

**HAYES TOWNSHIP BOARD
MINUTES
October 8, 2018**

The regular meeting of the Hayes Township Board was called to order by Supervisor Ron VanZee at 7:05 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 Marlene Golovich, Paul Hoadley, Matt Cunningham, and Ron VanZee. Audience members signed in were Shirlene Tripp, Clare Zitka, Roy Griffiths, Connie Foster, Jeff Willard, Jim & Diane McMahon, Marilyn Morehead, John Royal, Bill Henne, Dee Hoadley, Cheri & Warren Bogan, Grant Ohlson, Christine Schwenke, Julie Collard, Gerald Mills, Dee & Gary Janz, Doug Kuebler, Deb Devitt, Ellen Harper, Jerry & Janet Simpson, Bob Jess, Warren Nugent, John Kughn, Sharon Bagby, Nancy LaCroix, Dave Zipp, Ed Bajos, Omar Feliciano, Cliff & Michelle Biddick, Matt Berg.

REVIEWED AGENDA – Matt Cunningham made a motion, supported by Paul Hoadley to adopt the agenda as amended adding change orders # 5, engineering proposal, drop box, fiscal emergency. Motion carried.

Public comment was taken on treasurer's position, deputy treasurer authority, web page information, attorney's opinions, Robbin Kraft job performance, Bob Jess PC attendance record.

Clerk Golovich stated that the Township attorney bases his legal opinions researching the law.

RESOLUTION OF SUPPORT – Paul Hoadley made a motion, supported by Matt Cunningham to adopt the following resolution.

WHEREAS, Hayes Township, Charlevoix County believes that Charlevoix is defined as a collection of townships, a city, a county, civic groups, neighborhoods, and schools bounded by Lake Charlevoix and Lake Michigan and in order to support the quality of life and local economy we now enjoy, we understand that it is important to look at the long-term picture of prosperity in this area; and

WHEREAS, as local leaders, we affirm the following regional priorities and pledge our efforts to work together and cooperatively toward achieving progress in these areas:

- More and better housing. Housing is critical to the future of our area. We desire to see housing options available and affordable for our workforce, our children, and grandchildren. Additionally, we believe the Charlevoix area has always prospered as premier destination on the Great Lakes and it is important to continue our tradition of resorts, second homes, and short-term and seasonal accommodations. Housing in the Charlevoix area should have clean and reliable utilities, strong access to high-speed data connections, and should have close access to walking and biking transportation. We believe housing should be offered for various stages of life and local regulations should welcome seniors and young families alike to enjoy the neighborhoods many of us have called home for decades; we believe housing should welcome persons of all income levels and ages together.

- **Jobs.** With people come the need and opportunity for ingenuity, investment, and industry. In order to support a growing workforce, we believe the Charlevoix area should foster an atmosphere welcoming of newcomers and affirming the businesses who have defined this area for generations. We believe a need exists to explore development and redevelopment for new business ventures in keeping with the values of this area. While we welcome all people to enjoy leisure time here, we affirm that this is a prosperous community and the encouragement of local business is a top priority.
- **Life lived better.** The calling card of the Charlevoix area is quality of life. We affirm the need to protect our vital natural resources—notably our freshwater. We believe the woods, dunes, waves, and snow are critically important to the draw for people to live and work in the Charlevoix area. Critical to quality of life is quality education. We believe the youth of Charlevoix should stand prepared for life and career upon graduation from high school and we encourage a robust investment in education for college bound students and students interested in skilled trades. This should entail education that is well-rounded and emphasizes life skills obtained through traditional classes, sports, the arts, and other extra-curricular activities. A world-class community deserves world-class schools.

NOW THEREFORE BE IT RESOLVED that Hayes Township, Charlevoix County affirms these values in our own entity and pledges to work cooperatively with the City of Charlevoix and area townships to reach the outcome we as a Township know is important.

Resolution adopted.

TREASURER POSITION – Matt Cunningham made a motion, supported by Ron Van Zee to appoint Julie Collard to fill the vacant position of Township Treasurer effective October 9, 2018.

Board discussion. Clerk Golovich stated she supported Julie, it is time to move on. She also stated that it was possibly illegal for Ron to remove tax payments and documents from the Hayes Township hall. The Township had a legal opinion from the Township attorney stating the deputy treasurer has the authority to process tax payments and disbursements. Clerk Golovich did not know if Ron was bonded to handle tax money. Paul stated the Township should move on with the appointment of a new Treasurer. Ron shared that he was getting a lot of calls from taxpayers because the former treasurer put his personal phone number on her home answering machine. He said he had a responsibility to the citizens who were calling to protect their assets. He stated we all have responsibilities and he made the best decision he could. He stated the County has done tax collection for other townships in the past. He stated that the County was willing to prepare everything for \$100.00 a month. Clerk Golovich stated Ron had no authority to enter into a contract with the county to do this work without a vote of the Board. Ron stated that he had a written contract with specific procedural instructions. He felt the price quoted from the county was fair, and offered to pay for it out of his own pocket if the board would not approve the charges because protecting the taxpayer's assets was that important to him. Clerk Golovich stated the County should be directed to bring everything back to the Township. Clerk Golovich said she thought it was wrong and would like to see the statute where it says it was ok for him to involve the county. Ron also stated that Julie has been training with other Townships and the County.

Roll Call

Yeas: Matt Cunningham, Paul Hoadley, Ron VanZee, Marlene Golovich

Motion carried

CHARLEVOIX COUNTY COMMUNITY FOUNDATION – Marlene Golovich made a motion, supported by Matt Cunningham to close out the Camp Sea-Gull improvement fund account with Charlevoix County Community Foundation. Motion carried.

SNOW PLOWING CONTRACT – Board consensus was to advertise for bids on the Township web page and post at the Township hall.

RULES OF PROCEDURE – Paul Hoadley made a motion, supported by Ron VanZee to purchase Rules of Procedure for the Board of Trustees prepared by Township attorney, Bryan Graham. Cost not to exceed \$300.00.

Yays: Matt Cunningham, Paul Hoadley, Ron VanZee, Marlene Golovich
Nays:
Motion carried.

AMEND BUDGET – Paul Hoadley made a motion, supported by Ron VanZee to amend the Capital Project Fund budget decreasing line item 401-540-541 State Grants (DNR Recreation Passport) \$45,000.00 making the total budgeted amount \$0 and decreasing line item 401-751-980 Parks & Recreation (Cabin Improvements) \$60,000.00 making the total budgeted amount \$0.

Yays: Matt Cunningham, Paul Hoadley, Ron VanZee, Marlene Golovich
Nays:
Motion carried

Matt Cunningham made a motion, supported by Paul Hoadley to amend the General Fund budget increasing line item 101-447 Public Works (Phragmites) \$350.00 making the total budgeted amount \$350.00 and reducing surplus funds by \$350.00.

Yays: Matt Cunningham, Paul Hoadley, Ron VanZee, Marlene Golovich
Nays:
Motion carried

CHANGE ORDER #5 – Paul Hoadley made a motion, supported Marlene Golovich to approve Change Order #5 to add one additional de-icer, motion sensors on three lights and install shore riprap west of boat ramp totalling \$4,733.5.

Yays: Paul Hoadley, Ron VanZee, Marlene Golovich
Nays:
Recused: Matt Cunningham
Motion carried

Paul Hoadley made a motion, supported Marlene Golovich to approve the payment of 12% of change order #5 to Performance Engineers, Inc. for engineering.

Yays: Paul Hoadley, Ron VanZee, Marlene Golovich
Nays:

Recused: Matt Cunningham
 Motion carried

Paul Hoadley made a motion, supported by Marlene Golovich to authorize the Supervisor to sign Change Order #5.

Yays: Paul Hoadley, Ron VanZee, Marlene Golovich
 Nays:
 Recused: Matt Cunningham
 Motion carried

AT&T METRO ACT – Marlene Golovich made a motion, supported by Paul Hoadley to authorize the Supervisor to sign the AT&T Metro Act Right of Way Permit Extension. Motion carried.

CEMETERY COMMITTEE – Matt Cunningham made a motion, supported by Paul Hoadley to appoint Dee Janz to the Undine Cemetery Advisory Committee. Motion carried.

Matt Cunningham made a motion, supported by Marlene Golovich to appoint Shirlene Tripp to the Undine Cemetery Advisory Committee. Motion carried.

TOWNSHIP EMERGENCY – Supervisor VanZee confiscated the Treasurers in-basket containing tax payments received but not yet processed and transported them to Charlevoix County Treasurers office for processing. A County Sheriff escorted him. Paul asked if VanZee if he had the statutory authority to do this. VanZee stated he declared an emergency per the Township emergency policy. Clerk Golovich stated that Ron should have called a special meeting for the Board to discuss. VanZee stated he called Paul but not Clerk Golovich. Paul stated that a special meeting should be called whenever possible.

LOCKED DROP BOX – Marlene Golovich made a motion, supported by Paul Hoadley to purchase a lockable, drop box not to exceed \$500.00.

Yays: Matt Cunningham, Paul Hoadley, Ron VanZee, Marlene Golovich
 Nays:
 Motion carried

CLERK PRESENTS

MINUTES – Matt Cunningham made a motion, supported by Paul Hoadley to approve the September 5, 2018 special meeting minutes as corrected. Motion carried.

Paul Hoadley made a motion, supported by Matt Cunningham to approve the September 10, 2018 regular meeting minutes as written. Motion carried.

Matt Cunningham made a motion, supported by Paul Hoadley to approve the September 18, 2018 special meeting minutes as corrected. Motion carried.

INVOICES/WARRANTS – Paul Hoadley made a motion, supported by Matt Cunningham to approve invoices totaling \$19,429.43 from the General Fund.

Yays: Matt Cunningham, Paul Hoadley, Ron VanZee, Marlene Golovich

Nays:

Motion carried

Paul Hoadley made a motion, supported by Ron VanZee to approve invoices totaling \$87,225.44 from the Capitol Project Fund.

Yays: Paul Hoadley, Ron VanZee, Marlene Golovich

Nays:

Recused: Matt Cunningham

Motion carried

CORRESPONDENCE – Any correspondence received by the Clerk was provided to the Board Members for their review and comment.

COUNTY COMMISSIONER REPORT – No report.

ZONING ADMINISTRATOR REPORTS – Larry Sullivan presented a written report with an oral overview.

CEMETERY REPORT – Sexton Jerry Simpson stated he needed a key to the storage barn at Camp Sea-Gull so he could use the tractor for maintenance at Undine Cemetery.

PARKS & RECREATION ADVISORY COMMITTEE – October 3 meeting. The committee discussed bathrooms at Eastern Ave. Beach, the Sandtastic beach grooming at EAB, the purchase of 6 swim buoys for Camp Sea-Gull via grants, the need for a DEQ permit for swim buoys at CSG, the potential for a Coastal Zone grant for an interpretive board walk through the wetlands at CSG, large rock piled at CSG and keeping the rocks from the rock wall.

PLANNING COMMISSION (PC) REPORT – Meeting was September 18. Passed the Falls special use permit, created a development check list for the waterfront committee and reviewed the first 4 chapters of the master plan. October 16 is the next meeting.

TREASURERS REPORT –

TRUSTEE REPORT – Matt reported that while standing by the wall at CSG loose rocks fell of the wall. This should be monitored. The Zoning Board of Appeals approved a non-conforming variance for Helga Strey to build a garage. The ZBA is also discussing adopting rules of procedures.

SUPERVISOR REPORT – Ron stated that the hosts, Greg & Becky Stauffer have left. They did a great job this summer. The snow fence on the west side of the park needs attention. Park of the Pines does not want to be a trail head so it will additional pressure for Hayes to be a trailhead at CSG. The sub-group has developed a first draft of the Recreation Plan. The next step is Planning Commission review and a public hearing.

Public comment was taken on selling stones from CSG, dirt on Elmer's property on Maple Grove Rd., liability during construction at CSG, elected officials representing everyone in the Township, Planning Commission Chair missed meetings, lack of reply

from supervisor regarding missed PC meetings, lack of bonding to handle Treasurers tax payments, lack of official declaration of Township emergency, approval of Supervisor, ADA compliant drop box, minutes on web page, Omar not paid for Sept. PC meeting, PC Chairs family values.

Marlene Golovich made a motion, supported by Paul Hoadley to adjourn at 8:58 p.m.
Motion carried.

Respectively submitted

Marlene Golovich
Hayes Township Clerk