

FIFE LAKE TOWNSHIP

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

SPECIAL MEETING
APPROVED MINUTES

Wednesday, December 6, 2023, 6:30 p.m.

CALL TO ORDER:

Supervisor Lisa Leedy called the meeting to order at 6:30 p.m.

The Pledge of Allegiance was recited.

Present:

Supervisor Lisa Leedy, Clerk Leigh Gifford, Treasurer Cathy Sorrow and Trustee Dawn Zimmerman. A quorum was established.

Absent:

Trustee Nicole Gibson.

APPROVAL OF AGENDA:

Board Action:

Ms. Sorrow made a motion to accept the Agenda as presented. Ms. Gifford seconded the motion.

VOTE: YEAS: All. NAYES: None. Motion carried.

CONFLICT OF INTEREST:

None.

CITIZEN COMMENT:

None.

INTERVIEWS FOR ZONING ADMINISTRATOR:

Supervisor Leedy explained the purpose for this evening’s Special Meeting is to conduct interviews for the position Fife Lake Township Zoning Administrator. Three candidates withdrew. Three candidates were interviewed:

- Mr. Cal Benke
- Mr. Shane Lewis
- Mr. Casey Guthrie

Each Board Member prepared questions for the interviewees and each was asked the same questions.

Ms. Zimmerman asked the following questions:

- What are the duties of a Zoning Administrator?
- Have you ever attended any classes, workshops or trainings pertaining to Zoning and Planning for Michigan Townships?
- How proficient are your office skills in the following? Base answers on a scale of 1-10, with 10 being the greatest.
- The ZA role is a part-time job. Can you identify the days/times you could be available to work?
- What is your wage or fee structure?
- Are you familiar with the Marihuana Ordinance?
- Regarding Marihuana, are you familiar with completing licenses and renewals for licenses held in the Township? Please explain the process.

Ms. Leedy asked the following questions:

- Can you describe the process to approve a Land Use Permit in a residential R1 district for a single family home?
- What are the components required for a Site Plan?

- What would you base administrative decisions on?
- Please talk about the process for handling Ordinance violations and Zoning complaints.
- Describe your approach to ensure Ordinances are enforced fairly and consistently.
- What is the first thing you would do upon receiving a Junk Ordinance complaint or violation?
- Do you have any references related to Zoning?
- Do you have any Zoning experience anywhere else?

Ms. Gifford asked the following questions:

- Why do you feel you would be an effective Zoning Administrator and what interests you about this position?
- Do you believe you are a people person and are your interactions with others positive?
- How would you ensure all actions taken comply with relevant laws and regulations of Zoning?
- Are you familiar with proper posting procedures?
- Upon receiving an inquiry for any development, what steps would you take to make sure the request is handled correctly?
- Are you familiar with Medical/Recreational Marihuana rules and regulations?
- Are you familiar with GAAMP (right-to-farm)?

Ms. Sorrow asked the following questions:

- As Zoning Administrator, what type of hours would you hold and what is your availability?

Mr. Cal Benke:

In summary to the above questions, Mr. Benke replied:

In terms of why he would make an effective Zoning Administrator and why he is interested in the position, he stated with family roots in the Fife Lake area and having lived here since 1974, he has seen many changes in the community. He grew up in a high population area with Class A schools and has seen how fast urban sprawl happens. He saw it happen in his downstate community where farms were sold and schools were built.

Mr. Benke stated his educational background is in Environmental Technology and Urban Planning.

In Fife Lake Township, growth has generally been controlled within the parameters allowed in Zoning. He believes the Township is interested in keeping things the way they are and not changing things a lot with the Special Use Permit. In 1974, there was no commercial development on the highway with the exception of a couple of businesses. There has been growth lately; and he thinks that is something everyone is interested in controlling. He stated safety of the highway is a big issue and believes ingress/egress is a big traffic issue.

In response to the question of duties of the Zoning Administrator, Mr. Benke stated he has looked at the Township's Master Plan where there is a lot of information. He dwelled on the Parks & Recreation Department. As far as the Zoning Administrator's responsibilities, he stated he wouldn't be able to provide that information.

As far as his hours, schedule and availability, Mr. Benke would work within budget parameters. He remains local in the winter and would be available to answer people's questions. He further stated he is available, within reason, 18 hours/day, any day, and especially when there are meetings.

Regarding the following areas about which he was asked, Mr. Benke stated he would refer to the Zoning Ordinance and manual, and he could look up information easily:

- process to approve the Land Use Permit
- identify the components required for a Site Plan
- the process to handle Ordinance violations
- the steps to make sure requests are handled correctly regarding inquiries for any development
- his approach to ensure Ordinances are enforced fairly and consistently
- how he would base his administrative decisions
- initial task once a Junk Ordinance complaint is received. He would also conduct a visual inspection, send correspondence, and whatever else the Ordinance recommends.

In response to the question regarding his people skills and positive interactions, he stated his people interaction and communication skills are great. He has no problem asking questions and listening to others.

He has not attended any class, workshops or training pertaining to Zoning and Planning for Michigan Townships. He assumes they would be available.

He would adhere to the Zoning Plan to ensure compliance with the laws and regulations of Zoning. If he had any questions, he would refer to others.

While he doesn't believe there are any certifications required to be employed as a Zoning Administrator, he believes there are several that an individual can achieve.

He is aware that meetings need to be posted within a certain amount of time.

Regarding his technology skills on a scale of 1-10 (10 the greatest), he rated them as follows:

MS Office: 6.83

Word: 7.28

Excel: 7.28

PowerPoint: 7.28

Internet: 9

Email: 9

Social Media: 2.23

Copier: 9

Regarding the wage scale request in the job posting, through his Google search, he found the range to be from \$15 an hour to \$38 an hour in a bigger city in the state of Michigan. He would ask for \$19/hour.

In response to knowledge about Medical/Recreational Medical Marijuana regulations, he has heard about them and realizes they are vast. It depends on what is being dealt with. He is aware there are caps on how many facilities are allowed in a town, that there are stipulations on how many feet they need to be from different areas, and that Recreational facilities receive monies each year. Mr. Benke did not state whether he has any familiarity with GAAMP.

Regarding filling out licenses and processing renewal licenses, he referenced his past experience as a Statistical Clerk at Great Lakes Steel, Billing Clerk for the sewer authority, Field Supervisor twice for the Census Bureau and as a Substitute Teacher. He has worked extensively with statistics and has strong organizational skills.

Mr. Benke does not have any references related to Zoning.

In closing, Mr. Benke reiterated that he has roots here and has lived here a long time. He has lived in a bigger area and knows how quickly things can happen; he would like to keep control of those things. His education is in Environmental Technology and Urban Planning and is strong in that. He feels he is strong in the community. He helped start the Springfield Recreational Area, was instrumental in the beginning of the DDA and is a caretaker of the North Country Trail that runs through town.

Some of his goals are to make sure we have a safe highway and good, rational, thought-out growth. His skills include the ability to communicate as well as research and understand information. Mr. Benke thanked the Board for their consideration.

Mr. Shane Lewis

In summary to the above questions, Mr. Lewis replied:

In terms of why he would make an effective Zoning Administrator and why he is interested in the position, Mr. Lewis stated when he needs to know something, he will dig deep for the information and many of the Board Members here have likely seen him do so. He has been on the Zoning Board of Appeals and the Planning Commission. He has also worked on some of the Ordinances.

Mr. Lewis offered an example of how intensively he digs for information. Regarding Helen Island, 1-1/2 years before the attorney's involvement, Mr. Lewis brought information to the Zoning Administrator's attention that would be needed. Subsequently, the attorney asked for that same information. He wants to know everything about what he is working on.

When asked the duties of a Zoning Administrator, Mr. Lewis replied the ZA needs to process applications and ensure they conform to the Ordinance. As important is the law; he is a law geek. He knows about the right-to-farm. He knows laws are fluid and changing that he would need to stay on top of. There is much to consider over and above the Zoning Ordinance. The problem of "taking" must be considered. The ZA needs to know how Zoning plays into other things. He is excited about Zoning.

Regarding his hours and availability, he realizes some of that is up to the Board. Mr. Lewis stated the prior Zoning Administrator worked in the office one day per week. He believes that is a good idea, but would work much more than that. He would work more hours than just one office day. He would like to get up to speed as quickly as possible and would put forth a lot of that effort up front.

The process to approve a Land Use Permit in a residential R1 district for a single family home would involve digging into the Ordinance. He understands there are many factors to consider including distances in relation to property lines, septic, well, and more. He would research every aspect.

Mr. Lewis replied that for the most part, he is a people person and strives to keep his interactions with others positive. He gets along with everyone pretty well.

Regarding the question about attending classes, workshops and trainings related to Zoning and Planning for Michigan Townships, Mr. Lewis distributed a supplemental Training List to the Board outlining recent training programs he has taken or in which he is enrolled.

He attended an FSBR webinar on 11/15/23 regarding applying Michigan's Statutory Exclusionary Zoning Provision. Mr. Lewis achieved the MSU Extension Citizen Planner Certificate 11/22/23, which is a pre-requisite requirement for the Zoning Administrator Certificate Program in which he is enrolled to participate 1/18/24-2/9/24. He is also enrolled in an Elected Officials Workshop on 12/12/23.

He noted the list does not include a recent Wexford County training that Ms. Zimmerman also attended. The law firm representing the Planning Commission also offers many great training classes.

In response to naming the components of a Site Plan, Mr. Lewis stated the building to be constructed in relation to property lines; the Ordinance has many requirements. They include consideration of grading, greenery, driveways (and approval through county/state/etc.), septic and well. He is confident he would be able to get up to speed on this matter.

To ensure all actions comply with the laws and regulations of Zoning, he would "monster it;" train, train, train. He referenced his time on the Planning Commission and wishes he knew then more of what he knows now. He is committed to training, something he has pursued on his own and would continue.

He does not have any references from other Michigan Townships in the capacity of a Zoning Administrator.

His steps to conduct an administrative decision include using checklists. These would include all the laws that may be relevant. He would tear apart the Ordinance and ensure everything that pertains is there. He plans to do his homework well; if there are still holes, he would seek out other individuals who could help.

On the question of wages, he is not asking for a traditional salary. He is only asking for \$1/month in wages as well as reimbursement for mileage and expenses, and training opportunities to be paid by the Township. His intention is to focus heavily on training early on and then as applicable down the road.

Mr. Lewis is very familiar with proper posting procedures.

In responding to the steps to take on inquiries for a development so that they are correct, Mr. Lewis replied it is first important to be familiar with what is being talked about. He would review the Zoning Ordinance, refer to his checklist to see if there are any laws pertaining, and be well-versed in the matter before him.

He provided an example of his focus and desire to learn; once he locks onto something, he does not stop until he is versed in it. The Citizen Planner Certificate Program was designed as a six-week course; he completed it in two days.

Regarding his technology skills on a scale of 1-10 (10 the greatest), he rated them as follows:

MS Office: 8

Word: 8

Excel: minimal
PowerPoint: no
Internet: 9
Email: 8
Social Media: 8
Copier: 8/9

When an Ordinance violation or complaint is received, he would initially make sure there is merit to it and then look at the Ordinance. He thinks it is important to realize violation allegations often come from citizens who may not be aware of the Ordinance, and the Zoning Administrator works for the public. Making an initial pass is important and progress as it goes.

Mr. Lewis stated he is very familiar with the Medical/Recreational Marihuana rules and regulations. He participated in drafting some of those Ordiances. He is knowledgeable of GAAMP (right-to-farm). Additionally, he knows Fife Lake well. He understands how many of them came to be and can draw from that.

Regarding the marihuana license and renewal process, he has seen the checklist but has never done it. He has no concerns about the process and is confident he would be able to do it.

The first thing he would do if a Junk Ordinance violation or complaint was received by a citizen, he would initially check the Ordinance, do a drive by, see if there is merit, and make contact to speak with the individuals involved.

Mr. Lewis and the Board thanked each other for their time and consideration.

Mr. Casey Guthrie:

In summary to the above questions, Mr. Guthrie replied:

In terms of why he would make an effective Zoning Administrator and why he is interested in the position, as the current Equalization Director with Lake County, he deals with the public on a daily basis. It's all about ensuring rules and regulations set forth are followed. If people do not understand the rules and regulations, show them the Ordinance. It also boils down to respect. Mr. Guthrie believes the position of Zoning Administrator would be interesting. He enjoys buildings and architecture. In his county, some Townships are zoned, and others are not. It is interesting to see the distinctions and how different Ordinances work.

He believes the duties of the Zoning Administrator are to enforce the Zoning laws set forth by the Planning Commission. If they are not followed, further action is taken.

Mr. Guthrie stated his hours and availability would be 1-2 nights per week and one Saturday per month. He is available any day if he needs to visit a residence, etc. Ms. Zimmerman inquired about the hours of availability stated in his resume of 6-9 p.m. two nights per week and 9 a.m. to noon the first Saturday of each month. As he presently works full-time, she inquired about his availability during weekday business hours for phone calls or a site visit and if he would be able to do that while working full-time as an Assessor for Lake County. He stated he would be available to do so.

The process to approve a Land Use Permit in a residential R1 district for a single family home would involve determining what the request is for; i.e., commercial, residential, etc., and how it is zoned. There are regulations related to it.

When asked if he was a people person with positive interactions he replied absolutely. He believes if you treat people with respect, it will be returned to you. If an encounter deteriorates, he will take it to the next level when necessary, outlining what has transpired.

He has not attended classes, workshops or trainings regarding Zoning or Planning in Michigan Townships. He is a Michigan Certified Assessor.

In response to wages, Treasurer Sorrow noted he is asking for an annual salary of \$8,000 in his resume. He replied wages are negotiable.

Mr. Guthrie responded the components of a Site Plan are where the building is, how far it is from the road, septic placement, driveways, and power.

To ensure actions comply with Zoning laws and regulations, he would refer to the Zoning regulation book to review what the requirements are and ensure everything is done as it should be. The Ordinance is important and that is why they exist.

Regarding his technology skills on a scale of 1-10 (10 the greatest), he rated them as follows:

MS Office: 9

Word: 9

Excel: 10

PowerPoint: 10

Internet: 10

Email: 10

Social Media: doesn't like it

Copier: yes

In terms of how he would make an administrative decision, he stated if it follows the rules, it follows the Ordinance.

Mr. Guthrie is not familiar with posting procedures.

Upon receipt of an inquiry for a development, steps he would take include if it is residential, make sure it is zoned residential, review the Site Plan and ensure it meets Zoning regulations for how the site is laid out.

Mr. Guthrie responded his process for handling an Ordinance violation or complaint would consist of taking a look with a drive-by, speak with the individual and explain why he is there and what the violation may be. He understands some residents may not realize they are in violation. He would explain how the individual can resolve the violation and follow-up on it. If someone is in violation of the Ordinance, they need to stop what they are doing.

When asked if he is familiar with Medical/Recreational marijuana rules and regulations, he understands a facility needs to be at least 200' from a church, residence, etc. There are requirements for the building size with a certain amount of the building dedicated to product. He understands there are many requirements that must be met.

Mr. Guthrie replied he is not familiar with filling out marijuana licenses and renewals.

Regarding how he would respond to a Junk Ordinance violation complaint, he would take a look himself to determine if it is a legitimate complaint. He believes the Township has a Blight Ordinance. If in violation, he would speak to the individual. In some cases where there have been ongoing issues, the Township Board needs to take action. If there is a violation, it needs to be resolved.

Mr. Guthrie is not familiar with GAAMP (right-to-farm). He does not have any references for Zoning as this is the first Zoning related position to which he has applied.

In closing, Mr. Guthrie stated he does not know a lot about Zoning. However, he has interacted with Zoning Administrators at both County and Township levels. He realizes it can be a tough job, and some people are hard to deal with. He is a people person, can talk to anyone, and any issue can be resolved. The ZA role would be an interesting job and, as with any new job, a learning experience.

He stated he lives in Kingsley. This job would be part of his plan for the future. On July 1, 2024, he will be vested in his current position as Lake County Equalization Director, at which time he intends to resign. He would then like to do Zoning and continue Assessing here and there. He would participate in trainings at his expense, because he wants to learn.

Mr. Guthrie and the Board thanked each other.

CITIZEN COMMENT:

Mr. Dar Zimmerman, 6533 Fife Lake Road, Fife Lake, MI 49633

Mr. Zimmerman stated he hopes the Board will ask candidates if they would make it a priority to attend Township and Planning meetings once a month. The last ZA did not and on at least one occasion requested his time be moved to earlier in the meeting as he had another commitment to attend. Mr. Zimmerman believes it is important for the new Zoning Administrator to attend these meetings.

Ms. Linda Forwerck (address not provided)

Ms. Forwerck noted that all three candidates are willing to learn even though they do not current work in Zoning Administrator positions. It is a heavy duty job, and there is a lot to learn and do. Each community has different Zoning language and some similar language. She was pleased to hear that the applicants were willing to learn for Fife Lake Township.

BOARD DISCUSSION / ACTION ON ZONING ADMINISTRATOR:

The Board held extensive discussion in reviewing the candidates, each interview and the Township's expectations of a Zoning Administrator.

There was initial discussion questioning whether the Township is allowed to pay for training. Clerk Gifford believes in the early 1990's that it was illegal for the Township to pay for the Zoning Administrator's education. Supervisor Leedy does not believe it is illegal. The agreement between the Township and the ZA makes that determination, and the Township Board's expectations should be identified and approved. She asked whether the Board desires to hire someone and train them. Clerk Gifford believes they have enough experience to be trainable.

Board Members agreed any ZA will need to learn and adapt to the Marihuana Ordinance as it is relatively new to every Township in Michigan.

Ms. Leedy believes Zoning has been de-prioritized and the township budget does not have enough into Zoning. As a community, it needs to be made a priority and invest into someone who can focus on Fife Lake based on the Master Plan and Zoning Ordinance. It needs to be looked at from an asset-based mindset and the big picture.

Treasurer Sorrow agrees with the comments Board Members are making. She inquired if no candidate was selected what the next course of action would be. Another posting can be made; however, the Board only ended up with three applicants.

Trustee Zimmerman stated the Township Supervisor is not the Zoning Administrator; however, at this time, our current Supervisor knows more about Zoning than the two candidates under consideration. She believes we need a very qualified ZA.

Ms. Leedy said any decision is going to affect the Township and the Village.

Treasurer Sorrow believes communication skills are very important.

The Board continued to discuss training. There is concern about paying someone to perform the job while paying to train them to do the job. This should not be interpreted as expecting someone new to require no training; immediate proficiency is not expected.

Supervisor Leedy stated the Administrative section of the Ordinance (it is on the website too) outlines the role and duties of Township Zoning Administrator. It is easily accessible. The Board discussed other search options and avenues for support in identifying highly qualified candidates or receiving assistance in conducting a more effective search.

Sources for assistance in identifying and vetting candidates as well as offering advice might include Michigan State University Extension (MSUE) as they run the Citizen Planner Program, the Michigan Association of Planning, and Michigan Economic Development Corporation (MEDC). Some companies have a dedicated staff person who serves as a contact in a specific area of business. The Township could reach out for assistance and suggestions in recruiting qualified candidates. Other municipalities may be able to serve as resources.

Board Action:

Ms. Gifford made a motion to offer the position of Fife Lake Township Zoning Administrator to Mr. Casey Guthrie.

There was no second. Motion failed.

Additional Board Discussion:

There was additional Board discussion on how to move forward.

Ms. Leedy suggested reaching out to professional organizations and asking for their input on helping the Township make a good decision. Clerk Gifford is opposed to paying a company for professional recruitment.

Ms. Zimmerman recognized Ms. Marcia Eby, Chair of the Fife Lake Area Planning Commission. They took the MSUE Citizen Planner Certificate course together. Ms. Mary Riley of MSUE encouraged them to contact the organization for any type of help. Ms. Eby affirmed MSUE highly encouraged them to utilize their resources.

Ms. Leedy is aware of it and supports reaching out to these groups to see what may be available. She is a member of MAP.

Ms. Zimmerman noted that a Township can get into difficult legal situations if a Zoning Administrator makes a bad decision. That could be very costly to the Township.

Board Action:

Ms. Zimmerman made a motion that the Township does not fill the Zoning Administrator position at this time. Additionally, that the Supervisor explore contacting Michigan State University Extension (MSUE) and the Michigan Association of Planners (MAP) to investigate available resources to assist in decision making strategies to best fill this role.

Ms. Sorrow seconded the motion.

VOTE: YEAS: All. NAYES: None. Motion carried.

Supervisor Leedy will notify candidates of the Board's decision.

Supervisor Leedy is willing to continue handling Zoning business (as previously approved) as necessary until the position is filled. She will only handle permitted uses and complaints as well as field calls related to Zoning (no variances, rezoning or special use). Trustee Zimmerman suggested additional compensation be provided to Supervisor Leedy for her work in Zoning while the search for a new Zoning Administrator is conducted. She asked Board Members to take this into consideration.

No action can be taken on this matter this evening as it is not on the Agenda, nor can the Agenda be changed due to lack of a full board present.

ADJOURNMENT:

Board Action:

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

VOTE: YEAS: All. NAYES: None. Motion carried.

The meeting adjourned at 8:41 p.m.

Submitted by: Kay Z. Held, Recording Secretary