

Hayes Township, Charlevoix County
Board of Trustees
March 15, 2022 7:00 pm
Hayes Township Hall
09195 Major Douglas Sloan Road
Charlevoix, Michigan 49720
ZOOM Meeting ID: 878 1510 5199

The March 15th, 2022 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), Doug Kuebler (Trustee), Kristin Baranski (Clerk), April Hilton (Deputy Clerk/Recording Secretary), Ron VanZee (Supervisor)
Excused: Julie Collard (Treasurer)

Audience Members signed in: Luanne Kozma, Ellis Boal, Bob Adams, Bud Pope, Paul Hoadley, Bob Jess, Betty Henne, Tim Boyko, Rod Slocum, and Doug McCombs.

CALL TO ORDER

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

PLEDGE OF ALLEGIANCE

REVIEWED & APPROVED AGENDA

Ms. Baranski made a motion, supported by Mr. Kuebler, to approve the agenda as amended.

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

Excused: Julie Collard

Nays: None Motion Carried

PUBLIC COMMENTS UNRELATED TO AGENDA ITEMS

Public comment opened and closed at 7:01.

Comments included:

- Ellis Boal made a statement that he does not see the point in standing for the Pledge of Allegiance of the United States. Also requested the Township to reopen office hours to the public without appointments needed.
- A statement reading from the Zoning Ordinance section 8.01 that states the Board Of Trustee's appoint members to the ZBA. Also, an opinion stated that the board should consider removing Roy Griffiths from the Planning Commission and Zoning Board of Appeals.

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- County Commissioner, Robert Jess wanted to thank the township for their involvement in the Pool Authority and their effort to stand up for the residents of Hayes Township.

Closed at 7:09

Board of Trustees Comment:

- Clerk stated the documents copied from the Township By-laws record are not signed and there is no record of being adopted.
- Supervisor clarified the representatives on the Board of Trustees from Planning Commission and ZBA have been selected by the respective board for the last 35 years.

APPROVAL OF FEBRUARY 14TH, 2022 BOT MINUTES

Mr. Kuebler made a motion, supported by Mr. Cunningham to approve the February 14th, 2022 Board of Trustees minutes as presented.

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

Excused: Julie Collard

Nays: None **Motion Carried**

TREASURERS REPORT

Ms. Collard presented a written report reporting all Hayes Township account balances. Treasurer report is available at Hayes Township Hall.

CLERKS REPORT: APPROVAL OF WARRANTS

Clerk, Ms. Baranski, presented the warrants in the amount of \$26,462.45.

Mr. Kuebler made a motion, supported by Ms. Baranski, to approve Township warrants in the amount of \$26,462.45. A roll call was taken.

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

Excused: Julie Collard

Nays: None **Motion Carried**

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COUNTY COMMISSIONER REPORT

Mr. Jess presented the county commissioner report.

PARKS AND REC. REPORT

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

PLANNING COMMISSION

Mr. Cunningham presented the Planning Commission Report. The next Planning Commission meeting is April 19th, 2022.

ZONING BOARD OF APPEALS

Zoning board of appeals did not meet.

ZONING ADMINISTRATOR REPORT

Ron VanZee presented a Zoning Administrator report. Full report is available at the Township Hall.

SUPERVISOR REPORT: Ron VanZee presented a supervisor report.

ZONING BOARD OF APPEALS UPDATE AND CORRESPONDENCE:

Ms. Baranski made a motion, supported by Mr. Kuebler to appoint Janice Whipple as an alternate on the ZBA to a 3-year term expiring 3/15/2025.

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

Excused: Julie Collard

Nays: None **Motion Carried**

Supervisor VanZee asked the board if the written charges warranted a public hearing. Board of Trustees Review the Written charges with no motion to proceed.

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CHARLEVOIX COUNTY MILLAGE GRANT RESOLUTION:

**Application Resolution
Resolution NO.03142022**

WHEREAS, Julie Collard, Treasurer and of Hayes Township has the authority to construct, operate, and maintain the Hayes Township Bayside Park walkway access to Lake Michigan; and **WHEREAS**, Julie Collard is requesting a \$9,500 appropriation from the Charlevoix County Board of Commissioners; and

WHEREAS, Julie Collard desires to enhance, provide, or create the Hayes Township Bayside Park walkway access to Lake Michigan to meet the needs of users in Charlevoix County;

THEREFORE BE IT RESOLVED by Hayes Township that, pursuant and subject to all of the terms and provisions of the Charlevoix County Parks millage, application to be made to the Charlevoix County Board of Commissioners for funding; and

BE IT FURTHER RESOLVED that Julie Collard of Hayes Township is hereby authorized and directed to cause the necessary data to be prepared and and application to be signed and filled with the County of Charlevoix; Mr. Kuebler made a motion, supported by Mr. Cunningham, to adopt Resolution NO. 03142022.

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

Excused: Julie Collard

Nays: None **Motion Carried**

LAKE CHARLEVOIX EMS ARPA FUNDS:

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Ms. Baranski made a motion, supported by Mr. Kuebler, to approve the invoice from Ironwood Construction Company in the amount of \$9100.30; paid out of the ARPA fund and reimbursement from Lake Charlevoix upon approval of the loan.

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

Excused: Julie Collard

Nays: None **Motion Carried**

MAY 3RD ELECTION WORKERS:

Mr. Kuebler made a motion, supported by Ms. Baranski, to approve the election workers for the May 3rd, 2022, election.

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

Excused: Julie Collard

Nays: None **Motion Carried**

PUBLIC COMMENTS: Public comments opened at 7:46 pm.

Comments included:

- Disappointment in the board's decision to not hold a Public Hearing on the written charges against four ZBA members.
- Disappointment the correspondences were read at the last public comment; Supervisor responded, each board member had the correspondence to read through before making decisions on agenda items.
- Correspondences read into record at meeting attached to minutes Public comments closed at 7:56 p.m.

ADJOURNMENT: Mr. Kuebler made a motion, supported by Mr. Cunningham, to adjourn at 7:56 p.m.

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

Excused: Julie Collard

Nays: None **Motion Carried**

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Respectfully Submitted,
April Hilton
Hayes Township Deputy Clerk/Recording Secretary



clerk hayestownshipmi <clerkhayestownshipmi@gmail.com>

public hearing requested

1 message

Bud Pope <bud.w.pope@gmail.com>
To: Clerk@hayestownshipmi.gov

Mon, Mar 14, 2022 at 11:58 AM

Kristin Baranski:

Hi Kristin-I would appreciate if you read this at tonites township meeting during the clerks report.

Our family has been property owners on Lake Charlevoix for over 40 years and are concerned about the ZBA handling of the ordinance related to the Laws property.

Comments from ZBA board members off the record, but recorded ,do not reflect well on independent public representatives. Without personally having all the background that the board has, but with a brief review of the detail and importance of this project to proponents and neighbors on the lake, it seems that a public hearing should be held .

Ellis Boal has requested this hearing and we support this request. At a minimum, it will insure that all parties can have an open and untainted resolution, which will make for a better outcome.

Sincerely- Kenneth(bud) Pope - Christine Willis

Date: March 14, 2022

To: Kristin Baranski, Clerk, and Hayes Township Board of Trustees

From: Bill Henne

Subject: Requested Public Hearing

Kristin, please read the following comments into the minutes during your report at the Board meeting tonight.

At the February 14, 2022, regular meeting of the Hayes Township Board, Ellis Boal, Hayes Township resident, presented written charges and a request for a public hearing on removal of ZBA members for malfeasance, misfeasance or nonfeasance. If you have not acted on this request, I ask you to do so tonight, in accordance with the Michigan Zoning Enabling Act, Section 601(9).

In recent months, some members of this board and of the Zoning Board of Appeals have demonstrated a disregard for certain citizens of Hayes Township which has resulted in Hayes Township officials having to defend themselves in circuit court. This is unacceptable behavior for a public official and unnecessary expense for the township.

A lack of respect for one citizen is a lack of respect for all citizens.

Please honor your office by scheduling a public hearing as requested.

Bill Henne



clerk hayestownshipmi <clerkhayestownshipmi@gmail.com>

Board of Trustees Meeting 3/14/2022

1 message

marylee pakieser <mlpakieser@gmail.com>
To: clerk@hayestownshipmi.gov
Cc: marylee pakieser <mlpakieser@gmail.com>

Mon, Mar 14, 2022 at 11:07 AM

Dear Clerk,
Please read in your report tonight the following statement:

I am requesting the township schedule a public hearing to weigh in on the written charges filed by Ellis Boal. I support open and transparent hearings. I am very concerned about the safety of our environment including Lake Charlevoix. I am part of a family partnership that owns property and a house just south of the Law's place on Boyne City Road. Our family is the second generation and moving towards the third-generation to own property and vacation in this area. We as a family partnership love and care for our land and work to keep it healthy.

Thank you ,
MaryLee Pakieser MSN,RN,FNP-BC

1230 Randall Court Traverse City , MI 49686
Boyne City Road , Charlevoix , MI 49720
cell :231-313-3817



clerk hayestownshipmi <clerkhayestownshipmi@gmail.com>

Boat house

1 message

sgdamm2002@gmail.com <sgdamm2002@gmail.com>

Sun, Mar 13, 2022 at 11:16 PM

Reply-To: sgdamm2002@gmail.com

To: clerkhayestownshipmi@gmail.com

Hi Kristin

Formally I'd like to state the following on record:

According to my knowledge of Michigan laws governing zoning and based on my experience as Chair of the Hayes TOWNSHIP PlanningCommission: the ZBA and Planning Commission are legally obligated to enforce the township planning laws. Further, the ZoningAdministrator and all township officials have a truly sacred obligation as well as legal obligation to protect our lakes and streams for the benefit of all residents

It is beyond time for all the officials to look at our precious resources and realize that this is not an issue of individual property rights. This is an issue of protecting these resources for the entire community

Lake Charlevoix must not be degraded. We will all lose. You can look at it from an environmental point of view or economic. Degrade the lake and the economy will be degraded. Virtually everyone in the area benefits from the vitality and health of Lake Charlevoix, home owners to businesses.

Educate and require that every lake and stream front property not injure our lake.
The current laws were written to protect the lake Enforce them, please

Sara Gay Dammann

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Sara Gay Dammann

email: sgdamm2002@gmail.com



clerk hayestownshipmi <clerkhayestownshipmi@gmail.com>

March 15 Hayes Township Board of Trustees Meeting

1 message

Stephen Brede <greatlakescanoe@gmail.com>

Tue, Mar 15, 2022 at 1:40 PM

To: Clerk@hayestownshipmi.gov

Cc: Boal Ellis <EllisBoal@voyager.net>, Kozma LuAnne <luannekozma@gmail.com>

Dear Hayes Township Clerk and Trustees,

I am writing to urge you to schedule a public hearing regarding recent charges made by Ellis Boal about actions taken by the Hayes Township Zoning Board of Appeals.

I am especially concerned about decisions the ZBA has made concerning the proposed construction of a boathouse and yacht basin on Lake Charlevoix by Scott and Debra Law. Specifically, it appears that the ZBA is not taking into account the County's Shoreline Protection Act, and the impact this proposal would have on the environmental quality of the adjacent land and water.

As I cannot attend your meeting this evening, I would appreciate it if the Clerk would please read this request during her report at the meeting.

Thank you for your consideration,

Stephen Brede

314 Rush St.

Petoskey, Michigan

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