

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, September 23, 2021, 6:00 p.m.

CALL TO ORDER:

Supervisor Gerianne Street called the meeting to order at 6:04 p.m. The Pledge of Allegiance was recited.

ROLL CALL: Supervisor Street called Roll.

Present: Supervisor Gerianne Street, Clerk Leigh Gifford, Treasurer Cathy Sorrow and Trustee Dawn Zimmerman.
A quorum was established.

Absent: Trustee Nicole Gibson.

Also Present:

Recording Secretary, Kay Held

APPROVAL OF AGENDA:

Amendments:

Old Business: Milfoil Public Hearing, Item (d)

Board Action:

Ms. Street made a motion to approve the Agenda as amended. Ms. Sorrow seconded the motion.

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

CONFLICT OF INTEREST: None.

CONSENT CALENDAR:

Clerk Gifford read the purpose of the Consent Calendar to include:

Fife Lake Township Minutes of August 26, 2021, Fife Lake Township Special Meeting Minutes of September 14, 2021, Financial Report, Transfers and Bills to be Paid.

Ms. Zimmerman requested moving both sets of Minutes and the Financial Report from the Consent Calendar to New Business.

CORRESPONDENCE:

Ms. Street received a letter from Assistant Fire Chief Rob Melancon regarding the American Rescue Plan Act (ARPA) funds asking for consideration of funds for the Fire Department. She indicated this will be discussed at next month's meeting.

CITIZEN COMMENT:

Ms. Mary Ellen Dilley, 8611 East Sparling Road, Fife Lake, MI 49633

Ms. Dilley spoke to the Board, stating residents of Sparling Road appeared before the Grand Traverse County Road Commission on 8/26/21 to dispute termination of all winter services as it was recently discovered they are and always have been only a seasonal road. Someone had moved signage years ago to obtain services for which the last 21 years have been provided illegally. The Road Commission turned down their request to correct the errors of omission by the Commission and update their records. They admitted things had been done badly; however, there is no mechanism to fix them.

A Public Hearing must be held after the six families on the road pay for all new upgrades to 2021 standards, even though it's been paid for twice in the past. The history of past services the residents provided did not sway them in any way. They

said their hands are tied by Lansing requirements and that residents either build a better road or do their own snow removal. The Road Commission in the process of drafting a legal agreement in their legal department so East Sparling Road residents may continue to receive services for the upcoming winter. The residents hope this will be approved at the Commission's meeting of 10/28/21.

East Sparling Road residents find it hard to believe that errors cannot be fixed. If the Road Commission had handled this properly in 2000 and 2004, the County would have handled this over time to accommodate the larger trucks they now use. It would be terribly expensive to require six families to share the cost of what the Road Commission is expecting, and they stated they will be requiring this as there is nothing else that can be done.

GUESTS: None.

REPORTS:

County Commissioner – Mr. Rob Henschell:

Absent - No report.

Sheriff Department – Deputy Derek Reed:

Deputy Reed reported the following activity last month:

One Fraud Complaint, Two Traffic Accidents (one citation issued), 11 Traffic Stops, five Follow-up Investigations, six Assists, one Suspicious Complaint, one CPS Assist, and one Liquor Inspection.

The Sheriff's Office has also investigated the following complaints in Fife Lake:

One CPS Assist, one Domestic Assault, one Disorderly, two Lost & Found, eight Traffic Stops (four citations issued), one OWI Arrest, one Weapons Offense Arrest, one Health & Safety, two Warrant Arrests, four Traffic Accidents, one Welfare Check, one Mental Complaint and one Larceny.

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

Ms. Nicole Gibson:

Absent - No report.

Fire Chief Scott Tinker reported:

Absent - No report.

Fife Lake Village – Mr. David McGough:

Village President McGough reported that Mr. Brian Hayes of the Village council resigned; his position is open. The Village approved a \$200 contribution to the Scarecrow Festival which will be held October 9 from 11-2. Downtown Main Street will be closed 30 minutes before and after the Festival.

They discussed the alley at post office, and the property lines are situated. They plan to make it a walking alley to reduce traffic on it. The street light in front of the laundry mat was hit; they are working on getting it repaired.

Regarding roads – they are looking to possibly get something put on the ballot next November or perhaps a low interest loan.

They are moving forward on the Recreational Marijuana issue. The property of the northeast corner of the roundabout was purchased and the owner would like to put up a dispensary there. The Village is in the process of adopting Ordinances.

They are pursuing a quote for curbside recycling.

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

Ms. Leigh Gifford (FLAUA Secretary) reported:

The FLAUA held a Special Meeting on 9/14/21 regarding the Vans Lane Lawsuit. The Board met with their attorney to discuss what transpired at the Pre-trial Settlement Conference and reviewed his Written Opinion.

The meeting was held at the main plant; the Compliance Officer has the building cleaned up very nicely. It looks great and is in good order.

Zoning Administrator – Mr. Robert Hall:

Absent - No Report.

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

Ms. Zimmerman reported their last meeting was held on August 31, 2021. There was a Public Hearing regarding the proposed Recreational Marijuana Zoning Ordinance. The planners held discussion and public comment. Minor changes were made and brought to the Commission for review on 9/7/21. A Special Meeting was held where planners voted on the Recreational Marijuana Zoning Resolution, and it was unanimously passed. It was then sent to the Fife Lake Township Board where it also passed.

Civic Center South – Ms. Gerianne Street

Ms. Street reported that Mr. Steve Graves removed the old bleachers. They were very grateful to him as there was an incredible amount of scrap and materials.

They are asking the County this year for \$30k instead of \$20k to support Civic Center South.

Parking at Civic Center South is a problem as space is limited, and people are parking on the grass. They are working with Kingsley Area Schools to ask for official permission for guests to park at their football field parking lot.

The group has been discussing a dog park at Civic Center South, and residents have expressed interest.

The grounds look great, and there is a lot of activity there with people enjoying the park, children on the playground, tennis, soccer, pickleball, and pavilion use. Fife Lake is a partner with Civic Center South, and she encourages everyone to use and enjoy it.

Lake Shore Drive – Messrs. Mike Kattreh and Greg Sova

Messrs. Kattreh and Sova were unable to attend this evening; however, Ms. Street reported in their absence:

Ms. Street and Messrs. Kattreh and Sova met with Mr. Dan Hawkins, Village of Kingsley Manager. He is also the designated MDOT Rural Task Force (RFT) Representative for Kingsley and Fife Lake. Together they spoke about the 2023-26 call for projects. Mr. Hawkins will keep them informed of when the RFT will meet and assist with any applications.

The Lake Shore Drive Committee is waiting on the Grand Traverse County Road Commission to announce their change in percentage of funding for road projects. They expect to finalize their plan this fall.

They have again contacted Michigan Representative John Roth and asked him to be an advocate for Lake Shore Drive as much of it goes through State land.

She is reaching out to Mr. Phil Masserant, Finance Director of the Grand Traverse County Road Commission to discuss options on how to pay for Lake Shore Drive repair. She will also be attending a training program through the Road Commission, yet to be scheduled.

It was discussed that a Special Assessment to fund the road would not be fair to residents as Lake Shore Drive is a through road and used by many, many people. Additionally, a portion of it goes through State land. They are also collaborating with other Township Supervisors to advocate for the road.

NEW BUSINESS:

Noise Ordinance:

Trustee Zimmerman heads this committee with three residents. They prepared the Fife Lake Township Noise Nuisance Ordinance and forwarded it to the FLT attorney for review. He made one change, adding “a reasonable person with normal sensory sensitivities” to Item #3 for consistency throughout.

He had one other comment regarding decimeters in that we would need the instrument and ensure that someone is trained on it. Ms. Street reported we do have the instrument and Mr. Shane Lewis is trained on it.

Board Action:

Ms. Gifford made a motion to adopt the Fife Lake Township Noise Nuisance Ordinance. Ms. Sorrow seconded the motion.

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

Mr. Tom Rookus – Appointment to Fife Lake Area Joint Planning Commission:

Mr. Tom Rookus asked to be on the Planning Commission. Ms. Street reported the Village also has two people who would like to be on it. At the Village meeting, each was asked for their qualifications. The Village and Township approves theirs and the other's respective candidates, those applications are sent to the Planning Commission and the Commission will select a candidate to fill the opening.

This is a Liaison position between the Village of Fife Lake, Fife Lake Township and the Fife Lake Area Joint Planning Commission.

Board Action:

Ms. Street made a motion to approve Mr. Tom Rookus as a candidate for the vacant Liaison Planning Commission opening. Ms. Gifford seconded the motion.

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

Document Process:

Ms. Street indicated a large Draft document that recently came to the Township required quite a few changes and corrections. The Board requested that other entities be diligent in more closely proofreading Draft documents that are forwarded to the Township for various purposes.

Fife Lake Township August 26, 2021 Minutes:

The following Amendments will be made:

Page 2, Paragraph 2: should read "Mr. Hall" not "Mr. Burt."

Page 2, under Ambulance/Fire/Emergency reports: correct spelling of Mr. Bob "Berendsohn" from incorrect use of "Berenbsohn."

Page 4, Paragraph 4: The paragraph beginning ".....A special Meeting was held....." should read "after receiving the draft Zoning Ordinance Amendment....."

Page 4: The paragraph beginning "Supervisor Street read aloud an email....., regarding Joseph and Pamela Lawrence, correct it to read ".....who could not attend....."

Page 5, Paragraph 2: The paragraph beginning "He owns an Airbnb 200 yards from the room we are in...." correct it to read ".....from the business he owns....."

Page 7, Paragraph 5 beginning with "She houses to be kept in families...." correct it to read "She wants houses to be kept in families...."

Page 8, Paragraph 7: beginning with "Trustee Gibson thinks short-term rentals area great....." should be corrected to "Clerk Gifford thinks....."

The next paragraph beginning "Trustee Zimmerman spoke, indicating when she first saw the proposed Ordinance...." should be corrected to "Trustee Gibson spoke....."

Page 11, Paragraph 6 where it says "Guest Name unavailable": that paragraph should be deleted and replaced with the speaker's name identified by the Board. It should read: "Ms. Karen Fall: (2nd comment)." Additionally, replace Ms. Fall's name in the comment paragraph wherever indicated "speaker stated."

Board Action:

Ms. Gifford made a motion to accept the Amended Minutes of the August 26, 2021 Regular Meeting. Ms. Sorrow seconded the motion.

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

Financial Report:

There was Board discussion. Ms. Gifford will provide receipt for the purchase of postage.

Board Action:

Ms. Gifford made a motion to accept the Consent Calendar as Amended. Ms. Sorrow seconded the motion.

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

OLD BUSINESS:

Sale of Township Equipment:

Ms. Sorrow reported:

Mr. Dave Crowley has all of the equipment; he sold a push mower for \$300, the leaf blower for \$700, and one of the zero turn mowers for \$1,500.

She has spoken with Ginop's regarding the Kubota tractor. They show no records of work being done on it there. In speaking with AIS, they recommended we ask \$7-8,000 including attachments. We have a cash offer of \$7,500. We paid \$11,000 for it ten to eleven years ago.

Board Action:

Ms. Street made a motion to sell the Kubota tractor and implements for \$7,500 with a 15% commission to Mr. Dave Crowley.

Ms. Gifford seconded the motion.

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

Ms. Sorrow continued her report:

Old hydrants at the cemetery that are falling apart have been disconnected. She has put out for bid new hydrants, to be placed near the middle of the cemetery, one on each of the roads. She received two bids:

Helping Hands, Leslie Emery:

Finish installation of two hydrants and run the line: \$1,000. Material list: \$300-350.

Doug's Underground Service:

Same services listed as above: \$4,350.

Board Action:

Ms. Street made a motion to hire Mr. Leslie Emery of Helping Hands Excavation and Construction to install two water hydrants in the cemetery at a cost of \$1,000 and to approve supplies up to \$500. Ms. Gifford seconded the motion.

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

Ms. Sorrow met with three loggers for the expansion of the rear of cemetery; there is currently no more room for gravesites. This needs to be done.

She met with Mr. Dan Wilson, Mr. Jerry Hejnal, and Lutke Forest Products. Both gentlemen referred us to Lutke for their expertise in chipping, selective harvesting, etc.

Lutke Forest Products provided a proposal to cut trees, remove stumps and level areas for logging equipment. They will leave trees marked by FLT. The harvest will look similar to the existing cemetery. They will harvest roundwood logs, bolts and pulp out of harvested trees, and chip the tops of all trees and trees that have no value as roundwood.

She did not disclose the amount of the bid in the event additional quotes are required. Supervisor Street asked for one more bid. There was Board consensus to procure two bids in total. She also has photos and maps.

Recreational Marihuana Licensing Applications and Process:

Judge Powers ruled it is illegal to use a Scoring Rubric to choose marihuana businesses for Townships. The meeting packet included a revised Resolution which removed the "licensing rubric" and references to it from the document. A checklist can still be used.

We will not collect the \$4,800 fee until applicants are approved by the Board; only the \$200 application fee will initially be collected.

Supervisor Street, Clerk Gifford and Assistant Zoning Administrator Amanda Scott discussed application procedures. Once are received, the Clerk will review applications, and Ms. Scott will also review and track down any missing information. It will then be presented to the Board for review and approval or denial.

There was Board discussion. One more occurrence referring to the Licensing Rubric needs to be deleted on the page entitled "Rules for Marihuana Licensing and Determination; Section 3 (a).

Page 5: On the Rules for Marihuana Applications and Appeals page, Item 4 (g) referring to "application windows" needs to be deleted. Item (i) in that section should end after "forty-five calendar days." Item 5 referring to "application windows" also need to be deleted. Numbering and lettering will be corrected due to changes.

Board Action:

Ms. Gifford made a motion to adopt the Resolution regarding the Adoption of the Township Marihuana Licensing Application with the Amendments discussed. Ms. Sorrow seconded the motion.

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

This is Resolution #2021-0923.

The Marihuana Resolution will be published 9/24/21. Applications will begin to be accepted on the eighth calendar day thereafter.

Board Action:

Ms. Street made a motion to open marihuana applications on October 4, 2021. Ms. Sorrow seconded the motion.

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

Update on Walton Junction:

Supervisor Street reported citations have been issued; we are awaiting a court date.

Accesses and Road Ends:

Ms. Zimmerman reported the Road End Public Access Committee met September 22, 2021. The purpose was to identify each access site and road ends (7 of them in the Township). They have a description of each and what can and cannot be done. They will present it to the Fife Lake Area Joint Planning Commission. Public accesses/road ends are not in the Rec Plan. Ms. Zimmerman will look into incorporating it into the Rec Plan. She hopes there may be some grant opportunities in the future. This will be an ongoing process. Their next meeting is October 19, 2021

Milfoil Public Hearing:

Ms. Gifford reported there is a Public Hearing scheduled for October 13, 2021 at 7:00 p.m. It will be a joint meeting with Fife Lake Township and Springfield Township. A notice will be published in the paper September 30 and October 7, 2021.

The Milfoil Notice of Public Hearing with information on whether to eradicate and control nuisance weeds and plans and whether to create a Special Assessment District will be sent to 140 property numbers. A map will be available at the hearing.

There are two new properties that have access to the lake; if they have deeded access, they need to be added to the list.

OTHER BUSINESS:

Ms. Street reported a letter was received asking for assistance related to a personnel issue in the Fire Department. She responded that it is not under the purview of the Township. She attended the Fire Board meeting to further follow-up. She has since reached out to the resident to thank her for her letter. Several members of the Fire Department were in attendance of the meeting this evening. They indicated multiple individuals have also made contact with the resident. The matter appears to have been successfully resolved.

Regarding the July 22, 2021 Minutes, a correction was missed. On page 7, under the Sparling Road heading, last line: it was incorrectly reported "The residents have been taking care of the road themselves for 21 years." This should be corrected to read: "The Grand Traverse County Road Commission has been taking care of the road for 21 years."

Board Action:

Ms. Street made a motion amend the July 22, 2021, Regular Meeting Minutes to make the correction highlighted above. Ms. Sorrow seconded the motion.

ROLL CALL VOTE: Gifford-Y, Sorrow-Y, Street-Y, Zimmerman-Y. 4-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.

Several members of the Fire Department were in attendance. Assistant Chief Rob Melancon, Captain Randy Tinker and Safety Officer/HR Representative Nicole Precord were introduced. Assistant Chief Melancon spoke representing the Department.

It has been a very busy month with 27 calls for service. During the recent storm, there were nine calls. They had just come from a structure fire in Boardman Township this evening, where the Chief is still on scene. He reported they were able to save the majority of the home. The residents and animals are safe; there were no injuries. He stated there was good coordination between Kalkaska, Boardman, Garfield Township and Fife Lake Township.

The group and the Board discussed the need for and ways to get more Department members on staff. The group explained that while fire school is six months, it takes years to really learn the skills, how to operate a truck, work the scene, etc. Essentially, every call is a learning experience. It is a large time commitment, and most people also have full-time jobs as well as family obligations.

Assistant Chief Melancon reported that the majority of the work on a fire scene takes place outside of the structure. Every person is not necessarily performing all tasks; some are specifically tanker drivers, getting equipment, etc. Others have focused roles. They all work together. The State Fire Marshall supports training people up to their level of capability.

It has become more difficult to recruit new fire staff. He has posted on numerous outlets and social media. Candidates need to be at least 18 years old, be safe, able to follow directives, and be dedicated. Additionally, it takes a unique person to be able to handle things they may see at fire and accident scenes. They are consistently working with tight training and operational budgets and need more help. Fire school, equipment, etc. are costly; a new recruit costs approximately \$10,000 to bring up to speed.

Ms. Street asked the Board/guests if they made know of someone who would be interested and able to work with the Fire Service to encourage them to look into it.

Ms. Street attended to an inservice today on the American Rescue Plan Act (ARPA) where she learned a great deal. Grand Traverse County will be receiving \$20 million; she will be attending a meeting to make a formal request for consideration of funds to be allocated to Fife Lake Township. Our Township has a lot of State land which is being used for many activities including cross-country skiing, hiking, ATV riding, horseback riding, etc. She did find out the funds cannot be used on roads.

CITIZEN COMMENT:

Ms. Tonya Davis, 11430 Lake Shore Drive, Fife Lake, MI 49633

Ms. Davis stated she has many questions and comments regarding short-term rentals. She owns a short-term rental in which she lives. She is interested in where the dividing line is between the Village and Township. She would like to meet with someone to discuss several items.

She is volunteering to be on the Short-term Rental Committee.

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

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

The meeting adjourned at 7:47 p.m.

Submitted by: Kay Z. Held, Recording Secretary