

**KINROSS CHARTER TOWNSHIP
PLANNING COMMISSION**

January 11, 2010

4884 W. Curtis St.

MEMBERS PRESENT

Ron Munro, Chair
Herman Calkins, Vice Chair
Leo Wiley, Secretary
Brenda Case, Trustee
Rick Bernhardt
David Gaines

MEMBERS ABSENT

Mark Howland

Also, present Cynthia Oliver, Treasurer Munro, Attendance 0

Chair Munro called the meeting to order at 6:42 PM. Calkins led the Pledge of Allegiance.

#1 MOVED: by Bernhardt, second by Gaines, to approve the January 11, 2010, meeting agenda. Motion carried.

#2 MOVED: by Calkins, second by Bernhardt, to accept the November 23, 2009, meeting minutes as written. Motion carried.

PUBLIC HEARING

The public hearing on the Civil Infraction Ordinance #1.132 was opened by Chairman Munro At 6:45pm.

A few of the board members made comment about section 8(B) which is the schedule of fines established. They had a question on the statement in section B that stated that the fine be "Not Less than" The Board members felt that it should state "Not More Than" Chairman Munro stated that he would check with the attorney about this question.

PUBLIC COMMENT

None

Update on Master Plan

Chairman Munro passed out copies of the master Plan CD to the members of the Planning commission and stated that the plan is now done and final. He also stated that he would get with the office staff and get the distribution list and then get them sent out and that should do it for the Master Plan.

Storage Space for the Planning Commission

Chairman Munro stated that it has been brought up to him that the Planning Board need some place to store their materials and other books and paper work at the township hall. Members of the commission gave their approval to have the chairman bring it up at the next township board meeting to ask that the Planning Commission have use of the old property management office.

Zoning Ordinance Discussion

Chairman Munro asked the board if they want some of the board members to work on this or do they want to take the Attorney's and the MTA's advice to have someone else work on our Zoning Ordinance that has some experience in this area.

#3 MOVED: by Gaines, second Bernhardt to have Wade-Trim do a written critique of time and cost and estimate to review and out line any deficiencies in the township zoning Ordinance. Motion Carried

Park Ordinance

Chairman Munro stated that this came to the board via E-Mail and he hoped that everyone had a chance to look it over. He asked the board that it was his request to table this item and to send it on to the Park and Rec committee and get their input before the Planning Board looked it over. The Board agreed with this request.

#4 MOVED: by Gaines, second by Bernhardt, to table the Park Ordinance till the board get input from the Park and Rec committee to see if this ordinance is something that is needed in the township. Motion Carried

MPEA Law Regarding Capital Improvement Plain (CIP)

Chairman Munro stated that if we have a water system we must have a capital improvement plan. The chairman went on to state that since 2006, under the Michigan Planning Enabling Act the township is required to adopt a CIP if the township owns or operates a water supply or sewage system. This is covered under MCL 125.3865.

#5 MOVED: by Gaines, second by Calkins, to send this back to the township board so that they can give the Planning Commission some direction in writing on how they want the planning board to proceed on this and what they would define as a capital improvement. Motion Carried

Position of Member Wiley

Chairman Munro stated that he has received a letter dated January 11, 2010 that as of January 20, 2010 board member and secretary Wiley will be resigning his position on the Kinross Township Planning Board. This is because Wiley is moving out of the area and moving to the Tulsa Oklahoma area to be with his wife and son.

#6 MOVED: by Bernhardt, second by Gaines, thanking Leo for his service to the township and to his dedication that he has shown over the years to the township and to the Planning Board. He will be missed. Motion Carried.

Sign Committee

Chairman Munro stated that he was hoping to get a sign committee going to get the sign ordinance moving along. But because the board is short members he is tabling this till after the board gets a few more members.

Race Association Plans

Chairman Munro informed the members that at the last township meeting a motion was made that as long as the Race Association stayed in the section that was approved the Planning Board they could make improvements.

February & March 2010 Meeting Change

Chairman Munro asked the board if it was possible to change the date of the February & March 2010 meeting. This request is because the Chair will be attending a training class.

#7 MOVED: by Munro. second by Gaines, to change the meeting date just for February and March 2010 meeting of the Planning Board to the Second Thursday of each month with a starting time of said meeting to be at 6:30 pm. Motion Carried.

Junk Ordinance Discussion

Board Member Case brought up to the board that a citizen of the township asked her why his car was towed and classified as a junk car and the race cars are not. She wanted the board to be aware that this question was asked of her. She has all ready advised the citizen of the answer.

Closing of Public Hearing

Chairman Munro closed the public hearing on the Civil Infraction Ordinance at 8:30 pm.

Public Comments

None

Correspondence

None

The meeting adjourned at 8:35 PM.

Leo Wiley, Secretary

**KINROSS CHARTER TOWNSHIP
PLANNING COMMISSION
REGULAR MEETING**

February 11, 2010

4884 W. Curtis St.

MEMBERS PRESENT

Ron Munro, Chair
Herman Calkins, Vice Chair
Gerda Frimberger
Brenda Case, Trustee
Rick Bernhardt

MEMBERS ABSENT

Mark Howland
David Gaines

Also, present Treasurer Munro, and Judy Wright.

Vice Chair Calkins called the meeting to order at 6:37 PM. Calkins led the Pledge of Allegiance.

#1 MOVED: by Case, second by Frimberger, to approve the February 11, 2010, meeting agenda as presented. Motion carried.

#2 MOVED: by Calkins, second by Bernhardt, to accept the January 11, 2010, meeting minutes with the correction to Motion #3 of “ask for a written estimate” instead of “ask for a written critique”. Motion carried.

PUBLIC COMMENT

None

Welcome to the new Commissioner, Gerda Frimberger.

To date we have not received the copies of the maps for the Master Plan. The cover letter that was sent with the CD copies of the Master Plan was read.

Chair Munro stated that Commissioners need to formulate a list of office equipment, etc. that is needed for the new storage area. There are two keys to the room. He has one and there is one in the Treasurer’s office.

Chair Munro informed the Commission that the sign ordinance needs to be updated to include the new LED signs and portable signs. He would like three volunteers to work as a sub-committee.

A lengthy discussion about the fines listed in the Civil Infractions Ordinance #1.132 included (1) that the wording must be “not less than”; (2) that the fines listed were a standard that has been used in many townships; and (3) that the Township Board should be allowed to set the fees by resolution rather than listing them in the Ordinance.

#3 MOVED: by Frimberger, second by Calkins, to **recommend that the Township Board adopt the Civil Infractions Ordinance #1.132.** Motion carried with one no vote.

#4 MOVED: by Bernhardt, to amend the second sentence in Section 8 (B.) to read "The fines for violations shall be established by Resolution of the Township Board" and the table of fines deleted from the ordinance. No support motion failed.

#5 MOVED: by Bernhardt, second by Frimberger, to table the appointment of a Secretary until the next meeting. Motion carried.

Chair Munro intends to address the issue of the Capital Improvement Plan at the next Township Board meeting on Tuesday, February 16, 2010, suggesting that the accounting threshold of \$5,000.00 be used.

Trustee Case stated that the suggestion had been made to contact Mead Paper Company to plant trees, under their reforestation requirements, on some of the vacant 20 acre parcels that the Township owns. This would not cost the Township any money to plant the trees and could generate revenue when the trees were mature and harvested.

The meeting adjourned at 7:40 PM.

**KINROSS CHARTER TOWNSHIP
PLANNING COMMISSION
REGULAR MEETING**

March 11, 2010

4884 W. Curtis St.

MEMBERS PRESENT

Ron Munro, Chair
Herman Calkins, Vice Chair
Gerda Frimberger
Brenda Case, Trustee
Rick Bernhardt
David Gaines

MEMBERS ABSENT

Mark Howland

Also, present Treasurer Munro, and Judy Wright. Attendance 5

Chair Munro called the meeting to order at 6:40 PM. Calkins led the Pledge of Allegiance.

#1 MOVED: by Bernhardt, second by Case, to approve the March 11, 2010, meeting agenda with the addition of discussions of update to the Personnel Committee and budget. Motion carried.

#2 MOVED: by Bernhardt, second by Calkins, to accept the February 11, 2010, meeting minutes as written. Motion carried.

PUBLIC COMMENT

Don Plumm informed the Commission that he has made an offer on the building previously occupied by DHL on Meehan Street and wanted to know if there were any zoning issues with using the building to produce small hand tools. Bernhardt will be the contact person, investigate the current zoning and advise Mr. Plumm. Mr. Plumm was also advised that he should secure a zoning application and submit the necessary documentation with the application fee 10 days prior to the Commission's meeting to make a formal determination about whether the location is suitable for the type of activity.

Trevor & Lena Quinlan spoke to the Commission about their plans to purchase Building #316 from the Township to house their woodworking, beadwork, and artisan consignment shop. The Quinlans were also advised that they should secure a zoning application and submit the necessary documentation with the application fee 10 days prior to the Commission's meeting to make a formal determination about whether the location is suitable for the type of activity. Calkins will be the contact person for the Quinlans.

#3 MOVED: by Calkins, second by Bernhardt, to appoint Gerda Frimberger as the Commission's Secretary. Motion carried.

The members briefly discussed the need for a new business start-up package. Calkins will speak with Deputy Supervisor Johnson about information to be included.

Chair Munro informed the members that the Supervisor will be moving to the offices now occupied by the assessing & zoning department, in the near future, making the current Supervisor's office available as a conference room where the Commission as well as other committees will be able to store reference materials and hold meetings.

Bernhardt stated that he has reviewed the current sign ordinance. Revisions need to be made to sections relating to portable signs, R2 zoning, an unusual road width by the Golf Course, and the penalties.

The Personnel Committee was told, by Chair Munro, that the need for a Zoning Administrator is urgent, given that inspections of gravel pits are supposed to be done very shortly.

#4 MOVED: by Gaines, second by Bernhardt, to **recommend that the Township Board continue the current agreement with Zoning Administrator Oliver on a month-to-month basis until quotes are received and a new contract is negotiated.** Motion carried.

A review of the budget being considered for adoption at the March 15, 2010, revealed that the original amounts budgeted by the Commission had been reduced. It was mentioned that any members having valid reasons that the budgeted amounts are not adequate should plan to attend the Board meeting and voice their opinions in the public hearing.

PUBLIC COMMENT

Dave Gaines informed the members that he hopes to build a 40x70 heated greenhouse in the near future to expand his hobby farm. He will keep the Commission informed.

The members should consider attending the Chippewa Chapter meeting of the MTA on Thursday, March 18, 2010, as the featured speaker will be presenting information regarding planning and zoning issues.

The meeting adjourned at 8:40 PM.

Gerda Frimberger, Secretary

Minutes prepared by Judy Wright

**KINROSS CHARTER TOWNSHIP
PLANNING COMMISSION
REGULAR MEETING**

April 12, 2010

4884 W. Curtis St.

MEMBERS PRESENT

Herman Calkins, Vice Chair
Gerda Frimberger
Brenda Case, Trustee
Rick Bernhardt
David Gaines

MEMBERS ABSENT

Ron Munro
Mark Howland

Also, present Treasurer Munro, Deputy Supervisor Dorothy Johnson, Trustee Kauer, Richard Oliver, and Judy Wright. Attendance 7

Vice Chair Calkins called the meeting to order at 6:40 PM. Gaines led the Pledge of Allegiance.

#1 MOVED: by Bernhardt, second by Gaines, to approve the April 12, 2010, meeting agenda with the addition of a discussion of the zoning of a parcel. Motion carried.

#2 MOVED: by Bernhardt, second by Gaines, to accept the March 11, 2010, meeting minutes as written. Motion carried.

PUBLIC COMMENT

None

#3 MOVED: by Frimberger, second by Gaines, to approve the zoning application submitted by Trevor and Lena Quinlan for Building #316, 16779 S. Meehan, Kincheloe, to be used as a consignment arts, crafts, & hobby shop. Motion carried.

The Commissioners discussed the current zoning map and future land use map (of the Master Plan). Bernhardt stated that Plumm's use requires light industrial zoning and does not fit any allowed or special uses under commercial zoning. Additionally, Richard Oliver agreed with Bernhardt's interpretation of the ordinance. No other interpretation was presented by anyone in attendance. The building formerly occupied by DHL, at 16815 S. Meehan, is currently zoned commercial. On the future land use map it is designated as Urban Core Mixed Use. There is no definition of this use in the Zoning Ordinance #1.100. It was determined that a definition needs to be formulated for this district and the future land use map should be adopted as the new zoning map.

#4 MOVED: by Gaines, second by Frimberger, to approve the zoning application submitted by Donald Plumm, P & P Power, for 16815 S. Meehan, Kincheloe, as commercial use, as it is to be used to assemble and package a product for retail sale. Motion carried with no votes by Bernhardt and Case.

Calkins informed the members that work is progressing on the New Business Start-up Package. This will be discussed further at the next meeting.

Deputy Supervisor Johnson informed the Commission that she had been contacting property owners daily as issues have been discovered regarding trash & rubbish being put at the curb earlier than permitted under the current ordinance (#1.110).

#5 MOVED: by Bernhardt, second by Gaines, to **recommend that the Township Board amend Section 4 of Ordinance #1.110, titled REGULATION AND CONTROL OF GARBAGE, RUBBISH AND LITTER ORDINANCE, to allow residents to place receptacles at curb-side the night before garbage collection is to take place. Motion carried.**

The members examined the zoning maps in reference to a parcel at the corner of Johnson Road and Mackinaw Trail at the request of Richard Oliver. It was the consensus opinion that the parcel is zoned residential. With this zoning class, the issues of excess livestock and large number of residents occupying the premises need to be addressed by the Zoning Administrator.

The Commission was reminded that the Zoning Enabling Act requires that an area be defined for adult entertainment businesses.

PUBLIC COMMENT

The Commission was reminded that the Zoning Enabling Act requires that an area be defined for adult entertainment businesses.

The Township Board will be holding a special meeting regarding the renaissance zone for Mascoma/Frontier Renewable Resources on Thursday, April 22, 2010, at 6:00 PM.

The meeting adjourned at 7:35 PM.

Gerda Frimberger, Secretary

Minutes prepared by Judy Wright

**KINROSS CHARTER TOWNSHIP
PLANNING COMMISSION
REGULAR MEETING**

May 10, 2010

4884 W. Curtis St.

MEMBERS PRESENT

Ron Munro, Chair
Herman Calkins, Vice Chair
Gerda Frimberger, Secretary
Brenda Case, Trustee
Rick Bernhardt

MEMBERS ABSENT

David Gaines
Mark Howland

Also, present Treasurer Munro, Richard Oliver, and Judy Wright. Attendance 0

Chair Munro called the meeting to order at 6:30 PM. Calkins led the Pledge of Allegiance.

Commissioners Bernhardt, Calkins, and Case were sworn in by Chairman Munro.

#1 MOVED: by Calkins, second by Frimberger, to approve the May 10, 2010, meeting agenda with the addition of a number of discussion items. Motion carried.

#2 MOVED: by Bernhardt, second by Calkins, to accept the April 12, 2010, meeting minutes as written. Motion carried.

PUBLIC COMMENT

None

#3 MOVED: by Calkins, second by Frimberger, to approve adding the Zoning & Building permit guide to the building packets with the addition of information on land divisions. Motion carried.

The Commissioners broadly discussed a number of the active ordinances with relation to the need to revise all to reflect the civil infraction status established by the adoption of Ordinance #1.132 in February 2010. Several items are to be researched by the members and discussed at length at the future meeting. Included are:

- o Sign Ordinance #1.128
- o Solid Waste Collection – Unofficial Ordinance #1.116
- o Zoning Ordinance #1.100 – specifically section 3.19, Item 6 “Veterinary Hospitals, Kennels, Pets and Other Animals”
- o Form based zoning code
- o Prioritization of active ordinances for review and revision

There was a brief discussion of the expiration of the terms of office of the existing Commissioners. Terms expire in May as follows: Munro-2010, Howland-2010, Bernhardt-2011, Frimberger-2011, Gaines-2012, Calkins-2012, and Case (as Board representative)-Nov. 2012. Because two members’

terms expire this month, it was the majority opinion that officers would not be elected at this time as new appointees should be afforded the opportunity to serve. The question of whether the number of members on the Commission should be reduced to five was discussed. The positives of this action included fiscal responsibility and fewer members would require fewer people for a quorum. The primary negative comment was that fewer members would limit the variety of experience and opinions that would be brought to discussions.

#4 MOVED: by Bernhardt, second by Calkins, to **recommend that the Township Board approve the appointment or re-appointment of two members to the Planning Commission so that officers can be elected in compliance with the established bylaws of the Commission. Motion carried.**

It was mentioned that once the ordinances have been revised they should be reviewed by an attorney to insure compliance with changes in the law.

The ongoing discussion of the Capital Improvement Plan yielded some of these comments: Virtually all maintenance, above the \$10,000 threshold set by the Board, done on the water/sewer system could be interpreted as capital improvements. Do we want to delay necessary repairs to vital systems just to say “yes” at a meeting? The role of the Commission should be to insure that capital improvements conform to the land use plan, do not conflict with future projects in the Master Plan, and that there are no unresolved funding issues. Interpretation of the requirements of a Capital Improvement Plan can be quite strict or more liberal at the discretion of the Township Board.

During a discussion of open channels of communication amongst the members and Township staff it was stated that any member can ask for an item to be put on the agenda by simply responding to the email sent prior to the setting of the agenda. Additionally, background information that would be helpful in making decisions about issues should be made available so that staff personnel can copy it to all members in their packet prior to the meeting.

Commissioners Bernhardt, Calkins, and Frimberger requested to be registered for the Michigan Association of Planning “Planning & Zoning Essentials” seminar in Sault Ste. Marie on June 17, 2010. Staff members will take care of this.

PUBLIC COMMENT

None

The meeting adjourned at 9:00 PM.

Gerda Frimberger, Secretary

Minutes prepared by Judy Wright

**KINROSS CHARTER TOWNSHIP
PLANNING COMMISSION
REGULAR MEETING**

June 14, 2010

4884 W. Curtis St.

MEMBERS PRESENT

Ron Munro, Chair
Herman Calkins, Vice Chair
Gerda Frimberger, Secretary
David Gaines
Rick Bernhardt

MEMBERS ABSENT

Mark Howland
Brenda Case

Also, present Treasurer Munro, Richard Oliver, Trustee Kauer, and Judy Wright. Attendance 0

Chair Munro called the meeting to order at 6:35 PM. Calkins led the Pledge of Allegiance.

#1 MOVED: by Gaines, second by Frimberger, to approve the June 14, 2010, meeting agenda with the addition of a discussion of the letters from the Township Supervisor to Munro & Howland, and a noxious weed ordinance. Motion carried.

#2 MOVED: by Calkins, second by Bernhardt, to accept the May 10, 2010, meeting minutes as written. Motion carried.

PUBLIC COMMENT

- According to the Michigan Enabling Act a Planning Commission member continues to serve until his successor is named.
- The Bylaws state that an officer serves until his successor is elected, but it does not mention anything about when an officer's term has expired.

A discussion of the letters from the Township Supervisor to members Howland and Munro highlighted the need for members to have a wide variety of experience and areas of interest to best carry out the duties of the Planning Commission. With an international airport, multiple correctional facilities, industrial area, recreational lands, agricultural, residential, and commercial areas, it is likely that the Commissioners could encounter almost every zoning issue imaginable.

#3 MOVED: by Gaines, second by Bernhardt, to advise the Township Board that the number of members on the Planning Commission should remain at seven to serve the best interests of the Township and residents due to the complexities of the make-up of the Township. Motion carried.

There was considerable discussion about the deficiencies in current text of Ordinances #1.116 (amended by #1.133) and #1.128. Members were asked to carefully review both and bring suggested needed revisions to next month's meeting.

#4 MOVED: by Munro, second by Bernhardt, to table action on Ordinance #1.128, Sign Ordinance, until next month. Motion carried.

A broad discussion of other agenda items yielded the following comments:

- Each member will bring their own prioritized listing of Ordinances to the next meeting so that an action plan can be established for review and amendments.
- Members should set an example by being in compliance with all existing ordinances.
- More definition is needed for Capital Improvement expenditures.
- The definition of Urban Core Mixed Use stated in the Master Plan does not describe the activities of P & P Power.

Trustee Kauer asked the Commission if the proposed areas, near Griffin Place, for a Dog Park and Farmer's Market fell within the planned land use. The Commission saw no conflicts that would prohibit these developments.

Richard Oliver will investigate the building and permit progress at Fundamental Baptist Church and report back to the Commissioners.

PUBLIC COMMENT

None

The meeting adjourned at 8:30 PM.

Gerda Frimberger, Secretary

Minutes prepared by Judy Wright

**KINROSS CHARTER TOWNSHIP
PLANNING COMMISSION
REGULAR MEETING**

July 12, 2010

4884 W. Curtis St.

MEMBERS PRESENT

Ron Munro, Chair
Herman Calkins, Vice Chair
Gerda Frimberger, Secretary
Brenda Case, Trustee
David Gaines
Rick Bernhardt

MEMBERS ABSENT

Also, present Treasurer Munro, Richard Oliver, and Judy Wright. Attendance 0

Chair Munro called the meeting to order at 6:40 PM. Gaines led the Pledge of Allegiance.

#1 MOVED: by Case, second by Calkins, to approve the July 12, 2010, meeting agenda with the addition of a discussion of training and the Planning Commission Ordinance. Motion carried.

#2 MOVED: by Calkins, second by Gaines, to accept the June 14, 2010, meeting minutes as written. Motion carried.

PUBLIC COMMENT

None

A discussion of the current Sign Ordinance #1.128 resulted in Case volunteering to review the current ordinance and bring a suggested update to the next meeting.

During a discussion of the Solid Waste Ordinance it was determined that the Township Board did not amend Sections #503, 504, and 702 of Ordinance #1.116 in the amendment #1.133 (adopted May 3, 2010). The issues in these sections will need revision suggestions to be brought to the Township Board.

It was suggested that the first Ordinance that should be reviewed was the Zoning Ordinance #1.100, as it should mirror the Master Plan. Additional ordinances that would involve Planning Commission involvement should be a higher priority than non-planning/zoning ordinances. Many of the ordinances only need to be updated to reflect the municipal infractions penalties rather than misdemeanor status. Some ordinances may no longer be needed due to changes in State law.

Richard Oliver reported to the Commissioners that he had received satisfactory answers to his questions regarding Fundamental Baptist Church's zoning application. As the use of the building will be primarily for youth group worship activities he stated that the building would be tax exempt. The issue of water run-off, which was a concern due to the percentage of the property that is paved, is being resolved by providing drainage to the south of the site into undeveloped property already owned by the applicant.

#3 MOVED: by Bernhardt, second by Case, to table the election of officers until the Township Board adopts or defeats the Planning Commission Ordinance, and accordingly appoints new members to the Planning Commission. Motion carried with Calkins voting no.

Frimberger asked if our current ordinances restricted the materials that residents could use to construct a fence. Our current zoning ordinance does not list specific materials. Possibly this should be included in the revisions to Ordinance #1.100.

Outdoor burning is only addressed in the Garbage Ordinance #1.110. This is something that would benefit from being addressed in a separate ordinance.

The recent opening of a medical marijuana facility sparked much discussion. It was mentioned that the clinic would be having an information session on Thursday evening if anyone could attend they might gain valuable information. We need to investigate what is stated in State law before any ordinance can be developed.

Case stated that the Planning Commission did not have enough money in the education budget for people to register for training and not attend. It was requested that the members who did not attend the training on June 17th reimburse the Planning Commission for the amount of their registration fees.

Chair Munro stated that if anyone had comments about the Planning Commission Ordinance that they should attend the next Township Board meeting.

Bylaws will be addressed once the Township Board makes a decision regarding the make-up of the Planning Commission.

#4 MOVED: by Calkins, second by Gaines, to meet in two weeks to begin ordinance review. Motion carried.

PUBLIC COMMENT

None

The meeting adjourned at 8:40 PM.

Gerda Frimberger, Secretary

Minutes prepared by Judy Wright

**KINROSS CHARTER TOWNSHIP
PLANNING COMMISSION
REGULAR MEETING**

July 26, 2010

4884 W. Curtis St.

MEMBERS PRESENT

Ron Munro, Chair
Herman Calkins, Vice Chair
Gerda Frimberger, Secretary
Brenda Case, Trustee
David Gaines
Rick Bernhardt

MEMBERS ABSENT

Also, present Treasurer Munro, Richard Oliver, and Judy Wright. Attendance 0

Chair Munro called the meeting to order at 6:40 PM. Gaines led the Pledge of Allegiance.

#1 MOVED: by Calkins, second by Gaines, to approve the July 26, 2010, meeting agenda with the addition of officer elections. Motion carried.

#2 MOVED: by Calkins, second by Bernhardt, to accept the July 12, 2010, meeting minutes with the addition of *“The Planning Commission has not approved a site plan for the building project at Fundamental Baptist Church. The Assessor has not received a return call from the Chippewa County Building Inspector in reference to a building permit being issued.”* to the paragraph about the discussion of Fundamental Baptist Church’s zoning permit application. Motion carried.

PUBLIC COMMENT

None

Munro distributed copies of some suggested revisions to Sign Ordinance #1.128. As the suggestions only address portions of the ordinance, further work will need to be done before the process can proceed.

Chair Munro stated that he has reviewed the Medical Marijuana ordinance recently proposed by the Traverse City Planning Commission. It appears that this would be a good starting place for an ordinance for our township. The signage issues at the new clinic have been discussed by Zoning Administrator Oliver and Joe Paczkowski. It was suggested that the Commission should have a phone conference with the Township’s attorney before proceeding with a draft ordinance.

#3 MOVED: by Frimberger, second by Gaines, to recommend that the Township Board put a six month moratorium in place for establishment of any new medical marijuana distribution centers within the Township. Motion carried.

Bernhardt volunteered to bring, to the next meeting, a list of ordinances that require little or no action by the Commission. Wording for the civil infractions penalties, to replace the current misdemeanor penalty wording in the ordinances, will be brought to the next meeting. Each

Commissioner will review ordinances for necessary revisions to areas of their particular expertise and report back at the next meeting.

Members were reminded that any law enforcement agency is able to enforce ordinances that are written as civil infractions.

Zoning Administrator Oliver reported that he has sent a letter to Tom & Melissa McClendon, owners of the building where the medical marijuana clinic is operated, about the lack of sign permits, site plans, etc. He also reported that there are the same issues this year with lack of lawn maintenance and refuse in the residential area as there have been in the past.

Calkins nominated Gaines for the position of Chairman. Gaines was elected by unanimous ballot. Case nominated Calkins for the position of Vice Chairman. Calkins was elected by unanimous ballot. Bernhardt nominated Frimberger for the position of Secretary. Frimberger was elected by unanimous ballot.

A short discussion ensued about the need for open communications among the Commission, the Township Supervisor's office, and the Township Board.

PUBLIC COMMENT

None

The meeting adjourned at 7:45 PM.

Gerda Frimberger, Secretary

Minutes prepared by Judy Wright

**KINROSS CHARTER TOWNSHIP
PLANNING COMMISSION
REGULAR MEETING**

August 9, 2010

4884 W. Curtis St.

MEMBERS PRESENT

David Gaines, Chairman
Herman Calkins, Vice Chair
Gerda Frimberger, Secretary
Rick Bernhardt

MEMBERS ABSENT

Brenda Case, Trustee

Also, present Judy Wright. Attendance 1

Chair Gaines called the meeting to order at 6:35 PM.

#1 MOVED: by Calkins, second by Frimberger, to add discussion of the Board's amendment to section 17 of Ordinance 1.134 to the agenda Motion carried.

#2 MOVED: by Bernhardt, second by Calkins, to add a discussion of the building project at Fundamental Baptist Church to the agenda. Motion carried.

#3 MOVED: Bernhardt, second by Calkins to approve the August 9, 2010, agenda as amended.

#4 MOVED: Calkins, second by Frimberger, to approve the July 26, 2010, minutes as written.

PUBLIC COMMENT

None

PUBLIC COMMENT

None

Calkins reported that he has spoken with Tribal housing authorities about the need for 911 addressing on all housing units. He will advise them of the minimum requirements for the size of numbers to be used. He has also confirmed that Mr. Giddis has all the necessary permits for the remodeling of the old township hall that he recently purchased from the Township. In his research for a medical marihuana ordinance he has found that the federal government has approved the use of medical marihuana for veterans. He has spoken with Chief Micolò about enforcing ordinances and reports that KPD will only enforce the junk cars ordinance.

Frimberger asked if the Tribally owned properties were required to follow the same rules as non-tribal properties.

Chairman Gaines stated that he would like the Commission to work more closely with the Supervisor's Office and Township Board, helping the Township to move forward. During all meetings, unless he is informed in advance of an urgent incoming call, he will require cell phones to be turned off for the duration of the meeting. He intends for only one person to speak at a time after

they are recognized by the Chair. He reinforced the Township's policy that only the Township Supervisor is authorized to contact an attorney. If a Commissioner feels that legal advice is needed he/she is to contact the Chairman who will then contact the Township Supervisor's office. If the Supervisor determines a legal opinion is needed a conference call or other contact will be initiated by his office.

Bernhardt stated that he had spoken with one of the contractors at the Fundamental Baptist Church worksite and was told that the church had secured the necessary permits, although no permit was visible.

#5 MOVED: by Bernhardt, second by Calkins to approve the site plan as submitted by Fundamental Baptist Church. Motion carried.

A discussion of the members' findings after reviewing current ordinances yielded the following:

- 1) Most of the ordinances have either misdemeanor or no penalty provisions
- 2) Priority for Ordinance Revision is (a) Medical Marihuana, (b) Zoning, and (c) Those requiring only minor revisions

Chair Gaines requested that Bernhardt contact Zoning Administrator Oliver about zoning applications/building permits before contacting County Building Inspector Bosley. Gaines is also requesting that Oliver supply the Commission with a report each month detailing zoning applications submitted and letters sent regarding ordinance violations.

#6 MOVED: by Calkins, second by Frimberger, that the Commission recommend to the Township Board that the amendment to Section 17 of Ordinance 1.134 be rescinded to make the ordinance effective upon publication. After discussion, the motion was withdrawn.

Chair Gaines will be scheduling a meeting with the Supervisor and Deputy Supervisor on Friday, August 13th at 3:00 PM for anyone who could attend.

Copies of letters sent by Zoning Administrator Oliver were reviewed by the members.

The meeting adjourned at 8:15 PM.

Gerda Frimberger, Secretary

Minutes prepared by Judy Wright

**KINROSS CHARTER TOWNSHIP
PLANNING COMMISSION
SPECIAL MEETING
Ordinance Review and Other Matters Relating to Planning**

August 23, 2010

4884 W. Curtis St.

MEMBERS PRESENT

David Gaines, Chair
Herman Calkins, Vice Chair
Gerda Frimberger, Secretary
Rick Bernhardt
Brenda Case, Board Rep (arrived @ 8:20pm)

MEMBERS ABSENT

Also, present Richard Oliver and Sheila Gaines. Attendance 3

Chari Gaines called the meeting to order at 6:45 PM.

#1 MOVED: by Herman Calkins, second by Gerda Frimberger, to approve the August 23, 2010, meeting agenda with addition of the Sign Ordinance under old business. Motion carried.

#2 MOVED: by Rick Bernhardt, second by Herman Calkins, to accept the August 9, 2010, meeting minutes as written. Motion carried.

PUBLIC COMMENTS

None

ZONING ADMINISTRATOR

- Richard Oliver informed the Commission about new procedures to track building permits and zoning applications. The county will submit a list to equalization who will then forward a copy to the township with names and addresses.
- Several Zoning violations were discussed including open burning, junk vehicles, grass and weeds. Richard stated that everyone who has received a violation letter have taken care of the problem in a timely manner.
- Property on Mackinaw Trail and Thompson Road was reviewed as well as the sign on M-80. Richard asked the Commission for clarification with regards to how he should proceed if violations are not taken care of.
- John Gaines variance on Kinross Road discussed. The addition on the home will not be completed because Mr. Gaines is no longer able to live at home without assistance.

#3 MOVED: by Rick Bernhardt, second by Herman Calkins, to recommend that the Township Board rescinds the variance for John Gaines on 15037 South Kinross Road since he is no longer living in the home. Motion carried.

Commissioner Calkins stated that he contacted Re-Max Realty regarding 911 addressing and that he in no way intended to offend any particular group of people. The minimum letter size for 911 addressing is 3" according to the county.

Commission discussed the meeting minutes and requested that the Township Board receive them after they are approved. Any minutes requested prior to approval should have “unapproved” stamped on them.

#4 MOVED: by Herman Calkins, second by Rick Bernhardt, that meeting minutes be approved and signed prior to distribution to the Township Board. Motion carried.

The Sign Ordinance was reviewed and discussed. Zoning Administrator Oliver informed the Commission that the fifteen day deadline is today regarding the sign on M-80. He asked the Commission how he was to proceed.

#5 MOVED: by Herman Calkins, second by Gerda Frimberger, to request the Supervisor’s Office to contact attorney for advice on what steps need to be taken regarding ordinance violations. Motion carried.

Chair Gaines will contact the Supervisors Office and schedule a meeting to discuss sign violations and get an update on the Thompson Road violation.

Commission members are to review the Sign Ordinance and bring any questions or concerns to the next meeting.

The medical marihuana clinics discussed in length.

Brenda Case arrived at 8:20pm.

Commission member Bernhardt will contact the state’s office for clarification of the marihuana law and act. Trustee Case requested that the Zoning Ordinance regarding how many pets are allowed per home be discussed at the next meeting. Chair Gaines stated that he has received permission from the Supervisor to hold two meetings per month.

The Mika Meyers Beckett & Jones law bulletin information was very informative to the Commission and requested that they receive additional copies in the future.

Meeting adjourned at 8:45PM.

Gerda Frimberger, Secretary

Minutes taken and prepared by Sheila Gaines.

**KINROSS CHARTER TOWNSHIP
PLANNING COMMISSION
REGULAR MEETING**

September 13, 2010

4884 W. Curtis St.

MEMBERS PRESENT

Brenda Case, Trustee
Herman Calkins, Vice Chair
Gerda Frimberger, Secretary
Rick Bernhardt

MEMBERS ABSENT

David Gaines, Chairman

Also, present Richard Oliver and Judy Wright. Attendance 1

Vice Chair Calkins called the meeting to order at 6:40 PM and led the Pledge of Allegiance.

#1 MOVED: by Calkins, second by Frimberger, to approve the agenda as presented. Motion carried.

#2 MOVED: by Frimberger, second by Bernhardt, to approve the minutes of August 23, 2010 as written. Motion carried.

PUBLIC COMMENT

None

ZONING ADMINISTRATOR'S REPORT:

A letter has been sent to the owners of the home on the corner of Wood Lake and Christopher. Richard will research the dimensions stated on the zoning application for a fence being constructed at the residence on the corner of Parkside and Monterey. The warrant has been issued by the Prosecutor's office for Ms. Schroyer. However, as of 6:50 PM today it has not been executed. Once she is arrested there is a period of time where she can remedy the ordinance violations at her Thompson Road property. If, during that time period, she does not remedy the situation, the Township may clean up the property and have the expense placed on the property's tax bill.

The discussion of ordinance enforcement procedures was tabled until the next meeting.

Bernhardt stated that his research into the State's medical marijuana statute has revealed that the Township cannot limit a patient's ability to grow within their residence as long as the patient complies with State regulations. It would be possible to regulate where a caregiver could grow plants for his patients as he would be compensated for his services (by definition a caregiver would be a business enterprise). It was suggested that a draft ordinance should be brought to the members for review and/or refinement.

During a short discussion of the Sign Ordinance (#1.128) it was noted that Northern Lights Assembly of God, Clyde's Restaurant, and the Jack Pine Tavern are using portable signs. The Zoning Administrator will advise these businesses of ordinance requirements.

September 13, 2010

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It was noted that the Solid Waste Collection Ordinance (#1.116) does state that garbage containers are to be put in an inconspicuous place between collection days. The Zoning Administrator will advise affected residents as they are brought to his attention.

The meeting adjourned at 8:15 PM.

Gerda Frimberger, Secretary

Minutes prepared by Judy Wright

**KINROSS CHARTER TOWNSHIP
PLANNING COMMISSION
REGULAR MEETING**

September 27, 2010

4884 W. Curtis St.

No Quorum – Meeting Not Held

**KINROSS CHARTER TOWNSHIP
PLANNING COMMISSION
REGULAR MEETING**

October 11, 2010

4884 W. Curtis St.

MEMBERS PRESENT

David Gaines, Chairman
Brenda Case, Trustee
Herman Calkins, Vice Chair
Gerda Frimberger, Secretary
Rick Bernhardt

MEMBERS ABSENT

Also, present Richard Oliver and Judy Wright. Attendance 1

Chairman Gaines called the meeting to order at 6:40 PM and led the Pledge of Allegiance.

#1 MOVED: by Bernhardt, second by Calkins, to approve the agenda as presented. Motion carried.

#2 MOVED: by Bernhardt, second by Calkins, to approve the minutes of September 13, 2010 as written. Motion carried.

PUBLIC COMMENT

- We are very frustrated with the condition of the residence at 77 Evergreen. Every time the Zoning Administrator sends a letter things get moved around and cleaned up for a short time, then even more rubbish is brought into the yard.
- When the 15 day time limit is reached, without anything being resolved, the Township Supervisor will be asked to contact an attorney to proceed with enforcement.

ZONING ADMINISTRATOR'S REPORT:

Laura Schroyer, 8532 W. Thompson Road, has been served a Notice to Appear in 91st District Court on October 29, 2010. The Deputy Supervisor will contact Attorney Justin to ask him to determine if Ms. Schroyer has an attorney that will help resolve issues prior to the court date. It would be desirable that the Township could hire someone to clean up the property and charge the expenses on the property tax bill, eliminating criminal penalties.

Bernhardt related his findings about the Michigan Medical Marihuana Act. He recommended that the Township hold a public hearing to obtain community input on the issue as a first step in developing an ordinance. Calkins told the Commission that the meeting he attended in Superior Township was concerned with issues of construction of a building that would house a growing facility in addition to adult entertainment.

#3 MOVED: by Bernhardt, second by Frimberger, to hold a public hearing on December 13, 2010, after mailing a questionnaire to residents, to obtain public input regarding developing a Medical Marihuana Ordinance. Motion carried.

The members were asked to develop questions that could be included on the questionnaire and bring them to the next meeting.

Chairman Gaines reminded the members that although the Medical Marihuana Ordinance is very important, all ordinances need to be reviewed to identify necessary revisions. Revisions should be mindful of the current Master Plan and the community's needs. The members were asked to review the first six (6) ordinances, in addition to the Zoning Ordinance, and be prepared to offer revisions for discussion at the next meeting

Trustee Case reminded members that those who had been registered for the Citizen Planner online courses need to complete their coursework as soon as possible. Gaines instructed Wright to remind those members who have outstanding coursework to get it completed.

PUBLIC COMMENT

- Remember, you are not an attorney and cannot give a legal opinion.
- Conflict of interest issues need to be addressed as they occur.
- Quarry inspections have been completed and permits are ready to be issued.

The meeting adjourned at 8:15 PM.

Gerda Frimberger, Secretary

Minutes prepared by Judy Wright

**KINROSS CHARTER TOWNSHIP
PLANNING COMMISSION
REGULAR MEETING**

October 25, 2010

4884 W. Curtis St.

MEMBERS PRESENT

David Gaines, Chairman
Brenda Case, Trustee
Herman Calkins, Vice Chair
Gerda Frimberger, Secretary
Rick Bernhardt

MEMBERS ABSENT

Also, present Judy Wright. Attendance 5

Vice Chairman Calkins called the meeting to order at 6:40 PM and led the Pledge of Allegiance.

#1 MOVED: by Bernhardt, second by Case, to approve the agenda with the addition of discussion of conflict of interest and information about medical marihuana from the seminar that Trustee Case attended. Motion carried.

#2 MOVED: by Case, second by Frimberger, to approve the minutes of October 11, 2010 as written. Motion carried.

PUBLIC COMMENT

- Resident stated that he is in compliance with the Township's ordinances and that the actions of a planning commission member are bordering on harassment.
- Member responded that she is not watching the resident's actions.
- The Chair stated that this personal matter should be resolved outside of the planning commission's meetings.

Copies of correspondence from Attorney Wm. Dyke Justin's office regarding the Schroyer property at 8532 W. Thompson Road were distributed to the members.

A short discussion of the development of a Medical Marihuana Ordinance yielded the following questions for the public to comment on: 1) Is medical marijuana something that Kinross Charter Township should address in an ordinance? 2) Do you think the growing of medical marijuana should be limited to specific areas of the Township? If so, where would you suggest? 3) What other issues related to medical marijuana do you think that the Planning Commission should address?

It was mentioned that the public hearing on December 13, 2010, would begin at 7:00 PM. Wright will arrange for announcements to be published in the Evening News on December 6 and November 29, 2010, as well as on the Township's website and any newsletters being published by the Township between now and December 13th.

Trustee Case related that the US Attorney General has expressed the opinion that it is not an efficient use of resources to prosecute persons complying with State laws governing medical marijuana even though the State law conflicts with Federal law. She also stated that Compassion Clubs have been

characterized as smoking clubs, but they are supposed to be a support group for patients and caregivers to learn techniques for growing medical grade plants, etc.

The general consensus of the Commissioners was that the focus of the Ordinance would most likely be the regulation of where caregivers could grow plants to supply their patients.

Reviewing Ordinances brought to light the following suggested revisions:

Ordinance #003-Liquor Control-Section 3 should include Kinross District Police officer to the second sentence. **Section 6** should reflect that penalties are detailed in Ordinance #1.132 Civil Infractions.

Ordinance #011A-Construction Code-no changes recommended at this time.

Ordinance #15-Trespassing on Cross Country Ski Trails-It is unclear if it is needed any longer. Calkins will research and report at the next meeting.

Ordinance #17-Unauthorized Vehicles or Persons on the Perimeter Streets Surrounding Kinross Correctional Facility-Section 1 should include the streets surrounding the other facilities. **Section 3** should reflect that penalties are detailed in Ordinance #1.132 Civil Infractions.

Ordinance #20-Subdivision Control-Sections 1.51-1.55 should list the names of the fees that could be charged by the Township and that the dollar amount of the fees shall be set by Resolution of the Township Board. An appendix could then be added with the current fees set by the resolution.

Ordinance #23-Operation of Snowmobiles within the former Air Force base-Section 3a should read "At a speed no greater than 25 mph having due regard to persons and property conditions that exist."

Ordinance #24-Establishment of a Planning & Zoning Commission-Replaced by Ordinance #1.134.

Ordinance #40-Fiscal Year -No changes

Ordinance #47A-Quarrying-The members want to receive input from Zoning Administrator Oliver before recommending anything on this ordinance.

Ordinances to be reviewed at the next meeting will be #47A, 55, 57, 58 & 1.100. Members are instructed to review the Master Plan for any new zoning districts that need to be defined in the ordinance.

Trustee O'Brien spoke with Chairman Gaines about his concerns regarding the sign ordinance (#1.128) being too restrictive in the use of portable signs. It was suggested that portable signs might be used for short term advertising. Inspections could be done to insure that they were properly maintained before annual licenses are renewed. Most members did not want to see temporary signs in residential areas.

Discussion held about members who feel they have a conflict of interest with an issue may ask to abstain.

The meeting adjourned at 8:40 PM.

Gerda Frimberger, Secretary

Minutes prepared by Judy Wright

**KINROSS CHARTER TOWNSHIP
PLANNING COMMISSION
REGULAR MEETING**

November 8, 2010

4884 W. Curtis St.

MEMBERS PRESENT

David Gaines, Chairman
Brenda Case, Trustee
Herman Calkins, Vice Chair
Gerda Frimberger, Secretary
Rick Bernhardt

MEMBERS ABSENT

Also, present Judy Wright. Attendance 0

Chairman Gaines called the meeting to order at 6:30 PM and led the Pledge of Allegiance.

#1 MOVED: by Bernhardt, second by Calkins, to approve the agenda with the addition of information about a Walk Safe Communities workshop he attended. Motion carried.

#2 MOVED: by Calkins, second by Frimberger, to approve the minutes of October 25, 2010 as written. Motion carried.

PUBLIC COMMENT

- A member stated that she learned at a SANE meeting that they are focusing medical marihuana enforcement on citizens having a card from the State because there is so much ambiguity in the law.

Reviewing Ordinances brought to light the following suggested revisions:

Ordinance #15-Trespassing on Cross Country Ski Trails-It is recommended that this Ordinance be repealed.

Ordinance #47A-Quarrying-It is recommended that **Section 18.08** be changed to reflect that violations be treated in accordance with Ordinance 1.132 Civil Infractions.

Ordinance #55 – Business Registration – Wright was instructed to secure information from the Sault Ste. Marie Chamber of Commerce regarding the regulations in the city.

Ordinance #58 – Group Insurance Plan – No action needed.

Ordinance #1.100 – Zoning – There is no provision for multi-family housing or special uses in commercial zones (such as small business incubators). It is recommended to update Section 12.03 to show the permitted uses listed in Section 14.02 Item 2 as Uses Subject to Special Approval with a limiting factor such as the size of the building. The Zoning Administrator will also investigate how to develop specific criteria to be used to approve special uses.

Ordinance #1.128 – Signs – The Zoning Administrator was asked to draft a revision that would allow the use of portable signs. This draft would contain regulations that mirror the Sault Ste. Marie Sign Ordinance.

Ordinances to be reviewed at the next meeting will be #55, 1.101, 1.102, 1.103, 1.104, & 1.105.

The budget will be addressed at the next meeting.

Vice Chair Calkins attended a Walk Safe workshop that indicated that the trend in community planning is to have small grocery stores, local farmers markets, and streetscaping to make the area more pedestrian friendly.

The meeting adjourned at 8:45 PM.

Gerda Frimberger, Secretary

Minutes prepared by Judy Wright

**KINROSS CHARTER TOWNSHIP
PLANNING COMMISSION
REGULAR MEETING**

November 22, 2010

4884 W. Curtis St.

MEMBERS PRESENT

Herman Calkins, Vice Chair
Gerda Frimberger, Secretary
Rick Bernhardt

MEMBERS ABSENT

David Gaines, Chairman
Brenda Case, Trustee

Also, present Judy Wright. Attendance 0

Vice Chair Calkins called the meeting to order at 6:35 PM and led the Pledge of Allegiance.

#1 MOVED: by Bernhardt, second by Frimberger, to approve ~~the~~ agenda with the addition of discussion of Ordinance #58. Motion carried.

#2 MOVED: by Frimberger, second by Bernhardt, to approve the minutes of November 8, 2010 as written. Motion carried.

PUBLIC COMMENT

None

Reviewing Ordinances brought to light the following suggested revisions:

Ordinance #55-Recommend repeal.

Ordinance #58-The Board members are included in the intro, section 1 and 2. Wright will research the Board's actions that might affect this ordinance and report at the next meeting.

Ordinance 1.101-Recommend that penalties be changed to civil infractions.

Ordinance 1.102- Recommend that penalties be changed to civil infractions.

Ordinance 1.103- Recommend that penalties be changed to civil infractions.

Ordinance 1.104-No changes needed.

Ordinance 1.105- Recommend that penalties, in sections 1 & 3, be changed to civil infractions.

#3 MOVED: by Bernhardt, second by Frimberger, to recommend that the Township Board approve the changes to ordinances #33, 1.101, 1.102, 1.103, and 1.105. Motion carried.

#4 MOVED: by Bernhardt, second by Frimberger, to ask that the Township Board determine the language that needs to be inserted into the ordinances to reflect that violations would be treated as civil infractions in accordance with Ordinance #1.132. Motion carried.

Could a summary of the ordinances be given to new residents when they come in to set up a water account?

Commission briefly discussed the budget suggesting \$500.00 be moved from Consultant Fees to Education. Finalizing the budget will be done at the December 13th meeting.

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Ordinances to be reviewed at the next meeting will be #58, 1.107, 1.109, 1.110, 1.112, 1.114, & 1.115, in addition to the Public Meeting regarding medical marihuana.

The meeting adjourned at 7:25 PM.

Gerda Frimberger, Secretary

Minutes prepared by Judy Wright

**KINROSS CHARTER TOWNSHIP
PLANNING COMMISSION
REGULAR MEETING**

December 13, 2010

4884 W. Curtis St.

MEMBERS PRESENT

David Gaines, Chairman
Herman Calkins, Vice Chair
Gerda Frimberger, Secretary
Rick Bernhardt
Brenda Case, Trustee

MEMBERS ABSENT

Also, present Judy Wright. Attendance 11

Chairman Gaines called the meeting to order at 6:30 PM and led the Pledge of Allegiance.

#1 MOVED: by Calkins, second by Case, to approve the agenda as presented. Motion carried.

#2 MOVED: by Case, second by Calkins, to approve the minutes of November 22, 2010 as written. Motion carried.

PUBLIC COMMENT

We need more street lights in the housing area. The Road Advisory Committee will be investigating this issue in the near future.

A discussion of the budget worksheet resulted in the Commission agreeing to submit to the Township Board a recommended budget of \$22,500.00 with a shift of \$500.00 from Consultant Fees (400-801.000) to Publishing (400-900.000).

Reviewing Ordinances brought to light the following suggested revisions:

Ordinance #1.107-Section 3-Instead of publishing fees within the ordinance change it to read that the Township Board may set fees by resolution. In Section 8 Recommend that penalties be changed to civil infractions.

Ordinance #1.109-Ask that the Police Department comment about necessary updates and recommend that penalties be changed to civil infractions.

Ordinance 1.110-In the third paragraph of Section 4 change "Receptacles must be placed at curbside no earlier than 5:00 am on the day of collection" to "Receptacles must be placed at curbside no earlier than 7:00 pm on the day before collection". In Section 10 recommend that penalties be changed to civil infractions and determine whether the second paragraph referring to litter gathering as a substitution for fines could be incorporated into the civil infractions penalties.

7:00 PM Public Comment Meeting Opened

Residents' comments regarding the Medical Marihuana Act and the need for an Ordinance included the following:

- I would suggest that the moratorium be extended until some clarification of the law is forthcoming.
- We should be more concerned about who has access to plants.
- Prosecutors can make their own decisions about what is a violation.
- What about minors in a secured growing area?
- We have to realize that the Act did not make marihuana legal; it only decriminalized the possession by qualified persons.
- Could we limit the number of caregivers per parcel?
- How would you address someone wanting to open a cooperative in the commercial district?
- What about free distribution?
- It took 40 years to regulate alcohol. This will not be resolved in a short time.
- Caregivers should be limited to where they could grow. There is money exchanged for products/services. It should be considered a commercial enterprise.
- We do not believe that the Township can regulate where a patient can grow.
- Having public discussion is well and good, but minimal involvement/regulation at this point would be a better idea than putting ordinances on the books that would have to be repealed later.
- Rest assured the passage of MMA will cause a major industry to evolve in Michigan.
- It is a smart idea to regulate the "business" activity in the residential area.
- I don't want it in my neighborhood.
- Could you amend the home occupation definition to include a growing operation by a caregiver?
- I have a problem with defining an illegal activity as an acceptable home business.
- Many people voted for the act believing that the State would have regulations/guidelines in place for local governments to follow.
- It is very important for the Township to be able to prove that any ordinance is reasonable and that public opinion was taken into consideration in its development and implementation.
- If necessary we will ask that the Board extend the moratorium an additional six months before an ordinance is put into effect.
- I think everyone understands that this act is just the first step to legalizing marihuana.
-

- By the government regulating and/or taxing this activity it could ease some budget issues for both government and its citizens.
- The Commission requested that anyone in attendance, who was not comfortable speaking tonight, to submit comments and questions by phone, e-mail or in writing and to ask their friends and neighbors who did not attend to also do the same.
- A file will be created for reference to be used for future meetings and discussion before an ordinance is drafted.

Meeting adjourned at 8:15 PM.

Gerda Frimberger, Secretary

Minutes prepared by Judy Wright

**KINROSS CHARTER TOWNSHIP
PLANNING COMMISSION
REGULAR MEETING**

December 27, 2010

4884 W. Curtis St.

MEMBERS PRESENT

David Gaines, Chairman
Herman Calkins, Vice Chair
Gerda Frimberger, Secretary
Brenda Case, Trustee

MEMBERS ABSENT

Rick Bernhardt

Also, present Treasurer Munro, Police Chief Micolo, and Judy Wright. Attendance 0

Chairman Gaines called the meeting to order at 6:35 PM and led the Pledge of Allegiance.

#1 MOVED: by Calkins, second by Case, to approve the agenda with the addition of Road Maintenance Ordinance & member compliance. Motion carried.

#2 MOVED: by Case, second by Calkins, to approve the minutes of December 13, 2010 as written. Motion carried.

PUBLIC COMMENT

We need to see if another member could take the online Citizen Planner classes that Chairman Gaines has not had time to take.

Chief Micolo suggested that an attorney be consulted to determine if most ordinance violations could be civil infractions with the option of arrest powers. It was discussed that the Township Board needs to establish the Municipal Ordinance Violations Bureau as defined in Section 6 of Ordinance #1.132.

Reviewing Ordinances brought to light the following suggested revisions:

Ordinance #1.111-No changes recommended.

Ordinance #1.112-Recommend that civil infractions be added to the misdemeanor penalties in Section 3.

Ordinance #1.114-No changes recommended.

Ordinance #1.115-No changes recommended.

Ordinance #1.116-No changes recommended as this ordinance has recently been amended by Ordinance #1.133.

Ordinance #1.121-Change penalties to civil infractions.

Ordinance #1.122- Change penalties to civil infractions.

Ordinance #1.125-No changes recommended.

Ordinance #1.126-No changes recommended.

Ordinance #1.127-Chief Micolo will contact the City of Sault Ste. Marie about how they handle parking violations before any recommendations are made.

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The Road Advisory Committee asked if a Road Maintenance Ordinance exists or is needed. Because Chippewa County maintains the roads in the Township, there is no need for an ordinance.

It was discussed that Commissioner Bernhardt has been in violation of junk vehicle and junk ordinances for numerous months. Commissioners agreed that as the people responsible for developing ordinances the members of the Commission should be setting an example for the community and that enforcement has to be uniform.

Meeting adjourned at 8:30 PM.

Gerda Frimberger, Secretary

Minutes prepared by Judy Wright