

1 Hayes Township Board
2 Regular Meeting Minutes

3 June 10, 2019

4 09195 Old U.S. N, Charlevoix, MI 49720
5

6 The June 10, 2019 meeting of the Hayes Township Board was called to order by
7 Supervisor Ron VanZee at 7:00 pm. at the Hayes Township Hall, 09195 Old US 31
8 N., Charlevoix, MI 49720.
9

10 Board members present were: Matt Cunningham (Trustee), Julie Collard
11 (Treasurer), Warren Nugent (Clerk), Ron VanZee (Supervisor), Bob Jess
12 (Trustee)

13 Also Present: Kristin Baranski (Recording Secretary/Deputy Clerk), Larry
14 Sullivan (Zoning Administrator)

15 Audience Members signed in: Jim McMahon, Diane McMahon, Doug Kuebler,
16 Dee Jaz, Shirlene Tripp, Connie Foster, Roy Griffiths, Donald Zipp, Jerry
17 Simpson, Marilyn Moorehead, John Royal, Jim Malewitz, Dave Kemme, Sharon
18 Bagley, Betty Henne, Bill Henne
19

20 **PLEDGE OF ALLEGIANCE:** Supervisor VanZee asked everyone to join him in the
21 Pledge of Allegiance.
22

23 **REVIEWED AGENDA:** Line item 18: Engineering Recommendation Review
24 deleted (not available).

25 Agenda Approved as amended.

26 Mr. Cunningham made a motion, supported by Ms. Collard, to adopt the
27 agenda as amended.

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

29 Nays: None **Motion Carried**
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31

32 **PUBLIC COMMENTS:** Public comments included: township residents
33 respecting one another, Mr. Malewitz owed an apology, trash bin and kiosk

34 color scheme, ideas and prices for fence protecting shale wall, snow fence
35 above shale wall (Performance Engineering will donate snow fences and pier
36 escape ladder with board approval), parking for host house, open park July 1st,
37 2019, safety issues/excuses
38 Public comments closed at 7:17 pm.
39

40 **Approval of May 13, 2019 Regular Meeting Minutes:**

41 Mr. Cunningham made a motion to approve Hayes Township Board May 13,
42 2019 regular meeting minutes as presented, supported by Ms. Collard.

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

44 Nays: None **Motion Carried**

45

46 **Approval of May 15, 2019 Budget Workshop Minutes:**

47 The following corrections were made to the draft minutes for the May 15, 2019
48 Budget Workshop draft minutes:

49 Line 19: ~~performing~~ performing

50 Mr. Nugent made a motion, supported by Mr. Jess, to approve the May 15, 2019
51 Budget Workshop minutes as amended.

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

53 Nays: None **Motion Carried**

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55 **Approval of May 30, 2019 Special Meeting Minutes:** The following corrections
56 were made to the draft minutes for the May 30, 2019 Special Meeting draft
57 minutes:

58 Line 24: ~~as-is~~

59 Line 26: ~~amended~~

60 Ms. Collard made a motion, supported by Mr. Jess, to approve the May 30,
61 2019 Special Meeting minutes as amended.

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

63 Nays: None **Motion Carried**

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65 **Approval of Warrants: General Fund/Capitol Project:** Warrants in the amount
66 of \$69,142.47 for township expenses and \$23,319.74 for Hayes Township
67 Park/Camp Seagull Capitol Project.

68 Mr. Nugent made a motion, supported by Mr. Cunningham, to approve
69 Township warrants in the amount of \$69,142.47. A roll call was taken.

70 Yeas: Matt Cunningham, Warren Nugent, Julie Collard, Ron VanZee

71 Recused: Bob Jess

72 Nays: None **Motion Carried**

73 Mr. Nugent made a motion, supported by Ms. Collard, to approve Capitol
74 Project warrants in the amount of \$23,319.74. A roll call was taken.

75 Yeas: Matt Cunningham, Warren Nugent, Julie Collard, Ron VanZee

76 Recused: Bob Jess

77 Nays: None **Motion Carried**

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79

80 **Treasurers Report:** Ms. Collard presented a written report with an oral
81 overview detailing all the current accounts held by the township. The township
82 cash flow was also reviewed.

83

84 **County Commissioner Report:** No report.

85

86 **Zoning Administrator Report:** A written report was presented by Mr. Sullivan
87 detailing issued zoning permits, land divisions, nuisance complaints, zoning
88 violations and short-term rental licenses. The full report is available for review
89 at the township hall.

90

91 **Planning Commissioner Report:** Mr. Cunningham reported the Planning
92 Commission met on May 21, 2019. The Planning Commission approved a
93 postponement of a Special Use Permit Hearing for Elmer's until the August 20,
94 2019 Planning Commission Regular Meeting. The next Planning Commission
95 meeting is June 18, 2019 at 7:00 pm at the Township hall.

96

97 **Zoning Board of Appeals Report:** Did not meet in May 2019.

98

99 **Parks and Recreation Report:** Mr. Jess reported on the following Parks and Rec
100 Committee discussions: garbage/ash cans, Board approval for Pine Point to lay
101 down 10 Yards of sand, committee would like to have Eastern Avenue Beach
102 staked, signage at Eastern Avenue Beach, Eastern Avenue Beach clean-up
103 scheduled for June 16, 2019 at 9 am and the possibility of guided park tours
104 while park is closed. Supervisor VanZee requested Mr. Jess obtain cost for
105 Eastern Avenue Beach as well as verbiage and cost for signage to be reviewed
106 by attorney and presented at July Board meeting.

107

108 **Trustee's Report:** Mr. Cunningham commented on the successful brining of
109 township roads.

110

111 **Supervisor Report:** Supervisor VanZee stated that township attorney, Bryan
112 Graham, will attend the July Board meeting to present to the Board different
113 options for Marijuana township ordinances. Supervisor VanZee asked for the
114 public to give input as well. Mr. Graham is also working on Reith & Reilly (H &
115 D). Supervisor VanZee discussed two letters from Mr. Graham that have been
116 presented to each Board Member. The first letter is regarding a second
117 engineering opinion and will remain between parties under attorney/client
118 privilege. The Board determined the second letter should be public knowledge.
119 Ms. Collard made a motion, supported by Mr. Cunningham, to make letter
120 public.

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

122 Nays: None **Motion Carried**

123

124 Ms. Collard read Mr. Graham's letter aloud. See letter attached.

125

126 Supervisor VanZee presented the color options for the trash bins and kiosk at
127 Hayes Township Park. The Board agreed on cedar (brown) for all wood
128 portions and hunter green for steel portions.

129

130 **New Business-Fiscal Year 2019/2020:** Supervisor VanZee stated elected officials
131 should delay 1.8% increase as well as any additional monies until January 2020
132 meeting. No motion for delay of 1.8% increase. No motion for delay of
133 additional monies until January 2020.

134

135 Mr. Nugent made a motion, supported by Ms. Collard, to adopt the July 2019-
136 May 2020 Township General Fund Budget. A roll call was taken.

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

138 Nays: None **Motion Carried**

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140 Mr. Nugent made a motion, supported by Mr. Jess, to accept proposed July
141 2019-May 2020 Road Budget. A roll call was taken.

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

143 Nays: None **Motion Carried**

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145 Mr. Nugent made a motion, supported by Mr. Jess, to accept the July 2019-May
146 2020 Phase I Construction Budget. A roll call was taken.

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

148 Nays: None **Motion Carried**

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150 **Business-Road Name Change Resolution:**

151 Mr. Nugent made a motion, supported by Mr. Cunningham, to accept and file
152 Hayes Township Resolution for Private Road Name.

153 Yeas: Matt Cunningham, Julie Collard, Warren Nugent, Ron VanZee

154 Nays: None

155 Recused: Bob Jess **Motion Carried**

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HAYES TOWNSHIP RESOLUTION PRIVATE ROAD NAME

157 Motion by Mr. Warren Nugent supported by Mr. Matt Cunningham to adopt the following
158 Resolution:

159 WHEREAS Bob Jess, Contractor/Owner Representative, is asking that the Township Board pass
160 a resolution naming the access easement/drive that sits in Anglers' Acres so the Equalization
161 Department can coordinate the County Numbering System within this project, and

162 THEREFORE IT SHALL BE RESOLVED the Hayes Township Board shall name this
163 ingress/egress access Lawvoix Lane (Pvt) for the parcels involved as shown on an attached
164 drawing provided by Bob Jess. The property owner is to purchase and install the appropriate road
165 sign.

166 Motion carried unanimously.

167 I, Warren Nugent, Clerk for the Township of Hayes, County of Charlevoix certify that the above
168 Resolution was adopted at a regular meeting of the Hayes Township Board on Monday, June 10,
169 2019.

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171

Warren Nugent, Township Clerk

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176 **New Business-Road Project bid review:** Supervisor VanZee stated per
177 Charlevoix County Road Commission, bids are exceptionally high due to
178 overbooked schedule. VanZee suggested waiting until January 2020 and rebid
179 projects for summer 2020. Mr. Nugent made a motion to not accept bids for
180 Bayshore North paving project and to rebid in January 2020, supported by Ms.
181 Collard, amended by Mr. Jess to include the Upper Bayshore roads at the same
182 time if grant money is available.

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

184 Nays: None

Motion Carried

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New Business- Hayes Township Park Signs: Ms. Collard has been working on signage for Hayes Township Park with suggestions from the Parks and Rec Committee as well as Mr. Malewitz. Ms. Collard made a motion, supported by Mr. Cunningham, for approval of funds not to exceed \$3000.00 for signs and materials needed to hang/mount at Hayes Township Park. A roll call was taken.
Yeas: Matt Cunningham, Bob Jess, Julie Collard, Warren Nugent, Ron VanZee
Nays: None **Motion Carried**

Public Comments: Public comments opened at 8:22 pm. Public comments included: correction to previous budget motions:

Mr. Nugent made a motion, supported by Mr. Jess, that all previous approved budgets be corrected to reflect July 2019-June 30th, 2020.
Yeas: Matt Cunningham, Bob Jess, Julie Collard, Warren Nugent, Ron VanZee
Nays: None **Motion Carried**

Park open by July 1, shale wall plaque, better compensation for Supervisor VanZee, approval of Eastern Avenue beach sand, Don Zipp offered to donate his time and post material for signage at Hayes Township Park, welding charges for rail, cones could be used to deter, Supervisor VanZee will forward Mr. Malewitz’s letter to Mr. Graham, engineering invoices, engineer (per Graham’s January letter requesting copies of all contracts and invoices) will supply, Performance Engineering will donate snow fences and safety ladder, 5% contingency clarification, encourage Board to only open park after all safety issues are addressed, township salaries
Public comments closed at 8:42 pm.

ADJOURNMENT: Mr. Jess made a motion, supported by Ms. Collard, to adjourn at 8:43 p.m.
Yeas: Matt Cunningham, Bob Jess, Julie Collard, Warren Nugent, Ron VanZee
Nays: None **Motion carried**

218 Respectfully Submitted,

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220 Kristin Baranski

221 Hayes Township Deputy Clerk/Recording Secretary

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