was made to authorize the President, Dave Grosse, to execute and sign all remaining documents for the USDA Rural Development Water Grant that he feels comfortable with signing. Moved: Capiak Supported: Kramer Roll Call: AYE: Capiak, Kramer, Pappa, Shawver, Whittaker, Grosse. NAY: None ABSENT: Graziano, Whittaker ABSTAIN: None MOTION CARRIED.**
- **VILLAGE MANAGER’S UPDATES:** Pat Yoder reported that Reith-Riley submitted a quote for \$43,000 to prep, pave, stripe & complete the Peterson Property Parking lot which is owned by the Village. Three Oaks Township has requested that this parking lot be paved for use by the Township, therefore, Three Oaks Township has authorized up to \$50,000.00 to complete this project. The Village has received Cooperative Resolutions from Three Oaks Township and Chikaming Township in regards to pursuing a First Step Service Grant. Lakeshore Recycling has inquired about the possibility of placing large recycling containers by the DPW garage. In addition, they will send a questionnaire to each household to determine the interest in recycling at individual residences for a cost of \$1.75/month. Pat Yoder stated that the pre-application seeking a Grant for the writing of a Master Plan, a Recreation Plan and a Walkable Community Plan has been completed, and that the final application will be submitted by August 23, 2010 to the US Dept. of Transportation. The Village has received 1 application for the Parks and Recreation Board. The DDA Board openings have been advertised, but no applications have been received. Pat is pursuing and researching options for having a Doctor and/or an Urgent Care Center located in the Village. On August 18th the Water Tank will be surveyed to determine the exact cost to bring it back up to code. It will be robotically surveyed.
- **ITEMS FOR DISCUSSION:** Dave Grosse assured the residents that the Village continues to have 24 hr/7 days a week Police coverage.
- **PUBLIC COMMENT:** Brian Green expressed the need for speed bumps to slow the traffic down on South Elm Street, and noted that a large number of big trucks are using the road. Charlie Ross questioned if Crosby Oaks had been already re-zoned to Residential (it has), and he requested a speaker system that would allow the audience to more easily hear the proceedings during Council meetings.
- **Meeting adjourned at 8:06 pm**

Submitted by:

Cynthia E. Moynihan
Village Clerk
Approved on 09-08-10