

FIFE LAKE TOWNSHIP

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

**Joint Special Meeting between
Fife Lake Township and the Marihuana Committee**

**APPROVED MINUTES
Wednesday, June 15, 2021, 6:00 p.m.**

MEETING HELD IN PERSON AND 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 special meeting to order at 6:01 p.m. The Pledge of Allegiance was recited.

ROLL CALL: Supervisor Street called Roll.

Present:

Supervisor Gerianne Street
Clerk Leigh Gifford
Trustee Nicole Gibson
Trustee Dawn Zimmerman

A quorum was established.

Absent: Treasurer Cathy Sorrow.

Others in Attendance / Guests:

Mr. Denny Curado, Marihuana Committee
FLT Attorney David Eberle, Bloom Sluggett, P.C., 161 Ottawa Ave., NW, Suite 400, Grand Rapids, MI 49503 (via Zoom)
Mr. Phil Coulolias

APPROVAL OF AGENDA:

Board Action:

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

CONFLICT OF INTEREST: None.

Board Action:

Ms. Gifford made a motion to amend the Agenda to include Public Comment. Ms. Zimmerman seconded the motion.
ROLL CALL VOTE: Gibson-Y, Zimmerman-Y, Street-Y, Gifford-Y. 4-Yes. 0-No. Motion carried.

PUBLIC COMMENT: None.

TOWNSHIP MEDICAL MARIHUANA ORDINANCE:

Attorney Eberle noted to the FLT Board and Marihuana Committee that in the context of the Recreational Marihuana Ordinance we are discussing transferability. As we do not have existing Recreational licenses, we have no issues regarding prior licenses. However, on the Medical side, we do have an issue regarding current licenses and the potential transfer of them. He suggested we use the same language from the Recreational Ordinance for the Medical Ordinance adding "any previous transfer of an interest in a Township license that complies with the terms of this section is deemed to have been valid." (Page 5, Section 602.7 (d))

There was extensive discussion among the group about various scenarios that could happen with poor license holders and possible repercussions at the State and Township levels.

The Board also discussed Section 602.10 (d), "when an appeal is pending or a license is under review, a business is not allowed to conduct business; however, they may be allowed to take necessary steps to prevent the spoilage of current inventory."

Regarding Section 602.4 (e3) - There was a desire by the Board to make sure people who are adding township provisioning center licenses are given the opportunity for Recreational licensure. The initial thoughts were to offer three Recreational licenses, reserving two of them for Medical license holders. After further discussion and the fact that other licenses are unlimited, the Board is considering making Recreational licenses unlimited and opening the window one time. Current Medical license holders would, therefore, not be treated any differently than other applicants; however, they will have the same opportunity as everyone else as there is no cap. This would simplify the process.

Attorney Eberle made the Board aware of the licensing ordinance. Currently, once licensed, it is good for a year. In order to renew, a Township license holder needs a valid State of Michigan license. This gives individuals one year to get their requirements in order. Zoning and the Board believe this is an adequate amount of time for individuals to act. Mr. Coulolias interjected if someone is starting from scratch with raw land, one year may very well not be an adequate amount of time. He indicated the State offers a more lenient timeframe. He believes if someone is showing good faith and a genuine effort in progress, he believes the Board should consider an extension of their licensing deadline, particularly in today's construction climate.

After much discussion, there was Board consensus to initially offer two years for someone to secure licensure.

Medical Marihuana Caregiver Operations was discussed and whether the Township will regulate or defer to State guidelines. There was Board consensus to not take on regulation of this at this time. There are State investigators to liaise with if there are problems with Caregiver Operations.

With regard to discussion regarding Unlimited Retailers, the Board plans to open a window to apply for unlimited retailers (in the appropriate district). There was input from Mr. Coulolias on considering a cap on retailers, based on his experience in the industry.

Attorney Eberle added that while unlimited licenses may be offered, property is limited, and there are procedural mechanisms to prevent it from getting out of control. There was a lengthy discussion about this topic and its numerous facets and scenarios.

TOWNSHIP RECREATIONAL MARIHUANA ORDINANCE

There was lengthy group discussion.

The Board explored and discussed in depth all sides of offering unlimited or a limited numbers of Recreational licenses, a specific number of Recreational licenses, and/or preference given to a select number of existing Medical license holders. Various restrictions were also explored related to growers, processors, provisioning centers, etc.

Discussion went full circle after exploring multiple options, scenarios, fairness, legal exposure, zoning, property availability, and future growth potential. The Board's ultimate recommendation and consensus is to offer unlimited Recreational Marihuana licenses when opening a window for issuance of Recreational licenses to qualified State license holders.

TOWNSHIP MARIHUANA ZONING ORDINANCES (and Other Township Matters Related to Marihuana)

Zoning in and of itself will limit the number of establishments.

We need to determine in which districts marihuana establishments would be; i.e., retailers, industrial, agricultural. Availability will also be a factor that will need to be taken into consideration. Various prospective commercial, industrial and agricultural locations were discussed on a very preliminary level, also taking into account the type of licensure that would be lawful and conforming to stated uses. The Master Plan would also need to be taken into consideration.

There was Board consensus to recommend authorized permitted use with site plan review in both commercial and industrial districts if in compliance with Zoning. Special Land Use permits are not being considered.

Other requirements will be imposed:

-Buffering (already a Zoning requirement), hours of operation, lighting, odor.
-Need to add Use by Right to the Marihuana Zoning Ordinance which will include already set allowable uses that exist in the Township Zoning Ordinance.

Mr. Denny Curado of the Marihuana Committee and meeting attendee Mr. Phil Coulolias also contributed to group discussion with the Fife Lake Township Board.

Attorney Eberle will be modifying the Medical Marihuana Ordinance and preparing the Recreational Marihuana Ordinance for approval by Board vote at the next regular Township meeting. He will also prepare the Zoning Ordinance for the Planning Commission.

PUBLIC COMMENT: None.

ADJOURNMENT:

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

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

The meeting adjourned at 8:04 p.m.

Submitted by: Kay Z. Held, Recording Secretary