

New Buffalo Area Schools, Berrien County, Michigan (the "District")

A _____ meeting of the Board of Education (the "Board") was held at _____, within the boundaries of the District, on the ____ day of _____, 2026, at _____ p.m.

The meeting was called to order by _____, President.

Present: Members

Absent: Members

The following preamble and resolution were offered by Member _____ and supported by Member _____

WHEREAS, the District owns property located at 1112 East Clay Street, New Buffalo, Michigan 49117, which includes certain athletic facilities (the "Property"); and

WHEREAS, Dune Coast Baseball, LLC ("Lessee") desires to enter into a Facility Use and Lease Agreement with the District, in substantially the form as provided in Attachment "1", attached hereto and incorporated by reference (the "Lease"), to enable Lessee to lease during stated periods and make improvements to portions of the Property (the "Leased Premises"), as described in the Lease; and

WHEREAS, the District believes approving the lease of and improvements to the Leased Premises is in the best interests of the District and the school community; and

WHEREAS, the Board has determined that it would be in the best interests of the District to waive applicable Board Policies and/or Bylaws, if any, related to the lease or use of the Leased Premises; and

WHEREAS, in particular, the Board has, in compliance with the Michigan Liquor Control Code of 1998, determined to permit Lessee and its event attendees to consume or possess alcoholic liquor on the Leased Premises during nonschool functions or events, specifically those events outlined in the Lease; and

WHEREAS, the Board desires to authorize and direct Adam Bowen, the Superintendent of Schools of the District, or his designee, to execute the Lease in substantially the same form as Attachment "1" and to take any other action necessary to proceed with Lessee's use of the Leased Premises, which shall be subject to review and approval by the District's legal counsel.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The Board hereby waives applicable Board Policies and/or Bylaws, if any, related to the lease or use of the Leased Premises.

2. In compliance with the Michigan Liquor Control Code of 1998, the Board permits Lessee and its event attendees to consume or possess alcoholic liquor on the Leased Premises during nonschool functions or events, specifically those events outlined in the Lease.

3. The Board authorizes and directs Adam Bowen, the Superintendent of Schools of the District, or his designee, to execute the Lease in substantially the same form as Attachment "1" and to take any other action necessary to proceed with Lessee's use of the Leased Premises, which shall be subject to review and approval by the District's legal counsel.

4. All resolutions and parts of resolutions insofar as they conflict with the provisions of this resolution be and the same are hereby rescinded.

Ayes: Members

Nays: Members

Resolution declared adopted.

Secretary, Board of Education

The undersigned duly qualified and acting Secretary of the Board of Education of New Buffalo Area Schools, Berrien County, Michigan, hereby certifies that the foregoing constitutes a true and complete copy of a resolution adopted by the Board at the Meeting, the original of which is part of the Board's minutes. The undersigned further certifies that notice of the Meeting was given to the public pursuant to the provisions of the "Open Meetings Act" (Act 267, Public Acts of Michigan, 1976, as amended).

Secretary, Board of Education

MDF/keh

ATTACHMENT “1”

(See: Lease Agreement, attached