

FIFE LAKE TOWNSHIP

**Fife Lake Township Hall, 134 Morgan Street, Fife Lake, MI 49633
231-879-3963 Phone / 231-879-3146 Fax**

Regular Meeting
APPROVED MINUTES
Thursday, March 25, 2021, 6:05 p.m.

MEETING HELD VIA ZOOM
VIA VIDEO AND TELEPHONIC CONFERENCE
PURSUANT TO PUBLIC ACT 228 OF 2020, DUE TO COVID-19 PANDEMIC

CALL TO ORDER: Supervisor Gerianne Street called the meeting to order at 6:05 p.m. The Pledge of Allegiance was recited.

ROLL CALL: Supervisor Street called Roll.

Present:

Supervisor Gerianne Street (Fife Lake Township, MI)
Clerk Leigh Gifford (Cadillac, MI)
Treasurer Cathy Sorrow (Fife Lake Township, MI)
Trustee Nicole Gibson (Fife Lake Township, MI)

A quorum was established.

Absent: Trustee Dawn Zimmerman

Others in Attendance / Guests: Recording Secretary, Kay Held (Liberty Twp., MI)

APPROVAL OF AGENDA:

Amendments:

Add to New Business: Covid Relief/Stimulus Monies

Board Action: Ms. Sorrow made a motion to approve the Agenda as amended. Ms. Gibson seconded the motion.
ROLL CALL VOTE: Street-Y, Gifford-Y, Sorrow-Y, Gibson-Y. 4-Yes, 0-No. Motion carried.

CONFLICT OF INTEREST: None.

CONSENT CALENDAR: Supervisor read the purpose of the Consent Calendar to include:
Fife Lake Township Minutes of February 25, 2021, Minutes of Special Meeting of March 11, 2021, Financial Report, Transfers and Bills to be Paid.

Board Action: Ms. Gibson made a motion to approve the Consent Calendar as presented. Ms. Sorrow seconded the motion.
ROLL CALL VOTE: Gifford-Y, Street-Y, Gibson-Y, Sorrow-Y. 4-Yes, 0-No. Motion carried.

CORRESPONDENCE:

Supervisor Street received correspondence from Ms. Diana (Dede) Weaver dated 3/7/21 regarding her concerns about the American Legion party deck regarding noise issues, foul language, music, harassment, lack of response from the American Legion and their non-compliance to the original agreement about the build of the deck and privacy fence.

Supervisor Street asked Mr. Robert Hall, Fife Lake Township Zoning Administrator, for his input. Mr. Hall (City of Cadillac, MI) replied that he reviewed the court agreement and understands it to be between the American Legion, Fife Lake Township and the resident Weaver. The only obligation of the Township was to notify Consumers Energy about some lighting. A permit to build a deck does not regulate for what purpose a deck can be used unless there is a specific zoning ordinance.

CITIZEN COMMENT:

Mr. Phil Coulolias (Oak Brook, IL)

Mr. Coulolias represents Ms. Linda Anderson in her quest to be a Medical Cannabis Operator in Fife Lake Township. He has spoken on her behalf in the past as well as other licensees. He would like to discuss the prospect for Adult Use Cannabis in Fife Lake Township. It is his understanding this issue will be discussed in the next several weeks. He wished to offer the Board some ideas to contemplate during their decision making process.

He stated two weeks ago a Board Member asked if there would be any preferential treatment given to current Medical license holders in the awarding of Adult Use licenses.

The FLT Attorney stated there would not be and referenced a case in the city of Detroit where such preferential treatment was given to long-term residents and the City was subsequently being sued. Mr. Coulolias referenced a long-term residence requirement in that case which he interprets as unfair to many. He stated there are a number of Michigan municipalities that have given preferential treatment to their Medical license holders for the Adult Use program including Vassar Township, City of Wayne, Ferndale, and Hazel Park.

Secondly, as of March 1, 2021, the State of Michigan dropped the requirement that an Adult Use applicant also had to be a Medical license holder. Medical Cannabis does not bring the same excise tax that Adult Use does and it is rumored that the State will be abandoning the Medical Use program next year. He believes Mr. Denny Curado, FLT Cannabis Consultant, agrees with this assessment.

Lastly, to his knowledge all of the Medical Use license holders are moving forward with their projects including investing time and finances into this community. He believes it would be tragic to not give them preferential treatment.

He is asking there be a fair process that recognizes the efforts of the Medical Marijuana license holders while at the same time allowing for additional entrance to the Adult Use program. In Illinois the Medical Use license holders were awarded an Adult Use license while at the same time the state announced it would be holding an awarding process for additional licenses for those non-Medical license holders a chance at Adult Use licenses. He asks the Board to consider this or a similar process, and thanked the Board its time.

GUESTS: None.

REPORTS:

County Commissioner – Mr. Rob Henschell: Absent

Mr. Mike Lahui (Traverse City, MI)

Mr. Lahui is an Administrator with the Grand Traverse County Health Department working as the Lead for vaccination deployment for Covid-19. Currently working out of clinics at the Hagerty Center in Traverse City, he is putting teams together to deploy around the county to make vaccinations more accessible. He visited the Fife Lake Township office last week to introduce a soft plan with the hope of using the facility for vaccination clinics. He indicated the board room and one office would be ideal to meet their patient flow and clinical needs.

He is looking at projected dates of April 16 for a 1st Dose Clinic and May 7 for a 2nd Dose Clinic. He anticipates being able to provide 200 doses in an 8-hour clinic with the potential for more if there is a greater need and hopes to add additional clinic dates. The Health Department will be dispensing the 2-dose Pfizer vaccination.

There are concerns about parking availability, depending on turnout; however, that problem could be mitigated by notifying the community of the clinic and setting up appointment times for vaccinations. He would also like to offer some walk-in availability. Vaccinations are open to any local and surrounding community members.

Noted below, Mr. David McGough, President of Fife Lake Village, also offered their facility for vaccine clinics.

Supervisor Street stated the Board will take this to a vote later in the meeting.

Sheriff Department – Deputy Eric Meiers:

Absent - No report.

Ambulance/Fire/Emergency Planning – Ms. Nicole Gibson, Chief Scott Tinker.

Ms. Nicole Gibson Reported:

There were 14 calls for service in Fife Lake and 9 calls for service in Springfield Township. She received a detailed report from Mr. Mike Berenbsohn, EMS Director of Kalkaska Emergency Services. He has provided her with one bid for new flooring and is pursuing two additional quotes.

They are completing Continuing Education Units (CEUs). There have been several mutual aid calls provided to Manton; North Flight was bought out by MMR and there are now subsequently service issues for Manton.

Kalkaska EMS was approved for a Paramedic Program which provides licensed Paramedics on staff to go into residences of homebound individuals (Kalkaska and Green Lake Township). The program includes four Paramedics who are Covid-19 Shot Certified, able to administer vaccinations to patients in their homes.

Kalkaska EMS also ordered a new ambulance, bringing it to two ambulances at the barn. They made three fire calls and continue making extra payments on the fire engine.

Fife Lake Village – Mr. David McGough:

Mr. David McGough (Fife Lake Village, MI)

He reported the Fife Lake Village Spring Cleanup is scheduled for Saturday, May 8, and is open to Village and Township residents. They will be required to provide proof of residency through tax receipts. Springfield Township will be holding their Cleanup Day in August.

Mr. McGough offered Village facility/parking for GT County Health Department Covid-19 vaccine clinics.

Fife Lake Area Utility Authority (FLAUA) – Ms. Leigh Gifford:

Ms. Leigh Gifford (FLAUA Secretary)

Ms. Gifford reported FLAUA is having some issues locating a Vans Lane property owner not yet connected to the system and is looking for a forwarding address on the Minder property. There is a problem with some work Fleis and VandenBrink did at the beginning of the sewer renovation project; FLAUA is working with them on that.

Zoning Administrator – Mr. Robert Hall:

Mr. Robert Hall (City of Cadillac, MI)

Mr. Hall provided a brief report stating he has had many conversations of interest in the operations of the Fife Lake Area Joint Planning Commission (FLAJPC).

He has been familiarizing himself with the FLAJPC and the FLT Zoning Ordinance. He has identified some redundancies that could cause delays in expediting site plan reviews or special use applications. He will address any items of concern and share ideas with the Commission. He also believes FLT is on the cusp of overcoming an operational hurdle regarding the new opt-in ordinance with Medical Marijuana. He is of the understanding that as Mr. Coulolias stated, Medical Use will be falling by the wayside and Recreational (Adult Use) will be taking its place.

He encourages anyone with questions to call him.

Ms. Emily Escajeda of H&R Block noted that regarding the Zoning variance at the American Legion, the Legion as well as Mrs. Weaver made a payment to Fife Lake Township.

Fife Lake Area Joint Planning Commission (FLAJPC) – Ms. Dawn Zimmerman:

Absent – No report.

Civic Center South – Ms. Gerianne Street:

Ms. Street reported they are looking into buying bleachers and plan to turn one of the tennis courts into a pickleball court. The courts need resurfacing; bids are being sought. There are discussions of having a holiday light show; however, parties have not yet been able to attend a Civic Center meeting to begin planning. This should be an exciting event.

Lake Shore Drive – Mr. Mike Kattreh, Representative:

Mr. Greg Sova (Fife Lake Township, MI) spoke on Mr. Kattreh's behalf.

He would like to set up a meeting with Ms. Street and other Board members to collaborate on convincing the Road Commission that they should be responsible for the repairs of Lake Shore Drive.

NEW BUSINESS:

4th of July Boat Launch Closure:

Mr. Stan Patrick (Fife Lake Village, MI)

Mr. Patrick requested the Township close the South Boat Launch from 7am July 4th until 1am July 5, 2021 in order to give the fireworks company adequate time to fuse and defuse fireworks and load the barges. Without the closure, there would be too much foot and vehicle traffic which would cause a safety concern.

Board Action:

Ms. Street made a motion to close the South Boat Launch on Lakeshore Drive from 7am July 4th until 1am July 5, 2021 to allow for the fireworks company to safely perform their work. Ms. Sorrow seconded the motion.

ROLL CALL VOTE: Gibson-Y, Sorrow-Y, Gifford-Y, Street-Y. 4-Yes, 0-No. Motion carried.

This information will be posted on the FLT website and social media.

Library Contract:

Ms. Street presented a sample agreement between Fife Lake Township and the Fife Lake Public/Township Library for monetary support. This agreement needs to be in place before the Township shares funds with the library, outside of millage funds.

Board Action:

Ms. Street made a motion to accept the contract "for monetary support" from Fife Lake Township to Fife Lake Public/Township Library. Ms. Gibson seconded the motion.

ROLL CALL VOTE: Gifford-Y, Street-Y, Sorrow-Y, Gibson-Y. 4-Yes, 0-No. Motion carried.

Bids for Cemetery Mowing and Grounds Clean Up:

Ms. Gifford will procure bids for this service. Ms. Street is aware of a few individuals who may be interested, including the gentleman who provided services last year.

Covid-19 Vaccination Clinic:

Per earlier discussion with Mr. Mike Lahui with Grand Traverse County Health Department, they are seeking FLT facilities to use for Covid-19 Vaccination Clinics. Supervisor Street thanked Zoning Assistant Jake Myers for meeting with Mr. Lahui during his site visit.

Board Action:

Ms. Sorrow made a motion to allow Grand Traverse County Health Department to provide Covid-19 Vaccination Clinics on April 16 and May 7 at the Fife Lake Township offices. Ms. Street seconded the motion.

ROLL CALL VOTE: Gibson-Y, Gifford-Y, Street-Y, Sorrow-Y. 4-Yes, 0-No. Motion carried.

Joint Planning Commission Member Resignation/Appointment of New Member:

Ms. Street reported that Ms. Brenda Wyatt resigned from the Joint Planning Commission and Ms. Pam Lawrence is resigning from the Zoning Board of Appeals.

Ms. Street introduced Mr. Charlie Jones as a candidate for both the Joint Planning Commission and the Zoning Board of Appeals. She asked him to tell the Board about himself. Mr. Charlie Jones (Village of Fife Lake, MI) introduced himself to the group, stating he is a Conservation Officer with the Michigan DNR in Kalkaska County, has prior U.S. military service, previously served with the Fife Lake Fire Department, lives in the Village and has had family in this area for a long time. He has a desire to help the community and believes he can draw from his professional background and personal experience.

Mr. Hall noted to Ms. Street that the Michigan Planning Enabling Act puts the responsibility for Board appointments solely on the Township Supervisor, with Board approval. Ms. Street asked for Board consensus to appoint Mr. Charlie Jones to the Fife Lake Area Joint Planning Commission and FLT Zoning Board of Appeals, which she received unanimously.

OLD BUSINESS:

FLT Logo Contest:

Supervisor Street reported only two entries for the Logo Contest have been received. Unfortunately, one of the entrants does not work/live/school here and is not eligible. She asked the Board and attendees to spread the word about the logo contest.

Medical Marihuana Ordinance

Mr. David Eberle, Attorney for Fife Lake Township (Lowell Twp., MI)

Per the discussion at the Special Meeting of 3/11/21, there were a few changes made to the Ordinance:

Section 601.11 A:

Some small, substantive changes have been made to the Ordinance under Section 601.11 A. We added "the validity of such licenses may be extended further until December 31, 2021, at 11:59 p.m." This was to give the option to extend licenses through the end of the calendar year 2021. Sub-A is for licenses that have not yet expired; they currently expire in November. With this change, license holders would be paying a pro-rated licensing fee to extend through the end of the year; i.e., essentially equal to one-month's additional cost. License holders will need to do this prior to license expiration.

Section 601.11 B:

Regarding this section, we added "the validity of such licenses may be extended further until December 31, 2021, at 11:59 p.m." This is the same concept; however, these individuals will be paying more because they are extending for a longer period of time; however, their window to pay those monies to extend is that initial 45 days that we are making their license valid from the effective date of this Ordinance.

Board Action:

Ms. Gibson made a motion to adopt the Ordinance to amend the Code of Ordinances for Fife Lake Township by enacting a new Article 600 Entitled "Marihuana Licensing." Ms. Street seconded the motion.

ROLL CALL VOTE: Sorrow-Y, Gibson-Y, Gifford-Y, Street-Y. 4-Yes, 0-No. Motion carried.

Marihuana Licensing Application Resolution:

Modifications to the Resolution from the 3/11/21 Special Meeting only includes a change to the Clerk's duties to verify that the application is complete.

Board Action:

Ms. Street made a motion to adopt the Resolution of the Township Marihuana Licensing Application, the Rules for Marihuana Applications and Appeals, the Rules for Marihuana Licensing Determinations, the Marihuana Licensing Rubric, and the Marihuana Licensing Fee Schedule. Ms. Sorrow seconded the motion.

ROLL CALL VOTE: Street-Y, Sorrow-Y, Gibson-Y, Gifford-Y, 4-Yes, 0-No. Motion carried.

Attorney Eberle and Zoning Administrator Hall will now be looking at the Zoning issues/changes surrounding the licensing process which will likely result in a proposed Amendment to the Zoning Ordinance.

Meeting Reimbursement Pay Scale:

Trustees Gibson and Sorrow have been working on the research and modification of this document. There was extensive Board discussion, review of past payment histories, and discrepancies about meetings for which payments are allowable.

Ms. Gibson and Ms. Sorrow will continue to work on this document; it is their intent to have this information finalized and approved by the beginning of the next fiscal year budget. They will present a modified document at the April meeting and, upon approval, they will forward written instructions to Ms. Emily Escajeda at H&R Block for appropriate reimbursements.

Fire Barn Drains:

Ms. Street and Mr. Jake Myers continue to work on getting drawings completed for the fire barn drains in order to procure bids.

Adult Use Recreational Marihuana:

The Medical Marihuana Committee will be meeting on April 8, 2021, and will be forming a Focus Committee to discuss aspects of Recreational/Adult Use Marihuana.

Attorney David Eberle advised his office needs to look into the preferential consideration for current Medical Use license holders issue brought up earlier in the meeting. He also suggests his office looks further into recreational marihuana, identify any risks, and evaluate a plan for moving forward with Adult Use Marihuana in Fife Lake Township.

He advised the Board that it is premature to execute a formal vote at this time as he believes the Board needs to conduct additional fact finding and opinion gathering through the Focus Committee, public hearings, discussions with Zoning, etc., before committing to a specific date to vote on the matter. He advised the Board to communicate with the community and industry, present ideas and restrictions, put forth draft zoning ordinances, discuss comments and issues, determine a plan, and meet with legal representation before moving forward with a formal decision. He is of the belief more information is needed before he can offer a well-informed legal opinion.

Ms. Gifford asked Attorney Eberle to provide her with information that is required to be posted regarding the Ordinance and Resolution that was passed this evening.

Memorial Day Race / Forest Area Schools Band Boosters:

Ms. Tawni Deike and Ms. Daisy Bearden were not present this evening. They had attended last month's meeting asking for consideration of street closure for a Memorial Day 5K run/walk event. Ms. Street believes they may be using the TART trail instead of the street. Mr. Stan Patrick of the Fife Lake Area Chamber of Commerce interjected that he also believes this is true.

Mission Statement:

Ms. Gifford located a Township Mission Statement in the Master Plan and will forward it to Supervisor Street.

OTHER BUSINESS:

Duty to Vote:

The Duty to Vote was brought up from a concern that Ms. Gifford abstained from voting on the Attorney Search motion at the previous meeting. A motion was made to allow Ms. Gifford to abstain, without support. She was then asked to change her vote to a Yea or Naye. She chose to change it to a Naye.

Board Action:

Ms. Street made a motion to allow Ms. Gifford to abstain from the Attorney Search vote at the February 25, 2021 Board meeting. There was no Second. Motion failed.

Covid Relief/Stimulus Funds:

Fife Lake Township will be receiving \$153,000 in Covid Relief/Stimulus Funds. Ms. Street suggested putting those funds toward the fire barn flooring and drain projects. Some of the funds will also go to the Village of Fife Lake. Ms. Escajeda confirmed the funds can be placed in the General Fund upon receipt.

Board Action:

Ms. Street made a motion to deposit the Stimulus monies into the General Fund upon receipt. Ms. Sorrow seconded the motion.

ROLL CALL VOTE: Street-Y, Gifford-Y, Gibson-Y Sorrow-Y. 4-Yes, 0-No. Motion carried.

Election Equipment Maintenance Fees:

Clerk Gifford brought to the attention of the Board that she has been notified by the County that beginning in 2023, there will be annual maintenance fees on election machines. These fees will be \$220 for each DS machine and \$175 for the Express Vote machine. These expenses will need to be built into our budget. Supervisor Street asked Ms. Gifford to send her this information in writing.

CITIZEN COMMENT:

Mr. Phil Coulolias:

Mr. Coulolias referenced prior discussion in the part of the Ordinance regarding "Once a license holder won a license, he or she could not take on a partner, sell a portion, sell it, or divest of it in any way."

He understood that, based on the discussion at the Special Meeting of 3/11/21, the Board and Attorney Eberle expressed agreement that this was extremely restrictive and that there would be language for a pathway for a sale to happen or partners to be brought on or taken off. He inquired whether this verbiage was changed in the code that was voted on this evening.

Mr. Eberle stated it has not yet been changed, but that it is on the list of topics to be reviewed for modification. He assured him it is still part of the conversation moving forward.

Mr. Stan Patrick:

On behalf of the Chamber of Commerce, Mr. Patrick thanked the Fife Lake Township Supervisor and Board Members for allowing the closure of the South Boat Launch this coming Fourth of July holiday. It is greatly appreciated!

Outstanding Task List:

The Outstanding Task List was reviewed. New tasks were added throughout the meeting and completed items removed.

ADJOURNMENT: Ms. Street made a motion to adjourn the meeting. Ms. Sorrow seconded the motion.

ROLL CALL VOTE: Gifford-Y, Street-Y, Gibson-Y, Sorrow-Y. 4-Yes, 0-No. Motion carried.

The meeting adjourned at 7:53 p.m.

Submitted by: Kay Z. Held, Recording Secretary