

**PLANNING COMMISSION
REGULAR MEETING**

January 11, 2016

4884 W. Curtis St.

MEMBERS PRESENT:

Arthur Brood
John Kane
Kathy Noel
Barbara Hampton

MEMBERS ABSENT:

Carolyn Hall

Also present Dan Warner and Judy Wright.

CALL TO ORDER:

Chairman Brood called the meeting to order at 6:35 PM

#1 MOVED: by John Kane, second by Kathy Noel, to approve the agenda as presented. Motion carried.

#2 MOVED: by Barbara Hampton, second by Kathy Noel to approve the minutes of the November 9, 2015, meeting. Motion carried.

OLD BUSINESS:

Master Plan – The Commissioners reviewed pages 44-62 of the draft for typographical errors or other necessary revisions. Chairman Brood noted the changes and will have an updated draft for the February meeting. Judy will insert the updated Recreation Plan when the draft Master Plan is ready for the Township Board to review.

NEW BUSINESS:

Ordinance #1.116 Solid Waste Collection – A question had been raised by the Township Supervisor as to whether the Zoning Administrator could issue citations with fines due to the Township. The Commissioners found that this activity was covered in section 902 of the ordinance. The section provides for the assessment of fines from \$100-\$500 for the first offense and addresses additional fines for subsequent offenses. It was noted also that a deadline for the removal of solid waste containers from curbside was needed. Trustee Noel will bring draft language to the Commission next month to include the addition of a removal deadline to the ordinance.

PUBLIC COMMENT:

Any word on the status of the Jack Pine Bar?
We need to address the issue of ORV usage at a future meeting.

ADJOURNMENT:

There being no further business the meeting was adjourned at 7:40 PM.

John A. Kane, Secretary

Minutes taken & typed by Judy Wright

**KINROSS CHARTER TOWNSHIP
REGULAR MEETING**

February 1, 2016

4884 W. Curtis St.

MEMBERS PRESENT

James Moore, Supervisor
Sheila M. Gaines, Clerk
Luanne Kooiman, Treasurer
Kathy Noel, Trustee
Carla Sare, Trustee
George Pierce, Trustee
Marvin Besteman, Trustee

MEMBERS ABSENT

Also, present Fred McClendon, Pat McMahon, Renee Gray, Deedee Frasure, Joe Micolo, Fire and EMS Personnel.

Attendance 19

Supervisor Moore called the meeting to order at 7:00PM and led the Pledge of Allegiance.

#1 MOVED: by Kathy Noel, second by Sheila Gaines, to approve the February 1, 2016, meeting agenda with addition of timber sale information submitted at the January 19, 2016, meeting. Motion carried.

#2 MOVED: by Luanne Kooiman, second by Kathy Noel, to accept the January 19, 2016, regular meeting minutes and the January 13th, 14th, and 20th, special meeting minutes as written. Motion carried.

#3 MOVED: by Luanne Kooiman, second by Carla Sare, to pay the following bills.

General Fund	8,124.60
Fire Fund	2,647.54
Ambulance Fund	30,362.18
Property Management	24,492.33
Parks Fund	36.24
Recreation Center Fund	4,005.16
Fairgrounds Fund	491.69
Golf Course Fund	3,192.86
Sewer Fund	48,249.13
Water Fund	3,654.07
Police Fund	6,128.98

Grand Total \$131,384.78

Ck# 46451-46492

Motion carried.

SUPERVISORS REPORT

- Recreation Plan received by the DNR we have until April 1, 2016 to submit for a Rec Grant.
- Looking into having Kallio Road repaired.
- There has been no reply from the Tribe regarding help with road repairs.

PUBLIC COMMENTS

- Rec Director Frasure publicly thanked Fred McClendon for helping clean out one of the rooms at the Rec Center for Community Action.

Three applicants submitted résumés for Fire Chief: Ed Jenerou, Pat McMahon, and Brian Bensel. Supervisor Moore interviewed candidates and recommended Pat McMahon for the position.

#4 MOVED: by Luanne Kooiman, second by Marvin Besteman, to hire Pat McMahon part time Fire Chief for the Fire Department. Motion carried.

#5 MOVED: by Kathy Noel, second by Luanne Kooiman, to approve the Duke Lake Timber Sale as written. Motion carried.

BOARD COMMENTS

Treasurer Kooiman- March Board of Review coming up.

CORRESPONDENCE

Kinross District Police Board Meeting Minutes
Officer Meyette's Resignation from the Police Department
Chief Micolo Monthly Report

Meeting adjourned at 7:15PM.

Sheila M. Gaines, Clerk

James R. Moore, Supervisor

**PLANNING COMMISSION
REGULAR MEETING**

February 8, 2016

4884 W. Curtis St.

MEMBERS PRESENT:

Arthur Brood
Kathy Noel
Barbara Hampton
Carolyn Hall

MEMBERS ABSENT:

John Kane

Also present Brian Lavey, Cloverland Electric Rep., Jim Moore, Herman Calkins, and Judy Wright.

CALL TO ORDER:

Chairman Brood called the meeting to order at 6:30 PM

#1 MOVED: by Kathy Noel, second by Carolyn Hall, to approve the agenda with the addition of discussion of meeting time and questions from Cloverland Electric representative. Motion carried.

#2 MOVED: by Barbara Hampton, second by Kathy Noel to approve the minutes of the January 11, 2016, meeting. Motion carried.

OLD BUSINESS:

Master Plan – The draft of the Master Plan is ready for the Township Board to review.

Ordinance #1.116 Solid Waste Collection – Several questions were discussed in relation to the penalties (fines) in Section 902, such as: who would issue the tickets; how is the money collected; can the fines be put on the water bill. Any references to publication notices (Section 1101) should be updated to state that appropriate media will be used in accordance with current laws. It was decided at the previous meeting that language should be added to section 504 detailing when containers are to be removed from curbside. Trustee Noel developed the following: “All Solid Waste Containers must be removed from the collection location promptly after collection takes place, and relocated/stored in accordance with Section 504 above. In no case shall Solid Waste Containers, of any description, remain at the collection location later than Midnight on the day of collection.”

Ordinance #1.110 Garbage & Litter Control – The next to the last paragraph in Section 4 needs to be changed to “Receptacles must be placed at curbside no earlier than *7:00 pm on the day before collection.*” from “Receptacles must be placed at curbside no earlier than *5:00 am on the day of collection.*” to be consistent with Ordinance #1.116. Also, Section 10 should be changed to reflect the same penalties as provided in Article IX, Sections 901-905 of Ordinance #1.116, for consistency.

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NEW BUSINESS:

Cloverland Electric – Mr. Lavey presented a preliminary site plan for the construction of a replacement substation near the location of A & L Iron & Metal on Kincheloe Drive. The setbacks in the light industrial zoning district were discussed.

#3 MOVED: by Carolyn Hall, second by Barbara Hampton, to allow Cloverland Electric to proceed with plans for substation construction based on the location on the preliminary site plan, given that the mechanical structures will be within the fenced area as indicated. Structures within the fenced area will adhere to setbacks of 75' from front property line, 50' from both the side and back property lines, and a maximum height of 35'. Motion carried.

Meeting Time – Beginning in March, the airport is adopting a new schedule that may make it impossible for Carolyn Hall to attend the Commission meetings. After a brief discussion it was decided to keep the same meeting time, subject to change at a future date.

PUBLIC COMMENT:

None

ADJOURNMENT:

There being no further business the meeting was adjourned at 7:45 PM.

John A. Kane, Secretary

Minutes taken & typed by Judy Wright

**PLANNING COMMISSION
REGULAR MEETING**

March 14, 2016

4884 W. Curtis St.

MEMBERS PRESENT:

Arthur Brood
Kathy Noel
Barbara Hampton
John Kane

MEMBERS ABSENT:

Carolyn Hall

Also present Judy Wright.

CALL TO ORDER:

Chairman Brood called the meeting to order at 6:35 PM

#1 MOVED: by Kathy Noel, second by Barb Hampton, to approve the agenda as presented.
Motion carried.

#2 MOVED: by Barbara Hampton, second by Kathy Noel to approve the minutes of the February 8, 2016, meeting. Motion carried.

PUBLIC HEARING OPENED 6:36 PM

OLD BUSINESS:

Ordinance #1.116 Solid Waste Collection – Members reviewed the updated copy. It was noted that a correction was needed in Section 902, line 2: “...*provided for in section 901*...” should read “...*provide for in section 504*...”

#3 MOVED: by John Kane, second by Barbara Hampton, to approve new wording in Ordinance #1.116 to align it with Board actions. Motion carried.

Ordinance #1.110 Garbage & Litter Control – The updated copy of the ordinance was reviewed. The heading of Section 10 should be changed to PENALTIES from PENALTY. The first sentence in the paragraph titled Civil Infraction should be changed to take out the phrase “... provided for in Section 901,...” as the reference is incorrect.

#4 MOVED: by Kathy Noel, second by John Kane, to approve the updated text of Ordinance #1.110 to align the ordinance with Board action and consistency with Ordinance #1.116. Motion carried.

Jack Pine Bar – No updates are available.

PUBLIC HEARING CLOSED 6:52 PM

#5 MOVED: by Kathy Noel, second by Barbara Hampton, to adopt the statistically updated Master Plan. Motion carried.

It was discussed that the members’ ordinance books need to be updated as soon as possible.

March 14, 2016

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The sign permits approved by Zoning Administrator Calkins were reviewed.

PUBLIC COMMENT:

None

ADJOURNMENT:

There being no further business the meeting was adjourned at 7:05 PM.

John A. Kane, Secretary

Minutes taken & typed by Judy Wright

The Planning

Commission Meeting

Scheduled For Monday,

April 11, 2016, Is

Cancelled

**PLANNING COMMISSION
REGULAR MEETING**

May 9, 2016

4884 W. Curtis St.

MEMBERS PRESENT:

Arthur Brood
Kathy Noel
Barbara Hampton
John Kane

MEMBERS ABSENT:

Carolyn Hall

Also present Pat Mason and Judy Wright.

CALL TO ORDER:

Chairman Brood called the meeting to order at 6:30 PM

#1 MOVED: by John Kane, second by Kathy Noel, to approve the agenda as presented. Motion carried.

#2 MOVED: by Barbara Hampton, second by John Kane to approve the minutes of the March 14, 2016, meeting. Motion carried.

PUBLIC COMMENT:

- How much smoke am I going to have to put up with this year from Payne & Dolan?
- Who's paying for the three phase electric line?
- The heavy truck traffic has ruined the front end of my truck.
- Last year the industrial park was completely engulfed in a cloud of smoke.

CHAIRMAN'S REMARKS:

If anyone can come up with a better plan to be able to draw on the maps of the township without damaging the maps, please let me know.

As I will be out of the state next month I thought we would cancel the meeting unless something critical comes up.

OLD BUSINESS:

Members' Ordinance Books – Newly printed copies of Ordinances #1.100-1.129 were distributed. As soon as additional ordinance copies can be printed they will be distributed also.

NEW BUSINESS:

Officers – Elected without opposition: Arthur Brood, Chairman; Barb Hampton, Vice Chairman; John Kane, Secretary.

#5 MOVED: by John Kane, second by Kathy Noel, to renew membership to Michigan Association of Planning at a cost of \$125.00. Motion carried.

ADJOURNMENT:

There being no further business the meeting was adjourned at 6:55 PM.

John A. Kane, Secretary

Minutes taken & typed by Judy Wright

Planning Commission meeting
of June 13, 2016, has been
canceled.

Next regular meeting is
scheduled for July 11, 2016.

**PLANNING COMMISSION
REGULAR MEETING**

July 11, 2016

4884 W. Curtis St.

MEMBERS PRESENT:

Arthur Brood
Kathy Noel
Barbara Hampton
John Kane

MEMBERS ABSENT:

Carolyn Hall

Also present Supervisor Jim Moore and Judy Wright.

CALL TO ORDER:

Chairman Brood called the meeting to order at 6:30 PM

#1 MOVED: by John Kane, second by Kathy Noel, to approve the agenda as presented. Motion carried.

#2 MOVED: by John Kane, second by Kathy Noel to approve the minutes of the May 9, 2016, meeting. Motion carried.

PUBLIC COMMENT: None

CHAIRMAN'S REMARKS:

I took a drive down Caldwell Road to check into Mr. Mason's complaint. My passenger said that it was one of the best gravel roads she had been on.

OLD BUSINESS:

Jack Pine Bar – The Chairman has been trying to contact Mr. Spencer to no avail. There was considerable discussion about whether he would be able to do anything with the remainder of the structure unless everything was settled with his insurance company.

Members' Ordinance Books – Copies of the remaining ordinances were distributed. Everyone now has the same version of all the ordinances.

Maps – It is the opinion of the Commission that acetate should be secured to cover the maps.

NEW BUSINESS:

Thompson Road – The fence that had been constructed exceeded the permitted height. After receiving a stop order from the Township, the property owner completed the necessary zoning permit application and corrected the issue.

Kinross Correctional – Supervisor Moore shared that he has had no indication from state officials what is planned for the empty buildings.

Hotel – Commissioner Hampton shared that the bushes in front of the building should be removed shortly, enabling further improvements to the front façade.

ADJOURNMENT:

There being no further business the meeting was adjourned at 7:00 PM.

John A. Kane, Secretary
Minutes taken & typed by Judy Wright

PLANNING COMMISSION REGULAR MEETING

August 8, 2016

4884 W. Curtis St.

MEMBERS PRESENT:

Arthur Brood
Kathy Noel
Barbara Hampton

MEMBERS ABSENT:

Carolyn Hall
John Kane

Also present Zoning Administrator Calkins and Judy Wright.

CALL TO ORDER:

Chairman Brood called the meeting to order at 6:35 PM

#1 MOVED: by Kathy Noel, second by Barb Hampton, to approve the agenda as presented. Motion carried.

#2 MOVED: by Barb Hampton, second by Kathy Noel to approve the minutes of the July 11, 2016, meeting with the correction of changing "*Thompson Road*" under new business to "*Ploegstra & Centerline Roads*". Motion carried.

PUBLIC COMMENT: None

CHAIRMAN'S REMARKS:

- There's an unlicensed vehicle on the corner of M-80 and Watertower that should be moved.
- I spoke to Jim Spencer after last month's meeting. He is going to jury trial. His attorney has advised him not to proceed with any clean-up until that is settled. I will try to contact his insurance agent to confirm.

Zoning Administrator Calkins presented information to the Commission about a possible drive-in movie being located at Clyde's restaurant on M-80. Several concerns were discussed, including the distraction of drivers and noise. It was suggested that the Chippewa County EDC be contacted, as they are the property owner, about their approval for the proposed use. There is no mention in the zoning ordinance about movie theaters, drive-in or otherwise. The restaurant is located in an industrial district. If a formal plan and application are received, the restaurant owners may want to consider locating the screen on a different side of the building and using technology for sound that would allow patrons to listen through their car radios. In any event, several ordinances would need to be considered before zoning would be approved.

NEW BUSINESS:

Ordinance Review – The new quarrying ordinance 1.137 repealed 47A. Ordinance 17 was repealed and replaced by ordinance 1.103. Number 003 needs to have the language updated as there is no Liquor Control Enforcement Department. Ordinances 011 and 15 appear to be up to date. The commissioners will study ordinance 20 for review next month as it was too lengthy to read and discuss at this time. The plan is to review a few ordinances each month.

ADJOURNMENT:

There being no further business the meeting was adjourned at 7:30 PM.

John A. Kane, Secretary

Minutes taken & typed by Judy Wright

Meeting Cancellation

*The September 12, 2016, Planning
Commission meeting is canceled.*

*The next regular meeting is scheduled for
Monday, October 10, 2016, at 6:30pm.*

PLANNING COMMISSION REGULAR MEETING

October 10, 2016

4884 W. Curtis St.

MEMBERS PRESENT:

Arthur Brood
Barbara Hampton
Kathy Noel

MEMBERS ABSENT:

Carolyn Hall
John Kane

Also present Zoning Administrator Calkins; Supervisor Moore; Pat Mason; Robert Wurschinger, After the Fact; and Nick Gabara, Oak City Construction

CALL TO ORDER:

Chairman Brood called the meeting to order at 6:30 PM

#1 MOVED: by Barb Hampton, second by Kathy Noel, to approve the agenda as presented. Motion carried.

#2 MOVED: by Kathy Noel, second by Barb Hampton, to approve the minutes of the August 8, 2016, meeting. Motion carried.

PUBLIC COMMENT:

- Bob Wurschinger presented a Broker Application for consideration by the Commission. Mr. Wurschinger explained that he is currently a Class AB dealer, but is considering application to become a licensed broker. There will be virtually no change to his business, it is merely a matter of ownership of the vehicles he sells.
#3 MOVED: by Kathy Noel, second by Barb Hampton, to approve Mr. Wurschinger's application for a broker license. Motion carried.
- Pat Mason addressed the Commission with concerns regarding the Payne & Dolan asphalt plant. "The odor is terrible"; the plant is emitting smoke; "who paid to have the road paved"; I paid over \$2,800.00 in repairs to my vehicle because the road was so bad, with all the constant truck traffic. There are others who are upset that the asphalt plant is not keeping promises they made concerning odor and noise, but for whatever reason, they do not attend meetings.

NEW BUSINESS:

- Zoning Permit Application – Chairman Brood called on Nick Gabara, Oak City Construction, to provide project details. Mr. Gabara advised that the project involves construction of a new digester, a building between the existing digester and the new digester, as well as a new electrical building for the Township's sewage treatment operations; a building permit is required for this new construction. Permit to be signed by Zoning Administrator Calkins and transmitted to County Building Inspector.
- Commissioners were provided with a copy of House Bill No. 4209, "AN ACT to license and regulate medical marihuana growers, processors, provisioning centers, secure transporters, and safety compliance facilities...", which was recently signed by the Governor. The Commission is now charged with amending Kinross Charter Township Ordinance No. 1.135 to accommodate provisions of this new law, including, but not limited to: establishing a fee to defray administration and enforcement costs; designating an enforcement agency; hours of operation; lighting; security; the number of facilities within the Township.

**PLANNING COMMISSION
REGULAR MEETING
October 10, 2016
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CHAIRMAN'S REMARKS:

- There remains a need to review all Ordinances, and Ordinance No. 20 was next scheduled for a review, but in light of all the issues before the Commission, we will delay review until these other matters have been addressed.

ADJOURNMENT:

There being no further business the meeting was adjourned at 7:48 PM

John A. Kane, Secretary

Minutes taken & typed by Kathy Noel

PLANNING COMMISSION REGULAR MEETING

November 14, 2016

4884 W. Curtis St.

MEMBERS PRESENT:

Arthur Brood
Kathy Noel
Barbara Hampton
John Kane

MEMBERS ABSENT:

Carolyn Hall

Also present Judy Wright.

CALL TO ORDER:

Chairman Brood called the meeting to order at 6:35 PM

#1 MOVED: by Kathy Noel, second by John Kane, to approve the agenda as presented.
Motion carried.

#2 MOVED: by John Kane, second by Kathy Noel to approve the minutes of the October 10, 2016, meeting as presented. Motion carried.

PUBLIC COMMENT: None

CHAIRMAN'S REMARKS:

- I believe that we should be very cautious in how we represent our community in reference to decisions on the two items on the agenda.

NEW BUSINESS:

2017-2018 Budget Worksheet – After a discussion of the current year's budget status it was decided that the figures for the current year would be adequate for the upcoming year.

Survey Results – The commissioners reviewed the 23 responses received from residents in Arbor Ridge, Caldwell and Wilson Roads. There were 3 positive, 3 neutral, and 17 negative responses. General complaints centered on soot, bad odor, and noise (both from the crusher and trucks). The commissioners decided that a letter would be sent to Payne & Dolan requesting a meeting on Tuesday, November 22, 2016, at 6:30 PM to discuss residents' concerns. Commissioners Hampton & Noel will investigate soot complaints by contacting the three residents that included their contact information. Pictures will be taken to substantiate their claims.

OLD BUSINESS:

Medical Marihuana – The changes that have recently been made in state law will not be in effect until December 2017. The discussion last month tended to look at primarily at limiting the number of facilities and the licensing fees that could be charged. The commissioners mentioned a number of factors that will be considered during the formulation of ordinance changes including: infrastructure support, law enforcement availability, volume of cash businesses would be handling, and quality of life factors for township residents. Much research and study will be done before presenting any updates to the Board for adoption.

ADJOURNMENT:

There being no further business the meeting was adjourned at 7:35 PM.

John A. Kane, Secretary

Minutes taken & typed by Judy Wright

PLANNING COMMISSION SPECIAL MEETING

Discuss resident issues with asphalt plant on Caldwell Road

November 28, 2016

4884 W. Curtis St.

MEMBERS PRESENT:

Arthur Brood
Kathy Noel
Barbara Hampton
Carolyn Hall

MEMBERS ABSENT:

John Kane

Also present Jim, Chris Noel, Ken Schmidt, and Gery Hartmann (all representing Payne & Dolan), Township Supervisor Jim Moore and Judy Wright.

Chairman Brood called the meeting to order at 6:30 PM and thanked the Payne & Dolan employees for taking the time and traveling here to speak to the Commission.

The survey revealed that residents' issues of concern were:

- Soot
- Noise
- Odor

Commissioners' comments included:

- Upon physical examination of several residences in the Arbor Ridge area, where the residents had volunteered their addresses on the survey, the "soot" mentioned by residents could not be found.
- This discoloration is not specific to the area around the asphalt plant. It is prevalent throughout the eastern Upper Peninsula.
- We will try to find a contact person for the Arbor Ridge Association that can be notified if the plant would need to be operated outside the normal business hours.
- We appreciate the information that you emailed to us regarding "honeydew", written by MSU UP Extension Forester, Bill Cook. It is our belief that this is indeed what the residents were referring to as soot.

Payne & Dolan representatives stated that:

- The DNR has inspected our operations several times during the past season and found no violations.
- We would encourage residents to call the plant directly if they have issues in the future.
- We have converted back-up alarms to "white noise" alarms that should be less offensive to the residents.
- There are several other odor reducing products that we will try using next season.

- The only time that the plant was operated outside regular business hours was when a particular job required paving during night-time hours. When those did occur we contacted the township office to advise them.
- There is a product called "30 second cleaner" that is excellent for removing the black discoloration from hard surfaces.

Supervisor Moore thanked Payne & Dolan for taking on the paving of Caldwell Road.

There being no further business the meeting was adjourned at 7:00 PM.

John A. Kane, Secretary

Minutes taken & typed by Judy Wright

PLANNING COMMISSION REGULAR MEETING

December 12, 2016

4884 W. Curtis St.

MEMBERS PRESENT:

Arthur Brood
Kathy Noel
Carolyn Hall

MEMBERS ABSENT:

Barb Hampton
John Kane

Also present Township Supervisor Jim Moore and Judy Wright.

CALL TO ORDER:

Chairman Brood called the meeting to order at 6:35 PM

#1 MOVED: by Kathy Noel, second by Carolyn Hall, to approve the agenda as presented.

Motion carried.

#2 MOVED: by Carolyn Hall, second by Kathy Noel to approve the minutes of the November 14, 2016, meeting as presented. Motion carried.

#3 MOVED: by Kathy Noel, second by Carolyn Hall to approve the minutes of the November 28, 2016, special meeting as presented. Motion carried.

PUBLIC COMMENT: None

CHAIRMAN'S REMARKS: None

NEW BUSINESS:

Ordinance #1.130 – Commercial Truck Route – After a discussion of various roads within the township the following motion was made:

#4 MOVED: by Carolyn Hall, second by Kathy Noel to add Caldwell Road as item Q in section 5 of the ordinance. Motion carried.

The goal for 2017 is to completely review the ordinances.

The members put acetate over the maps in the conference room.

ADJOURNMENT: There being no further business the meeting was adjourned at 7:35 PM.

John A. Kane, Secretary

Minutes taken & typed by Judy Wright