

AGENDA
HAYES TOWNSHIP BOARD OF TRUSTEES
7:00p.m. February 12, 2024
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. Joe Verlin, CPA, CGFM Gabridge & Company- Audit Presentation to the Board
5. Todd Millar, Parker Harvey, Hayes Township Counsel Presentation to the Board
6. Public Comments
7. Approval of Regular Meeting Minutes of January 8, 2024
8. Treasurers Report
9. Clerks Report: Approval of Warrants
10. Reports: County Commissioner, Zoning Administrator, Planning Commission, Zoning Board of Appeals, Parks and Recreation, Trustee's, and Supervisor Reports.

NEW BUSINESS

9. B, S & A Accounting Proposal
10. Approval of February 27, 2024 Election Inspectors
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.

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09195 MAJOR DOUGLAS SLOAN RD
CHARLEVOIX, MICHIGAN 49720
ZOOM 849 2451 3210

The January 8th, 2024, 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, Jim McMahon, Ellis Boal, Roy Griffitts, Carol Umlor, Annie Doyle, David Zipp, Tim Boyko, Omar Feliciano, Janet Simon, Diane McMahon, Mel Czechowski, Patricia Feliciano, Betty Henne, John Donahue, CT Martin, Andrew Wilson, Winnie Boal, and Shelly VanWart.

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 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 7:02.

Public comments included:

- Comments attached to minutes.
- Concerned about the audit report and would like to know what the Board is planning to do to fix the issues. Would like to see the board set a special meeting to address the audit report.
- Comments attached to minutes.
- Concerned there is not fence around the green pit at Rieth Riley.
- Concerned with the audit report and would like to see how the Township plans to correct it.

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- Concerned who and what is at fault for the poor audit report. Would like to know what happened in the office and concerned that the township is not compliant with the state laws.
- Would like to know what the previous audit report showed.
- Suggested the township develop a checks and balances process.
- Supports previous comments. Would like to see the audit on this meetings or next meeting's agenda.

Closed at 7:23

APPROVAL OF DECEMBER 11TH 2023 BOT REGULAR MEETING MINUTES:

Ms. Baranski made a motion, supported by Ms. Collard to approve the December 11th, 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**

TREASURERS REPORT

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

Ms. Collard, Ms. Baranski and Mr. VanZee presented on the audit report.

Ms. Baranski and Ms. Collard will get a new cost proposal from BS&A.

CLERKS REPORT: APPROVAL OF WARRANTS

Clerk, Ms. Baranski, presented the warrants in the amount of \$35,702.45.

Ms. Baranski made a motion, supported by Mr. Kuebler, to approve Township warrants in the amount of \$35,702.45. 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 Ms. Collard 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**

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COUNTY COMMISSIONER REPORT

NA

PARKS AND REC. REPORT

Next meeting will be held on February 5th, 2024, at 6:00pm at Hayes Township Hall.

PLANNING COMMISSION

Mr. Cunningham presented the Planning Commission Report. The next regular Planning Commission meeting is January 16th, 2024, at 7:00 pm. A special meeting is scheduled for January 13th 2024 at 8:45 am.

ZONING BOARD OF APPEALS

Next ZBA meeting is scheduled for January 24th, 2024, at 1 pm.

ZONING ADMINISTRATOR REPORT

Ron VanZee presented a Zoning Administrator report.

Report available at the Hayes Township Hall.

TRUSTEES:

Mr. Kuebler announced the Charlevoix County Road Commission will be meeting on January 10th, 2023. The Township will be asking for speed limit signs on Murry Road and safety signs at the intersection of Bergus and Upper Bay Shore. Will also mention Townline road for a new speed limit sign, especially for the residential area.

SUPERVISOR REPORT: Ron VanZee presented a supervisor report.

SET MARCH BOARD OF REVIEW DATES:

Ms. Baranski made a motion, supported by Ms. Collard to approve March 5th 2024 at 11 am for the organization meeting for the Board of Review.

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

Nays: None **Motion Carried**

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Ms. Baranski made a motion, supported by Ms. Collard to approve March 11th, 2024, 3pm-9pm and the Following Wednesday March 13th, 2024, from 9am – 3pm.

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

Nays: None **Motion Carried**

ASSEST TEST RESOLUTION (POVERTY GUIDELINES):

Ms. Baranski made a motion, supported by Mr. Kuebler to approve the increase of Hayes Township Poverty Guideline 10% across the board.

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

Nays: None **Motion Carried**

TOWNSHIP OF HAYES

Resolution No. 01082024

At a regular meeting of the Hayes Township Board held at the Hayes Township Hall 09195 Major Douglas Sloan Road, Charlevoix, Michigan 49720 on January 8, 2024 ..

Present: Supervisor Ron VanZee, Treasurer Julie Collard, Clerk Kristin Baranski, Trustee Matt Cunningham, Trustee Doug Kuebler

Absent: None

The following resolution was made by Ms. Baranski and supported by Mr. Cunningham to-wit:

ASSET LEVEL TEST

WHEREAS PA 390 of 1994 states that the poverty exemption guidelines established by the governing body of the local assessing unit shall also include an asset level test.

WHEREAS an asset test means the amount of cash, fixed assets or other property that could be used, or converted to cash for use in the payment of property taxes. The asset test is calculated based on a maximum amount permitted and all other assets above that is considered as available.

WHEREAS the homestead of persons, who in the judgment of the board of review, by reason of poverty, are unable to contribute to the public charges is eligible for exemption in whole or part from taxation under Public Act 390, 1994 (MCL 211. 7u); and

WHEREAS pursuant to PA 390, 1994 Hayes Township, Charlevoix County adopts the following guidelines for the board of review to implement. The asset level test shall include

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but not be limited to the specific income of the claimant and all persons residing in the household, including any property tax credit returns, filed in the current or immediately preceding year.

To be eligible, a person shall do all the following on an annual basis:

1. Be an owner of and occupy as a homestead the property for which an exemption is requested.
2. File a claim with the board of review, accompanied by federal and state income tax returns for all persons residing in the homestead, including any property tax credit returns filed in the immediately preceding year or in the current year.
3. Produce a deed, land contract, or other evidence of ownership of the property for which an exemption is requested if requested.
4. Meet the Federal poverty income standards plus 10% as defined and determined annually by the United States Office of Management and Budget.
5. Provide a list of asset valuations, including cash on hand, fixed assets, and any other property that could be used, or converted to cash for use in the payment of property taxes.
6. The board of review shall not include the homesteaded property to calculate the asset level.
7. If the combined total of cash on hand, fixed assets, and any other property values exceeds the Federal Poverty Guidelines by one (1) time no exemption is allowed

NOW, THEREFORE, BE IT RESOLVED the board of review shall follow the above stated policy and federal guidelines in granting or denying an exemption per PA 253 2020.

RESOLUTION DECLARED ADOPTED.

ZONING BOARD OF APPEALS / BOARD OF REVIEW APPOINTMENTS:

Mr. VanZee made a motion, supported by Ms. Collard to appoint Joni Hosler to the Zoning Board of Appeals as an alternate.

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

Nays: None **Motion Carried**

Mr. VanZee made a motion, supported by Ms. Baranski to appoint Richard Sculthorpe to the Board of Review.

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

Nays: None **Motion Carried**

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HAYES TOWNSHIP HALL IMPROVEMENTS:

Ms. Baranski made a motion, supported by Mr. Kuebler to accept the proposal for painting the interior of the Hayes Township Hall from J. Arnold Painting in the amount of \$10,260.00 from the ARPA Fund.

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

Recused: Matt Cunningham

Nays: None **Motion Carried**

Ms. Baranski made a motion, supported by Ms. Collard to approve the bid for carpet installation at the Hayes Township Hall from Whitley's Floor Covering in the amount of \$9,204.87 from the ARPA Fund.

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

Nays: None **Motion Carried**

SEXTON POSITION:

Ms. Baranski made a motion, supported by Ms. Collard to accept Paul Zardus resignation from the Hayes Township Sexton position.

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

Nays: None **Motion Carried**

Ms. Baranski made a motion, supported by Mr. Cunningham to accept Pam Johnson's application for the Hayes Township Sexton position.

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

Nays: None **Motion Carried**

2023 YEAR IN REVIEW:

Ms. Collard presented the Hayes Township Year in Review. See attached.

PUBLIC COMMENTS: Public comments opened at 8:27 pm.

Comments included:

- Suggested the Parks and Rec focus on improving the Shoreline at Hayes Township Park. Encourages the township board to post their response to the audit on the

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Township's website or have a meeting addressing how they plan to fit the issues brought up in the audit.

- Does not understand how the board created their action plan response to the audit outside of a meeting. Would like to know where the public can access the audit report. Would like to see all meetings available on Zoom.
- Supports the comment for the Parks and Rec should focus on the Shoreline. Also, would like to see the Swing Set at Eastern Avenue Beach.
- Would like to see improvement from the Township Board and suggested to update policies to help with the issues brought up with the audit. Stated it would help ease residents minds the Township is compliant with the state.
- Appreciates the Clerk and Treasurer honesty and taking initiative to learn and fix the issues from the audit. Supports adopting BS&A, understands how QuickBooks could have created difficulty in accounting for the Township.

Public comments closed at 8:41 p.m.

BOARD OF TRUSTEE COMMENT:

Ms. Collard stated they regret not purchasing BS&A before.

ADJOURNMENT: Ms. Baranski made a motion, supported by Mr. Kuebler, to adjourn at 8:43p.m.

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

Nays: None **Motion Carried**

Respectfully Submitted,

April Hilton

Hayes Township Deputy Clerk/Recording Secretary

February 2024 Treasurer Report

(As of February 6, 2024)

Charlevoix State Bank

1. General Fund-\$571,972.49

(\$361,622.57 available, \$210,000 Recommended Reserve)

2. Tax Account-\$277,208.16 *(restricted Treasury Funds)*

3. Township Warrant Checking-\$5,454.08

4. Pantry-\$8,492.35 *(restricted funds)*

5. ARPA *(restricted funds)*-\$174,972.40

6. Fundraising Account-\$12,049.43

Forefront

7. Metro Account Revenue Sharing-\$66,593.83

8. Prime Share Account-\$134.73

Horizon Bank

9. Road Fund (RESTRICTED ROAD FUNDS)-\$198,709.71



January 25, 2024

To the Township Board and Management
Hayes Township
Charlevoix County, MI

Hayes Township Board of Trustees:

I will be presenting the audits for the Township's June 30, 2022, and 2023 financial statements. Some of the topics will include our opinion (a clean opinion was rendered for both years), the financial condition of the Township as of June 30, 2023 (unassigned fund balance of the general fund was \$638,425 as of June 30, 2023, or 90.6% of the annual general fund expenditures, which is considered healthy), and the restoration of compliance with the Michigan Department of Treasury (the Township received qualified status from Treasury on January 2, 2024, all F-65s have been brought current, and Treasury has received and accepted the Township's corrective action plan).

Thank you!

JOE VERLIN, CPA, CGFM

GABRIDGE & COMPANY

3940 PENINSULAR DRIVE SE SUITE 200 / GRAND RAPIDS, MI 49546



January 17, 2024

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

Via E-mail

RE: Roy Griffitts
Our File No. 1932.00

Dear Mr. VanZee:

You asked me for my legal opinion on the issue of whether or not Roy Griffitts could serve on the ZBA and the Planning Commission while also holding the position of deputy supervisor. In short, it is my opinion that it was permissible for Roy to serve on the ZBA and Planning Commission while also holding the position of deputy supervisor. You asked me to determine whether Roy needed to return any of the monies he received from either of those positions if I concluded it was improper for him to hold them. Given my conclusion that it was permissible for him to hold both positions, it is my opinion is that Roy does not need to return any of the funds he received as compensation while holding those offices. I will explain my conclusions in greater detail below.

Roy Griffitts has worn many hats for the township and has served on multiple boards. He was appointed to the Planning Commission by the supervisor on January 8, 2018. At some point in time after being appointed to the Planning Commission, Roy became the Planning Commission representative on the Zoning Board of Appeals. On February 11, 2021, Roy was sworn in as the deputy supervisor. Following complaints by a resident that Roy serving on the Planning Commission and ZBA while also serving as the deputy supervisor violated the Michigan Zoning Enabling Act and Michigan Planning Enabling Act, Roy resigned as deputy supervisor on February 1, 2022. During that time period, Roy received \$1,785 in compensation for serving on the Planning Commission and Zoning Board of Appeals. He also received \$5,203.12 in compensation as deputy supervisor.

The analysis needs to start with how each of these positions are filled. The Planning Commission members are appointed by the supervisor, subject to approval by a majority vote of the township board. MCLA 125.3815(1). Therefore, only the supervisor can offer up names for the township board to consider in appointing Planning Commission members. The ZBA, on the other hand, is populated by members appointed by a majority vote of the township board. MCLA 125.3601(1). Unlike the Planning Commission, anyone can nominate a person to serve on the Planning Commission so long as that person receives a majority vote from the township board. As for the

deputy township supervisor, that person is appointed by the township supervisor and serves at the pleasure of the supervisor. MCLA 41.61(2). The statute further provides that “with the approval of the supervisor, the deputy may assist the supervisor in the performance of the supervisor’s duties at any additional times agreed upon between the township board and the supervisor, except the deputy shall not have a vote on the township board.” Therefore, the deputy supervisor has all the authority of the supervisor so long as the supervisor and the township board agree, yet the deputy supervisor can be dismissed by the supervisor at any time.

Does the Deputy Supervisor serving on the PC or ZBA violate either of those enabling statutes? The answer is, no.

The Zoning Enabling Act provides that “an employee or contractor of the legislative body may not serve as a member of the Zoning Board of Appeals.” MCLA 125.3601(6). Similarly, the Michigan Planning Enabling Act provides that an elected officer or employee of the local unit of government is not eligible to be a member of the Planning Commission. MCLA 125.3815(5). Clearly, Roy is not a contractor of the township and, therefore, that term does not disqualify him from service on the ZBA. Both statutes also prohibit employees of the township from serving on either board. In this case, Roy is not an employee. While neither the Zoning Enabling Act or the Michigan Planning Enabling Act define the term “employee”, the statute governing incompatible public offices does define the term “public employee.” MCLA 15.181(1)(d) states that a “public employee” means an employee of this state, an employee of a city, village, township, or county of this state... but does not include a person whose employment results from election or appointment.” All three positions held by Roy were appointed positions. Therefore, he is not considered a public employee and is not excluded from serving on the ZBA or Planning Commission for that reason. That leaves us with the term “elected officer”. While one could argue that as deputy supervisor, Roy stands in the shoes of the supervisor, each word in a statute has meaning. Roy was not elected and, therefore, is not an elected officer who cannot serve on the Planning Commission. Therefore, I find nothing in the Planning Enabling Act or the Zoning Enabling Act that would prohibit Roy from serving on either board simply because he is the deputy township supervisor.

Does the Deputy Supervisor serving on the PC or ZBA violate the Incompatible Public Officer statute? The answer is, yes. However, there is an exception for municipalities with less than 40,000 residents. In this instance, there is an exception that allows the service in incompatible positions.

This takes us to a required analysis under the Incompatible Public Offices statute. MCLA 15.182(1) provides that “except as provided in section 3, a public officer or public employee shall not hold 2 or more incompatible offices at the same time.” MCLA 15.181(1)(b) defines incompatible offices as:

public offices held by a public official which, when the official is performing the duties of any of the public offices held by the official, results in any of the following with respect to those offices held:

- (i) The subordination of one public office to another.
- (ii) The supervision of one public office by another.
- (iii) A breach of duty of public office.

As previously stated, “public employee” does not include a person whose employment results from election or appointment. MCLA 15.181(e) defines a public officer as:

a person who is elected or appointed to any of the following:

- (i) An office established by the state constitution of 1963.
- (ii) A public office of a city, village, township, or county in this state.
- (iii) A department, board, agency, institution, commission, authority, division, council, college, university, school district, intermediate school district, special district, or other public entity of this state or a city, village, township, or county in this state.

Given this definition, Roy would be a public officer and not a public employee.

The question becomes whether or not serving as deputy supervisor and on the Planning Commission constitutes holding two or more incompatible offices at the same time. Going back to the definition of incompatible offices, my conclusion is that this likely violates subsections i and ii because the deputy supervisor, having the ability to hold all of the powers of the supervisor, creates a situation where the Planning Commission position is subordinated to the deputy supervisor position and the deputy supervisor position clearly has supervision and authority over the Planning Commission position due to the ability of the deputy supervisor to appoint Planning Commission representatives. The ZBA position is different because anyone can nominate a ZBA member and, therefore, the supervisor position does not have the same oversight and control of ZBA members as it does PC members. That being said, in this instance, Roy was the PC member representative on the ZBA. Logically, if he should not have been on the PC then he could not serve as the member representative on the ZBA.

The analyses do not end there, though. Even though I conclude that holding the two positions of deputy supervisor and Planning Commission member constitute incompatible offices, MCLA 15.183(4) provides that:

- (4) Section 2 does not do any of the following:

...

- (c) limit the authority of the governing body of a city, village, township, or county having a population of less than 40,000 to authorize a public officer or public

employee to perform, with or without compensation, other additional services for the unit of local government.

This statutory language clearly authorizes a township with less than 40,000 residents to authorize a public officer to hold what would otherwise be incompatible offices. In this case, even if the position of deputy supervisor and Planning Commission member were incompatible offices, the fact that Hayes Township has less than 40,000 residents authorizes the township board to appoint Roy to the Planning Commission while also serving as deputy supervisor.

This conclusion is supported by a number of attorney general opinions. In 2002, Attorney General Jennifer Granholm issued an opinion regarding whether or not the office of Monroe City Council Person was incompatible with the office of Historic District Commissioner. She concluded that the office of Historic District Commissioner was subordinate to the Monroe City Council, and therefore, the positions were incompatible. However, at that time, the statute contained the same authorization in section 3 but for municipalities with populations less than 25,000. She concluded that “[i]t is my opinion, therefore, that under the Incompatible Public Offices Act, the office of Monroe City Councilperson is incompatible with the office of Historic District Commissioner in that city. It is further my opinion that notwithstanding this incompatibility, the Incompatible Public Offices Act contains an exception that permits the governing body of a municipality having a population of less than 25,000 to authorize a public officer or public employee to hold such dual public positions.”

In 2017, Attorney General Bill Schuette issued an opinion that the offices of Village President and Village Manager in a village with a population of less than 40,000 was not in violation of the Incompatible Public Offices Act. First, Mr. Schuette concluded that since the position of Village Manager is supervised by the Village President, the two positions were incompatible under the statute. He goes on to state, though, that “[b]ut this is not the end of the analysis. The IPOA carves out an exception that allows the governing body of the village having a population of less than 40,000, ‘to authorize a public officer or public employee to perform, with or without compensation, other additional services for the unit of local government.’” He concludes that “[i]t is my opinion, therefore, that the offices of Village President and Village Manager of the same village are compatible in a village with a population of less than 40,000 under subsection 3(4)(b) of the IPOA, MCL 15.183(4)(b).”

For these reasons, even if the position of deputy supervisor is incompatible with either the Planning Commission or Zoning Board of Appeals membership, that defect is cured by the statute authorizing such positions in municipalities under 40,000 residents such as Hayes Township.

Does Roy need to return any compensation? The answer is, no.

You have also asked me to give you an opinion on whether or not Roy should return any of the compensation he received during his periods of service as deputy supervisor and Planning Commission and ZBA members. Given the fact that I find he has not held incompatible offices, I find that he does not legally need to return any of that compensation.

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Thank you for your attention to these matters. Please do not hesitate to contact me with any questions you might have.

Very truly yours,

PARKER HARVEY PLC



Todd W. Millar

TMW:kes

WILMOT ELECTRIC, INC

12800 TAYLOR ROAD CHARLEVOIX, MICHIGAN 49720 (231) 547-5583 FAX: (231) 547-0358

PROPOSAL

January 19, 2024

Hayes Township
09195 Major Douglas Sloan Road
Charlevoix, MI 49720

Attn: Kristin Baranski, Clerk

Re: Township Hall Electrical Upgrades

Kristin:

Wilmot Electric, Inc. is pleased to submit this quote to perform electrical upgrades at the Township Hall, in accordance with the following:

Underfloor Power & Communications for Committee Table **\$2,845.00**

- Sawcut concrete slab from location under table to the wall under the existing outlet and remove concrete as required
- Install recessed style floor box with duplex receptacle and 4 port network outlet
- Extend conduits with power and network cables from the recessed floor box to the respective wall boxes located behind the table
- Patch concrete as required
- Modify existing Committee Table cords and cables to plug into new recessed floor box
- Includes labor, materials, and miscellaneous items necessary to complete the work

Install Receptacle Outlet for Zoom **\$340.00**

- Cut in new flush quad receptacle outlet on front wall of Hall for Zoom equipment
- Source the branch circuit from existing receptacle outlet on the same wall

Replace Exterior Light Fixture at Front & Rear Doors **\$600.00**

- Replace existing rear canopy style fixture with new LED canopy fixture
- Replace existing front cylinder style light fixture with new LED full cut-off area light
- Verify proper circuit and controls operation. Provide dusk to dawn capability on each fixture

Thank you for the opportunity to provide this quote. Please call with any questions you may have.

Respectfully submitted,

Sean W. Davis

Sean W. Davis, vice president

Election Inspectors February 27th, 2024 Presidential Primary

Kristin Baranski	Republican
April Hilton	Democrat
Janice Vedder-Whipple	Democrat
Vanessa Cebulski	Republican
Pam Hooper-Griffitts	Republican
Doug Kuebler	Republican
Steve Ritter	Democrat
Nancy Simon	Democrat
Eugene Brannigan	Democrat
Jane Kemme	Republican



clerk hayestownshipmi <clerkhayestownshipmi@gmail.com>

Entrance Sign at Camp Sea-Gull

1 message

Betty Henne <betty.henne@gmail.com>

Tue, Feb 6, 2024 at 12:47 PM

To: Ron Van Zee <supervisor@hayestownshipmi.gov>, kristin baranski <clerk@hayestownshipmi.gov>, Hayes Treasurer <treasurerhayestownshipmi@gmail.com>, Matt Cunningham <trustee2@hayestownshipmi.gov>, Doug Kuebler <hayestrustee5@gmail.com>

Dear Ron and Members of BOT,

I want you to know how disturbing it was to drive by beautiful Camp Sea-Gull and see once again the defacement of the large Camp Sea-Gull, Hayes Township, entrance sign. It was designed by Bruce Wood of the Wood Shop and is a masterpiece artistically reflecting the blue waters of Lake Charlevoix and greens of the trees and waterfront of the park. A grant from the Great Lakes Energy People's Fund provided the residents of Hayes Township this unique sign for their park. Many of us contributed to the purchase of the park, and it is troubling to have the township board show such disrespect and lack of maintenance for the sign by hanging a seasonal road sign on it and damaging it. It is thoughtless and a failure to care for the amenities of the park or to listen to residents of the township.

Before host, Greg Stauffer, left for his Winter home, I was walking through the park, and he was returning. He stopped, and we had a conversation about the entrance sign, and I explained its history. I offered to bring a window box filled with flowers, place it in the flower bed beneath the sign, and remove the Drost Landscaping sign, tacked on it. Greg said, "That sign has been there long enough; I'll remove it today." I discussed the seasonal sign. He said he would put the seasonal sign on a stake that the township could put in the ground. I am asking THIS BOARD TO TAKE ACTION and put that seasonal sign on a stake where it belongs. I sent TWO LETTERS last year requesting removal of the signs and spoke to the Parks and Rec Committee in August about my concerns. I want to protect the sign and preserve the beauty of Camp Sea-Gull, which I love. It is difficult to trust a board, which does not listen.

Please attach this letter to the Feb. minutes, include it in the packet, and place it on the table near the door.

LISTEN,

Betty Henne



Improvements to the Parks and Recreation Master Plan

1 message

Jim McMahon <jim_mcmahon_iii@yahoo.com>

Wed, Feb 7, 2024 at 7:56 AM

To: Ron Van Zee <supervisor@hayestownshipmi.gov>, Kristin Baranski <clerk@hayestownshipmi.gov>, Julie Collard <treasurer@hayestownshipmi.gov>, Matt Cunningham <trustee2@hayestownshipmi.gov>, Doug Kuebler <hayestrustee5@gmail.com>

Cc: "hayestownshipcc@gmail.com" <hayestownshipcc@gmail.com>, "hayestownshippr@gmail.com" <hayestownshippr@gmail.com>

Dear Hayes Township Board of Trustees,

As background regarding the Parks and Recreation (P&R) Master Plan discussion, please read my two previous emails (included below) to the Planning Commission, with "carbon copy" to the P&R committee. These topics and others were mentioned at the January 16 Public Hearing. The P&R chair, Julie Collard, committed during the hearing to answer, in writing, all of the concerns and questions raised.

Some suggestions and questions raised by the audience include the following:

1. To get broader and more diverse public input, mail a paper copy of the survey questionnaire to all property owners. Have the survey designed and administered by an independent, qualified, planning consultant.
2. Include in the P&R Master Plan a Gantt chart (timeline) of all proposed P&R projects, in priority sequence showing:
 - proposed project sequencing
 - costs of each project
 - implementation timeline
3. Consider using the **land adjacent to the township hall for non-waterfront recreation activities** such as pickle-ball courts. It's important to keep waterfront parks for waterfront activities.
4. Resolve and provide the # 1 feature from the 2012 P&R survey for a designated swimming area at Camp Sea-Gull park. This swimming area does not require a sandy beach.
5. Be more specific with the restoration of the waterfront shoreline using the more natural and non-hardened methodology. Include the costs and plan this restoration as one of the key elements described in the Gantt chart. (See # 2 above.)
6. Create a more diverse Parks & Recreation committee by having more non-lakefront property owners as members. Also seek to minimize potential conflicts of interest within its committee members. Committee members should participate without pre-conceived agendas.

These and other suggestions and concerns were made by audience members at the January 16 Public Hearing for the P & R Master Plan. Since this plan is only developed every five years, it's very important and critical to get this work done with more inclusion of all property owners' input. Thank you.

Jim McMahon
phone: 231-347-9829

January 11 email to the Planning Commission, with a carbon copy to the P & R committee:

Dear Planning Commission members,

The Parks and Recreation Master Plan has lots of positive township information and has colorful imaginary, photos, and diagrams. I believe the plan would be more complete with development in two specific areas:

1. The survey was not mailed to each household and property owner. The mailing of a hardcopy survey provides ease of use and assurance that 100% of township households and property owners would be reached. To my understanding, the survey was only available online.

A potential survey respondent needed to know where the survey was located online and to have internet access. For most township property owners and residents, accessing or reading township website information is not high on their personal to-do list. This online approach makes the survey into a chore for most people. Were the survey questions professionally designed, unbiased, and administered?

2. This document does not provide a proposed plan for implementation. There is no list of proposed development priorities in priority sequence.

For example, one of the 1st responsibilities of the township is to protect its assets. Some township waterfronts are under threat of erosion. Protecting the Camp Sea-Gull shoreline using a natural, non-hardened, methodology would be more important than installing a \$350,000 pickle-ball court. Additionally, the most important feature of Camp Sea-Gull is the waterfront. All features at this waterfront park should be supportive of waterfront-related activities.

Many people come to Camp Sea-Gull for relaxation and relative quiet in the late afternoon. Could there be more appropriate places in the township than a waterfront park, with its beautiful vistas and its relative-quiet atmosphere, to locate a pickle-ball court? Please consider locations such as the property adjacent to the township hall for the pickle-ball court?

Recommendations:

1. Re-execute the survey using a township-wide methodology with proven, professional, survey methods to ensure all residents and property owners are reached. A professionally drafted and executed survey would better guarantee broader and unbiased responses.
2. Using a professionally-administered survey, create a vision for the entire township and for all of its parks. Additionally, Camp Sea-Gull requires a general timeline (Gantt chart) for future development.

Thank you for this opportunity to provide constructive feedback.

Jim McMahon

January 15 email to the Planning Commission, with a carbon copy to the P & R committee:

Dear Planning Commission members,

This email is in addition to my earlier January 11, 2024, email regarding the Parks and Recreation Master Plan. Please consider both emails.

The Parks and Recreation public hearing must be opened up to audience participation and discussion of issues regarding the draft Parks and Recreation Master Plan. The single 3-minute public comment period is hardly enough time for public comment, open discussion, and audience participation. Below are just a few points for discussion. I'm sure there are many more topics for consideration, if property owners are given reasonable notification and opportunity.

1. The survey is a key element in getting property owners input and feedback. However, there was no broad communication of the survey with all property owners. It appears that **the only communication was a mention of the survey in a township newsletter for online participation only**. The newsletter is now thought by many residents as a political, self-serving, mailer and it is viewed that way.

This newsletter only reaches occupied homes (addresses) in Hayes Township. My understanding is that this USPS delivery does not reach all township property owners.

There was no "official" hardcopy mailing of the survey to all township property owners.

2. The survey was not professionally designed and independently conducted. There is bias shown in some survey questions. There were significant park topics that were not put into questions.
3. What was question # 2? It is not shown in the master plan document.
4. What method was used to validate each survey responder? There appears to be no survey response security. Was there an opportunity for duplicate responses?
5. Why were there no mentions of the beach area and the swimming area in question # 3? However, many of the respondent replies talked about the beach and swimming areas.

There were no questions about the beach and swimming areas. Isn't this one of the primary uses for waterfront parks?

6. How were the replies from the respondents' and their feedback factored into the development of the master plan? Were there sufficient public meetings to discuss the survey replies? There appears to be no attempt to reply to the concerns expressed in the survey? This leaves the impression that replies and feedback had little value.

7. Specifically, how many online surveys were submitted?

These are just a few questions about the survey. Wide public, active participation in a meeting(s) specifically about the parks and recreation should have been conducted prior to finalization of the master plan. These meetings should be widely publicized and held at the Charlevoix Public Library gathering room, with Zoom participation, in good weather. Holding a meeting in the dead of winter accomplishes few transparent objectives and does not allow broad participation.

The planning commission should re-do the survey, how it is drafted and conducted, and utilize the survey's important role in the development of the Parks and Recreation Master Plan.

Thank you.

Jim McMahon

January 15, 2024

RE: State Audit

To: Hayes Township Board of Trustees

This letter is in reference to the state audit report concerning violations due to negligence of the Board's responsibilities. After having read both the PNR and Charlevoix Courier articles about the exceeded expenditures, tax statements incorrectly posted, and credit card purchases not properly reconciled, among other things, I am appalled at the Board's inability to handle the financial requirements of running a township. I also believe that the Board has shown a lack of transparency and failure in many facets of their responsibilities as township representatives.

As a Hayes Township resident and taxpayer, I cannot believe this financial negligence involves so many different areas of budget and revenue improprieties. I'm glad that the State of Michigan Department of Treasury exposed your ineptness. Quite frankly, with all of the other problems you have had with the Elmers concrete batch plant, the Scott Law channel and boat basin, the Reith-Riley asphalt plant, you, as a board, seem like you cannot make proper and good decisions for the residents of this beautiful area. If you want to be stewards of the land and be financially responsible for its residents, start by doing the right and proper actions for all of us.

Sincerely,



**Maureen Whitehead
5360 Lake Trl
Charlevoix, MI 49720**



**OFFICE OF ZONING ADMINISTRATOR
09195 MAJOR DOUGLAS SLOAN ROAD
CHARLEVOIX, MICHIGAN 49720
231.547.6961
WWW.HAYESTOWNSHIPMI.GOV**

FEBRUARY 2024 ZONING ADMINISTRATOR REPORT

Issued zoning permit for the interior alteration of a detached garage at 08850 Boyne City Road.

Working with property owners on adjacent properties concerning setback requirement on Shrigley Road.

Sent letter outlining shoreland restoration/installation requirements of the Zoning Ordinance to property owner on Woods Creek Drive as result of notice of EGLE/USACE joint application.

Working with property owner concerning easements on Pa Ba Shan Trail.

Working with property owner on Pincherry Road concerning size and location of proposed accessory structure.

Working with property owner on Shrigley Road concerning size and location of proposed residence and accessory structure.

Working with contractor proposing addition to residence on Boyne City Road outlining Shoreland Review process requirements.

Working with Equalization Department for mapping of all shoreland areas for Planning Commission.

101 Char. State Bank Check 2643			
Name	Memo	Amount	
Check Gannett Holdings LLC Ohio	Petoskey News Review	-88.96	
Check QUADIENT	POSTAGE METER LEASE	-255.81	
Check GFL	Trash Removal	-501.99	
Check GABRIDGE & COMPANY	AUDIT	-25,000.00	
Check GREAT LAKES ENERGY	HALL/STREET LIGHTS/FIRE BARN/PARK	-550.01	
Check PARKER HARVEY LAW	LEGAL SERVICES	-7,192.12	
Check CHARLEVOIX COUNTY EQUALIZATION	MAPS	-275.00	
Check DTE	GAS HALL/FIRE BARN	-282.54	
Check CHARTER COMMUNICATIONS	PHONE HALL	-78.92	
Check QUADIENT FINANCE	POSTAGE METER	-1,515.50	
Check VISA	SUPPLIES, PARK, PROGRAMS, RENEWAL, ZOOM	-2,886.49	
POST AUDIT WHITLEY'S FLOOR COVERING	INTIAL DOWN PAYMENT	-4,500.00	
POST AUDIT J ARNOLD PAINTING CO	INTIAL DOWN PAYMENT	-5,130.00	
Check US BANK	COPIER	-505.83	
Check STATE OF MICHIGAN		-875.39	
Check IRS		-4,773.74	
Paycheck ALISA ABINEY		-2,428.60	
Paycheck REX GREENSLADE		-79.29	
Paycheck ROY GRIFFITTS		-129.29	
Paycheck APRIL HILTON		-5,121.55	
Paycheck Claire T Martin		-158.58	
Paycheck MARILYN MOREHEAD		-83.12	
Paycheck RODNEY SLOCUM		-79.28	
Paycheck KRISTIN BARANSKI		-3,154.63	
Paycheck JULIE COLLARD		-2,922.97	
Paycheck MATTHEW CUNNINGHAM		-419.36	
Paycheck DOUGLAS KUEBLER		-439.19	
Paycheck MARK D SNYDER		-79.29	
Paycheck JANICE VEDDER WHIPPLE		-123.34	
Paycheck PAUL ZARDUS		-44.04	
Paycheck THOMAS DARNTON		-46.17	
Paycheck LAURA WHITE		-44.04	

	Name	Memo	Amount
Paycheck	JAME RUDOLPH	1/1/2024-1/31/2024	-32.25
Paycheck	RONALD J VAN ZEE	1/16/2024-2/15/2024	-4,254.15
			-74,051.44
			-74,051.44

Total 101 Char. State Bank Check 2643

TOTAL

Installment EMS BUILDING Offset with Lease Payment 10,248.13

Treatment of Hayes Township elderly Resident

1 message

Betty Henne <betty.henne@gmail.com>

Mon, Feb 12, 2024 at 1:04 PM

To: Ron Van Zee <supervisor@hayestownshipmi.gov>, kristin baranski <clerk@hayestownshipmi.gov>, Hayes Treasurer <treasurerhayestownshipmi@gmail.com>, Matt Cunningham <trustee2@hayestownshipmi.gov>, Doug Kuebler <hayestrustee5@gmail.com>

Dear Ron and members of BOT,

On Thursday, February 9, I had an appointment with Treasurer, Julie Collard, at 3:15, to pay my winter taxes. I was pleased to have the appointment because my husband and I would be out of town on the 14th. I wanted a receipt .When I arrived at the hall, the door was locked, but Kristin and April were there. I knocked on the door, and eventually, April came to the door and told me I could not come in because they were having an MTA training on line and that I was to meet Julie in the parking lot. I told her it was cold outside, and could I wait in the entryway? She agreed. While I stood in the entryway waiting for Julie, I could not help thinking how disrespectfully an elderly resident was being treated. I was expected to exchange money in the PARKING LOT, even though I had an appointment. I could not even enter the Township Hall. The irony was not lost upon me: I was paying taxes to a township that barred me from entering our township hall. It made me wonder how many other people have been locked out.

Betty Henne

Please attach to the Feb.12 minutes and place on the table near the sign-in sheet.

Resident Tax Payment

1 message

Hayes Treasurer <treasurerhayestownshipmi@gmail.com>
To: Kristin Baranski Clerk <clerk@hayestownshipmi.gov>

Mon, Feb 12, 2024 at 4:28 PM

Kristin-

Apologies for any interruption that was caused on Friday during your Zoom training. I had made arrangements to meet the resident in the parking lot so she would not even have to leave the warmth of her car to make her tax payment.

Thank you for interrupting your training.

Julie



Julie Collard--Hayes Township Treasurer

*All the greatest things in life are simple, and many can be expressed in a single word: freedom, justice, honor, duty, mercy, hope.-
Winston Churchill*

HAYES TOWNSHIP BOARD OF TRUSTEES REGULAR MEETING

Meeting Date: February 12, 2024

Location:

Hayes Township Hall

Name	Would you like to be called on to speak during public comment?	
<i>L. Sypp</i>	☒ YES	NO
<i>Re Greenwald</i>	YES	NO ?
<i>Ed Russell</i>	☒ YES	NO
<i>Laura Ford</i>	YES	☒ NO
<i>E. H. Bond</i>	☒ YES	NO
<i>L. u. Anne Korman</i>	☒ YES	NO
<i>JERRY SIMPSON</i>	☒ YES	NO
<i>Robert McLaren</i>	YES	☒ NO
<i>DEB WARTEN</i>	☒ YES	NO
<i>CT Martin</i>	YES	☒ NO
<i>Dee Hutchinson</i>	☒ YES ?	NO
<i>Marilyn Martin</i>	YES	☒ NO
<i>G. SILVA</i>	☒ YES	NO
<i>Bob Stocuan</i>	YES	☒ NO
<i>Steve Bulmann</i>	☒ YES	NO
<i>Matt Berg</i>	YES	☒ NO
<i>Alisha Berg</i>	YES	☒ NO
<i>Donald Gregory</i>	YES	☒ NO
<i>MARK SMITH</i>	☒ YES	NO

HAYES TOWNSHIP BOARD OF TRUSTEES REGULAR MEETING					

Meeting Date:	February12, 2024
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Location:	Hayes Township Hall
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Hayes Township Hall

[illegible]