

Hayes Township Board of Trustees  
June 13, 2022 7:00 pm  
ZOOM 813 4651 7030  
9195 Major Douglas Sloan Road  
Charlevoix, Michigan 49720

The June 13th, 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), Julie Collard (Treasurer), Doug Kuebler (Trustee), Kristin Baranski (Clerk), April Hilton (Deputy Clerk/Recording Secretary), and Ron VanZee (Supervisor)

Audience Members signed in: Leslie Cunningham, Roy Griffitts, Matt Berg, Doug McCombs, Harry Golski, Susan Pyke, David Zipp, Shirlene Zipp and Connie Foster.

**CALL TO ORDER**

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

**PLEDGE OF ALLEGIANCE**

**REVIEWED & APPROVED AGENDA**

Additional items:

-Approval of June 13<sup>th</sup> 2022 Budget Hearing minutes.

-Salary Resolutions

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

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 7:03.

None

Closed at 7:03

**APPROVAL OF May 9<sup>TH</sup>, 2022 BOT MINUTES**

Mr. Kuebler made a motion, supported by Ms. Baranski to approve the May 9<sup>th</sup>, 2022, Board of Trustees minutes as presented.

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

Nays: None

**Motion Carried**

**APPROVAL OF JUNE 13<sup>TH</sup> 2022 BUDGET HEARING MINUTES:**

Ms. Collard made a motion, supported by Mr. Cunningham to approve the June 13<sup>th</sup> Budget Hearing minutes as presented.

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

Nays: None

**Motion Carried**

**TREASURERS REPORT**

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 \$40,498.54.

Mr. Kuebler made a motion, supported by Ms. Baranski, to approve Township warrants in the amount of \$40,498.54. A roll call was taken.

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

Nays: None

**Motion Carried**

Ms. Baranski made a motion, supported by Mr. Kuebler, to approve the invoice from Ironwood Construction in the amount of \$9,536.27 that will be paid out of the ARPA fund.

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

Nays: None

**Motion Carried**

**COUNTY COMMISSIONER REPORT**

Mr. Jess was not present.

**PARKS AND REC. REPORT**

Ms. Collard presented the Parks and Rec. Report, full report is available at the Township Hall. Next Parks and Rec. meeting will be held on June 16<sup>th</sup>, 2022.

Ms. Collard made a motion, supported by Mr. Kuebler to approve the Parks and Rec committee to purchase new picnic tables for Hayes Township Park for a total amount of \$2,500.00.

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

Nays: None

**Motion Carried**

Ms. Collard made a motion, supported by Mr. Kuebler, to approve \$40,000.00 from the ARPA Fund and \$15,000.00 from the Hayes Township Funds for the renovation of the old tennis ball courts into Pickle Ball courts.

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

Nays: None                      Motion Carried

Ms. Kristin made a motion, supported by Mr. Kuebler, to support Resolution #06132022B to open an account at Charlevoix State Bank for the fund raising towards the Pickle Ball courts.

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

Nays: None                      Motion Carried

#### **TRUSTEE REPORT:**

Mr. Kuebler reported he has received complaints about the quality of the construction on Bayshore road?

#### **PLANNING COMMISSION**

Mr. Cunningham presented the Planning Commission Report. The next Planning Commission meeting is June 21<sup>st</sup>, 2022.

#### **ZONING BOARD OF APPEALS**

Mr. Kuebler presented the Zoning Board of Appeals report. There are no scheduled meetings.

#### **ZONING ADMINISTRATOR REPORT**

Ron VanZee presented a Zoning Administrator report.  
Report available at the Hayes Township Hall.

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

#### **SALARY RESOLUTION:**

WHEREAS, according to MCL 41.95(3), in a township that does not hold an annual meeting, the salary for officers composing the township board shall be determined by the township board, and

WHEREAS, the township board deems that an adjustment in the salary of the office of trustee is warranted, now

BE IT RESOLVED, that as of July 1, 2022, the salary of the office of trustee shall be as follows:

Trustee: \$4,275.00 (each)

Ms. Baranski made a motion, supported by Ms. Collard, to approve the Trustee annual salary for 2022/2023 fiscal year.

Yays: Julie Collard, Kristin Baranski, Ron VanZee

Nays: None Motion Carried

Recused: Matt Cunningham, Doug Kuebler

WHEREAS, according to MCL 41.95(3), in a township that does not hold an annual meeting, the salary for officers composing the township board shall be determined by the township board, and

WHEREAS, the township board deems that an adjustment in the salary of the office of clerk is warranted, now

BE IT RESOLVED, that as of July 1, 2022, the salary of the office of clerk shall be as follows:

Clerk: \$29,975.00

Ms. Collard made a motion, supported by Mr. Cunningham, to approve the clerk annual salary for 2022/2023 fiscal year.

Yays: Julie Collard, Ron VanZee, Matt Cunningham, and Doug Kuebler.

Nays: None Motion Carried

Recused: Kristin Baranski

WHEREAS, according to MCL 41.95(3), in a township that does not hold an annual meeting, the salary for officers composing the township board shall be determined by the township board, and

WHEREAS, the township board deems that an adjustment in the salary of the office of treasurer is warranted, now

BE IT RESOLVED, that as of July 1, 2022, the salary of the office of treasurer shall be as follows:

Treasurer: \$29,975.00

Ms. Baranski made a motion, supported by Mr. Kuebler, to approve the treasurer annual salary for 2022/2023 fiscal year.

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

Nays: None Motion Carried

Recused: Julie Collard

WHEREAS, according to MCL 41.95(3), in a township that does not hold an annual meeting, the salary for officers composing the township board shall be determined by the township board, and

WHEREAS, the township board deems that an adjustment in the salary of the office of Supervisor is warranted, now

BE IT RESOLVED, that as of July 1, 2022, the salary of the office of Supervisor shall be as follows:

Supervisor: \$29,975.00

Ms. Baranski made a motion, supported by Mr. Kuebler, to approve the Trustee annual salary for 2022/2023 fiscal year.

Yays: Kristin Baranski, Matt Cunningham, Doug Kuebler and Julie Collard

Nays: None Motion Carried

Recused: Ron VanZee

WHEREAS, according to MCL 41.95(3), in a township that does not hold an annual meeting, the salary for officers composing the township board shall be determined by the township board, and

WHEREAS, the township board deems that an adjustment in the salary of the office of accessor is warranted, now

BE IT RESOLVED, that as of July 1, 2022, the salary of the office of accessor shall be as follows:

Accessor: \$31,625.00

Ms. Baranski made a motion, supported by Mr. Cunningham, to approve the accessor annual salary for 2022/2023 fiscal year.

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

Nays: None Motion Carried

WHEREAS, according to MCL 41.95(3), in a township that does not hold an annual meeting, the salary for officers composing the township board shall be determined by the township board, and

WHEREAS, the township board deems that an adjustment in the salary of the office of Deputy Clerk is warranted, now

BE IT RESOLVED, that as of July 1, 2022, the salary of the office of Deputy Clerk shall be as follows:

Deputy Clerk: \$20 per hour.

Ms. Baranski made a motion, supported by Mr. Kuebler, to approve the Deputy Clerk annual salary for 2022/2023 fiscal year.

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

Nays: None Motion Carried

WHEREAS, according to MCL 41.95(3), in a township that does not hold an annual meeting, the salary for officers composing the township board shall be determined by the township board, and

WHEREAS, the township board deems that an adjustment in the salary of the office of recording secretary is warranted, now

BE IT RESOLVED, that as of July 1, 2022, the salary of the office of recording secretary shall be as follows:

Recording Secretary: \$200 per meeting.

Ms. Baranski made a motion, supported by Mr. Kuebler, to approve the recording secretary annual salary for 2022/2023 fiscal year.

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

Nays: None                      Motion Carried

WHEREAS, according to MCL 41.95(3), in a township that does not hold an annual meeting, the salary for officers composing the township board shall be determined by the township board, and

WHEREAS, the township board deems that an adjustment in the salary of the office of Zoning Administrator is warranted, now

BE IT RESOLVED, that as of July 1, 2022, the salary of the office of Zoning Administrator shall be as follows:

Zoning Administrator: \$23,350.00

Ms. Baranski made a motion, supported by Mr. Kuebler, to approve the Zoning Administrator annual salary for 2022/2023 fiscal year.

Yays: Matt Cunningham, Julie Collard, Doug Kuebler and Kristin Baranski,

Nays: None                      Motion Carried

Recused: Ron VanZee

#### **2022/2023 BUDGET ADOPTION:**

Ms. Baranski made a motion, supported by Ms. Collard, to approve the 2022/2023 annual Budget as amended.

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

Nays: None                      Motion Carried

#### **BAYSHORE VILLAGE ROAD BIDS:**

M. Kuebler made a motion, supported by Ms. Baranski, to reevaluate the tree removal and to approve Rieth-Riley Construction's bid in the amount of \$185,986.50 for the Bay Shore South Subdivision Paving Project.

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

Nays: None                      Motion Carried

#### **LAKE CHARLEVOIX EMS BUILDING:**

Construction has started! Siding colors have been decided pictures will be available at Hayes Township Hall soon. If residents have any questions, please reach out to Roy Griffiths or Ron VanZee.

**UNDINE CEMETERY DISCUSSION:**

Ms. Baranski made a motion, supported by Mr. Kuebler, to approve Ms. Baranski to sign the contract with B&G Enterprises in the amount of \$3500.00 for the landscaping of Undine Cemetery.

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

Nays: None                      Motion Carried

**BAYSHORE LEGAL DISCUSSION:**

Mr. Kuebler made a motion, supported by Ms. Baranski to approve the use of funds from legal services to research the townships rights regarding the reclamation requirements regarding the Rieth Reily property in Bay Shore.

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

Nays: None                      Motion Carried

**TOWNSHIP OF HAYES  
CHARLEVOIX COUNTY, MICHIGAN**

**RESOLUTION APPROVING INSTALLMENT PURCHASE AGREEMENT  
FOR AMBULANCE BARN**

**06132022**

At a regular (special) meeting of the Township Board of Hayes Township, held on June 13, 2022, at the Township Hall, which meeting was held in accordance with the Open Meetings Act of the State of Michigan, the following preamble and resolution were offered by Board Member Doug Kuebeler, and supported by Board Member Kristin Baranski:

**WHEREAS**, the Township of Hayes determines it to be necessary for the public health, safety and welfare of the Township and its residents and property owners to construct a new ambulance barn to serve residents of the Township; and,

**WHEREAS**, under the provisions of Act 99 of the Public Acts of Michigan of 1933, as amended, the Township Board is authorized to enter into any contract or agreement for the purchase of property for public purposes to be paid for in installments over a period of not to exceed the useful life of the property, but no more than 15 years as determined by resolution of the Township Board; and,

**WHEREAS**, the current outstanding balance of all such purchases by the Township under said Act 99, exclusive of interest, shall not exceed one and one-quarter percent (1-1/4 %) of the taxable value of the real and personal property of the Township at the date of such contract or agreement of purchase; and,

**WHEREAS**, the construction of the aforesaid ambulance barn pursuant to an Installment Purchase Agreement will not result in the outstanding balance of all such purposes to be in excess of the limitations contained within said Act 99 as above set forth; and,

**WHEREAS**, the Township Board has entered into negotiations with Ironwood Construction Company (Contractor) for the construction of a new ambulance barn for a price of \$1,581,581.08 to be paid through an Installment Purchase Agreement, subject to any change orders approved by the Township; and,

**WHEREAS**, the Township Board has determined that such construction and price is reasonable and in the best interest of the Township and its residents and property owners; and,

**WHEREAS**, such purchase price which is proposed to be paid by Hayes Township in installment payments over a 15-year period, together with interest at the 5-year treasury bond rate fixed for 5 years. On each five year anniversary, the rate will adjust to the then 5-year treasury bond rate with a floor of 2.5%; and,

**WHEREAS**, the Township Board has reviewed a proposed Installment Purchase Agreement with the Contractor for the Construction of said ambulance barn to be constructed in accordance with plans and specifications prepared by the Township, which appears reasonable and proper to accomplish such installment purchase;

**NOW THEREFORE BE IT RESOLVED AS FOLLOWS:**

1. The Act 99 Installment Purchase Agreement attached hereto with Contractor is hereby approved, and the Township Supervisor and Clerk are hereby authorized and directed to execute the same on behalf of the Township.
2. The useful life of the ambulance barn is hereby determined to be at least 15 years.
3. The Supervisor and Clerk are further hereby authorized and directed to execute any additional documents as shall be necessary to effectuate the closing of the Installment Purchase Agreement.



4. The Township hereby agrees to include in its budget for each year during the period of the within Installment Purchase Agreement a sum sufficient to pay the principal and interest coming due under said Installment Purchase Agreement before the beginning of each fiscal year pertinent to such installment payments. In addition, the Township Board hereby pledges its limited full faith and credit for the payment of the installments due under such purchase agreement.
5. The Township hereby designates its obligations under the Agreement as "qualified tax-exempt obligations" for purposes of the deduction of interest due under said Installment Purchase Agreement from income tax liability pursuant to Section 265(b)(3) of the Internal Revenue Code of 1986, as amended.
6. The Township Board covenants that to the extent permitted by law, it shall take all actions within its control necessary to maintain the exclusion of the interest component of the payments due under the aforesaid Installment Purchase Agreement from adjusted gross income for general federal income tax purposes under the aforesaid Internal Revenue Code including but not limited to, actions relating to the rebate of arbitrage earnings, if applicable, and the expenditure and investment of proceeds of the Agreement, and to prevent such proceeds from being or becoming "private activity bonds" as the term is used in Section 141 of said Internal Revenue Code.
7. The construction of the aforesaid ambulance barn and the approval of the Installment Purchase Agreement therefore are hereby found and declared to be for a valid public purpose and in the best interest of the health and welfare of the residents and property owners of the Township of Hayes.
8. All resolutions or parts of resolutions insofar as they conflict with the provisions of the within Resolution are hereby rescinded to the extent of any such conflict.

Upon roll call vote the following voted "aye:"

Collard, Kuebler, Cunningham, Baranski, Van Zee

The following voted "nay:"

None

The Supervisor declared the Resolution duly adopted.

**PRE-DISCUSSION SHORT TERM RENTAL ORDINANCE:**

The Board of Trustees began a discussion on Hayes township's short term rental ordinance.

Comments included:

-The difficulty of enforcement

-Local townships short term rental ordinance comparison

Board will research for future meeting.

**PUBLIC COMMENTS:** Public comments opened at 8:30 pm.

No Comments

Public comments closed at 8:30 p.m.

**ADJOURNMENT:** Mr. Kuebler made a motion, supported by Mr. Cunningham, to adjourn at 8:32 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