AGENDA
HAYES TOWNSHIP BOARD OF TRUSTEES
7:00p.m. July 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 June 12th, 2023
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. Public Comment
10. Board of Trustee Comment

ADJOURN MEETING

Public Comment at Meetings of the Hayes Township Board of Trustees

HAYES TOWNSHIP
BOARD OF TRUSTEES REGULAR MEETING
JUNE 12TH , 2023 7:00 PM
HAYES TOWNSHIP HALL
09195 MAJOR DOUGLAS SLOAN RD
CHARLEVOIX, MICHIGAN 49720
ZOOM 849 2451 3210

The June 12th, 2023, meeting of the Hayes Township Board was called to order by Supervisor Ron VanZee at 7:02 pm.

Board members present were Matt Cunningham (Trustee), Julie Collard (Treasurer), Doug Kuebler (Trustee), April Hilton (Deputy Clerk/Recording Secretary), Ron VanZee (Supervisor) and Kristin Baranski (Clerk)
Audience Members signed in: LuAnne Kozma, Ellis Boal, Leslie Cunningham, David Zipp, Janet Simon, Deb Narten, Danielle Hutchenson, Betty Henne, Shelly VanWart, Tim Boyko, Gerry Mills, and R.J Jess.

CALL TO ORDER

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

PLEDGE OF ALLEGIANCE

REVIEWED & APPROVED AGENDA

Correct date in #5
Add #12 for park equipment instead of Pavilion.
Add the June 12, 2023 Budget hearing minutes.
Mr. Kuebler made a motion, supported by Mr. Cunningham, to approve the agenda as amended.
Yays: Matt Cunningham, Julie Collard, Doug Kuebler, Ron VanZee, and Kristin Baranski.
Nays: None Motion Carried

PUBLIC COMMENTS UNRELATED TO AGENDA ITEMS

Public comment opened and closed at 7:04.
Public comments included:

- Resident is concerned the Food Pantry is not shown on the township budget. Also stated the budget workshop was not notified properly.

HAYES TOWNSHIP
BOARD OF TRUSTEES REGULAR MEETING
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HAYES TOWNSHIP HALL
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CLERKS REPORT: APPROVAL OF WARRANTS

Clerk, Ms. Baranski, presented the warrants in the amount of $41,834.47.
Ms. Baranski made a motion, supported by Ms. Collard, to approve Township warrants in the amount of $41,834.47. A roll call was taken.
Yeas: Matt Cunningham, Julie Collard, Ron VanZee, Doug Kuebler, and Kristin Baranski.
Nays: None **Motion Carried**
Ms. Baranski made a motion, supported by Mr. Kuebler to approve the installment payment for the EMS building loan in the amount of $10,248.13, the total installment payment will be offset 100% by the LCEMSA monthly lease payment. A roll call was taken.
Yeas: Matt Cunningham, Julie Collard, Ron VanZee, Doug Kuebler, and Kristin Baranski.
Nays: None **Motion Carried**

COUNTY COMMISSIONER REPORT

Mr. Jess present the County Commissioner Report.

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 July 11th, 2023.

PLANNING COMMISSION

Mr. Cunningham presented the Planning Commission Report. The next Planning Commission meeting is June 20, 2023.

ZONNING BOARD OF APPEALS

No report.

ZONING ADMINISTRATOR REPORT

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

TRUSTEES:

Doug stated the Reith Riley has started work on Murray Road.
Matt stated the Buoys have been installed at the Township Park.

Ms. Baranski made a motion, supported by Mr. Kuebler, to approve the salary of the office of Treasurer to be $32,583.00 annually. A roll call was taken.
Yeas: Matt Cunningham, Kristin Baranski, Ron VanZee, and Doug Kuebler.
Abstained: 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 supervisor is warranted, now
BE IT RESOLVED, that as of July 1, 2023, the salary of the office of supervisor shall be as follows:
SUPERVISOR: $ 32,583.00
Ms. Baranski made a motion, supported by Ms. Collard, to approve the salary of the office of Supervisor to be $32,583.00 annually. A roll call was taken.
Yeas: Matt Cunningham, Kristin Baranski, Julie Collard, and Doug Kuebler.
Abstained: 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 assessor is warranted, now
BE IT RESOLVED, that as of July 1, 2023, the salary of the office of assessor shall be as follows:
ASSESSOR: $ 34,376.00
Ms. Baranski made a motion, supported by Mr. Kuebler, to approve the salary of the office of assessor to be $34,376.00 annually. A roll call was taken.
Yeas: Matt Cunningham, Kristin Baranski, Ron VanZee, Julie Collard, and Doug Kuebler.
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 meeting per diem for Planning Commission Chair and Planning Commission members is warranted, now

Ms. Baranski made a motion, supported by Mr. Kuebler, to approve the hourly rate of Deputy clerk to be $22.00 per hour, Deputy Treasurer to be $22.00 per hour, and File Clerk to be $22.00 per hour. A roll call was taken.

Ms. Baranski made a motion, supported by Mr. Kuebler, to approve the hourly rate of $22.00 for Deputy Clerk, Deputy Treasurer and File Clerk. A roll call was taken.

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

Nays: None **Motion Carried**

Ms. Baranski made a motion, supported by Mr. Cunningham, to adopt the proposed 2023 budget and Salary Resolutions. A roll call was taken.

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

Nays: None **Motion Carried**

HAYES TOWNSHIP PARKING LOT BIDS:

Mr. Cunningham made a motion, supported by Mr. Kuebler, to approve the bid from Picture Perfect in the amount of $3,590.00 for the re-surfacing of Hayes Township Parking lot.

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

Nays: None **Motion Carried**

POST AUDIT POLICY:

Expenditure Approval & Post Audit Policy

The board is required at each regular meeting to audit all claims against the township presented for payment and authorize the payment of all allowed claims. Payments authorized by the township board shall be paid by the treasurer on an order signed by the township clerk. Accounts approved shall be filed and preserved by the township clerk. (MCL 41.75)

Each board member must have the opportunity—and use it—to review ("audit") the documentation for any payment prior to voting to approve it. Board members should look for proper authorization for the expenditure, including board votes to authorize the actual expenditure (not simply inclusion of the item in the budget), original bills or purchase orders with purchase officer approval, receipts or logs for reimbursement, receipts for credit card statement items, correct Chart of Accounts numbers, and payee information.

Every payment of any kind (including payroll) leaving the township—with the sole exception of the current-year tax collection disbursement account—must be voted on by the board

Nays: None **Motion Carried**

PUBLIC COMMENTS: Public comments opened at 8:01 pm.

Comments included

- Resident asked about an item on the Zoning Administrator Report. Also asked where in the budget the Annual Audit cost is set up. Also stated they hope to see the budgeted money for training be used by the township.
- Resident is proud to live in a township with a pantry.
- Resident asked about the Food Pantry account balance on the Treasurer report. Also is opposed to posting names of donators to the Food Pantry. Also feels the Township is doing a great job.
- Resident would like to see Correspondence and old business on the agenda. Also questioned are the salary increases were calculated correctly.

Public comments closed at 8:12 p.m.

ADJOURNMENT: Ms. Baranski made a motion, supported by Mr. Kuebler, to adjourn at 8:09 p.m.

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

Nays: None **Motion Carried**

Respectfully Submitted,

April Hilton

Hayes Township Deputy Clerk/Recording Secretary

July 2023 Treasurer Report

(*As of July 5, 2023*)

Charlevoix State Bank

1.General Fund-$681,882.97

($471,882.97 available, $210,000 Recommended Reserve)

2. Tax Account-*$5,585.96* *(restricted Treasury Funds)*

3. Township Warrant Checking-$3,542.79

4. Pantry-$7,432.33

5.ARPA (restricted funds)-$199,381.08

6.Fundraising Account-$4,720.36

Forefront

7.Metro Account Revenue Sharing-$66,495.84

8.Prime Share Account-$134.66

Horizon Bank

9.Road Fund (RESTRICTED ROAD FUNDS)-$369,614.87

	Name	Memo	Amount
101 Char. State Bank Check 2643			
Check	QUILL CORPORATION	SUPPLIES	-156.15
Check	GREAT LAKES EXCAVATING	REMOVAL OF OLD CONCRETE AT PARK	-1,600.00
Check	B&G ENTERPRISES	HALL/FIRE JUN MOWING	-225.00
Check	GREAT LAKES EXCAVATING	LOAD/DELIVER ROCKS TO EAB	-1,560.00
Check	GREAT LAKES ENERGY	HALL/FIRE BARN/UNDINE/STREET LIGHTS/PARK	-690.65
Check	PETOSKEY NEWS REVIEW	ANNUAL SUBSCRIPTION	-312.00
Check	US BANK	COPIES CONTRACT/FEES	-190.08
Check	MTA	TRAINING SESSIONS	-160.00
Check	BECKETT & RAEDER	HAYES TOWNSHIP PARK FENCE/ADVISORY GROUP	-3,022.50
Check	VISA	CRASH PLAN, TRUSTREAM, ZOOM, PANTRY, SUPPLIES, MICROSOFT,	-1,770.02
Check	MITCHELL GRAPHICS	NEWSLETTER	-503.00
Check	RB LYONS	REPLACE CORD ON DEICER	-190.00
Check	FLYNNS TRENCHING	DRAIN STONES DELIVERY	-340.00
Check	AIMEE GILBERT	TYPESET	-150.00
Check	IRS	38-2352841	-3,776.08
Check	STATE OF MICHIGAN	38-2352841	-578.37
Paycheck	ALISA ABINEY	06/01/2023-06/30/2023	-2,241.30
Paycheck	PAUL ZARDUS	06/01/2023-06/30/2023	-44.15
Paycheck	APRIL HILTON	06/01/2023-06/30/2023	-1,207.56
Paycheck	MARILYN MOREHEAD	06/01/2023-06/30/2023	-156.99
Paycheck	JULIE COLLARD	06/15/2023-07/16/2023	-2,753.70
Paycheck	RON VAN ZEE	06/15/2023-07/16/2023	-4,242.81
Paycheck	MATTHEW CUNNINGHAM	06/15/2023-07/16/2023	-477.81
Paycheck	DOUGLAS KUEBLER	06/15/2023-07/16/2023	-342.74
Paycheck	KRISTIN BARANSKI	06/15/2023-07/16/2023	-2,787.11
Paycheck	ROY GRIFFITTS	06/01/2023-06/30/2023	-203.17
Paycheck	DEREK BURNETT	06/01/2023-06/30/2023	-150.10
Paycheck	STEVE BULMAN	06/01/2023-06/30/2023	-150.10
Paycheck	THOMAS DARNTON	06/01/2023-06/30/2023	-46.18
Paycheck	LAURA WHITE	06/01/2023-06/30/2023	-44.15
Paycheck	REX GREENSLADE	06/01/2023-06/30/2023	-150.10
			-30,221.82

	Name	Memo	Amount
			-30,221.82
Total 101 Char. State Bank Check 2643			
TOTAL			
Installment	EMS BUILDING	Offset with Lease Payment	10248.13

HAYES TOWNSHIP
ZONING ADMINISTRATOR REPORT
JULY 2023

Issued zoning permit for a semi-in-ground pool with deck surround at 09190 Burgess Road.

Issued zoning permit for a new single family residence at 7423 Major Douglas Sloan Road.

Issued zoning permit for a new single family residence with attached garage and covered porch at 10611 Maple Grove Road.

Issued zoning permit for a 30' x 40 accessory structure at 10367 Burnett Road.

Issued zoning permit for a new single family residence with attached garage and deck at 11667 North Pa Ba Shan Trail.

Issued zoning permit for a residential addition including two porches at 07644 Indian Trails.

Issued zoning permit for to repair an existing deck at 07690 Indian Trails.

Received and reviewing application for zoning permit for removal of existing residence and construction of a new single family residence at 07948 Indian Trails. Shoreland review committee reviewing greenbelt plan.

Approved parcel division application for property located at 06497 Woods Creek Drive.

Working with citizen on a complaint about a neighbors building over the property line on Shrigley Road.

Working with citizen on a complaint about a neighbor building a fence over the property line on Burns Road.

Working with property owners on Maple Grove Road about multiple families living in a single family dwelling.

Gmail

clerk hayestownshipmi <clerkhayestownshipmi@gmail.com>

Fwd: Gravel mine slopes

1 message

Hayes supervisor <supervisorhayestownshipmi@gmail.com>
To: Kristin Baranski <clerk@hayestownshipmi.gov>

Mon, Jul 10, 2023 at 4:50 PM

Sent from my iPhone

Begin forwarded message:

From: Jim Pemberton <jpemberton@rieth-riley.com>
Date: July 10, 2023 at 4:44:41 PM EDT
To: Hayes supervisor <supervisorhayestownshipmi@gmail.com>
Subject: Re: Gravel mine slopes

Greetings Ron,

Here is the Rieth-Riley response to the email from Jim Rudolph to Hayes Twp:

> "Rieth-Riley is unaware of any provision within the consent judgment which requires an active mining face be sloped to any particular ratio. Rieth-Riley notes that non-active mining faces throughout the Green Pit have been restored to the proper sloping ratios required under the consent judgment and reclamation plan. Further, the 2022 Inspection Report performed by Bauer-Ford Reclamation found all sloping at the Green Pit to be in conformance with the consent judgment."

Let me know if you need anything else regarding this matter.

Thanks,

Jim

James S. Pemberton, P.E.

Area Manager

PETOSKEY AREA OFFICE

Rieth-Riley Construction Co., Inc.

A 100% Employee-Owned Company

06795 US-31 North

Charlevoix, MI 49720

phone 231.439.5757 ext. 35132

fax 231.347.8862

RIETH-RILEY
100% Employee Owned

From: Hayes supervisor <supervisorhayestownshipmi@gmail.com>
Sent: Sunday, July 9, 2023 1:53 PM
To: Jim Pemberton <jpemberton@rieth-riley.com>
Subject: Fwd: Gravel mine slopes

CAUTION: This email originated from outside Rieth-Riley Construction.

Do not click links or open attachments unless you recognize the sender and know the content is safe.

- *Helpdesk*

Sent from my iPhone

Begin forwarded message:

From: Jim Rudolph <jmr09799@gmail.com>
Date: July 9, 2023 at 1:48:00 PM EDT
To: Ron VanZee <supervisor@hayestownshipmi.gov>, clerk@hayestownshipmi.gov
Subject: Gravel mine slopes

Ron, Kristin,

In the consent agreement among H&D, the township and the interverors, the gravel mine banks were to be no steeper than a one to three slope. (no more than one foot vertical to each three foot horizontal) The recent mining on the south side of Pincherry has slopes way steeper than that. In fact, you can look 180 degrees north at the former mining and see banks with proper slopes.

I am bringing this to your attention for two specific reasons. Slopes this steep are dangerous. A lost child, ATVer or snowmobiler could easily be seriously hurt.

I certainly want to avoid anyone being hurt but I also am concerned about what the township's legal responsibilities are in assuring that this is corrected.

I know the whole mining thing is in legal flux but worry something could happen in the meantime.

Thanks,

Jim

This e-mail and any attachments thereto, are intended only for use by the addressee(s) named herein and may contain legally privileged and/or confidential information. If you are not the intended recipient of this e-mail (or the person responsible for delivering this document to the intended recipient), you are hereby notified that any dissemination, distribution, printing or copying of this e-mail, and any attachment thereto, is strictly prohibited. If you have received this e-mail in error, please respond to the individual sending the message, and permanently delete the original and any copy of any e-mail and printout thereof.

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To: Hayes Board of Trustees

From: LuAnne Kozma, resident of Hayes Township
9330 Woods Road, Charlevoix MI 49720

RE: proper Site Plan Review for waterfront residences and Zoning Administrator reports

What we witnessed at the last Planning Commission meeting was the Zoning Administrator's inadequate and non-transparent report, and his negligence in not following through with proper procedure in § 3.14(8) that requires the Planning Commission undertake a full Site Plan Review for a new residence on a waterfront lot (this time on Lake Michigan). Not the Zoning Administrator.

Even some Planning Commissioners were not convinced that they had any role in the site plan review. Further, they didn't properly put Site Plan Review of that property on their agenda, and then wanted to go ahead with it anyway. Members of the Public insisted they do it right and so did a few commissioners, and the matter was tabled and brought up at a subsequent special meeting.

I heard one commissioner say that this procedure might get changed in the new zoning ordinance.

I urge you not to.

In the meantime, the Board should no longer tolerate inadequate, incomplete and untimely Zoning Administrator reports and slipshod zoning administration.

Van Zee is supposed to follow the ordinance strictly, according to the ZBA in its recent decision this summer, and this is not being done.

I urge the Board to hire a new Zoning Administrator and in the meantime, ensure that Mr. Van Zee comply with the law. Matt Cunningham is his supervisor and also a long time Planning Commissioner, so this is up to him to oversee and make sure it's done right.

Thank you.

July 10, 2023

Good Evening,

I represent a large group of Hayes Township Residents, who would like to make a donation to our Hayes Township Park, Camp Seagul.

We want to donate a sturdy, comfortable bench to the park in honor of Jim Malewitz, who was the original engineer of our beautiful park. We were and are saddened by his untimely death. I first met Jim when I attended meetings at Hayes Township Hall, and I was impressed by his integrity and his sincere desire to design a beautiful park for all of the residents of Hayes Township.

We would like the bench to be placed on the pier or on the waterfront. We love to walk the pier and observe a sunrise or sunset and view Lake Charlevoix from multiple directions, or just sit quietly and contemplate the beauty of our surroundings. One early evening, I was walking the pier and saw a former student. He told me he comes here frequently to find peace after a busy work day. Another great place for the bench is on the waterfront, where we gather about once a week in a beautiful spot and have enjoyable conversations among neighbors. We would, also, place a plaque in Jim's honor on the bench. To have a resting bench would be delightful, and a comfortable bench is needed at the park. We hope our donation, in a good friend's memory, will inspire others to contribute to the park.

I am asking you to make a motion and to vote on the acceptance of this donation tonight. Thank you for your support.

Sincerely,

Betty Henne

Betty Henne

Process for donation of bench

Nearly four years ago, Jerry Simpson and I were on zoom with the rec committee. Our purpose was to offer a donation of a resting bench in honor of Jim Malewitz, who had just passed away. Julie did not know if Hayes Township had a donation policy. No decision was made.

We were on zoom with the rec. committee the following month. We discussed our research for an appropriate bench. Tom Darton made a motion to accept the donation; there was No second.

I have talked with Julie several times since about this donation. Here are her responses:

1. Beckett and Raeder will decide where benches will be located at the park. We had asked for the bench to be located on the waterfront, so small children could be watched.
2. Then I was told that the Pickle Court would have to come first before benches.
3. Next I was told that the rec. committee would order all benches to be placed at the park and place all plaques on the benches. I have not heard back from the rec. committee.
4. Since that time 4 benches have been placed at the park. They were not purchased by the Rec. Committee. To my knowledge, there was no involvement of Beckett and Raeder: the benches have been placed by Becky and Greg.

We have been patient and have acted in good faith. We have been treated with lies, a lack of transparency and irresponsibility. I recommend that this donation be placed on the next agenda of this board and placed under old business.

HAYES TOWNSHIP BOARD OF TRUSTEES

Meeting Date:	JULY 10, 2023	Location:	Hayes Township Hall

Name	Would you like to be called on to speak during public comment?	
Betty M. Henne	YES	NO
Jerry Baranski	YES	NO
Paul Hoadley	YES	NO
LuAnne Kozma	YES	NO
	YES	NO
	YES	NO
	YES	NO
	YES	NO
	YES	NO
	YES	NO
	YES	NO
	YES	NO
	YES	NO
	YES	NO
	YES	NO
	YES	NO
	YES	NO
	YES	NO
	YES	NO