

**AGENDA (corrected)**  
**HAYES TOWNSHIP BOARD OF TRUSTEES**  
**May 9, 2022**  
**7:00 PM**  
**Hayes Township Hall**  
**9195 Major Douglas Sloan Road**  
**Charlevoix, Michigan 49720**

**ZOOM**

**<https://us02web.zoom.us/j/85339621822?pwd=Um5UNkhNcFgvWHV1TmVvZ2hpRG14dz09>**

**Meeting ID: 853 3962 1822**

**Passcode: 329050**

**+1 312 626 6799 US (Chicago)**

1. Call to Order
2. Pledge of Allegiance
3. Review and Approval of Agenda
4. Public Comment unrelated to Agenda Items
5. Approval of Regular Meeting Minutes of April 11, 2022
6. Treasurers Report
7. Clerks Report: Approval of Warrants
8. Reports

**NEW BUSINESS**

9. Lake Charlevoix EMS zoning permit
10. Zoning Board of Appeals Planning Commission Representative appointment
11. Set Budget Hearing date (June 13, 2022 at 6:00 pm)
12. Public Comments

**ADJOURN MEETING**

Welcome to Hayes Township Board of Trustees Meeting. We are glad you could join us as we discuss the future of our Township as well as attend to the day to day obligations.

1. The agenda is typically prepared in advance of the meeting so that the board and the public have an opportunity to prepare for our meeting. There may other issues that arise between when it is prepared and meeting time, we may make amendments or adopt as presented.
2. Public Comment is a time when the public may speak on any subject concerning the township.
3. The first real order of business prior to beginning new business is to approve the minutes of the previous meeting. This allows the board to correct any errors and provide an accurate record of that meeting.
4. Approval of warrants: The Board of Trustees is responsible as a whole to ensure that your tax dollars are spent wisely and that expenditures are accurate and properly accounted for. Each member of the board is equally responsible. The Clerk or Deputy Clerk prepare and sign checks for invoices submitted. The Treasurer reviews all invoices against the checks to again check for accuracy. After the warrants are approved by the board, the Treasurer signs and disburses the checks to each vendor.

The next few items on the agenda are the reports from different aspects of the Township and the County. By hearing those reports ahead of new business, it allows the board to have a better understanding of the township as a whole preparing them for better decisions.

To best facilitate a hybrid meeting (in person as well as ZOOM) for the public, please adhere to the following guidelines:

#### In person attendance

1. Doors to the hall will open at 6:45 pm
2. Please voluntarily provide a name for the record
3. Please hold all comments until the appropriate designated public comment agenda item
4. To maintain an orderly meeting while providing opportunity for the public to be heard, Planning Commission Chairman will call names in appropriate order
5. We ask that you voluntarily state your name for the record
6. Direct all comments to the planning commission
7. Keep comments brief and to the point (3 minutes per person); deputy clerk will advise when time is up
8. Do not speak while others are speaking
9. Minutes may not be yielded to other speakers.

#### Via ZOOM attendance

1. Upon signing into the meeting, please voluntarily provide a name for the record
2. All ZOOM participants will be admitted from the waiting room prior to the start of the meeting
3. All ZOOM participants will remain muted until called on during the appropriate designated public comment agenda item
4. Please raise your hand to be called on during public comments
5. Direct all comments to the planning commission
6. Keep comments brief and to the point (3 minutes per person); participant will be muted at 3 minutes
7. Minutes may not be yielded to other speakers.

Hayes Township, Charlevoix County  
Board of Trustees  
April 11, 2022 7:00 pm  
Hayes Township Hall  
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ZOOM Meeting ID: 867 6837 6262

The April 11th, 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), Julie Collard (Treasurer)

Audience Members signed in: Luanne Kozma, Ellis Boal, Debbie Narten, Frank Shepherd, Betty Henne, Tim Boyko, Winnie Boal, Greg Denzinger, Danelle Hutcheson, Doug Kuebler, Omar Feliciano, Bob Adams, Patricia Feliciano, and Nate Narten.

**CALL TO ORDER**

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

**PLEDGE OF ALLEGIANCE**

**REVIEWED & APPROVED AGENDA**

9a. Affordable Housing

9b. B&G Enterprises Invoice

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

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

Nays: None                      Motion Carried

**PUBLIC COMMENTS UNRELATED TO AGENDA ITEMS**

Public comment opened and closed at 7:03.

Comments included:

- Residents encouraging the BOT not to reappoint Roy Griffiths to the Planning Commission.
- A resident had comments regarding setting up a ZBA appeal.
- A resident asked if people were sleeping during training sessions.
- A resident brought up an off-record comment made on February 2<sup>nd</sup>, and expressed concerns.

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- A resident explained their support for Roy Griffiths to stay on the Planning Commission, for the residents would be penalized greatly if he were not reappointed. He has done an outstanding job; his expertise and leadership are benefits to the township in many ways.
- A resident inquired about the cost and development of the new ordinance draft and the Beckett and Raeder zoning ordinance draft.

Public comment closed at 7:19

**APPROVAL OF MARCH 15<sup>TH</sup>, 2022 BOT MINUTES**

Mr. Cunningham made a motion, supported by Mr. Kuebler to approve the March 15<sup>th</sup>, 2022 Board of Trustees minutes as presented.

Yeas: Matt Cunningham, Ron VanZee, Kristin Baranski, Doug Kuebler, 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 \$23,736.11.

Ms. Baranski made a motion, supported by Ms. Collard, to approve Township warrants in the amount of \$23,736.11. A roll call was taken.

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

Nays: None **Motion Carried**

Ms. Baranski made a motion, supported by Mr. Kuebler, to approve the Ironwood Construction Company invoice in the amount of \$34,519.78, for the Charlevoix EMS project. A roll call was taken.

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

Nays: None **Motion Carried**

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65 **COUNTY COMMISSIONER REPORT**

66 Mr. Jess not present.

67

68 **PARKS AND REC. REPORT**

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

70

71 **PLANNING COMMISSION**

72 The next Planning Commission meeting is April 19<sup>th</sup>, 2022.

73

74 **ZONING BOARD OF APPEALS**

75 Zoning board of appeals did not meet.

76

77 **ZONING ADMINISTRATOR REPORT**

78 Ron VanZee presented a Zoning Administrator report.

79

80 **SUPERVISOR REPORT:** Ron VanZee presented a supervisor report.

81

82 **MTA ELECTRONIC MEETINGS:**

83 Ms. Baranski read the updated MTA Electronic meeting rules.

84

85 **AFFORDABLE HOUSING:**

86 Rex Greenslade gave an update to the BOT of where Marilyn and himself are in addressing  
87 the affordable housing issue in northern Michigan, specifically what Hayes Township can do  
88 for the issue.

89

90 **B&G ENTERPRISES INVOICE:**

91 Ms. Collard made a motion, supported by Mr. Kuebler, to approve and authorize Ms.  
92 Baranski to sign the B&G Enterprises mowing bid for the 2022 season. A roll call was taken.

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

94 Nays: None **Motion Carried**

95

96 **SPRING CLEAN UP CONTRACT:**

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Mr. Kuebler made a motion, supported by Ms. Baranski, to approve the proposal from GFL for the 2022 township clean-up and authorize Ms. Collard to act as the liaison for this proposal. A roll call was taken.

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

Nays: None **Motion Carried**

**BAYSHORE ROAD ENGINEERS ESTIMATE:**

Mr. Kuebler made a motion, supported by Mr. Cunningham, to authorize the Charlevoix County Road commission to put the Bay Shore Streets, South of U.S. 31 out for bid. A roll call was taken.

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

Nays: None **Motion Carried**

**PLANNING COMMISSION APPOINTMENTS:**

Mr. VanZee made a motion, supported by Mr. Cunningham, to reappoint Roy Griffiths to the Planning Commission for a 3-year term expiring April 11<sup>th</sup>, 2025. A roll call was taken.

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

Nays: None **Motion Carried**

Mr. VanZee made a motion, supported by Mr. Kuebler, to reappoint Ed Bajos to the Planning Commission for a 3-year term expiring April 11<sup>th</sup>, 2025. A roll call was taken.

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

Nays: None **Motion Carried**

Mr. VanZee made a motion, supported by Mr. Kuebler, to appoint Deriek Burnett to the Planning Commission for a 3-year term expiring April 11<sup>th</sup>, 2025. A roll call was taken.

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

Nays: None **Motion Carried**

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129 **PUBLIC COMMENTS:** Public comments opened at 8:16 pm.

130 Comments included:

- 131 • A resident expressed their support for in person meetings, explaining it is hard or
- 132 impossible for some residents to navigate or access zoom meetings and it would be
- 133 unfair to those residents if zoom was the only option.
- 134 • Comments regarding the Supervisor report and previous property permit inquiries.
- 135 • A resident feels they have been intimidated and disrespected by the Planning
- 136 Commission chair and does not feel like he has the resident's best interest in mind.
- 137 • A resident inquired about the voting process for the Planning Commission
- 138 reappointments. Also requested clarification on the upcoming Zoning applications in
- 139 process mentioned in the Zoning Administrative Report.
- 140 • A previous Planning Commissioner expressed his opinion of the planning commission
- 141 and his disappointment in the results of the 2022 Planning Commission
- 142 reappointments.

143

144 Public comments closed at 8:45 p.m.

145

146 **ADJOURNMENT:** Mr. Kuebler made a motion, supported by Mr. Cunningham, to adjourn at

147 8:54 p.m.

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

149 Nays: None **Motion Carried**

150

151 Respectfully Submitted,

152 April Hilton

153 Hayes Township Deputy Clerk/Recording Secretary





## **May 2022 Treasurer Report**

(As of May 3, 2022)

### **Charlevoix State Bank**

1. General Fund-\$584,242.63  
(\$374,242.63 available, \$210,000 Restricted Reserve)
2. Tax Account-\$65,390.36 (restricted Treasury Funds)
3. Township Warrant Checking-\$6,456.86
4. Pantry-\$1,988.94
4. ARPA (restricted funds)-\$57,131.86

### **Forefront**

4. Metro Account Revenue Sharing-\$58,592.98
5. Prime Share Account-\$134.52

### **Horizon Bank**

6. Road Fund (RESTRICTED FUNDS)-\$303,083.07



Type	Name	Memo	Amount
101 Char. State Bank Check 2643			
Check	US BANK	COPIER	-226.50
Check	VISA	CRASHPLAN,ZOOM,SUPPLIES,PARK, FOOD BANK	-2,350.27
Check	THOMAS WELL DRILLING	WELL MAINTANCE/PRESSURE GUAGE	-382.00
Check	GREAT LAKES ENERGY	HALL/FIRE BARN/UNDINE/STREET LIGHTS/PARK	-578.39
Check	CHARTER COMMUNICATIONS	MODEM CHARGES/TELEPHONE	-92.45
Check	MTA	ANNUAL DUES	-675.00
Check	BS & A	TAXING AND ASSESSING ANNUAL SOFTWARE	-1,235.00
Check	COMMON ANGLE	ANNUAL WEB SITE HOSTING	-360.00
Check	PARKER HARVEY LAW	GENERAL MATTERS/ZBA/KOZMA	-10,036.96
Check	SANDTASTIC	EASTERN AVE BEACH	-1,300.00
Check	CORKY MEYER	UPDATE PLUMBING PARK/REPAIR WINTER DAMAGE LAUNCH AREA	-1,235.00
Check	IRS	38-2352841	-3,203.98
Check	STATE OF MICHIGAN	38-2352841	-559.38
Paycheck	ALISA ABINEY	04/01/2022-05/03/2022	-2,160.07
Paycheck	JERRY SIMPSON	04/01/2022-05/03/2022	-417.83
Paycheck	APRIL HILTON	04/01/2022-05/03/2022	-1,090.51
Paycheck	MARILYN MOREHEAD	04/01/2022-05/03/2022	-156.99
Paycheck	ARTHUR BAJOS	04/01/2022-05/03/2022	-149.76
Paycheck	STEVE BULMANN	04/01/2022-05/03/2022	-74.89
Paycheck	JAMES RUDOLPH	04/01/2022-05/03/2022	-234.00
Paycheck	REX GREENSLADE	04/01/2022-05/03/2022	-74.89
Paycheck	ROY GRIFFITS	04/01/2022-05/03/2022	-203.17
Paycheck	PAUL ZARDUS	04/01/2022-05/03/2022	-44.05
Paycheck	JULIE COLLARD	04/16/2022-05/15/2022	-1,949.22
Paycheck	RON VAN ZEE	04/16/2022-05/15/2022	-3,399.06
Paycheck	KRISTIN BARANSKI	04/16/2022-05/15/2022	-2,115.40
Paycheck	DOUG KUEBLER	04/16/2022-05/15/2022	-583.61
Paycheck	MATTHEW B. CUNNINGHAM	04/16/2022-05/15/2022	-436.09
Paycheck	TERRI HILTON	04/01/2022-05/03/2022	-224.65
Paycheck	PAMELA HOOPER-GRIFFITS	04/01/2022-05/03/2022	-89.86
Paycheck	JAN KEMME	04/01/2022-05/03/2022	-224.65
Paycheck	JANICE VEDDER WHIPPLE	04/01/2022-05/03/2022	-464.29

Type	Name	Memo	Amount
Paycheck	KAREN WOOSTER	04/01/2022-05/03/2022	-224.65
Paycheck	DEREK BURNETT	04/01/2022-05/03/2022	-187.21
Paycheck	RODNEY SLOCUM	04/01/2022-05/03/2022	-67.40
Total 101 Char. State Bank Check 2643			-35,324.47
TOTAL			-35,324.47

ARPA CHECK      IRONWOOD CONSTRUCTION      LCEMS Reimbursable

-10870.97

**HAYES TOWNSHIP**  
**ZONING ADMINISTRATOR REPORT**  
**MAY 2022**

Issued zoning permits for 18' X 48' roof sign at 06012 US 31 N..

Issued zoning permit for a 12' x 26' accessory structure at 09025 Upper Bayshore Road.

Issued revised zoning permit for the finishing of second story at 11607 N. PA-BA-SHAN Trail.

Issued zoning permit for a 30' x 80' accessory structure at 11519 Stonebridge Drive.

Issued zoning permit for a 8' x 8' accessory structure at 07585 Nine Mile Point.

Issued zoning permit for 5 – 35' x 60' storage structures at 09336 US 31 N. SUP

Issued zoning permit for a 40' x 48' accessory structure at 08758 Major Douglas Sloan Road.

Issued zoning permit for a 30' x 50' accessory structure at 09720 Pincherry Road.

Denied zoning permit application on Boyne City Road. Working with applicant to prepare documents for Zoning Board of Appeals. Received application for variance and working with ZBA Chair and Clerk to schedule hearing. Hearing date May 25, 2022 at 7:00 pm

Continue working with architects on a proposed family complex on Boyne City Road next to Hayes Township Park.

Received application for residential addition 06497 Woods Creek Drive. Waiting for Soil Erosion permit and Shoreland Review.

Received application for inground swimming pool at 06497 Woods Creek Drive.

Working on blight issue on See Road.

Working with contractors and architects for two additional future projects on Wood Creek Drive.

Working with Developer on proposed 80 unit Foster Care Facility. Developer has purchased the property at Boyne City road and US 31N.

Working with new property owners proposing rustic campground.

Working with Developer on proposed multi-famiily development.

Working with property owner on Pincherry Road for possible parcel division.

Received application for zoning permit for retail/residential use on US 31 N. Parcel reconfiguration approved waiting for ownership documents.



May 9, 2022

TO: Hayes Township Board of Trustees

FROM: LuAnne Kozma, Hayes Township resident

Please attach these comments with the minutes of the May 9, 2022 Board of Trustees meeting. I will read them into the record at the meeting.

In the newspaper *Northern Express*, the cover article "Dredging in Paradise" on May 2, 2022, reported on the Law dining and event facility. Ron Van Zee, the township zoning administrator, said several false statements.

There are no "nuances" surrounding the Laws' proposed project and there are no nuances in the zoning ordinance.

The Township has an equal say on the project, as does the State and the federal governments. None have the "last" word. If one rejects it, the project cannot go forward. The Township has the power and wrote its ordinance specifically to protect the shoreland from damage and loss.

Van Zee says: "[Shoreline dredging] is outside of our jurisdiction. So, if the Laws were to start excavating based on the permits they were previously granted, that violates our ordinance and I have to issue a stop-work order. The township doesn't have the authority to allow them to dig the basin."

Van Zee's constant double-speak is so obvious when you see it in print. He says one thing and then the exact opposite. In the same sentence. The entire township should be embarrassed. These determinations that Ron Van Zee says over and over again in the press and in court affidavits are what I am challenging in the ZBA appeal.

The proposed dredging IS in the Township's jurisdiction. Why? Because a majority of the proposed excavation would be happening on existing *uplands—the shoreland of Lake Charlevoix*. Dredging only in the existing lake, that is, below the OHWM, yes, is only within the jurisdiction of EGLE and USACE. But this project proposes to dredge both uplands and bottomlands, and turn uplands into bottomlands, changing the location of OHWM, removing Township uplands, and putting a building above the proposed expanded waters of Lake Charlevoix, which violates our 100-foot setback requirements.

If it weren't in Hayes Township's jurisdiction, Van Zee wouldn't be able to issue a stop-work order.

Regarding Van Zee's understanding of what is commercial and what is residential: We finally see Van Zee admit that the Laws intend to use the proposed "boathouse"/

dining/event facility for their business! Van Zee seems to create some new special zoning for it. A zoning administrator is not allowed to make up his own zoning laws. Commercial use is not just retail exchange of money happening on the premises. Anything used by a business is zoned either commercial, industrial, or agricultural. Business use is not residential use, unless it's a home occupation. Van Zee's violation of the ordinance allowing a commercial use for Zotec Partners' and Scott Laws' charitable foundation's dining events in the R-1 Residential zone will cost this Township plenty in legal fees. The Township needs to fire its zoning administrator immediately and hire somebody who will follow the zoning ordinance. Van Zee knows right from wrong but chooses "wrong." And hey, "life's unfair" he said on national public radio, therefore he reasons, he can violate the ordinance. No, Van Zee, you can't.

And any township attorney telling the township otherwise should be fired too.

The Township is spending thousands of dollars defending in court an indefensible position that a ZBA public hearing does not have to be publicly noticed as the Michigan Zoning Enabling Act requires it. That's a complete waste of tax dollars. It would cost the Township a lot less to just follow the law.

END





# HAYES TOWNSHIP

## Spring 2022 Clean Up

**SATURDAY, JUNE 18, 2022**

**\*\*Limit of 2 yards per household (size of 8 foot truck bed)**

Please do NOT put out:

Tires  
Electronics or Old Tv's  
Waste fluids (paint, oil, etc.)  
Shingles  
Concrete/bricks

Please have all items out to your curb for pick up  
by 6am June 18<sup>th</sup>

If you have any questions, please email  
[treasurer@hayestownship.gov](mailto:treasurer@hayestownship.gov) or call the  
Hayes Township Office at (231)547-6961

## **Spring Clean Up Information**

Saturday, June 18<sup>th</sup> is our Hayes Township Spring Clean-up!

Here is some additional information for our residents!

### **FAQ**

**Do not put out: electronics or old TV's, shingles, any fluids, tires, concrete, bricks, or hazardous materials.**

#### **Can we put out mattresses?**

Yes, but they can NOT be wet. This makes them too heavy for the drivers to load. Use your best judgement if you are putting old mattresses out. They will NOT be picked up if they are wet.

#### **Will burn barrels be picked up?**

Sure, as long as they are emptied of their debris, you can put them out.

#### **Can I put an old couch out? What about carpeting?**

Yes, but it has to be cut into 3-foot sections.

Old carpet can be put out in bound 4 X 4 sections.

#### **Can I put out an old appliance?**

Yes. If you are putting out an old fridge you must remove the freon first.

When in doubt, give us a call or e-mail with any questions.

(231)547-6961

[treasurer@hayestownshipmi.gov](mailto:treasurer@hayestownshipmi.gov)