

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

Thursday, April 4, 2024, 3:00 p.m.

CALL TO ORDER:

Supervisor Lisa Leedy called the meeting to order at 3:00 p.m. The Pledge of Allegiance was recited.

Clerk Gifford called roll.

Present:

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

Absent: None.

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:

Trustee Zimmerman cited a conflict of interest regarding the SkyBox Drive-thru request. She owns property adjacent to that property and recused herself from this item.

CITIZEN COMMENT:

None.

OLD BUSINESS:

SkyBox Cannabis Drive-thru Request:

Note: Trustee Zimmerman excused herself from this portion of the meeting due to above noted conflict of interest.

Supervisor Leedy stated an application was received from SkyBox Cannabis for the addition of a drive-thru at that location. The Fife Lake Area Planning Commission recommended approval of the application. This has been discussed at previous meetings. There have been questions regarding the property's zoning status as it has a commercial business and a residential home on it.

Previous records showed an amendment to the Zoning Ordinance to permit drive-thrus for marihuana facilities. Record cards for the parcels were pulled, showing a history of multiple owners. She had asked that Mr. Coulolias identify and confirm the business names attached to the property, which he provided. Ms. Leedy provided this historical information in the meeting packet showing the grow parcel, driveway, proposed drive-thru location, retired parcel used for previous land division and the residential parcel. She cross-referenced this information with the County GIS.

The ownership trail of the parcels is not consistent. The records with the Township Assessor need to be corrected showing Mr. Coulolias as owner of the residence parcel, not Ms. Debra Newton/Finer Fields Farms. There is also a question regarding an easement agreement established in 2020. Mr. Coulolias stated he submitted a copy of that with his original application; however, the Township did not receive that document from the former Zoning Administrator.

Mr. Coulolias stated Fife Lake Properties is the only owner of the property(ies) and paying taxes.

The Board believes the best course of action is to request a legal review to track and verify the legal ownership of the property. This is imperative now and in the future for any items that may come before the Township and/or Planning Commission.

Ms. Leedy stated records reflect Fife Lake Properties, Jupiter, Orbit, SkyBox, Venus Operations, Neptune, Finer Fields Operations, Sunset Operations, LA Operations and Anderson Operations for the same group of parcels. Some parcels were combined, business names have changed, properties have been purchased/sold, etc. It is necessary to verify the current status of the property.

There was Board discussion.

Board Action:

Ms. Leedy made a motion to request a legal review via Township attorney through the escrow account to clarify property ownership/land matters of parcels related to Fife Lake Properties/SkyBox Cannabis. Upon completion, the Board will address the SkyBox Drive-thru application. Ms. Gifford seconded the motion.

Further Discussion:

Mr. Coulolias does not believe he should bear the legal cost of this research in order to correct the internal records of the Township or Assessor. His business, Fife Lake Properties, has received and paid the tax bills for the last three years. He stated he has been the only dispensary who has had to pay an attorney to recommend a new law here.

There was additional discussion regarding the recorded names as property owner and zoning classifications. There is also conflicting information related to taxpayer information.

Mr. Coulolias believes under Special Land Uses, Article 17, this matter is not required to come to this Board, just the Planning Commission. Supervisor Leedy noted that when the drive-thru was allowed in the Marihuana Ordinance, it is permitted as a Special Use, requiring it to come before the Township Board.

VOTE: YEAS: All. NAYES: None. 3-Yes, 0-No. Motion carried.

Ms. Leedy will share the information she has pulled with Mr. Coulolias.

Note: Trustee Zimmerman returned to the meeting.

Attorney RFPs:

Fife Lake Township has been pleased with the existing firm of Bloom and Sluggett; however, their billing rates are high. The Township published RFPs for legal services and received proposals from the following firms. The Board received the proposals at the last regular meeting to review.

Cummings, McClorey, Davis & Acho, PLC of Traverse City

Lead Attorney would be Mr. Matthew Cross.

Rate: \$225/hour lead attorney

Paralegal: \$125/hour

Ancillary expenses were also listed.

A client list was provided. They cited no conflicts of interest.

Mr. David Bieganowski, PLC of Traverse City

Primary Attorney would be Mr. Bieganowski with additional availability from Mr. Daniel Hubbell.

Rate: \$200/hour attorney

Paralegal: \$100/hour

Secretarial: \$50/hour

An area client list was provided. He cited no conflicts of interest.

There was Board comparison and discussion about each firm, services and rates.

Board Action:

Ms. Sorrow made a motion to engage the firm of David A. Bieganowski, PLC, as the Fife Lake Township attorney. Ms. Zimmerman seconded the motion.

ROLL CALL VOTE:

Zimmerman-Y, Gifford-Y, Sorrow-Y, Leedy-Y. 4-Yes, 0-No. Motion carried.

Supervisor Leedy will notify Bloom Sluggett in writing that we are no longer in need of their counsel.

Cemetery RFPs (mowing):

Treasurer Sorrow followed up with service providers to clarify their previously submitted bids for Fife Lake Cemetery, Walton Cemetery and Fife Lake Township property mowing and maintenance as well as Fall/Spring cleanup. Ms. Sorrow provided the Board with a comparison of services and fees.

Bids were received from:

Jamie Stocking, Up North Outdoor, LLC

Jake Trowbridge, Mitten Outdoors, LLC

The principals from each of the companies were present at the meeting to answer any questions. The Board reviewed each bid proposal and clarified questions. There was discussion with both Mr. Stocking and Mr. Trowbridge. Board Members agreed that both gentlemen have provided quality service to the Township.

The Board would like to implement a multi-year contract with a 60-day opt out clause by either party.

Board Action:

Ms. Sorrow made a motion to accept the proposal from Mitten Outdoor, LLC, for cemetery and Township property mowing and Spring/Fall cleanup for the 2024 season. Ms. Gifford seconded the motion.

ROLL CALL VOTE:

Gifford-Y, Leedy-Y, Sorrow-Y, Zimmerman-Y. 4-Yes, 0-No. Motion carried.

Trustee Vacancy:

Supervisor Leedy contacted the MTA on whether there are any special considerations to fill the Trustee vacancy on the Board. The Board is allowed 45 days to fill an open seat for the remainder of a term.

Ms. Gibson resigned effective March 28, and that term expires November 20 of the election year.

There was Board discussion to post the vacancy in the following areas: Traverse City Record Eagle, Fife Lake Township and Village of Fife Lake websites, Kalkaska Review and the Township building billboard.

Board Action:

Ms. Sorrow made a motion to post for the Fife Lake Township vacant Trustee seat. Ms. Leedy seconded the motion.

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

Zoning Administrator/Ordinance Enforcement Officer Applications:

Supervisor Leedy reported 15 applications were received for the Zoning Administrator/Ordinance Enforcement Officer position. She distributed applicant materials with their personal identifying information redacted. Each was assigned a number. Board Members reviewed the blind resumes and utilized the scoring worksheet previously approved. Individual Board Members shared their top four applicants, the majority of which were the same.

The Board discussed the process for moving forward with interviews and reviewed the skills, experience and qualifications they are seeking. The Board will consolidate interview questions into one document, and all candidates will be asked the same questions.

There was Board consensus to schedule interviews on Friday, April 12, 2024, beginning at 3:00 p.m., depending on candidate availability.

CITIZEN COMMENT:

None.

BOARD MEMBER UPDATES / COMMENTS:

Supervisor Leedy stated she attended the Grand Traverse County MTA Clerk/Deputy Clerk meeting today. She will forward information for Clerk Gifford regarding the tabulator for nine-day early voting, scheduling of Election Workers, a Receiving Board and Ballot on Demand.

Treasurer Sorrow mentioned at the last meeting Ms. Deb Newell had a concern about road end cleanup after Milfoil treatment. Ms. Newell was recognized and responded the debris becomes deep and stagnate, with trailers of it previously hauled away by volunteers. There was Board consensus to ask our mowing/cemetery cleanup provider to quote the cleanup and removal of this waste as the time gets closer.

Trustee Zimmerman noted that during the three-month period she was out of state, she listened/watched meetings. There was a recent public comment strongly disagreeing with the morning schedule of a Special Meeting. Ms. Zimmerman has seen this individual at two Township meetings in the past seven years during her tenure on the Board.

Overall, there is no difference in the number of citizens attending any Township meeting whether it is in the morning, afternoon or evening. Ms. Zimmerman felt that a response to this comment was necessary as this Board was elected, and is taking care of important township business for the community and citizens. She appreciates the attendance of all community members and would welcome more people at meetings.

Treasurer Sorrow noted that time-sensitive items addressed at recent Special Meetings have resulted in greater productivity and are more efficient for conducting Township business at Regular Meetings. Ms. Zimmerman reiterated that the MTA suggests if meetings last more than 1.5 hour, an additional meeting(s) should be scheduled. Ms. Leedy reinforced that business needs to get done; however, it cannot always be accomplished in one meeting.

Ms. Leedy stated the Road Commission had an open house today; there will be another one. Board Members should let her know if they are interested in attending. She spoke with the Road Commission Manager regarding Lakeshore Drive. The engineer indicated if the Township can come up with 50% of the money, they would fund Lakeshore Drive. She stated to them that the Road Commission owns the road, the Township does not. Whoever owns infrastructure is responsible for its maintenance. She suggested they consider additional funding sources.

The Fife Lake area municipal employee attendee schedule for the MTA Annual Conference was verified. This will be posted.

ADJOURNMENT:

Board Action:

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

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

The meeting adjourned at 4:47 p.m.

Submitted by: Kay Z. Held, Recording Secretary