

AGENDA
HAYES TOWNSHIP BOARD OF TRUSTEES
7:00p.m. April 10, 2023
Hayes Township Hall
9195 Major Douglas Sloan Road
Charlevoix, Michigan 49720

Join Zoom Meeting

<https://us02web.zoom.us/j/88001640434?pwd=QkdkY3AzN1dmKzZpajZQNEkwMkZ5dz09>

Meeting ID: 880 0164 0434

Passcode: 251468

+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 13, 2023 and March 17, 2023 Special Meeting
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. Hayes Township Park/Camp Seagull Dock Repair
10. Public Comment
11. Board of Trustee Comment

ADJOURN MEETING

Public Comment at Meetings of the Hayes Township Board of Trustees

The Hayes Township Board of Trustees values public input and offers two opportunities for the public to comment at its meetings, once near the beginning and once near the end. This affords the Board of Trustees the opportunity to hear your views and remarks. If you speak, you should not expect to engage the Board of Trustee members or any staff in discussion or debate.

Board of Trustee members will not respond to comments made during the Public Comment unless it becomes necessary to ask a clarifying questions, correct a factual error, or to provide specific factual information.

Questions about Township matters are best directed to individual Board members or Township staff (Planner, Zoning Administrator, or Assessor) between meetings. Contact information is available on the township website at: hayestownshipmi.gov.

The availability of public comment is recognized by the Michigan Open Meetings Act. The Act provides that rules may be adopted for orderly comment from the public. To that end, the following rules have been established by the Board of Trustees:

1. A person wishing to speak will indicate on the sign in sheet that they would like to be called on at Public Comment. All persons in attendance in person will be called on first. Zoom attendees can indicate they would like to speak by raising their hand icon.
2. The person will begin by stating their name, spelling it out if requested.
3. The person addresses the Chairperson, or other person chairing the meeting, on behalf of the entire Board of Trustees. Public comment is NOT to be addressed to individual Board of Trustee members, to any township staff present, or to other members of the audience.
4. There is a three (3) minute time allotment for each speaker. The time limit may be extended by the Chairperson or majority of the Board of Trustee members present. A speaker may speak only once at each Public Comment. There is no provision for another audience member to 'donate' their three (3) minutes to another speaker.
5. A speaker will be out of order if the speaker disrupts the meeting, speaks longer than the allotted time, uses vulgarities or makes a personal attack on a Board of Trustee member or Township employee that is unrelated to the performance of that person's duties.
6. If a speaker is called out of order, that speaker will not be able to speak again at the same meeting except by special leave of the Board of Trustees
7. The Chairperson, or other person chairing the meeting, will have the discretion to permit members to speak at times other than the times reserved for Public Comment.

HAYES TOWNSHIP
BOARD OF TRUSTEES REGULAR MEETING
March 13TH, 2023, 7:00 PM
HAYES TOWNSHIP HALL
09195 MAJOR DOUGLAS SLOAN RD
CHARLEVOIX, MICHIGAN 49720
ZOOM 880 0164 0434

The March 13th, 2023, 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: John McMahon, Diane McMahon, David Kemme, Ellis Boal, LuAnne Kozma, Carl Harmon, Janet Simon, Tim Boyko, Betty Henne, Shelly Green VanWart, Todd Millar, Andrew Wilson, Winnie Boal, Bob Jess, David Zipp, Paul Schwenke, Candy Klenda, Patricia Feliciano, Cindy Krzysiak, Paul Hoadley, Kent Hoffman, Chris Fulford, Christine Knight, Omar Feliciano, Joe Hawkins, Mel Czechowski, Chelsea Mills, Anthony Umlor, and Carol Umlor.

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 Ms. Baranski, to approve the agenda as amended.

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

Nays: None Motion Carried

RIETH RILEY PRESENTATION:

Rieth Riley representative Jim Pemberton gave a presentation to the Board and Audience regarding the excavation plans of phase 7.

- Phase 7 is the final phase and after phase 7 is complete Rieth Riley will reclaim the site.
- They plan to begin operations in early April, weather depending, operations are estimated to last 8 weeks ending mid-June.
- Hauling schedule is Monday through Friday, most likely 7:15 am to 5:00 pm.
- Rieth Riley has an Air Quality Permit they must follow when extracting materials from a site and has never had problems with air or well contamination.
- Natural sand and gravel extraction does not create Silica Dust.

HAYES TOWNSHIP
BOARD OF TRUSTEES REGULAR MEETING
March 13TH, 2023, 7:00 PM
HAYES TOWNSHIP HALL
09195 MAJOR DOUGLAS SLOAN RD
CHARLEVOIX, MICHIGAN 49720
ZOOM 880 0164 0434

- Rieth Riley last crushed gravel in 2019 and did not receive any complaints of the crusher noise disturbing residents. Crushing will take place on the West side of 31.
- When reclaiming a property Rieth Riley is required to place topsoil and seed on the site to encourage natural vegetation growth.
- Rieth Riley expects to extract about 90 truckloads a day.
- Phase 7 is the final stage for this site location.
- Rieth Riley will have "Truck Entering Highway" signs placed on Highway 31.
- Rieth Riley encourages any residents with questions or concerns with the gravel extraction taking place during phase 7 to reach out to the Rieth Riley office Monday through Friday 8am to 5pm.

PUBLIC COMMENTS UNRELATED TO AGENDA ITEMS

Public comment opened and closed at 7:54.

Comments included:

- Resident disagreed with the Board of Trustee's decision for last months meeting agenda item FOIA appeals. They also requested information on the townships Audit company and how often the township is required to file revenue sharing audit reports. Ms. Collard clarified they have an audit scheduled for the end of April 2023.
 - Resident would like the Board of Trustees to schedule a special meeting with Rieth Riley for residents to attend and ask Rieth Riley their questions and concerns.
 - Resident asked where they could find the most recent audit for the township online. Ms. Collard clarified there is a copy on townships website as well as state of Michigan's website for the audit year of 2020.
 - Resident would like the see the audience members be more respectful and polite to the Board of Trustee members. They found during public comment many residents were disrespectful and rude when addressing the board members.
- Closed at 8:09

APPROVAL OF FEBRUARY 13TH, 2023 BOT MINUTES

Ms. Baranski made a motion, supported by Ms. Collard to approve the February 13th, 2023, Board of Trustees minutes as corrected.

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

Nays: None **Motion Carried**

HAYES TOWNSHIP
BOARD OF TRUSTEES REGULAR MEETING
March 13TH, 2023, 7:00 PM
HAYES TOWNSHIP HALL
09195 MAJOR DOUGLAS SLOAN RD
CHARLEVOIX, MICHIGAN 49720
ZOOM 880 0164 0434

TREASURERS REPORT

Ms. Collard presented a written report reporting all Hayes Township account balances.

CLERKS REPORT: APPROVAL OF WARRANTS

Clerk, Ms. Baranski, presented the warrants in the amount of \$29,027.49.

Mr. Kuebler made a motion, supported by Ms. Baranski, to approve Township warrants in the amount of \$29,027.49. A roll call was taken.

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

Nays: None **Motion Carried**

Ms. Collard made a motion, supported by Mr. Cunningham to approve the updated EMS final construction payment in the amount of \$120,948.41. A roll call was taken.

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

Nays: None **Motion Carried**

The Board of Trustees came to a consensus to approve military gift baskets be prepared and sent through the township to active military members overseas.

COUNTY COMMISSIONER REPORT

Mr. Jess presented an oral County Commissioner report.

PARKS AND REC. REPORT

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

Next meeting scheduled for March 6th, 2022 at 6pm.

TRUSTEE:

Mr. Cunningham reported on Ron VanZee's employee evaluation, and after a productive discussion with Mr. VanZee and the Board members, they are anomalously satisfied with his performance as Zoning Administrator.

PLANNING COMMISSION

Mr. Cunningham presented Planning Commission report. The next Planning Commission meeting is March 28th, 2023.

HAYES TOWNSHIP
BOARD OF TRUSTEES REGULAR MEETING
March 13TH, 2023, 7:00 PM
HAYES TOWNSHIP HALL
09195 MAJOR DOUGLAS SLOAN RD
CHARLEVOIX, MICHIGAN 49720
ZOOM 880 0164 0434

ZONNING BOARD OF APPEALS

Did not meet.

ZONING ADMINISTRATOR REPORT

Ron VanZee presented a written Zoning Administrator Report.

SUPERVISOR REPORT:

Mr. VanZee presented an oral Supervisor Report.

ASSESSOR PRESENTATION:

Hayes Township Assessor, Alissa Abinay, presented the 2023 assessment roll to the Hayes Township Board.

2023 ROAD ENGINEER ESTIMATE:

Mr. Kuebler made a motion, supported by Mr. Cunningham, to approve the Bayshore West Subdivision streets road project be sent out for bid.

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

Nays: None **Motion Carried**

LCEMS UPDATE:

Ms. Collard made a motion, supported by Mr. Kuebler, to approve the Lake Charlevoix EMS updated lease agreement.

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

Nays: None **Motion Carried**

PRIVATE ROAD NAME RESOLUTION:

Resolution 03132023

WHEREAS Jeremiah and Amanda McKay notified Hayes Township that that they as property owners (15- 007-102-016-15 and 15-007-102-016-20) wish to have a private lane (off of Villa Road) names for the future welfare of the residents; and

WHEREAS Jeremiah and Amanda McKay have contacted Charlevoix County Equalization and have received approval for name change; and

WHEREAS Jeremiah and Amanda McKay have contacted William McCarthy property owner (15-007-102- 016-35) off said private road and have received approval for name change; and

HAYES TOWNSHIP
BOARD OF TRUSTEES REGULAR MEETING
March 13TH, 2023, 7:00 PM
HAYES TOWNSHIP HALL
09195 MAJOR DOUGLAS SLOAN RD
CHARLEVOIX, MICHIGAN 49720
ZOOM 880 0164 0434

WHEREAS The Equalization Department is asking that the Hayes Township Board of Trustees pass a resolution naming the private lane (see attached map) so the Equalization Department may coordinate the County Numbering System within these properties; and

THEREFORE, IT SHALL BE RESOLVED the Hayes Township Board of Trustees shall name this private lane "Bella Vista Drive" for the parcels involved as shown on attached map.

Ms. Baranski made a motion, supported by Mr. Kuebler, to approve resolution 31323.
Yeas: Matt Cunningham, Julie Collard, Doug Kuebler, Ron VanZee, and Kristin Baranski.
Nays: None **Motion Carried**

FOIA APPEAL:

Ms. Baranski made a motion, supported by Ms. Collard, to approve the new FOIA cost of \$167.50.
Yeas: Matt Cunningham, Julie Collard, Doug Kuebler, Ron VanZee, and Kristin Baranski.
Nays: None **Motion Carried**

PUBLIC COMMENTS:

Public comments opened at 8:56 pm.

- Resident asked if the Board knew if Reith Riley had plans to sell a portion of their land and would the ground be safe to build on due to the gravel pit.
- Resident asked about the Hayes Township revenue sharing bank account, and suggested the treasurer include more information in their report.
- Resident verified that their email and FOIA request had been received.
- Resident suggested the audit report be put on the agenda under old business until complete.
- Resident requested the board to post the Zoning Administrator reports be posted on the Township website by itself not within the packet. Also suggested the minutes include the treasure report.

Public comments closed at 9:02 p.m.

ADJOURNMENT: Mr. Kuebler made a motion, supported by Ms. Baranski, to adjourn at

HAYES TOWNSHIP
BOARD OF TRUSTEES REGULAR MEETING
March 13TH, 2023, 7:00 PM
HAYES TOWNSHIP HALL
09195 MAJOR DOUGLAS SLOAN RD
CHARLEVOIX, MICHIGAN 49720
ZOOM 880 0164 0434

- 171 9:02 p.m.
172 Yeas: Matt Cunningham, Julie Collard, Doug Kuebler, Ron VanZee and Kristin Baranski.
173 Nays: None
174 **Motion Carried**
175
176
177 Respectfully Submitted,
178
179 April Hilton
180 Hayes Township Deputy Clerk/Recording Secretary

**Hayes Township Board
Special Meeting Minutes
March 17, 2023
9am-Hayes Township Hall
9195 Major Douglas Sloan Road**

The March 17, 2023 special meeting of the Hayes Township Board was called to order by Supervisor Ron VanZee at 9:00am.

Board members present were: Matt Cunningham (Trustee), Julie Collard (Treasurer), Ron VanZee (Supervisor), Doug Kuebler (Trustee)

Board Members Absent: Kristin Baranski (Clerk) EXCUSED

Audience Members: Ellis Boal, LuAnne Kozma, Omar Feliciano, Patricia Feliciano

REVIEWED & APPROVED AGENDA:

Agenda cannot be amended without all board members present.

Review and Approval of Engagement letters for Audit & F-65:

Mr. Kuebler made a motion, supported by Mr. Cunningham, to approve and move forward with the engagement letter from Gabridge & Co. to conduct the required Hayes Township audit, not to exceed \$9,900.

Roll Call: Matt-Yes, Doug-Yes, Julie-Yes, Ron-Yes

Motion Carried

Mr. Kuebler made a motion, supported by Mr. Cunningham, to approve the engagement letter for Gabridge & Co. to complete the F-65 form required for the township.

Roll Call: Matt-Yes, Doug-Yes, Julie-Yes, Ron-Yes

Motion Carried

PUBLIC COMMENTS: Public comment opened at 9:05am. Comments included: Concern about having an accountant fill out the F-65 form, claims that the board isn't transparent enough, concern about pantry donations. **Public comments closed at 9:13am.**

Mr. Kuebler made a motion, supported by Mr. Cunningham, to adjourn the meeting at 9:13am. Passed unanimously. **Motion Carried.**

The meeting adjourned at 9:13am.

Respectfully Submitted,

Julie Collard

Hayes Township Treasurer

101 Char. State Bank Check 2643		Name	Memo	Amount
Check		QUILL CORPORATION	SUPPLIES	-33.98
Check		BOYNE COUNTRY PROPANE	HALL/FIREBARN	-474.42
Check		B&G ENTERPRISES	HALL, FIRE BARN, EMS	-680.00
Check		GREAT LAKES ENERGY	HALL/FIRE BARN/UNDINE/STREET LIGHTS/PARK	-986.99
Check		CHARTER COMMUNICATIONS	MODEM CHARGES/TELEPHONE	-93.44
Check		CHARLEVOIX COUNTY EQUALIZATIO	ASSESSMENT NOTICES	-1,247.01
Check		US BANK	COPIES CONTRACT/OVERAGES	-507.34
Check		MTA	ANNUAL MEETING	-220.00
Check		LCEMA	FIBER INSTALLATION/SERVER UPGRADE	-2,790.00
Check		VISA	CRASH PLAN, TRUSTREAM, ZOOM, PANTRY, SUPPLIES, MICROSOFT,	-1,124.08
Check		PARKER HARVEY LAW	GENERAL MATTERS, GRAVEL PIT, ZBA APPEAL	-2,920.00
Check		MITCHELL GRAPHICS	NEWSLETTER	-463.00
Check		MTA	BOR TRAINING	-80.00
Check		SYSTEM SPECIALISTS	COMPUTER UPDATES/INSTALL SWITCH	-110.00
Check		CORKY MEIER	OVERFLOW DAMAGE AT PARK	-100.00
Check		IRS	38-2352841	-3,781.86
Check		STATE OF MICHIGAN	38-2352841	-629.01
Paycheck		ALISA ABINEY	03/01/2023-03/31/2023	-2,236.94
Paycheck		LESLIE CUNNINGHAM	03/01/2023-03/31/2023	-44.05
Paycheck		APRIL HILTON	03/01/2023-03/31/2023	-1,143.40
Paycheck		MARILYN MOREHEAD	03/01/2023-03/31/2023	-78.50
Paycheck		LAURA WHITE	03/01/2023-03/31/2023	-44.04
Paycheck		PAUL ZARDUS	03/01/2023-03/31/2023	-44.05
Paycheck		JULIE COLLARD	03/17/2023-04/15/2023	-2,629.58
Paycheck		RON VAN ZEE	03/17/2023-04/15/2023	-4,294.20
Paycheck		MATTHEW CUNNINGHAM	03/17/2023-04/15/2023	-388.74
Paycheck		DOUGLAS KUEBLER	03/17/2023-04/15/2023	-328.99
Paycheck		KRISTIN BARANSKI	03/01/2023-03/31/2023	-3,009.35
Paycheck		ROY GRIFFITTS	03/01/2023-03/31/2023	-258.58
Paycheck		JIM RUDOLPH	03/01/2023-03/31/2023	-278.93
Paycheck		GREG DENZINGER	03/01/2023-03/31/2023	-224.66
Paycheck		DEREK BURNETT	03/01/2023-03/31/2023	-74.89

	Name	Memo	Amount
Paycheck	STEVE BULMAN	03/01/2023-03/31/2023	-74.88
Paycheck	CLIFF BIDDICK	03/01/2023-03/31/2023	-78.49
			-31,473.40
			-31,473.40

Total 101 Char. State Bank Check 2643

TOTAL

Installment EMS BUILDING Offset with Lease Payment 10248.13

April 2023 Treasurer Report

(As of April 4, 2023)

Charlevoix State Bank

1. General Fund-\$676,438.46

(\$466,438.46 available, \$210,000 Recommended Reserve)

2. Tax Account-\$15,228.82 *(restricted Treasury Funds)*

3. Township Warrant Checking-\$4,263.09

4. Pantry-\$7,380.47

5. ARPA (restricted funds)-\$202,121.31

6. Fundraising Account-\$2,519.01

7. EMS Construction Account (restricted funds)-\$52,973.30

Forefront

8. Metro Account Revenue Sharing-\$66,454.41

9. Prime Share Account-\$134.63

Horizon Bank

10. Road Fund (RESTRICTED ROAD FUNDS)-\$361,754.53

**HAYES TOWNSHIP
ZONING ADMINISTRATOR REPORT
APRIL 2023**

Application for variance, 07644 Indian Trails, is waiting for meeting date for public hearing to be scheduled.

Received and reviewed application for an accessory structure at 06450 Boyne City Road. Site plan submitted indicated proposed structure to be located across property line. Received survey for lot line adjustment to accommodate zoning permit application however have not received application for adjustment.

Reviewing application for reconstruction of a gazebo at 07000 Boyne City Road. Site plan was submitted however proposed site does not meet zoning ordinance requirements for setback. Applicant has been notified however no response at this time.

Working with property owners of 11929 Boyne City Road inquiring about parcel divisions, density and other zoning requirements.

Met with interested potential buyers of a large parcel on Lake Michigan seeking density and other zoning requirements.

Still working with two potential buyers of vacant property on Red Pine Road about zoning requirements.

Working with owner of vacant property on Boyne City Road about zoning requirements for accessory structure.

Working with owners of vacant property on US 31 N in Neighborhood Commercial Zoning District about zoning requirements.

Owners of property on Stephens Road have requested pre-application meeting for proposed camp ground. Meeting has not been scheduled as of this report.

Issued zoning permit for an accessory structure at 09025 Upper Bay Shore.

Issued zoning permit for a new single family dwelling with attached garage at 07615 Oyster Bay Drive within building envelope established with PUD approval.

Issued zoning permit for an 8' x 30' porch replacement and a 12' x 56' agricultural building addition at 06399 Boyne City Road.

Approved application for parcel division at 08085 Mulberry Lane.

Tip Of The Mitt Welding & Fabrication
1182 M-75 South
Boyne City, MI 49712 US
+1 2313303113
cgriffin224@icloud.com

Estimate

ADDRESS
Matt Cunningham

SHIP TO
Matt Cunningham

ESTIMATE # 1234
DATE 04/05/2023

DATE	ACTIVITY	DESCRIPTION	QTY	RATE	AMOUNT
	Steel	1/2" Steel Eyelets	2	40.00	80.00
	Labor	Welding	4	100.00	400.00

Camp Seagull Dock	SUBTOTAL	480.00
	TAX	0.00
	TOTAL	\$480.00

Accepted By

Accepted Date

Material Quotes are valid for 24 Hours Post Delivery
Pricing is subject to change based on unclear or unknown print details
Any and All Changes by Contractor or items unclear on provided print will be charged as Time and Material
Completed Projects not picked up within 7 business days are subject to a weekly fee of 1.25% of total invoice, Items left longer than 30 days are considered Abandoned



April 7, 2023

Ron VanZee
Hayes Township
09195 Old US 31 North
Charlevoix, MI 49720

Via Email
supervisor@hayestownshipmi.gov

RE: Gravel Pit Issues

Dear Mr. Vanzee:

I thought we had a very productive meeting on Thursday evening. Many thoughtful issues and concerns were raised by the attendees. I kept a list of those issues and would recommend that the best way to proceed would be for me to prepare a letter to Rieth Riley seeking its assistance in responding many of those issues and concerns. Please let me know if that is how you would like me to proceed.

Very truly yours,

PARKER HARVEY PLC

Todd W. Millar

TWM:krs

HAYES TOWNSHIP BOARD OF TRUSTEES

Meeting Date: April 10, 2023

Location:

Hayes Township Hall

[illegible]

