

AGENDA
HAYES TOWNSHIP BOARD OF TRUSTEES
7:00p.m. August 14, 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 July 10, 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. 2023 Tax Rate Request L-4029 Approval and Submission
10. Consideration of Reith-Reilly Response
11. Public Comment
12. 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
JULY 10TH, 2023 7:00 PM
HAYES TOWNSHIP HALL
09195 MAJOR DOUGLAS SLOAN RD
CHARLEVOIX, MICHIGAN 49720
ZOOM 849 2451 3210

The July 10th, 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), April Hilton (Deputy Clerk/Recording Secretary), Ron VanZee (Supervisor) and Kristin Baranski (Clerk)

Audience Members signed in: LuAnne Kozma, Betty Henne, Jerry Baranski and Paul Hoadly.

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 Mr. Cunningham, to approve the agenda as presented.

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 7:03.

Public comments included:

- Resident would like to donate a bench for Hayes Township Park in the memory of Jim Malewitz.
- Residents' comments are attached to the minutes.

Closed at 7:11

APPROVAL OF JUNE 12TH 2023 BOT REGULAR MEETING MINUTES:

Mr. Kuebler made a motion, supported by Ms. Baranski to approve the June 12th, 2023, Board of Trustees regular meeting minutes as corrected.

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

Nays: None Motion Carried

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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 \$30,423.26.

Ms. Baranski made a motion, supported by Ms. Collard, to approve Township warrants in the amount of \$30,423.26. 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 was not present.

PARKS AND REC. REPORT

Next meeting will be held on July 11th, 2023 at 6:00pm at Hayes Township Park.

The board came to a census for the Parks and Rec. committee to discuss and decide on a bench to honor the donation made for Hayes Township Park. Hayes Township Board of Trustees supports the Parks and Rec Committee to offer selected benches as an amenity donation to Hayes Township Park Camp Seagull.

PLANNING COMMISSION

Mr. Cunningham presented the Planning Commission Report. The next Planning Commission meeting is July 18, 2023 at 7:00 pm.

ZONING BOARD OF APPEALS

No report.

ZONING ADMINISTRATOR REPORT

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

TRUSTEES:

Mr. Cunningham questioned if Ms. Baranski has had any luck finding a replacement for the cemetery landscaping. The board is thankful for all the volunteers helping at the cemetery in between contractors.

SUPERVISOR REPORT: Ron VanZee presented a supervisor report.

PUBLIC COMMENTS: Public comments opened at 7:30 pm.
Comments included:

- Resident stated they believe dates should be required on the Zoning Administrator Report. Also requested an explanation of the process when donating a bench for Hayes Township Park.
- Resident questioned if the Pickleball courts grant has been filed and when the plans for the Pickleball courts will be presented to the board.

Public comments closed at 7:37 p.m.

BOARD OF TRUSTEE COMMENT:

Ms. Collard commented that the grant for the Pickle Ball courts has been submitted.

Ms. Collard commented that the Parks and Rec Committee will make the final decision of where benches will be placed at the park. Also, the bench donation will be added to the agenda for the July 11th Parks and Rec's meeting.

Mr. VanZee explained the process of appealing a Zoning permit and/or Zoning administrator decision. Per Hayes Township Zoning Ordinance (Section 8.03.2) "the ZBA may hear appeals made by any person who alleges he or she has been aggrieved by a decision of the official or body, except for Zoning Administrator decisions regarding enforcement of this Ordinance." Aggrieved party for purposes of appealing ZBA decisions are appellant must have participated in proceedings; appellant must claim some protected interest that will be affected by decision and appellant must prove evidence of special damages.

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

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- 100 7:47 p.m.
- 101 Yeas: Matt Cunningham, Julie Collard, Ron VanZee, Doug Kuebler and Kristin Baranski
- 102 Nays: None **Motion Carried**
- 103 Respectfully Submitted,
- 104 April Hilton
- 105 Hayes Township Deputy Clerk/Recording Secretary

August 2023 Treasurer Report

(As of August 1, 2023)

Charlevoix State Bank

1. General Fund-\$656,699.10

(\$446,699.10 available, \$210,000 Recommended Reserve)

2. Tax Account-\$177,098.76 *(restricted Treasury Funds)*

3. Township Warrant Checking-\$5,441.28

4. Pantry-\$7,432.33

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

6. Fundraising Account-\$4,720.36

Forefront

7. Metro Account Revenue Sharing-\$66,509.96

8. Prime Share Account-\$134.67

Horizon Bank

9. Road Fund (RESTRICTED ROAD FUNDS)-\$373,947.50

2023 Tax Rate Request (This form must be completed and submitted on or before September 30, 2023)

MILLAGE REQUEST REPORT TO COUNTY BOARD OF COMMISSIONERS

Carefully read the instructions on page 2.

This form is issued under authority of MCL Sections 211.24e, 211.34 and 211.34d. Filing is mandatory; Penalty applies.

County(ies) Where the Local Government Unit Levies Taxes	2023 Taxable Value of ALL Properties in the Unit as of 5-22-2023
Charlevoix County	269,869,888
Local Government Unit Requesting Millage Levy	For LOCAL School Districts: 2023 Taxable Value excluding Principal Residence, Qualified Agricultural, Qualified Forest, Industrial Personal and Commercial Personal Properties.
Hayes Township	

This form must be completed for each unit of government for which a property tax is levied. Penalty for non-filing is provided under MCL Sec 211.119. The following tax rates have been authorized for levy on the 2023 tax roll.

(1) Source	(2) Purpose of Millage	(3) Date of Election	(4) Original Millage Authorized by Election Charter, etc.	(5) ** 2022 Millage Rate Permanently Reduced by MCL 211.34d "Headlee"	(6) 2023 Current Year "Headlee" Millage Reduction Fraction	(7) 2023 Millage Rate Permanently Reduced by MCL 211.34d "Headlee"	(8) Sec. 211.34 Truth in Assessing or Equalization Millage Rollback Fraction	(9) Maximum Allowable Millage Levy *	(10) Millage Requested to be Levied July 1	(11) Millage Requested to be Levied Dec. 1	(12) Expiration Date of Millage Authorized
ALLOCATED	OPERATING	11/2021	1.000	.9874	1.000	.9874	1.000	.9874		.9874	12/2026
VOTED	ROADS	08/2020	1.000	.9776	1.000	.9776	1.000	.9776		.9776	12/2023

Prepared by KRISTIN BARANSKI	Telephone Number (231) 547-6961	Title of Preparer CLERK	Date 08/07/2023
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CERTIFICATION: As the representatives for the local government unit named above, we certify that these requested tax levy rates have been reduced, if necessary to comply with the state constitution (Article 9, Section 31), and that the requested levy rates have also been reduced, if necessary, to comply with MCL Sections 211.24e, 211.34 and, for LOCAL school districts which levy a Supplemental (Hold Harmless) Millage, 380.121(3).

☒ Clerk ☐ Secretary	Signature	Print Name KRISTIN BARANSKI	Date 08/07/2023
☒ Chairperson ☐ President	Signature	Print Name RON VAN ZEE	Date 08/07/2023

* Under Truth in Taxation, MCL Section 211.24e, the governing body may decide to levy a rate which will not exceed the maximum authorized rate allowed in column 9. The requirements of MCL 211.24e must be met prior to levying an operating levy which is larger than the base tax rate but not larger than the rate in column 9.

**** IMPORTANT:** See instructions on page 2 regarding where to find the millage rate used in column (5).

Local School District Use Only. Complete if requesting millage to be levied. See STC Bulletin 2 of 2023 for instructions on completing this section.	
Total School District Operating Rates to be Levied (HH/Supp and NH Oper ONLY)	Rate
For Principal Residence, Qualified Ag., Qualified Forest and Industrial Personal	
For Commercial Personal	
For all Other	