

**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