

Hayes Township Board

Minutes

May 13, 2019

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

The regular meeting of the Hayes Township Board was called to order by Supervisor Ron VanZee at 7:01 pm. at the Hayes Township Hall, 09195 Old US 31 N., Charlevoix, MI 49720.

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

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

Audience Members signed in: Paul Hoadley, Doug Kuebler, Betty Henne, Bill Henne, Marilyn Morehead, John Royal, James Malewitz, Omar Feliciano, Jim Rudolph, JoEllen Rudolph, Dee Janz, Sheryl Shuks, Anne Kantola, David Zipp, Jeff Willard, Connie Foster, Bruce Deckinga, David Kemme, Roy Griffitts, Jeffery Ross, John Campbell

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

REVIEWED AGENDA: Supervisor VanZee added Budget Workshop, Security Camera Proposals and Purchase Offer for a portion of Hayes Township Park. Performance Engineers requested to be put on agenda. The Board feels that Performance Engineering has had enough opportunities to address items, including a recent special meeting. The Board agrees to allow the Professor Stanley Vitton from Michigan Technological University 10 minutes to summarize his opinion on the stability of the shale wall at Hayes Township Park at no cost (per Jim Malewitz) to Hayes Township at the beginning part of new business. The agenda is set as follows:

9a: Professor Vitton

9b: Schedule Budget Meeting

16b: Security Camera Proposals

16c: Offer to purchase portion of Hayes Township Park

Supervisor VanZee asked if anyone had any amendments to make to the agenda.

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

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

Nays: None Motion Carried

PUBLIC COMMENTS: Public comments included host house, Arts and Craft building, 9 Mile Point Park, change orders #9 and #10, snow fence at park, ADA compliant not satisfactory at park, opening park, security proposals published, Risk Assessor's credentials, Performance Engineering cost (\$0.00) vs proposals, Board sabotaging current engineer, determination of safety at park questionable

Public comments closed at 7:35 p.m.

APPROVAL OF MINUTES APRIL 1, 2019 REGULAR MEETING:

Mr. Nugent made a motion, supported by Mr. Jess, to approve the April 1, 2019 regular meeting minutes.

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

Nays: None Motion Carried

APPROVAL OF MINUTES APRIL 23, 2019 SPECIAL MEETING:

The following changes were made to the draft minutes:

Line 65: ~~Risk Assessment~~ DEQ permit

Line 85: ~~have~~ Had

Line 106: ~~Cann~~ Cain

Line 119: ~~Golovitch~~ Golovich

Mr. Jess made a motion, supported by Ms. Collard, to approve the April 23, 2019 special meeting minutes as amended.

Yeas: Matt Cunningham, Bob Jess, Julie Collard, Warren Nugent, Ron VanZee
Nays: None Motion Carried

INVOICES/WARRANTS: Mr. Nugent presented warrants for the month. Due to the early date of the meeting, he is still waiting on the Visa bill but would like to approve an estimated amount of \$800.00 in the warrants. Mr. Nugent made a motion, supported by Mr. Jess, to approve invoices not to exceed \$23,623.90 from the general fund. A roll call was taken.

Yeas: Matt Cunningham, Bob Jess, Julie Collard, Warren Nugent, Ron VanZee
Nays: None Motion Carried

TREASURERS REPORT: Ms. Collard presented written report with an oral overview detailing all the current accounts held by the township. The township cash flow report was also reviewed.

ZONING ADMINISTRATOR REPORT: A written report was presented by Mr. Sullivan. A request has been received for a ZBA meeting in June regarding the Zoning Administrator's interpretation that would allow a concrete batch plant to be in an industrial zone district if Special Use Permit is approved. The report is available at the township hall.

PLANNING COMMISSION REPORT: Mr. Cunningham reported the Planning Commission met on April 16, 2019. The Planning Commission approved a postponement of a Special Use Permit for Elmer's until July 16, 2019 Planning Commission regular meeting. BRI presented the survey results. Planning Commission also revised proposed budget. The Planning Commission had a Master Plan Workshop on April 30, 2019. The next Planning Commission meeting is May21, 2019 @ 7:00 p.m.

ZONING BOARD OF APPEALS: Did not meet in April 2019.

PARKS AND REC COMMITTEE REPORT: Mr. Jess reported the Parks and Rec Committee discussed the following: extending beach buoys at Eastern Avenue

Beach (submitted application to DEQ), researched grant opportunities to build bathrooms at Eastern Avenue Beach, beach clean-up June 16, 2019 with Pine Point Association, make water access points in township more user friendly and the addition of a township wide party in August at the township hall.

ASSESOR REPORT: No report

TRUSTEE REPORTS: Mr. Cunningham asked about road brining. Supervisor VanZee stated that the township is second on the list for brining.

SUPERVISOR'S REPORT: The Board will begin work on the budget at a workshop (with a quorum of board members) on May 15th, 2019 at 9:00 a.m. at the township hall. Charlevoix area pool is having an open house on May 19th, 2019 from 1-3 pm. Supervisor VanZee thanked Ms. Collard for fine job she did on the spring newsletter. Supervisor VanZee will donate and install a 16-foot gate at the old entrance at Hayes Township park to detour people from entering.

NEW BUSINESS-MICHIGAN TECH PROFESSOR: Professor Stanley Vitton from Michigan Technological University gave an oral review of his opinion of the stability of the shale wall at Hayes Township Park. He began with his educational and profession credentials. Professor Vitton pointed out that Norwood shale is very uncommon. After viewing the shale wall and completing additional analysis, he has determined, although it will continue to sloth shale, as time goes on, the fallen shale will create a slope that will provide additional support. He recommends a 5-foot-high chain link/cyclone fence approximately 5 feet from base of shale wall to collect fallen shale and help create a 60% slope. A full report, with additional information regarding Norwood Shale is expected to available for viewing after May 30th, 2019 at the township hall.

*NOTE: 10 minutes agenda allotment was extended to allow Professor to continue speaking with Board approval.

NEW BUSINESS-2019/2020 ANNUAL BUDGET MEETING: The annual budget meeting is schedule for June 10th, 2019 prior to the Board regular meeting at 6:00 pm. at the township hall. Mr. Nugent will post notice at township hall. Mr. Jess made a motion, supported by Mr. Nugent, to schedule the annual budget meeting on June 10th, 2019 at 6:00 pm one hour prior to the regularly scheduled June board meeting.

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

Nays: None Motion Carried

NEW BUSINESS Online Tax Payments-: The board approved an online tax payment option. The costs include a onetime set up fee of \$149.00 (includes all training and customer support) and an annual security fee of \$89.00. Costs to residents to use service are minimal (ACH \$1.00 flat fee, credit/debit 2.75% fee or under \$100 on a credit/debit payment is a \$0.50 flat fee). Tax payments can still be mailed in as well as dropped off at township hall.

Mr. Jess made a motion, supported by Mr. Cunningham, to set up with an online service to process tax payments. A roll call was taken.

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

Nays: None Motion Carried

NEW BUSINESS-TRUE STREAM INTERNET AT HAYES TOWNSHIP PARK:

True stream internet will be available in July at Hayes Township Park. Several different options were discussed (\$99/month, public WI-FI, up to users at a time, is an additional \$100 a month, WI-FI extender additional \$5 a month, back up battery)

NEW BUSINESS-STORMWATER INTERGOVERNMENTAL AGREEMENT WITH COUNTY:

The board resigned with the county to continue to authorize the county to enforce the storm water ordinance in Hayes Township.

Ms. Collard made the motion, supported by Mr. Nugent, to authorize Supervisor VanZee to sign the Intergovernmental Agreement Storm Water Management Ordinance Administration and Enforcement with the county.

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

NEW BUSINESS-TOWNSHIP ROAD PROJECT STATUS: The board reviewed three past proposals (Susan Shore Subdivision, Bay Shore Streets and Upper Bayshore Rd) for road repairs. The Upper Bay Shore Rd is on hold while waiting for a grant. Mr. Nugent made the motion, supported by Mr. Jess, to authorize the road commission to obtain bids for the Bay Shore Streets.

Yeas: Matt Cunningham, Bob Jess, Julie Collard, Warren Nugent, Ron VanZee
Nays: None Motion Carried

NEW BUSINESS- B&G ENTERPRISES CONTRACT RENEWAL: Mr. Nugent made motion, supported by Ms. Collard, to renew the annual contract with B&G Enterprises for plowing and mowing. A roll call was taken.

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

NEW BUSINESS- AMBULANCE CONTRACT COSTS FOR 2019-2020: Ms. Collard attended a recent meeting with current EMS company. Discussion items included local opioid epidemic, new training facility, improved response time, individual first responder kits, and new cots. Two options are available for Hayes Township. The first is \$35,598.65 and the second (includes a shared cost of \$65,000 for Stryker Ambulance Cots) is \$48,713.76 annually.

Mr. Jess made a motion, supported by Ms. Collard, to sign contract for \$48,713.76 on the condition that all cities/townships agree to new cots. A roll call was taken.

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

NEW BUSINESS- ENGINEERING PROPOSALS: The Board received 2 proposals for an engineering review of Hayes Township/Camp Sea-Gull Park. Mr. Nugent made a motion, supported by Mr. Jess, to set a special meeting on May 30th,

2019 at 7:00 pm. to consider proposals for engineering services with modifications.

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

Nays: None Motion carried

NEW BUSINESS- RISK REDUCTION GRANT PROGRAM (PAR PLAN):

Hayes Township
Resolution No. 051319A of 2019

At a regular meeting of the Hayes Township Board of Trustees, Charlevoix County, Michigan held in the Hayes Township Hall, located at 09195 Old US 31 N., Charlevoix Michigan on May 13, 2019

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

Absent: none

The following resolution was made by Warren Nugent and supported by Matt Cunningham, to-wit:

WHEREAS, the Township of Hayes has the authority to construct, operate, and maintain the Hayes Township Park; and

WHEREAS, the Township of Hayes is requesting a \$5,000.00 Risk Reduction Grant from the Michigan Township Participating Plan; and

WHEREAS, the Township of Hayes desires to construct a fence to prevent visitors getting to close to the steep hill overlooking the Hayes Township Park boat launch and fishing pier;

THEREFORE BE IT RESOLVED by the Hayes Township Board of Trustees that, pursuant and subject to all of the terms and provisions of the Risk Reduction Grant Program, application be made to the Michigan Township Participating Plan for funding; and

BE IT FURTHER RESOLVED that Tom Darnton, Park & Recreation Advisory Committee Member of said Hayes Township is hereby authorized and directed to cause the necessary data to be prepared and application to be signed and filed with The Michigan Township Participating Plan;

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

Nays: none

RESOLUTION DECLARED ADOPTED

I, the undersigned, the Clerk of the Township of Hayes, Charlevoix County, Michigan, do hereby certify that the foregoing is a true and complete copy of certain proceedings taken by the Hayes Township Board at its regular meeting held on May 13, 2019 relative to adoption of the resolution therein set forth; that said meeting was conducted and public notice of said meeting was given pursuant to and in full compliance with the Open Meetings Act, being Act 267, Public Acts of Michigan, 1976, and that the minutes of said meeting were kept and will be made available as required by said Act.

Dated: May 14, 2019

Warren Nugent, Clerk

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

Nays: None Motion carried

NEW BUSINESS- SECURITY CAMERA PROPSALS: The Board reviewed two proposals for boat launch video surveillance at Hayes Township/Camp Sea-Gull Park from Sunrise Electronics & Security and Habitec Security. Mr. Jess declared that he has worked with both companies but makes no money from either relationship. The Board decided there was no conflict of interest. Ms. Collard made a motion, supported by Mr. Nugent, to accept the proposal from Sunrise Electronics for security cameras and equipment at Hayes Township Park not to exceed \$13,759.65.

A roll call was taken.

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

Nays: None Motion carried

NEW BUSINESS- PORTION OF HAYES TOWNSHIP PARK PURCHASE OFFER:

The township has received an offer of \$800,000.00 to purchase the far west 300 feet of Camp Sea-gull (Hayes Township Park).

Mr. Nugent made a motion, supported by Mr. Jess, to reject the \$800,000.00 offer to purchase the far west 300 feet of Hayes Township Park.

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

Nays: None Motion carried

PUBLIC COMMENTS: Public comments included: Hayes Township Park is not totally ADA compliant, Reith Reilly/H&D \$16,000 bond not renewed annually/reclaim property, Michigan part of opioid lawsuit, fence at park not looking pretty, change order #9 is important put on agenda for special meeting; perhaps donation, contacts supplied to township from Performance Engineering, true stream unlimited, who made \$800,00.00 to purchase portion of park

Public comments closed at 10:04 p.m.

ADJOURNMENT: Mr. Jess made a motion, supported by Julie Collard, to adjourn at 10:05 p.m.

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

Nays: None Motion carried

Respectfully Submitted,

Kristin Baranski

Hayes Township Deputy Clerk/Recording Secretary