

Hayes **Township** Board
Regular Meeting Minutes
December 13th, 2021
Hayes Township Hall
Zoom ID 812 6625 0226
9195 Major Douglas Sloan Road
Charlevoix, Michigan 49720

The December 13th, 2021 meeting of the Hayes Township Board was called to order by Supervisor Ron VanZee at 7:00 pm.

Board members present were: Matt Cunningham (Trustee), Julie Collard (Treasurer), Doug Kuebler (Trustee), Kristin Baranski (Clerk), April Hilton (Deputy Clerk/Recording Secretary)
Excused: Ron VanZee (Supervisor)

Audience Members signed in: Joe Stopped, Shirlene Tripp, Paul Hoadley, Tim Boyko, Ron Liscombe, Ellis Boal, Luanne Kozma, Bob Adams.

CALL TO ORDER

Supervisor Ron VanZee called the meeting to order at 7:00 pm.

PLEDGE OF ALLEGIANCE

REVIEWED & APPROVED AGENDA

Mr. Kuebler made a motion, supported by Mr. Cunningham, to approve the agenda as presented.

Yays: Matt Cunningham, Julie Collard, Doug Kuebler, Kristin Baranski, Ron VanZee

Nays: None Motion Carried

PUBLIC COMMENTS UNRELATED TO AGENDA ITEMS

Public comment opened and closed at 7:02. No comments

APPROVAL OF NOVEMBER 8TH, 2021 BOT MINUTES

Mr. Kuebler made a motion, supported by Ms. Baranski to approve the November 8th, 2021 Board of Trustees minutes as presented.

Yeas: Matt Cunningham, Julie Collard, Ron VanZee, Kristin Baranski, Doug Kuebler

Nays: None Motion Carried

TREASURERS REPORT

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Ms. Collard presented a written report reporting all Hayes Township account balances. Treasurer report is attached to minutes.

CLERKS REPORT: APPROVAL OF WARRANTS

Clerk, Ms. Baranski, presented the warrants in the amount of \$28,789.70.

Ms. Collard made a motion, supported by Ms. Baranski, to approve Township warrants in the amount of \$28,789.70. A roll call was taken.

Yeas: Matt Cunningham, Julie Collard, Ron VanZee, Kristin Baranski, Doug Kuebler

Nays: None **Motion Carried**

Mr. Kuebler made a motion, supported by Mr. Cunningham, to approve the Charlevoix County Road Commission invoice in the amount of \$203,256.89, for the paving of See Road. A roll call was taken.

Yeas: Matt Cunningham, Julie Collard, Ron VanZee, Kristin Baranski, Doug Kuebler

Nays: None **Motion Carried**

COUNTY COMMISSIONER REPORT

Mr. Jess presented the County Commissioner report.

PARKS AND REC. REPORT

Ms. Collard presented the Parks and Rec. Report. The full report is available at the Township Hall.

PLANNING COMMISSION

Mr. Cunningham presented the Planning Commission Report. The next Planning Commission meeting is December 21st, 2021.

ZONING BOARD OF APPEALS

Zoning board of appeals did not meet.

ZONING ADMINISTRATOR REPORT

Ron VanZee presented a Zoning Administrator report. A copy of the report is attached to the minutes.

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SUPERVISOR REPORT: Ron VanZee presented a Supervisor report.

**JOEL STOPPEL PRIVATE ROAD NAME RESOLUTION: “HIGH MEADOW TRAIL” EASEMENT
OFF OF MURRAY ROAD**

**HAYES TOWNSHIP RESOLUTION
PRIVATE ROAD NAME
121321A**

Motion by Ms. Baranski supported by Ms. Collard to adopt the following:

WHEREAS Joel Stoppel, Property Owner, is asking the Hayes Township Board of Trustees to pass a resolution naming the created easement, as a result of a property split that sits on his property so the Equalization Department can coordinate the County Numbering System within this property, and

THEREFORE, IT SHALL BE RESOLVED the Hayes Township Board of Trustees shall name this ingress/egress access High Meadow Trail for the parcels involved as shown on an attached survey provided by Joel Stoppel. The requestor is to purchase and install the appropriate road sign.

Motion carried.

I, Kristin Baranski, Clerk for the Township of Hayes, County of Charlevoix certify that the above Resolution was adopted at a regular meeting of the Hayes Township Board of Trustees on Monday, December 13, 2021.

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**BETHANY LUTHERAN CHURCH REZONE RESOLUTION: AGRICULTURAL (A) TO
NEIGHBORHOOD COMMERCIAL (C-1)**

**Amendment To the Hayes Township Zoning Ordinance
Charlevoix County, Michigan**

NOTICE OF ADOPTION

It is Ordained that the Hayes Township, Charlevoix County, Michigan Zoning Ordinance, shall further be amended as follows:

BETHANY LUTHERAN CHURCH REZONE

WHEREAS the Hayes Township Planning Commission held a hearing October 26th, 2021 per Section 10.01 of the Zoning Ordinance to take public comment on a request from Bethany Lutheran Church to rezone from A-1 Agricultural to Neighborhood Commercial (C-1) for approximately 1.4-acre parcel with property number 15-007-118-004-35 located at 11906 U.S. 31 N and recommended rezoning the property based on the request is supported by the Township Master Plan, and

WHEREAS the Charlevoix County Planning Commission reviewed the proposed rezone at their November 4th, 2021 meeting recommending the rezone request, and

THEREFORE IT SHALL BE RESOLVED the Hayes Township Board approves the rezone of approximately 1.4 acres with property number 15-007-118-004-35 located at 11906 U.S. 31 N from A-1, Agricultural to Neighborhood Commercial (C-1), and shall herein cause the Zone District Map to be amended as such.

This Amendment may be purchased or inspected at the office of the Hayes Township clerk, 09195 Major Douglas Sloan Road, Charlevoix on Mondays from 9:00 a.m. – 12:00 p.m. This Amendment was adopted at the regular meeting of the Hayes Township Board on December 13, 2021 and shall be effective upon the expiration of 7 days after publication provided no notice of intent to file a petition is submitted to the Township Clerk.

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Mr. Kuebler made a motion, supported by Mr. Cunningham, to adopt the Bethany church rezone from Agricultural to Neighborhood Commercial of approximately 1.4 acres. A roll call was taken.

Yeas: Matt Cunningham, Julie Collard, Ron VanZee, Kristin Baranski, Doug Kuebler

Nays: None **Motion Carried**

2021 MICHIGAN FORFEITURE REPORT

Mr. Cunningham made a motion, supported by Mr. Kuebler, to approve Ron VanZee to respond to the State of Michigan Department of State Police regarding the forfeiture report.

Yeas: Matt Cunningham, Julie Collard, Ron VanZee, Kristin Baranski, Doug Kuebler

Nays: None **Motion Carried**

LAKE CHARLEVOIX EMS BUILDING

**RESOLUTION AUTHORIZING PUBLICATION OF NOTICE OF INTENT TO ISSUE
CAPITAL IMPROVEMENT BONDS AND DECLARATION OF INTENT TO REIMBURSE**

**TOWNSHIP OF HAYES
County of Charlevoix, State of Michigan**

Minutes of a regular meeting of the Township Board of the Township of Hayes, County of Charlevoix, State of Michigan, held on the 13th day of December, 2021, at 7:00 p.m. prevailing Eastern Time.

The following preamble and resolution were offered by Mr. Cunningham and supported by Mr. Kuebler:

WHEREAS, the Township of Hayes, County of Charlevoix, State of Michigan (the "Township"), intends to authorize the issuance and sale of one or more series of general obligation limited tax capital improvement bonds pursuant to Act 34, Public Acts of Michigan, 2001, as amended ("Act 34"), in an amount not to exceed One Million Five Hundred Thousand Dollars (\$1,500,000) to pay all or part of the cost to acquire, construct, furnish and equip various capital improvements within the Township, consisting generally of improvements to the Township's fire

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station to improve and equip the facility to operate as an EMS facility, together with all related site improvements, appurtenances and attachments (the “Project”); and

WHEREAS, a notice of intent to issue bonds must be published before the issuance of the aforesaid bonds in order to comply with the requirements of Section 517 of Act 34; and

WHEREAS, the Township intends at this time to state its intention to be reimbursed from proceeds of the Bonds for any expenditures undertaken by the Township for the Project prior to issuance of the Bonds.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The Township Clerk is hereby authorized and directed to publish a notice of intent to issue the Bonds in the *Petoskey News Review*, a newspaper of general circulation in the Township.

2. The notice of intent shall be published as a display advertisement not less than one-quarter (1/4) page in size in substantially the form attached to this Resolution as Exhibit A.

3. The Township Board does hereby determine that the foregoing form of Notice of Intent to Issue Bonds, and the manner of publication directed, is adequate notice to the taxpayers and electors of the Township, and is the method best calculated to give them notice of the Township’s intent to issue the Bonds, the purpose of the Bonds, the security for the Bonds, and the right of referendum of the electors with respect thereto, and that the provision of forty-five (45) days within which to file a referendum petition is adequate to insure that the Township’s electors may exercise their legal rights of referendum, and the newspaper named for publication is hereby determined to reach the largest number of persons to whom the notice is directed.

4. The Township makes the following declarations for the purpose of complying with the reimbursement rules of Treas. Reg. § 1.150-2 pursuant to the Internal Revenue Code of 1986, as amended:

(a) The Township reasonably expects to reimburse itself with proceeds of the Bonds for certain costs of the Project which were paid or will be paid from funds of the Township subsequent to sixty (60) days prior to today.

(b) The maximum principal amount of debt expected to be issued for the Project, including issuance costs, is \$1,500,000.

(c) A reimbursement allocation of the capital expenditures described above with the proceeds of the Bonds will occur not later than 18 months after the later of (i) the date on which the expenditure is paid, or (ii) the date the Project is placed in service or abandoned, but in no event more than three (3) years after the original expenditure is paid. A reimbursement allocation is an allocation in writing that

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evidences the Township's use of the proceeds of the Bonds to reimburse the Township for a capital expenditure made pursuant to this resolution.

5. The Township Board hereby approves the engagement of Miller, Canfield, Paddock and Stone, P.L.C. as bond counsel in connection with the issuance of the Bonds.

6. All resolutions and parts of resolutions insofar as they conflict with the provisions of this resolution are hereby rescinded.

Yeas: Matt Cunningham, Julie Collard, Ron VanZee, Kristin Baranski, Doug Kuebler

Nays: None Motion Carried

RESOLUTION DECLARED ADOPTED.

FOOD PANTRY NEW ACCOUNT RESOLUTION

HAYES TOWNSHIP, CHARLEVOIX COUNTY

ACCOUNT SIGNATURE RESOLUTION

Resolution 121321D

Ms. Collard made a motion, supported by Ms. Baranski to adopt the following resolution to allow Treasurer Julie Collard to open an account at Charlevoix State Bank, Charlevoix and deposit all Food Pantry Donation monies from the General Fund account into this account.

WHEREAS, the State provides under the Revised Statutes of 1846, Chapter 41, Section 65 that the Township Treasurer and the Township Clerk be authorized signers of Township Bank accounts, and

WHEREAS, the State provides under the Revised Statutes of 1846 Chapter 41, Sections 69 and 77 that the Township Treasurer and the Township Clerk appoint a Deputy Treasurer and a Deputy Clerk with all powers of the Township Treasurer and Clerk, and

THEREFORE IT SHALL BE RESOLVED, the Hayes Township Board recognizes the following people to be authorized signers on all bank accounts; Julie Collard, Treasurer; Kristin Baranski, Clerk; Lisa Kuebler, Deputy Treasurer; and April Hilton, Deputy Clerk.

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HAYES TOWNSHIP FEDERAL PROCUREMENT CONFLICT OF INTEREST POLICY (ARPA FUNDS)

The Board of Trustee's came to a census to research and discuss the best policy for the township for the Federal Procurement Conflict of Interest Policy, which is a requirement regarding ARPA Fund. The Township will continue discussion after the new year.

SET 2022 MEETING DATES

Ms. Baranski made a motion, supported by Ms. Collard to approve the 2022 Board of Trustee meeting dates as presented.

Yeas: Matt Cunningham, Julie Collard, Ron VanZee, Kristin Baranski, Doug Kuebler

Nays: None **Motion Carried**

PUBLIC COMMENTS: Public comments opened at 8:01 pm. Public comments include appreciation for the Community Coffee the township has been hosting the first Thursday of the each month, a response to the Supervisors report regarding ZOOM meetings, expiration of Law zoning permit, lawsuit costs, lawsuit to force ZBA to hear case.

Public comments closed at 8:02 p.m.

ADJOURNMENT: Mr. Cunningham made a motion, supported by Mr. Kuebler, to adjourn at 8:02 p.m.

Yeas: Matt Cunningham, Julie Collard, Ron VanZee, Kristin Baranski, Doug Kuebler

Nays: None **Motion Carried**

Respectfully Submitted,

April Hilton
Hayes Township Deputy Clerk/Recording Secretary