

**HAYES TOWNSHIP BOARD
MINUTES
January 14, 2019**

The regular meeting of the Hayes Township Board was called to order by Supervisor Ron VanZee at 7:00 p.m. at the Hayes Township Hall, 09195 Old US 31 N., Charlevoix

Supervisor VanZee asked to be joined in the pledge of allegiance.

Board members present were Warren Nugent, Bob Jess, Matt Cunningham, Julie Collard, and Ron VanZee. Audience members signed in were Shirlene Tripp, Roy Griffiths, Marilyn Morehead, John Royal, Grant Ohlson, Dee Janz, Doug Kuebler, Omar Feliciano, Warren & Cheri Bogan, Jerry Simpson, Paul Hoadley, Frank Shepherd, Michelle Rick-Biddick, Connie Foster, Jeffrey Willard, Neva Himebaugh, Katy Hill, Lisa Kuebler, Corey Bascom, Vel Kammerman.

REVIEWED AGENDA – Matt Cunningham made a motion, supported by Bob Jess to adopt the agenda as written.

Yays: Bob Jess, Julie Collard, Ron VanZee, Matt Cunningham, Warren Nugent

Nays: None Motion carried

PUBLIC COMMENTS – Public comments were taken with comments on the Upper Bayshore road construction project with the help of the tribe, and a question about Township Hall rental. The Township Hall was rented 7 times last year at a rate of \$100.00. Comments were made both in support of Hall rental and suggesting Hall rental space could be used for more offices.

TOWNSHIP REVIEW REPORT – Vel Kammerman reviewed the state required written township audit for fiscal year 7/1/2017-6/30/2018. The complete audit of the financial statements of all major accounts showed no issues that needed to be highlighted.

MINUTES – Bob Jess made a motion, supported by Matt Cunningham, to approve the December 10, 2018 regular meeting minutes as corrected.

Yays: Bob Jess, Julie Collard, Ron VanZee, Matt Cunningham, Warren Nugent

Nays: None Motion carried

INVOICES/WARRANTS –Matt Cunningham made a motion, supported by Julie Collard, to approve invoices totaling \$26,739.24 from the General Fund. A Roll Call Vote was taken.

Yays: Bob Jess, Matt Cunningham, Julie Collard, Ron VanZee, Warren Nugent

Nays: None Motion carried

TREASURERS REPORT – Julie Collard presented written report with an oral overview detailing all the current accounts held by the township.

COUNTY COMMISSIONER REPORT – No report.

ZONING ADMINISTRATOR REPORT – Larry Sullivan presented a written report with an oral overview. There was no Zoning Board of Appeals meeting last month.

PLANNING COMMISSION (PC) REPORT – Matt Cunningham reported the Planning Commission met on December 18th and reviewed possible survey questions with a plan to finalize at their January meeting. Roy Griffiths was elected to chair the committee and Omar Feliciano was elected Secretary/Vice Chair. The PC also held a Public Hearing January 3rd to hear comments on the Recreation Master Plan. The meeting went well and special thanks to Michelle Rick-Biddick, Omar Feliciano, Tom Darnton, Cliff Biddick, and Ron VanZee for updating the plan. The next Planning Commission meeting is scheduled for January 15th.

ZONING BOARD OF APPEALS (ZBA) REPORT – No Report – No ZBA meeting held.

PARKS & RECREATION ADVISORY COMMITTEE (P&R) REPORT – Michelle Rick-Biddick reported the committee had a water trails presentation and that neighboring communities are looking at a making Lake Charlevoix water trail. Water trails can help the local economy, improve the quality of life and the DNR supports them. The P & R Committee is working on getting the status update on the craft building removal as this could be a location for the tent. The next P & R meeting is scheduled for February 6th and they will elect officers and review the P & R bylaws.

TRUSTEE REPORTS – Bob Jess reported the he has received comments from residents on both sides of the marijuana issue and would like to see a committee form to look at this before we update our ordinance regarding this issue.

SUPERVISOR REPORT – Ron VanZee reported that Buday Sound Systems has worked on our Microphone system and it is working better. The amplifier may need repair and may be under warranty and we also need a recorder. This will be put on the February agenda. The Assessor is also ~~planned~~ planning to come and present a report at the February BOT meeting.

NEW BUSINESS – PARK COMMITTEE (P & R) APPOINTMENTS – The BOT reviewed applications for positions on the P & R Committee. Warren Nugent made a motion, supported by Bob Jess, to appoint Katy Hill to the P & R Committee.

Yays: Bob Jess, Matt Cunningham, Julie Collard, Ron VanZee, Warren Nugent

Nays: None Motion Carried

Julie Collard made a motion, supported by Warren Nugent, to appoint Leslie Cunningham to the P & R Committee.

Yays: Bob Jess, Matt Cunningham, Julie Collard, Ron VanZee, Warren Nugent

Nays: None Motion Carried

Warren Nugent made a motion, supported by Bob Jess, to appoint Lisa Kuebler to the P & R Committee.

Yays: Bob Jess, Matt Cunningham, Julie Collard, Ron VanZee, Warren Nugent

Nays: None Motion Carried

Matt Cunningham made a motion, supported by Julie Collard, to appoint Paul Zardus to the P & R Committee.

Yays: Bob Jess, Matt Cunningham, Julie Collard, Ron VanZee, Warren Nugent

Nays: None Motion Carried

NEW BUSINESS – ZONING BOARD OF APPEALS (ZBA) APPOINTMENTS – Ron

VanZee indicated there were two people interested in serving on the ZBA as a fulltime member. The BOT reviewed the candidates to fill a ZBA position. Bob Jess made a motion, supported by Julie Collard, to appoint Frank Shepherd to the Zoning Board of Appeals (ZBA).

Yays: Bob Jess, Julie Collard, Ron VanZee, Warren Nugent

Matt Cunningham recused himself from the vote and discussion

Nays: None Motion carried

NEW BUSINESS – BOARD OF REVIEW (BOR) MEETING DATES – Ron VanZee

reviewed the planned dates for 2019 BOR. The BOR will hold an organizational meeting March 5th, 2019 at 6:00pm. Public meeting will be held March 11th, 9:00am – 12:00pm, & 1:30pm – 4:30pm as well as March 12th, 1:00pm – 4:00pm & 6:00pm-9:00pm. All meetings are held at the Hayes Township Hall. Appointments can be made by calling Ron VanZee at 231-497-4701 or by mail to his attention to the Hayes Township, 09195, Old US31 N., Charlevoix, Mi, 49720.

NEW BUSINESS – PHASE 4 & 5 BIKE TRAIL LETTER – Bob Jess made a motion,

supported by Matt Cunningham, to authorize the Township Clerk Warren Nugent to send a letter from the Township Board and the P&R Committee to support making bike trail phases 4 and 5 as a Charlevoix County priority.

Yays: Bob Jess, Matt Cunningham, Julie Collard, Ron VanZee, Warren Nugent

Nays: None Motion Carried

NEW BUSINESS – TOWNSHIP RECREATION MASTER PLAN UPDATE – Warren

Nugent made a motion, supported by Julie Collard, to adopt the Recreation Master Plan Update Resolution as written.

Yays: Matt Cunningham, Bob Jess, Ron VanZee, Warren Nugent, Julie Collard

Nays: None Motion carried.

RECREATION MASTER PLAN UPDATE RESOLUTION NO 011419

WHEREAS, Hayes Township, Charlevoix County has undertaken a Five-Year Parks and Recreation Plan which describes the physical features, existing recreation facilities and the desired actions to be taken to improve and maintain recreation facilities during the period between 2019 and 2024, and

WHEREAS, a public hearing comment session was held by the Hayes Township Planning Commission on January 3, 2019 at the Hayes Township Hall to provide an opportunity for citizens to express opinions, ask questions, and discuss all aspects of the Recreation Plan, and

WHEREAS, Hayes Township, Charlevoix County has developed the plan for the benefit of the entire community and to adopt the plan as a document to assist in meeting the recreation needs of the community, and

WHEREAS, after consideration of comments from the public hearing held on January 3, 2019, the Hayes Planning Commission voted at the special meeting January 3, 2019 to adopt said Recreation Plan as amended, and recommend the plan to the Hayes Township Board of Trustees for adoption.

NOW, THEREFORE BE IT RESOLVED the Hayes Township Board hereby adopts the Hayes Township Recreation Plan as a guideline for improving recreation for the residents of the Hayes Township, Charlevoix County on this day January 14, 2019.

NEW BUSINESS – RECORDING SECRETARY – Ron VanZee indicated we had one application for the position of recording secretary. Warren Nugent made a motion, supported by Julie Collard, to hire Geneva (Neva) Himebauch as the Township Recording Secretary at the salary of \$150.00/meeting and \$15.00/hour for additional work.

Yays: Matt Cunningham, Bob Jess, Ron VanZee, Warren Nugent, Julie Collard
Nays: None Motion carried

NEW BUSINESS – ANNUAL ROAD COMMISSION MEETING – Ron VanZee indicated he would attempt to schedule the annual meeting with the Charlevoix County Road Commission either January 16th or the 17th at one of the available times of 5:00pm, 6:00pm, or 7:00pm. Matt Cunningham indicated that later times were better for him. No other board members indicated a time or date preference.

NEW BUSINESS – COUNTY PARKS APPROPRIATION ADDENDOM – Warren Nugent made a motion, supported by Matt Cunningham, to authorize Supervisor Ron VanZee to sign the Charlevoix County Parks Addendum extending the phase 1 completion date.

Yays: Bob Jess, Ron VanZee, Warren Nugent, Julie Collard, Matt Cunningham
Nays: None Motion carried

NEW BUSINESS – CHARLEVOIX STATE BANK LOAN PAYMENT – Bob Jess made a motion, supported by Julie Collard, to pay off the Charlevoix State Bank Loan obligation of \$254,296.88 as of January 15th 2019. Roll Call Vote

Yays: Matt Cunningham, Bob Jess, Julie Collard, Ron VanZee, Warren Nugent
Nays: None Motion carried

Board Discussion. Ron VanZee indicated paying off the loan now will save the township \$19.10/day in added interest. Warren Nugent pointed out that we have the cash flow now to pay the loan and our other financial obligations. The cash flow situation will not change before the March 1st loan due date.

NEW BUSINESS – HAYES TOWNSHIP PARK PAYMENT #6 & #7 – Phase 1 contractor's application for payment's #6 and #7 from MDC were combined by the BOT. Julie Collard made a motion, supported by Warren Nugent, to combine and pay payments #6 & #7 for a total of \$203,553.95 Roll Call Vote

Yays: Bob Jess, Julie Collard, Ron VanZee, Warren Nugent
Matt Cunningham recused himself from the discussion and the vote on the motion
Nays: None Motion carried

Board Discussion. Warren Nugent indicated the Township can cash flow these payments now and we will be able to submit for more grant reimbursements after making these payments. A cash flow issue may surface for both the construction account and the general fund around the time the construction completion payments are due.

NEW BUSINESS – PERFORMANCE ENGINEERING BILL – Warren Nugent made a motion, supported by Bob Jess, to authorize Clerk Warren Nugent to work with the Engineer to further evaluate this bill and come up with a solution the board may approve at the next BOT meeting.

Yays: Bob Jess, Julie Collard, Ron VanZee, Warren Nugent
 Matt Cunningham recused himself from the vote and discussion

Nays: None Motion carried

Board Discussion. Warren Nugent indicated that we have paid the contractor only for construction items actually completed and kept a 10% retainage however this bill would pay the Engineer the entire project cost. Ron VanZee pointed out that the Township is required by law to keep a minimum of \$210,000 (6 months operating funds) in the General Fund and this money can only be spent in an emergency situation. Julie Collard indicated there is no budget for additional engineering cost and the current bills are 1/3 of the townships average monthly bills.

NEW BUSINESS – PARK CHANGE ORDER #8 – Julie Collard made a motion, supported by Warren Nugent, to accept change order #8 as written reducing fishing pier cable size from #8 to #10 reducing cost by \$102.50 as written and authorize Ron VanZee to sign it. Roll Call Vote

Yays: Julie Collard, Ron VanZee, Warren Nugent
 Matt Cunningham recused himself from the vote and discussion

Nays: Bob Jess Motion carried

Board Discussion. Bob questioned why is this cable reduction better? Engineer Jim Malewitz stated that this will get us power to the end of the fishing pier.

PUBLIC COMMENTS – Public comments were taken regarding the bike paths in the township as snow plows are plowing snow into the path. Snowmobiles have been using the bike paths. Bike path violations should be reported to the sheriff's office and maintenance expenses come from a county fund. Old business was reviewed, park property development and township hall property split were removed Public Comment closed at 9:08.

ADJOURNMENT – Bob Jess made a motion, supported by Matt Cunningham, to adjourn at 9:09 p.m.

Yays: Matt Cunningham, Bob Jess, Ron VanZee, Warren Nugent, Julie Collard

Nays: None Motion carried

Respectively submitted

Warren Nugent
 Hayes Township Clerk