

AGENDA

HAYES TOWNSHIP BOARD OF TRUSTEES

BUDGET HEARING

6:00p.m. June 13, 2022

Hayes Township Hall

9195 Major Douglas Sloan Road

Charlevoix, Michigan 49720

ZOOM

<https://us02web.zoom.us/j/82819536871?pwd=VHRrano3WmQxakFQNW9TbFBYenpnQT09>

Meeting ID: 828 1953 6871

Passcode: 722991

+1 312 626 6799 US (Chicago)

1. Call to Order
2. Pledge of Allegiance
3. Review and Approval of Agenda
4. Public Comments

NEW BUSINESS

5. Presentation of the 2022/2023 Hayes Township Budget

15. Public Comment
16. BOT Comment

ADJOURN MEETING

Township of Hayes
Budget Overview
 July 2022 through June 2023

	July 22-June 23
Income	
CHARGES FOR SERVICE	
101-607 Zoning Fees (Zoning/Planning Fees)	6,500.00
101-630 Twp Hall Rent	1,500.00
Total CHARGES FOR SERVICE	8,000.00
INTEREST	
101-665 Interest / Dividends (Interest / Dividends on Tr	2,400.00
Total INTEREST	2,400.00
OTHER	
101-276 Cemetery	1,500.00
101-695 FOIA / Other Misc.	700.00
101-800 Grants	
CARES ACT	100,700.00
Charlevoix County Milleage	25,500.00
Community Foundation	5,000.00
DNR Waterways	0.00
Great Lakes Fisheries Trust	0.00
Land & Water Conservation Fund	0.00
Total 101-800 Grants	
200-695 Metro Act Revenue	8,000.00
Total OTHER	141,400.00
STATE REVENUE	
101-574 State Rev. Sharing (State Revenue Sharing)	192,000.00
Total STATE REVENUE	192,000.00
TAX REVENUE	
101-402 Twp. Operating (Property Taxes)	220,000.00
101-425 Swamp Tax	360.00
101-429 Commercial Forest	31.00
101-434 Coach Tax (Mobile Home Park Taxes)	1,100.00
101-447 Collection Fees (Administration Fees)	65,000.00
101-448 School Tax Collection (School Tax Collection)	4,520.00
101-573 Comm. Stabilization (Local Community Stabili	8,000.00
101-694 Fines/Penalties	250.00
Total TAX REVENUE	299,261.00
Total Income	643,061.00
Gross Profit	643,061.00
Expense	
GENERAL GOVERNMENT	
101 Township Board	
101-702 Trustee Salary	8,550.00
101-703 Per Diem/ Rec Secretary	3,200.00
101-800 Accounting, Legislative	15,000.00
101-801 Trustee Education	400.00
101-802 Postage & Postage Meter	2,400.00

Township of Hayes
Budget Overview
 July 2022 through June 2023

	July 22-June 23
101-805 Legal Services	35,000.00
101-910 Publication/Printing	1,500.00
101-911 Web Page Publishing	800.00
Total 101 Township Board	66,850.00
171 Supervisor	
171-702 Supervisor Salary (Supervisor Salary)	24,800.00
171-800 Supervisor Education	500.00
Deputy Supervisor	1,000.00
171-980 Supv. Equipment / Phone	600.00
Total 171 Supervisor	26,900.00
191 Elections	
191-703 Election Pay	4,000.00
191-727 Election Ofc Supplies	2,000.00
191-910 Election Publ/Printing	100.00
191-958 Election Miscellaneous	1,500.00
Total 191 Elections	7,600.00
209 Assessor	
702 Salary	31,625.00
727 Office Supplies	0.00
800 Services/Education	750.00
850 Telephone	50.00
980 Equipment	300.00
Total 209 Assessor	32,725.00
215 Clerk	
702 Salary	29,975.00
703 Deputy Clerk Pay	12,000.00
727 Office Supplies	0.00
800 Services/Education	900.00
980 Equipment	1,400.00
Total 215 Clerk	44,275.00
247 Board of Review	
703 Pay	2,200.00
800 Services/Education	500.00
910 Publication/Printing	50.00
Total 247 Board of Review	2,750.00
253 Treasurer	
702 Salary	29,975.00
703 Deputy Treasurer Pay	1,000.00
703 Summer Salary (Treasurer Summer Salary)	0.00
727 Office Supplies	0.00
800 Services/Education	300.00
980 Equipment	1,500.00
Total 253 Treasurer	32,775.00
265 Township Hall	

Township of Hayes
Budget Overview
 July 2022 through June 2023

	July 22-June 23
267 Hayes Township Support	10,000.00
703 Custodial Pay	2,500.00
728 Supplies	8,500.00
741 Heating	3,000.00
800 Equipment	5,000.00
850 Telephone/Internet/Fax	1,500.00
920 Electric	2,000.00
930 Maintenance	6,000.00
980 Improvements	13,500.00
Total 265 Township Hall	52,000.00
276 Cemetery	
702 Salary	1,200.00
930 Maintenance/ Burial	3,500.00
980 Improvements	2,500.00
Total 276 Cemetery	7,200.00
Total GENERAL GOVERNMENT	273,075.00
HEALTH AND WELFARE	
651 Ambulance	
800 Services	0.00
651 Ambulance - Other	0.00
Total 651 Ambulance	0.00
Total HEALTH AND WELFARE	0.00
PUBLIC SAFETY	
101-336 Fire Protection	
741 Heating	1,700.00
800 Services/Education	50,000.00
920 Electric	275.00
930 Maintenance	10,000.00
Total 101-336 Fire Protection	61,975.00
412 Zoning & Planning	
412-703 File Clerk, Admin Pay	4,500.00
702 Recording Secretary Pay	5,800.00
703 ZBA / PC / Per Diem Pay	14,000.00
727 Office Supplies	0.00
800 Prof. Services/Education	10,000.00
910 Publication/Printing	3,000.00
Total 412 Zoning & Planning	37,300.00
420 Ordinance Officer	
420-702 Z. Admin Salary	23,350.00
420-703 Z. Admin Hourly Wage/Assistant	7,500.00
800 Services/Education	500.00
850 Telephone	0.00
910 Publication/Printing	700.00
980 Equipment	500.00

Township of Hayes
Budget Overview
 July 2022 through June 2023

	July 22-June 23
Total 420 Ordinance Officer	32,550.00
Total PUBLIC SAFETY	131,825.00
PUBLIC WORKS	
446 Roads	
920 Hall Lot & Street Lights	2,200.00
930 Repair/Maintenance/Brine	57,000.00
Total 446 Roads	59,200.00
Spring Clean Up	60,000.00
447 Phragmites	400.00
Total PUBLIC WORKS	119,600.00
RECREATION AND CULTURAL	
756 Township Parks & Recreation	
Hayes Township Park/CSG Expense	
800 HTP/CSG Custodial/Cleaning	200.00
800 HTP/CSG Prof. Services	10,000.00
920 HTP/CSG Electric	3,500.00
930 HTP/CSG Park Maintenance	5,000.00
971 HTP/CSG Pier-Buoys-Bubblers	1,600.00
980 HTP/CSG Equip/Improvements	60,000.00
980 HTP/CSG WiFi Internet	1,200.00
Total Hayes Township Park/CSG Expense	81,500.00
Other Township Parks Expense	
703 Equipment / Improvements	2,000.00
930 Maintenance	700.00
Total Other Township Parks Expense	2,772.00
756 Township Parks & Recreation - Other	1,550.50
Total 756 Township Parks & Recreation	85,822.50
Total RECREATION AND CULTURAL	85,822.50
UNALLOCATED	
954 Insurance	17,238.50
956 FICA/Medicare	15,500.00
Total UNALLOCATED	32,738.50
Total Expense	643,061.00
Net Income	0.00

AGENDA

HAYES TOWNSHIP BOARD OF TRUSTEES

7:00p.m. June 13, 2022

Hayes Township Hall

9195 Major Douglas Sloan Road

Charlevoix, Michigan 49720

ZOOM

<https://us02web.zoom.us/j/81346517030?pwd=RytPSGJlbEZvWnNKY0hGMTczWW1MUT09>

Meeting ID: 813 4651 7030

Passcode: 355823

+1 312 626 6799 US (Chicago)

1. Call to Order
2. Pledge of Allegiance
3. Review and Approval of Agenda
4. Public Comments
5. Approval of Regular Meeting Minutes of March 15th, 2022
6. Treasurers Report
7. Clerks Report: Approval of Warrants
8. Reports: County Commissioner, Zoning Administrator, Planning Commission, Zoning Board of Appeals, Parks and Recreation, Trustee's, and Supervisor Reports.

NEW BUSINESS

9. 2022/2023 Budget Adoption
10. Bayshore Village Road Bids
11. Lake Charlevoix EMS Building
12. Undine Cemetery Discussion
13. Bayshore Legal Discussion
14. Pre-discussion Short Term Rental Ordinance
15. Public Comment
16. BOT Comment

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.

DRAFT
Hayes Township, Charlevoix County
Board of Trustees
May 9th, 2022 7:00 pm
Hayes Township Hall
09195 Major Douglas Sloan Road
Charlevoix, Michigan 49720
ZOOM Meeting ID: 853 3962 1822

The May 9th, 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), Ron VanZee (Supervisor), Julie Collard (Treasurer)
Also present: April Hilton (Deputy Clerk/Recording Secretary)
Audience Members signed in: Roy Griffiths, Leslie Cunningham, Bob Adams, Paul Hoadley, Gerard Mills, Luanne Kozma, Ellis Boal, Harry Golski, Rod Slocum and Connie Foster.

CALL TO ORDER

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

PLEDGE OF ALLEGIANCE

REVIEWED & APPROVED AGENDA

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

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

Nays: None Motion Carried

PUBLIC COMMENTS UNRELATED TO AGENDA ITEMS

Public comment opened at 7:02.

Comments included:

- Resident express their concern for the trash along the roads in Hayes Township.
- Resident read quotes from an article in the Northern Express newspaper.
- Resident made statements and asked questions to the board about Planning Commission members and the Zoning Ordinance Draft process.
- Audience members expressed concern for the disrespectful and critical comments and accusations that have been directed towards the Township Officials recently, and stated he's disappointment in some residents.

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Board of Trustees
May 9th, 2022 7:00 pm
Hayes Township Hall
09195 Major Douglas Sloan Road
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ZOOM Meeting ID: 853 3962 1822

- Resident from Zoom stated the audio in the hall was not communicating with Zoom very well.
- Resident stated criticism is part of the role of an elected official and they should focus on resolving the issues brought to their attention rather than personal criticism.

Public comment closed at 7:18.

APPROVAL OF APRIL 11TH, 2022 BOT MINUTES

Mr. Kuebler made a motion, supported by Mr. Cunningham to approve the April 11th, 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 \$35,324.47.

Ms. Baranski made a motion, supported by Ms. Collard, to approve Township warrants in the amount of \$35,324.47. A roll call was taken.

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

Nays: None **Motion Carried**

Mr. Kuebler made a motion, supported by Mr. Cunningham, to approve the Ironwood Construction Invoice for \$10,870.97 for the EMS building paid with ARPA fund monies and reimbursable by LCEMS. A roll call was taken.

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

Nays: None **Motion Carried**

DRAFT
Hayes Township, Charlevoix County
Board of Trustees
May 9th, 2022 7:00 pm
Hayes Township Hall
09195 Major Douglas Sloan Road
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ZOOM Meeting ID: 853 3962 1822

COUNTY COMMISSIONER REPORT

Mr. Jess not present.

PARKS AND REC. REPORT

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

Ms. Collard made a motion, supported by Ms. Baranski, to approve Julie Collard to send a letter to Pine Point Association, stating the township supports the placement of sand at Eastern Avenue Beach.

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

Recused: None

Nays: None **Motion Carried**

Ms. Collard made a motion, supported by Ms. Baranski, to approve the increase to \$500.00 Buoy installment estimate from Raymond Cunningham. A roll call was taken.

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

Recused: Matt Cunningham

Nays: None **Motion Carried**

PLANNING COMMISSION

Mr. Cunningham updated the BOT on PC activities. The next Planning Commission meeting is May 17th, 2022.

ZONING BOARD OF APPEALS

Zoning board of appeals did not meet. Next meeting is May 25th 2022 at the Hayes Township Hall for a variance request.

DRAFT
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Board of Trustees
May 9th, 2022 7:00 pm
Hayes Township Hall
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ZONING ADMINISTRATOR REPORT

Mr. VanZee presented a Zoning Administrator report.

SUPERVISOR REPORT

Mr. VanZee presented a supervisor report.

LAKE CHARLEVOIX EMS ZONING PERMIT

Chair of the LCEMS Authority updated the BOT on the status of the LCEMS building.

ZONING BOARD OF APPEALS PLANNING COMMISSION REPRESENTATIVE APPOINTMENT

Mr. Cunningham made a motion, supported by Mr. Kuebler, to appoint Rex Greenslade as the Zoning Board of Appeals Planning Commission Representative to a 3-year term expiring on May 9, 2025. A roll call was taken.

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

Recused: Matt Cunningham

Nays: None **Motion Carried**

SET BUDGET HEARING DATE (JUNE 13TH 2022 AT 6:00 PM)

Mr. Kuebler made a motion, supported by Ms. Baranski, to set the Budget Hearing meeting date for June 13, 2022 at 6:00 pm at the Hayes Township Hall.

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

Nays: None **Motion Carried**

PUBLIC COMMENTS: Public comments opened at 7:35 pm.

Comments included:

- Resident requested total amount paid to a law firm for this month in reference to Kozma/Fowle case
- EMS building good for the Township
- Township spending thousands of dollars defending lawsuit to follow law

DRAFT
Hayes Township, Charlevoix County
Board of Trustees
May 9th, 2022 7:00 pm
Hayes Township Hall
09195 Major Douglas Sloan Road
Charlevoix, Michigan 49720
ZOOM Meeting ID: 853 3962 1822

- Question about definition of 'commercial building'; resident was referred to DTE for their definition in regards to LCEMS building
- Resident inquired when/how zoning permits (Special Use) will be noticed to property owners

Public comments closed at 7:44 pm.

ADJOURNMENT: Mr. Kuebler made a motion, supported by Mr. Cunningham, to adjourn at 7:45 p.m.

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

Nays: None **Motion Carried**

Respectfully Submitted,

April Hilton

Hayes Township Deputy Clerk/Recording Secretary

June 2022 Treasurer Report

(As of June 6, 2022)

Charlevoix State Bank

1. General Fund-\$520,824.00
(\$310,824.00 available, \$210,000 Restricted Reserve)
2. Tax Account-\$65,162.41 (restricted Treasury Funds)
3. Township Warrant Checking-\$51,217.98
4. Pantry-\$2,274.90
4. ARPA (restricted funds)-\$46,290.69

Forefront

4. Metro Account Revenue Sharing-\$58,600.44
5. Prime Share Account-\$134.53

Horizon Bank

6. Road Fund (RESTRICTED FUNDS)-\$303,087.42

Hayes Township Parks & Recreation Committee Minutes

April 4, 2022

Virtual Zoom Meeting

Committee Members Present: Julie Collard, Paul Zardus

Members absent: (excused) Leslie Cunningham, Tom Darnton, Laura White, Greg Stauffer, Becky Stauffer

Public Present: Charlie MacDonald, Greg Denzinger

The meeting was called to order by Julie at 7:02pm.

March 2022 minutes were approved. Nothing was added to the agenda.

Charlie MacDonald gave an update on the Pickle Ball court proposals. He met with Vince Carpenter of MDC, as well as Elmer's and Reith Riley. His information compares apples to apples, so the quotes are for the same scope of work.

Small details, such as removing or leaving in the current chain link fence to do the work on the courts, had differing opinions. The current quote for the work is around \$106,600. That number can change depending on the condition of the courts once they start resurfacing them and does not include any separation fencing within the courts.

The oil and steel prices will fluctuate depending on the market until we lock in on prices with the contractors. Having a spectator area is important and the committee want to make sure the final plans allow for this space. Charlie also shared how proud the contractors he spoke with are of their work. They will warranty any issues for 20 years, which is an amazing benefit for the township.

MDC expressed interest in being a part of the community efforts for this project.

Paul and Julie thanked and commended Charlie on all his arduous work and fantastic information. He will be bringing the documents from the contractors to Julie at the office this weekend. Julie will organize these documents and scan them to the Park and Rec committee members.

Julie and Paul have a conference call with Tim Knudsen of Beckett and Raeder on Wednesday. They will ask him about engineering plans for the Pickle Ball courts and parking area. They will also ask about the other renderings and park issues.

Greg hopped on the zoom meeting as we were wrapping up. Daylight savings time threw him and Becky a curveball. He did share that they will be returning to the park around May 6th or 7th. Considering this, Julie will find two alternate days/times for the May meeting to take place in person, possibly at Hayes Township Park Camp Sea Gull.

The meeting was adjourned at 7:57pm.

The next meeting is TBA in May.

HAYES TOWNSHIP, CHARLEVOIX COUNTY

ACCOUNT SIGNATURE RESOLUTION

At a Regular Hayes Township Board of Trustees meeting on June, 13, 2022 _____
made a motion, supported by _____ to adopt the following resolution to allow Treasurer
Julie Collard to open a Fundraising Account to deposit donations for Hayes Township Parks at Charlevoix
State Bank.

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 be
authorized signers on all bank accounts; Julie Collard, Treasurer; Kristin Baranski, Clerk; Lisa Kuebler,
Deputy Treasurer; and April Hilton, Deputy Clerk.

RESOLUTION DECLARED ADOPTED

TOWNSHIP OF HAYES

Kristin Baranski, Clerk

CHARLEVOIX COUNTY ROAD COMMISSION

BAY SHORE SOUTH SUBDIVISION PAVING PROJECT - Hayes Township

A 489.0.22-07-02

May 23, 2022

James G. Vanek - Staff Engineer

0.42-mile tree removal, 22A aggregate, crush & shape, bituminous paving, shoulders and restoration on various roads within Bay Shore South subdivision (all county local roads), Hayes Township. October 14, 2022 completion date.

LOW BIDDER

#2

#3

WORK ITEM	QUANTITY	UNIT	Tri-County Excavating		Rieth-Riley Construction		E.F. Wilkinsons & Sons, Inc.	
			Unit Price	Bid Price	Unit Price	Bid Price	Unit Price	Bid Price
Tree Rem., 6-Inch to 19-Inch DIA.	22	EACH	\$ 300.00	\$ 6,600.00	\$ 325.00	\$ 7,150.00	\$ 800.00	\$ 17,600.00
Tree Trimming and Pruning	3	EACH	\$ 300.00	\$ 900.00	\$ 325.00	\$ 975.00	\$ 500.00	\$ 1,500.00
Trenching	22.19	STA	\$ 100.00	\$ 2,219.00	\$ 75.00	\$ 1,664.25	\$ 200.00	\$ 4,438.00
22A Aggregate	900	TON	\$ 22.00	\$ 19,800.00	\$ 22.50	\$ 20,250.00	\$ 26.50	\$ 23,850.00
HMA Crush & Shape	5,917	SYD	\$ 2.40	\$ 14,200.80	\$ 3.00	\$ 17,751.00	\$ 2.00	\$ 11,834.00
4E1 Mod. Bituminous Pavement	450	TON	\$ 90.00	\$ 40,500.00	\$ 95.00	\$ 42,750.00	\$ 89.05	\$ 40,072.50
5E1 Mod. Bituminous Pavement	485	TON	\$ 100.00	\$ 48,500.00	\$ 106.00	\$ 51,410.00	\$ 98.85	\$ 47,942.25
Bituminous Driveway Restoration	7	EACH	\$ 280.00	\$ 1,960.00	\$ 165.00	\$ 1,155.00	\$ 1,000.00	\$ 7,000.00
Concrete Driveway Restoration	25	SYD	\$ 100.00	\$ 2,500.00	\$ 90.00	\$ 2,250.00	\$ 67.50	\$ 1,687.50
23A Shoulders	160	TON	\$ 40.00	\$ 6,400.00	\$ 35.00	\$ 5,600.00	\$ 30.00	\$ 4,800.00
Restoration	3,945	SYD	\$ 4.10	\$ 16,174.50	\$ 4.25	\$ 16,766.25	\$ 5.50	\$ 21,697.50
Traffic Control	1	LSUM	\$ 15,000.00	\$ 15,000.00	\$ 18,265.00	\$ 18,265.00	\$ 31,175.00	\$ 31,175.00
TOTAL BID PRICE			\$	174,754.30	\$	185,986.50	\$	213,596.75

Bay Shore South Subdivision Paving Project
Hayes Township
May 23, 2022

Prepared By:
James G. Vanek, Staff Engineer

CHARLEVOIX COUNTY ROAD COMMISSION

CONTRACT

It is mutually agreed between HAYES Township and Charlevoix County Road Commission, that the following construction will be contracted and completed by:

TRI-COUNTY EXCAVATING GROUP, LLC.: 0.42-Mile of tree removal, 22A aggregate, crush & shape, bituminous paving, shoulders, and restoration on Charlevoix, Petoskey, Seneca and Spring Streets within the Bay Shore South subdivision, Hayes Township. October 14, 2022 completion date. (A489.0.22-07-02)

It is further agreed that the Bay Shore South subdivision construction project estimated construction costs (to be completed by **TRI-COUNTY EXCAVATING GROUP, LLC.**) are **\$174,754.30** and has an October 14, 2022 completion date. All payments to the Road Commission shall be within 30 days of each billing for the above project.

It is further agreed that if the actual cost exceeds the estimated cost by 10%, the project will be stopped until authorization from HAYES Township is received to complete the above project.

HAYES Township

Charlevoix County Road Commission

Supervisor

Manager

Clerk

Clerk

Date: _____

Date: _____

Project No.: A489.0.22-07-02



CHARLEVOIX EMS AUTHORITY

B & G Enterprises, LLC
10400 Burnett Rd.
Charlevoix, Mi 49720
231-348-2705
bgenterprises68@yahoo.com

Hayes Township
Maj. Douglas Sloan Rd.
Charlevoix, Mi 49720
231-547-6961

Bid for mow of cemetery:

Starting May 1st/ending Oct. 31st, '22:

Mowed bi-weekly (14 mows) @ \$250.00 per mow	\$3500.00
Price is for the '22 season, and includes spring and fall cleanup.	

Sent 2-28-22 via email.

Thank you!

B & G Enterprises, LLC

MASTER – PLEASE
MAKE COPIES AS
NEEDED. THANKS!

HAYES TOWNSHIP SHORT TERM RENTAL ORDINANCE

EFFECTIVE APRIL 19, 2013

ORDINANCE CERTIFICATION

At a regular meeting of the Hayes Township Board, Charlevoix County, held in the Hayes Township Hall, located at 09195 Old U.S. 31 N., Charlevoix, Michigan, on March 11 2013, at 7:30 P.M.

PRESENT: Ethel Knepp, Marlene Golovich, Rich Burnett, Doug Kuebler, Robbin Kraft

ABSENT:

It was moved by Ethel Knepp and supported
By Marlene Golovich that the following Ordinance be adopted:

(See attached HAYES TOWNSHIP ORDINANCE)

YES: Marlene Golovich, Ethel Knepp, Robbin Kraft

NO: Doug Kuebler, Rich Burnett

ORDINANCE DECLARED ADOPTED.

HAYES TOWNSHIP

By: Ethel R Knepp
Ethel Knepp, Supervisor

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 of said County at its regular meeting held on March 11, 2013, relative to adoption of the ordinance 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; this ordinance was published in the on March 19, 2013, and was filed with the County Clerk on March 20, 2013

Dated: March 18, 2013

Marlene Golovich
Marlene Golovich, Clerk

HAYES TOWNSHIP SHORT TERM RENTAL ORDINANCE

Ordinance No. 031113 of 2013

AN ORDINANCE PURSUANT ACT 246 OF THE PUBLIC ACTS OF 1945,
AS AMENDED, TO PERMIT AND REGULATE SHORT TERM RESIDENTIAL
RENTALS WITHIN THE TOWNSHIP,
TO INSURE THE PUBLIC HEALTH, SAFETY AND WELFARE, AND TO PROVIDE
PENALTIES FOR VIOLATIONS THEREOF

THE TOWNSHIP OF HAYES ORDAINS:

Section 1. Definitions As used in this Ordinance,

“Bedroom” means a separate room or space with a door, a closet and a window, used or intended to be used specifically for sleeping purposes...

“Dwelling unit” means a building or portion of a building providing complete, independent living facilities for one or more persons, including permanent provisions for living, eating, cooking, sanitation, and a separate bedroom(s) for sleeping.

“Habitable space” means space in a structure for living, sleeping, eating or cooking. Bathrooms, closets, halls, storage or utility spaces, and similar areas are not considered habitable spaces.

“Occupancy” means the purpose for which a dwelling unit or portion thereof is utilized or occupied.

“Occupant” means any individual living or sleeping in a dwelling unit, or having possession of a space within a dwelling unit.

“Operator” or “Owner” means any person who owns or has charge, care or control of a dwelling unit which is offered for rent.

“Person” means an individual, firm, corporation, association, partnership, limited liability company, or other legal entity.

“Rent” or “Rental” means to permit, provide for, or offer possession or occupancy of a dwelling unit in which the owner does not reside for a period of less than thirty (30) days to a person who is not the legal owner of record thereof, pursuant to a written or unwritten lease, agreement or license.

“Short Term Rental” means any dwelling or condominium or portions thereof, in which the owner does not reside, that is available for use or is used for

accommodations or lodging of guests, paying a fee or other compensation for a period of less than thirty consecutive days.

“Tenant” means a person who is not the legal owner of record and who is occupying a dwelling unit pursuant to a written or unwritten rental lease, agreement or license.

Section 2. License Required.

No person shall rent or cause to be rented a dwelling unit or efficiency dwelling unit within Hayes Township for a period less than thirty (30) days without first obtaining a license from the Township Zoning Administrator pursuant to the requirements of this Ordinance.

Section 3. Application and Fee Requirements.

An operator seeking a license under this Ordinance shall submit a complete application to the Zoning Administrator and pay the required fee, which shall be determined from time to time by resolution of the Township Board. The application shall include proof of ownership of, or the legal right to rent, a dwelling unit or and all information reasonably necessary for the zoning administrator to determine whether the applicable standards for approval provided in Section 4 have been met.

Section 4. Standards for Approval

The zoning administrator shall approve, or approve with conditions, an application for a short term rental license only upon a finding that the application complies with all of the following applicable standards:

- 1) Maximum occupancy will be based on two (2) adult people per bedroom
- 2) The dwelling unit must meet all residential building, health department, and safety codes.
- 3) The operator shall provide ample off street parking to accommodate occupant's vehicles.
- 4) The appearance of the dwelling shall not conflict with the residential character of the neighborhood. The structures shall be properly maintained, and kept in good repair, in order that the use in no way detracts from the general appearance of the neighborhood. Garbage must be kept in a closed container and disposed of on a regular weekly schedule.
- 5) No sign shall be posted to advertise the availability of the short term residential rental unit to the public.

6) The owner shall keep on file with the Township the name and telephone number of a contact person who shall be responsible for responding to questions or concerns regarding the operation of the short-term rental. This information must be kept current. This information also shall be posted in a conspicuous location within the dwelling unit. The contact person must be available to accept telephone calls on a 24 hour basis at all times that the short-term rental is rented and occupied. The contact person must have a key to the rental unit and be able to respond to the short-term rental within **sixty (60)** minutes to address issues or must have arranged for another person to address issues within the same timeframe. The requirement for identifying a contact person applies to each person or entity making arrangements for renting a given short term rental. The owner shall notify neighboring dwelling units within 300 feet from the rental dwelling unit in writing that the property is a permitted short-term rental and shall provide a telephone number of the rental agency, if any, or other local contact person as required by Section 4. 6

7) The Owner or a Managing Agency or Agent or Contact shall provide the tenant or lessees of a Short-term Residential Rental with the following information prior to occupancy of the Premises and-post such information in a conspicuous place within the dwelling on the Premises:

- (a) The name of the Contact Person, and a telephone number at which they may be reached on a twenty-four-hour basis; and
- (b) Notification of the maximum number of overnight occupants permitted on the Premises pursuant to this Ordinance; and
- (c) Notification of the parking standards of this Ordinance; and
- (d) A copy of this Ordinance, as may be amended from time to time; and
- (e) Notification that an occupant may be cited or fined by the Township, in addition to any other remedies available at law, for violating any provisions of this Ordinance.

8) All land-based recreational activities to be limited to rented premises and shall not encroach on neighboring properties.

9) Campfires in designated 'fire pit' areas away from water's edge, trees, and property lines. Fires must be attended at all times and properly extinguished after use.

10) Tenants of a property used for Short-Term Rental use shall not create a nuisance. For purposes of this subsection, a nuisance includes but is not limited to any of the following:

- a). Playing or using a radio, phonograph, compact disc player, tape player, television, musical instrument, sound amplifier, or other electronic or mechanical sound-producing device in such a manner or with such volume so as to disturb the quiet, comfort or repose of a reasonable person of normal sensitivities.
- b). Yelling, shouting, hooting, singing, or making other noise that because of its volume, frequency, or shrillness unreasonably disturbs the quiet, comfort or repose of a reasonable person of normal sensitivities.
- c). Sounding or using any horn, siren, whistle, bell or other warning device so as to unreasonably disturb the quiet, comfort or repose of another person.

Section 5. Duration of License, Re-application.

A license issued under this Ordinance shall remain in effect until the happening of one or more of the following events:

- (1) The dwelling unit is physically altered in such a way that the habitable space within the unit is increased, decreased, or re-distributed among living, sleeping, eating, or cooking areas.
- (2) This Ordinance is amended to alter the standards for approval contained in Section 4.
- (a) If a license is no longer in effect as a result of subsection above, the operator shall re-apply for a new license following the same procedures for a new license.
- (b) A Short-Term Rental Use license may not be transferred or assigned to any third party except heirs and assigns, and the license shall be void upon transfer of ownership of the property where the Short-Term Rental Use is located. Upon change of ownership, the new owner must apply for a new Short-Term Rental Use License in order for Short-Term Rental Use activity to be authorized.

Section 6. Inspections and Conditions.

Upon written complaint, the zoning administrator may make periodic inspections of a short-term rental to ensure continuing compliance with the approval standards specified in Section 4 of this Ordinance. In addition, the zoning administrator may impose reasonable conditions on a license issued under this Ordinance which are reasonably necessary to ensure compliance with the approval standards provided in Section 4 of this Ordinance.

Section 7. Suspension or Revocation of Short Term Rental License.

Grounds for Suspension or Revocation. In addition to any other penalty authorized by law, a short term rental license may be suspended or revoked if the Zoning Administrator finds by competent, material, and substantial evidence and after written notice of the charges to the owner and an opportunity to be heard, that the licensee or his or her agents or employees has or have violated, or failed to fulfill, the requirements of this Ordinance, including the approval standards specified in Section 4 of this Ordinance. The written notice of the charges and the notice of the hearing shall be personally served on the owner or served on the owner by certified mail, restricted delivery, no less than 21 days before the hearing before the Zoning Administrator.

- 1) Upon a finding by the Zoning Administrator of a First violation within any twelve (12) month period, the short term rental license may be suspended for up to thirty (30) days and during said time the premises shall not be utilized for a short term rental.
- 2) Upon a finding by the Zoning Administrator of a Second violation within any twelve (12) month period, the short term rental license shall be suspended for thirty (30) days and during said time the premises shall not be utilized for a short term rental.
- 3) Upon a finding by the Zoning Administrator of a Third violation within any twelve (12) month period, the short term rental license shall be revoked and the owner or Managing agency or Agent who had been issued the short term rental license shall not again be issued a short term rental license for a period of twenty-four (24) months and during said time the premises shall not be utilized for a short term rental. Appeal from denial or suspension or revocation of a short term rental license is allowed.

Section 8. Appeal.

Any applicant for short term rental license whose application was denied by the Zoning Administrator, and any licensee whose short term rental license is suspended or revoked by the Zoning Administrator, may, within ten (10) days following such decision, appeal such decision to the Zoning Board of Appeals, in which event the decision of the Zoning Administrator shall be vacated the Zoning Board of Appeals shall determine whether to affirm, reverse, or modify the decision of the Zoning Administrator in accordance with the requirements for short term rentals set forth in this section. At least fourteen (14) days prior to the Zoning Board of Appeals meeting to consider the appeal of the applicant or licensee, the Zoning Administrator or authorized designee, shall send, by United States mail, certified, written notice to the applicant or licensee of the time and place at which the Zoning Board of Appeals will consider the application, suspension or revocation, and the applicant or licensee shall be provided an

opportunity to be heard by the Zoning Board of Appeals prior to its decision being made. All neighbors within 300 feet must also be notified by United States mail the date, time and location of the Zoning Board of Appeals meeting. The decision of the Zoning Board of Appeals shall be final. The Zoning Board of Appeals Secretary shall notify the applicant or licensee, as applicable, in writing of the decision of the Zoning Board of Appeals. If the Zoning Board of Appeals affirms the decision of the Zoning Administrator denying an application or suspending or revoking a license, the applicant or licensee shall have the right to appeal the decision to the circuit court. The decision of the Zoning Board of Appeals shall not be vacated during the pendency of any appeal to Circuit Court. The applicant for a short term rental license has the right to seek a stay in Circuit Court.

Section 9. Prohibited Activities.

A tenant shall not violate any of the approval standards specified in Section 4 of this Ordinance.

Section 10. Nuisance.

A violation of this Ordinance is hereby declared to be a public nuisance, a nuisance per se and is hereby further declared to be offensive to the public health, safety and welfare.

Section 11. Violations.

A person who violates any provision of this Ordinance shall be responsible for a municipal civil infraction as defined in Public Act 12 of 1994, amending Public Act 236 of 1961, being Sections 600.101-600.9939 of Michigan Compiled Laws, and shall be subject to a fine of Five Hundred and 00/100 (\$500.00) Dollars. Each day this Ordinance is violated shall be considered a separate violation.

Section 12. Enforcement Officials.

The Zoning Administrator and other persons designated by the Township Board are hereby designated as the authorized officials to issue municipal civil infractions directing alleged violators of this Ordinance to appear in court.

Section 13. Civil Action.

In addition to enforcing this Ordinance through the use of a municipal civil infraction proceeding, the Township may initiate proceedings in the Circuit Court to abate or eliminate the nuisance per se or any other violation of this Ordinance.

Section 14. Validity.

If any section, provision or clause of this Ordinance or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect any remaining portions or application of this Ordinance which can be given effect without the invalid portion or application.

Section 15. Effective Date

This Ordinance shall become effective thirty (30) after being published in a newspaper of general circulation within the township.

TOWNSHIP OF HAYES

Ethel R Knepp
By: Ethel R. Knepp, Supervisor

Date: 3-18-13

MLG
By: Marlene Golovich, Clerk

Date: 3-18-13