

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, May 27, 2021, 6:00 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 6:01 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 (Fife Lake Township, MI)
Treasurer Cathy Sorrow (Fife Lake Township, MI)
Trustee Nicole Gibson (Fife Lake Township, MI)
Trustee Dawn Zimmerman (Fife Lake Township, MI)

A quorum was established.

Absent: None.

Others in Attendance / Guests: Recording Secretary, Kay Held (Fife Lake Township, MI)

APPROVAL OF AGENDA:

Amendments:

Add to New Business:
Michigan Townships Association (MTA) Dues Renewal

Board Action:

Ms. Sorrow made a motion to approve the Agenda as amended. Ms. Gibson seconded the motion.
ROLL CALL VOTE: Zimmerman-Y, Gifford-Y, Gibson-Y, Street-Y, Sorrow-Y. 5-Yes, 0-No. Motion carried.

CONFLICT OF INTEREST: None.

CONSENT CALENDAR:

Supervisor Street read the purpose of the Consent Calendar to include: Fife Lake Township Minutes of April 22, 2021, Financial Report, Transfers and Bills to be Paid.

Ms. Zimmerman indicated a correction on Page 2 regarding Michigan Rehab Services. It should read Ms. Street has worked with them in the past, rather than Ms. Gibson.

Board Action:

Ms. Sorrow made a motion to approve the Consent Calendar as amended. Ms. Zimmerman seconded the motion.
ROLL CALL VOTE: Gifford-Y, Gibson-Y, Street-Y, Sorrow-Y, Zimmerman-Y. 5-Yes, 0-No. Motion carried.

CORRESPONDENCE:

Supervisor Street reported:

She thanked Lisa Plamondon and Mike Kattreh from the Lake Shore Drive group for fixing some plumbing at the cemetery. The water system at the cemetery is very archaic; we should have an irrigation system that can be blown out each season. Currently, pipes aren't buried very deep and cannot be blown out properly. Subsequently, each year we have some frozen/broken pipes.

Regarding the stumps by the boat launch; she spoke with the DNR. They were pushed there by ice and are visible due to low water. As this was a natural occurrence, we are not allowed to do anything to change it.

Michigan Rehab Services was unable to provide a job coach as no one was available to spend time with them on the second day of the week. Unfortunately, we will be unable to have them with us this summer.

CITIZEN COMMENT: None.

GUESTS: None.

REPORTS:

County Commissioner – Mr. Rob Henschell:

Absent - No report.

Sheriff Department – Deputy Derick Reed:

Deputy Reed reported in Grand Traverse County there have been several catalytic converter thefts throughout the county and surrounding regions including one in Fife Lake.

He reported there were five trespassing complaints, two retail frauds, and four suspicious complaints which were unfounded. He issued four misdemeanor moving violations.

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

Ms. Nicole Gibson Reported:

She was unable to be at the last ambulance meeting; however reports there were 15 calls for service in Fife Lake and 17 calls for service in Springfield Township. She received a detailed report from Mr. Mike Berenbsohn, EMS Director of Kalkaska Emergency Services.

Emergency Vehicle Driver Training is scheduled for May 29. At the last meeting, the group discussed ordering another ambulance for Kalkaska. It will have liquid O2 tanks.

Regarding the flooring quote, they received one additional quote beyond the original one previously received. Ms. Gibson forwarded it to Ms. Street and is awaiting another one. Ms. Street is also working on another quote.

Chief Scott Tinker:

Absent - No report.

Fife Lake Village – Mr. David McGough:

Mr. McGough inquired about electronic speed limit signs that are back up. He asked Deputy Reed if he needed any assistance with the solar panels on them. Deputy Reed indicated two are run by battery, one by solar.

Speed control is an ongoing issue in the Village. The Board will continue to discuss this at next meeting again.

He stated someone wants to open a marijuana facility in the Village. They will be holding a public hearing at their July meeting in order for word to get out to the community in advance of the public hearing.

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

Ms. Leigh Gifford (FLAUA Secretary)

Ms. Gifford stated the last FLAUA meeting was a productive one. Their part-time person, Mr. Chris Houghton, has expressed interest in pursuing Operator training. The Board will be offering him limited benefits and a wage increase in return for more hours in efforts to enhance employee retention. This is critical in order to have a back-up person for the Compliance Officer.

Regarding the last Vans Lane hook-up, it is now in the court system. Pre-trial Statements have been filed; they are awaiting a Pre-trial Order which will specify court dates.

Zoning Administrator – Mr. Robert Hall:

Absent - No report.

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

Ms. Zimmerman reported the Commission met May 25 and held two public hearings.

Public Hearing #1:

Jacob and Ann Allen for a primary residence building project in the Walton Junction commercial district which includes a dwelling and accessory building.

The accessory building will be 40x60' (2,400 sq. ft.), and will be constructed first. The primary residence will be 2,190 sq. ft. The site plan and special land use permit were both approved.

Public Hearing #2:

Fife Lake Storage LLC on 10 acres on Fife Lake Road across from Fife Lake storage buildings (same owner). The site plan is for eight, 80x100' boat storage buildings and four, 200x40' 40-unit storage buildings. The site plan and special land use permit were both approved.

They discussed the first draft of the Joint Recreation Plan for the Village and Township. Members were asked to review at it for the next meeting which will be held June 29.

Civic Center South – Ms. Gerianne Street:

The \$18,000 bid for the new bleachers is not being honored by the vendor in spite of Board communication with them; they raised the price by \$4,000. The President is going to contact them to see if they will split the difference.

They approved Grand Traverse Resort to run a children’s tennis clinic at Civic Center South. People can call the Kingsley Village office for information.

They are still planning disc golf tournaments this summer and hoping to do corn hole tournaments.

Lake Shore Drive – Mike Kattreh

No Report. They are presenting under New Business.

PUBLIC HEARING FOR ADULT USE/RECREATIONAL MARIHUANA:

Mr. Phil Coulolias, 1360 Moorea Way, Laguna Beach, CA 92651 -

Mr. Coulolias represents Ms. Linda Anderson in her efforts to become a cannabis operator in Fife Lake Township. He offered his thoughts on Adult Use Cannabis and several reasons for Fife Lake Township to consider it.

The first reason is that the state of Michigan and municipalities are moving toward Adult Use Cannabis. In March, 2021, the State repealed the law that required new Adult Use applicants to first be a Medical license holder. The State has moved toward eliminating the Medical Use program or severely hampering Medical license holders. The reason for this is money; Adult Use brings in almost three times the tax revenue as Medical Marihuana. Much of that tax increase revenue finds its way specifically to Fife Lake Township and generally to Grand Traverse County.

The second reason is that the surrounding local municipalities already have Adult Use programs in place. Since the beginning, Kalkaska has had an Adult Use program, taking market share from others. Currently, Traverse City, Acme and Cadillac all have Adult Use programs after only having Medical Use programs. In Coldwater, they recently established their Cannabis Program and have outlawed Medical Cannabis. While Coldwater is not local, the trend on the municipal level is to allow for Adult Use Marihuana.

The third reason is that the state and local governments need money. As outlined in the past, excise tax from Adult Use sales should more than compensate for lost revenue. He believes the difference between the Medical and Adult Use programs is more than \$100k annually. The tax rate on Adult Use in Michigan is low by national standards. The rate could double overnight and the Michigan excise tax would still be considered average on a national basis. The Adult Use rate and funds available to Fife Lake would go up in the future. Why let those funds go to Kalkaska and Cadillac?

The fourth reason is jobs. The Adult Use business is quickly growing while Medical Use sales have stalled and the State has taken action to limit the market. He believes adopting Recreational/Adult Use Marihuana will lead to jobs and

increased prosperity to the Fife Lake community. In addition to supporting fast growing businesses, wages in cannabis per capita would almost double.

In closing more workers in the township will be hired. Those workers and customers will live, work and spend in the community. They will buy or rent homes, send their children to local schools, utilize restaurants, worship in our churches and shop in the local community. All of this grows the local community, which should be the goal of any community.

NEW BUSINESS:

Sale of Used Equipment:

Ms. Sorrow spoke about the list of used equipment enclosed in the meeting packet. Since we are contracting grounds keeping, it may be beneficial to sell this equipment and put the funds toward cemetery maintenance. Ms. Street inquired of the Board any ideas they had for selling the equipment and where it might be promoted. There are also some old pieces of office equipment and an old computer and iPad.

Ms. Gifford suggested speaking with the Cemetery Committee about the equipment on the list. Ms. Street has been in contact with Ms. Lisa Plamondon who believes we should dispose/sell of most of the equipment; however, there was consensus we should keep the tractor.

Clerk Gifford will meet with the Cemetery Committee to go over the equipment inventory list, determine what to keep/sell, and what through what sources to do so.

Support for 4th of July – Extra Police:

We have had this coverage in the past. The cost is \$1,600 and is payable in our next fiscal year. This is the same amount we paid last year. Activities include a car show, parade, pick-a-ticket, ice cream shop, flea market in children's parade, fun competitions, and fireworks.

Board Action:

Ms. Sorrow made a motion to support extra police for the 4th of July in the amount of \$1,600. Ms. Gifford seconded the motion.

ROLL CALL VOTE: Zimmerman-Y, Street-Y, Gifford-Y, Gibson-Y, Sorrow-Y. 5-Yes, 0-No. Motion carried.

Request by Lake Shore Drive Committee:

Mr. Greg Sova, 11293 Lake Shore Drive, Fife Lake, MI 49663

Mr. Sova spoke and asked the Board to authorize Supervisor Street or her designate to make a formal request to the Grand Traverse County Road Commission to designate or reclassify Lake Shore Drive as a primary road. This would allow the repair to be completely funded by the County and to honor the commitment they made at the time of the 2016 road renewal millage to pay for the repair out of millage funds. A detailed report was available in the FLT meeting packet.

Board Action:

Ms. Gifford made a motion to authorize Supervisor Street to submit a request to Grand Traverse County that Lake Shore Drive be designated as a primary road. Ms. Sorrow seconded the motion.

ROLL CALL VOTE: Zimmerman-Y, Street-Y, Gibson-Y, Gifford-Y, Sorrow-Y. 5-Yes, 0-No. Motion carried.

MTA Membership:

Supervisor Street presented information for the Michigan Townships Association and benefits offered with membership. There was Board discussion regarding content of the MTA packet, cost, class availability, and applicable options. The Board reviewed and discussed the Online Learning Subscription package options and their pros/cons.

In the past we have gotten the Basic Membership without the addition of classes. The various membership levels and their costs were reviewed. Annual Dues for the Essential Membership are \$1,202.84. There is a 20% discount to attend the Annual Conference. Subsequent membership levels; i.e., Premium Pass, increase in cost.

This past year we paid \$836.50 which includes \$336 for books and additional fees of:

\$25 lunch class

\$90 Review training

\$350 New Officials Training

Membership payment is due July 1. Members will look into available courses, what would meet their needs, and whether online classes are available at any time due to varied work schedules. The Board is considering whether the number of

eligible individuals and amount of classes they may take would justify the expense of increasing the membership level and whether the dues would pay for themselves. There was Board consensus to table a decision until the June meeting.

OLD BUSINESS:

Adult Use/Recreational Marihuana:

Attorney David Eberle, Bloom Sluggett, P.C., 161 Ottawa Ave., NW, Suite 400, Grand Rapids, MI 49503

The meeting packet included a proposed Recreational Marihuana Ordinance. On Page 6, Section 602.8(d) we removed the term "microbusiness" which was a typo.

He advised two ways the Board could opt to move forward. One is to adopt the Ordinance. The other is to hold off on a vote at this time as he believes more discussion is required and some areas need to more clarification. He recommends further review with the Marihuana Committee and the FLT Board.

Ms. Zimmerman inquired about Page 3, Section 602.1E(3) regarding the Marihuana Retailer. Mr. Eberle reiterated former discussion about giving some preference to current Medical license holders and cap the number of Recreational retailers, particularly given the context that Recreational is surpassing the Medical Use. This section offers three licenses, with two reserved for those businesses already licensed for Medical Use within the township.

On Page 5, Section 602.7D in the last paragraph, Ms. Zimmerman inquired about each township license being issued exclusively to the licensee and not transferable except as described therein. It goes on to outline license transferability parameters in detail in that the license must be maintained by the LLC. Attorney Eberle provided explanation for each of the options.

Additionally, regarding unlimited licenses, he explained on Page 3, Section 602.4 for marihuana growers an unlimited amount of licenses will be issued; zoning will be involved as there will be restrictions by locations. However, essentially a Township license is required for every corresponding State license.

For Processors, it is unlimited. For Retailers it is three; however, two must be previously established Medical Marihuana Provisioning Centers. He went on to describe this in detail. Safety Compliance Facilities are unlimited licenses as are Secure Transporters. The manner in which the Township will limit these licenses will be through Zoning.

His concerns in NOT adopting the Ordinance tonight are a need to clarify the transferability issues and identify what zoning ordinances may look like in the future as we want them to be compatible. Odor Emissions is another item requiring more clarification and should be referred to the Marihuana Committee.

The Medical Ordinance was passed when it was because there were some critical timing issues. We do not have the same time-sensitive issue with the Recreational Adult Use Ordinance today. He believes it makes the most sense to iron out all issues and adopt everything at once with Recreation to avoid multiple amendments. It would be in the Board's best interest to have everything correct, thorough and complete. This also offers full clarity for licensees and establishes a level of stability for business owners. There is no legal reason the Board has to proceed or not proceed with a formal decision this evening.

There was additional Board discussion with Attorney Eberle. It is important to the Board that we are demonstrating good faith to the public that we are indeed moving forward in a thoughtful and responsible way on this matter. There was Board consensus to ensure everything is in order and the Ordinance is clear before adopting as we ran into some issues in having to rush with the Medical Use Ordinance.

Mr. Denny Curado, 2555 Kettle Road, Kalkaska, MI 49646, was present at the meeting and spoke. He stated it is mandated by the state that any change to any LLC or any part of the partnership must be approved by the state. Regarding liability of transfer, he believes the Township would want to maintain control of this, not making it available from one entity to another. He is of the belief the control comes back to the issuing body after due diligence on their part.

Attorney Eberle advised as this is a Regulatory Ordinance, there is no public hearing requirement. The Board can work with the recommendation from the Marihuana Committee and can vote at another meeting while allowing for public comment.

Regarding the Marihuana Committee meetings, some FLT Board members would like to attend and observe the discussions. Attorney Eberle advised it be posted as a joint Special Meeting of the FLT Township Board and the Marihuana Committee and for what purpose. A simple meeting notice is required; no newspaper posting is necessary.

Ms. Street will coordinate a meeting with the Marihuana Committee. A Special Meeting with the Township Board and the Marihuana Committee was scheduled for 6:00 p.m. on June 15, 2021. The purpose of this meeting will be for discussion only; no action will be taken at that time.

Board Action:

Ms. Street made a motion to table the decision to make Adult Use/Recreational Marihuana permitted in Fife Lake Township. Ms. Gibson seconded the motion.

ROLL CALL VOTE: Sorrow-Y, Zimmerman-Y, Gifford-Y, Street-Y, Gibson-Y. 5-Yes, 0-No. Motion carried.

Website:

Ms. Street has been working with Mark of Tech Pros Grand Traverse since Jake Myers left. The new website will be up and running in next couple of days. It will also require maintenance services. She will ask the Board to transfer monies next month to cover these expenses as we transferred funds out of the account months ago for something else.

Fire Barn Drains:

Ms. Gifford received and opened one sealed bid from:

Ricky's Heating, 10594 Coster Road, Fife Lake, MI 49633. Details of the bid include:

28' of floor drain in fire barn

50,000 lb. drain

Trenching and pipe to drain to existing and trap

Cutting and replacement of concrete for drain

\$7,000

Require \$3,500 deposit / \$3,500 on completion

Ms. Street reported two individuals have looked at it. No one has submitted a bid.

Board Action:

Ms. Gibson made a motion accept Ricky's Heating bid as described above. Ms. Sorrow seconded the motion.

ROLL CALL VOTE: Gifford-Y, Street-Y, Gibson-Y, Zimmerman-Y, Sorrow-Y. 5-Yes, 0-No. Motion carried.

Mission Statement:

This remains a work in progress.

OTHER BUSINESS:

Public Hearing for Short-Term Rentals – June Meeting:

There is information in the meeting packet on Short-term Rentals. Ms. Street stated there is active legislation in the State of Michigan on this issue and suggested we wait until the legislature takes action on the matter before we make a decision. Additionally, Board members would like to review the information received in the meeting packet. She asked for and received Board consensus to table a decision and review the packet information.

End Emergency Order:

Numerous Covid-19 restrictions have been lifted by Governor Whitmer.

Board Action:

Ms. Gifford made a motion to end the current State of Emergency currently in effect in Fife Lake Township in order to resume holding in-person meetings. Ms. Street seconded the motion.

ROLL CALL VOTE: Zimmerman-Y, Sorrow-Y, Gifford-Y, Street-Y, Gibson-Y. 5-Yes, 0-No. Motion carried.

Outstanding Task List:

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

Regarding the clean-up and encroachment issues at the South Boat Launch area, Supervisor Street sent letters to all neighboring persons at each access. Some letters were sent by certified mail.

Ms. Gifford spoke with Jake of Mitten Outdoors will be taking care of access sites as part of his contract. She received a good response from our Sexton on Jake's work. He will mow before Memorial Day and is doing well.

There is a Memorial Day ceremony by the American Legion. The schedule is posted at Fife Lake Connections and on the Legion's website. One service is at 11:30 at the Fife Lake Cemetery. There are additional services at the Village Square Triangle, Walton, and Catholic Church.

As a follow-up to the procedure for renewing millages ending in 2021 for election in 2022 (Police, Fire, Ambulance and FLT General Operating millage), this is done on even years. Clerk Gifford stated we will need to have language put into the millage for this. Liberty Township in Manton is holding an election on August 3. We have nine residents in Fife Lake Township who may be voting at that election.

Clerk Gifford and her deputy clerk will be at the FLT office on August 3 from 7:00 a.m. to 8:00 p.m. and the Saturday before for absentee ballots, voter registration and to direct those individuals to the Liberty Township Hall as they will not be voting at the Fife Lake Township hall.

Regarding the Stone Mountain flooring bid, Ms. Gifford spoke with Charlie at Stone Mountain who stated they are very busy. He has left a message for Ms. Street. Supervisor Street has another gentleman who may be submitting a bid as well. If a third bid is still needed, Ms. Gifford will contact Charlie at Stone Mountain again.

CITIZEN COMMENT: None.

Mr. Mike Kattreh, 11253 South Lake Shore Drive, Fife Lake, MI, 49633.
Mr. Kattreh expressed thanks to the Board for their patience and guidance.

Mr. Phil Coulolias thanked the Board for their time and consideration. While he would have liked to have seen a vote this evening, he appreciates the forethought and concern given to the Adult Use/Recreational Marihuana issue. He stated he is planning to travel to Fife Lake to attend the Special Meeting June 15th in person.

ADJOURNMENT:

Ms. Gifford made a motion to adjourn the meeting. Ms. Street seconded the motion.

ROLL CALL VOTE: Sorrow-Y, Zimmerman-Y, Street-Y, Gibson-Y, Gifford-Y. 5-Yes, 0-No. Motion carried.

The meeting adjourned at 7:41p.m.

Submitted by: Kay Z. Held, Recording Secretary