

AGENDA
HAYES TOWNSHIP BOARD OF TRUSTEES
7:00p.m. May 13, 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. Public Comments
5. Approval of Regular Meeting Minutes of April 8, 2024
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. Road Millage Resolution Language Correction
10. Set Budget Hearing Date June 10, 2024 6:00 pm
11. Planning Commission Resignation and Appointment
12. Cemetery Monthly Mowing and Fall Clean up bids
13. Township Hall Generator Bids
14. Public Comment
15. 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 April 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: Stan Boris, David Zipp, LuAnne Kozma, Ellis Boal, Jerry Simpson, Kevin Willis, Kathy Simon, Connie Foster, Sherry McCarry, Paul Zardus, Bob Jess, Betty Henne, and Laura Ford.

CALL TO ORDER

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

PLEDGE OF ALLEGIANCE

REVIEWED & APPROVED AGENDA

Add Maple Grove Road Commission Proposal.

Add Hayes Township Generator Purchase.

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

PUBLIC COMMENTS:

Public comment opened and closed at 7:03.

Public comments included:

- Asked how the Zoning Administrator enforces the Zoning Ordinance.
- Commented on the latest issue of the Hayes Township Voice.
- Commented on the latest issue of the Hayes Township Voice. Does not feel the board is being transparent.

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- Corrected an error within the correspondence attached by Ellis Boal. Ellis as the Attorney mis-spoke. Would like to see the Hayes Township Voice questions and clarification answered by the Board of Trustees.

Closed at 7:12

APPROVAL OF MARCH 11TH 2024 BOT REGULAR MEETING MINUTES:

Mr. Kuebler made a motion, supported by Ms. Baranski to approve the March 11th, 2024, Board of Trustees regular meeting minutes as presented.

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.

CLERKS REPORT: APPROVAL OF WARRANTS

Clerk, Ms. Baranski, presented the warrants in the amount of \$42,828.61.

Ms. Baranski made a motion, supported by Mr. Kuebler, to approve Township warrants out of the General Fund in the amount of \$42,828.61. 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. Cunningham 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**

Ms. Baranski made a motion, supported by Ms. Collard to approve the proposal from Austin Hale in the amount of \$1100.28 to install three new closet doors at the Hayes Township Hall and repair the door at the Hayes Township host house.

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

Nays: None **Motion Carried**

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COUNTY COMMISSIONER REPORT

Robert Jess presented the County Commissioner Report.

PARKS AND REC. REPORT

The next regular Parks and Rec meeting is April 15th, 2024.

PLANNING COMMISSION

Mr. Cunningham presented the Planning Commission Report. The next regular Planning Commission meeting is April 16th, 2024, at 7:00 pm.

ZONING BOARD OF APPEALS

ZBA did not meet.

ZONING ADMINISTRATOR REPORT

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

TRUSTEES:

Mr. Cunningham announced the Skid Pier has been put in. Also suggested the old swim buoys at the Hall need to be removed.

SUPERVISOR REPORT: Ron VanZee presented a supervisor report.

Wanted to let everyone know there has been multiple bear sightings in the area, would like to remind residents to remove food sources for the next month.

MAPLE GROVE RD PAVING PROJECT PROPOSALS:

Ms. Baranski made a motion, supported by Mr. Cunningham to approve the bid proposal from the Tri-County Excavating, LLC in the amount of \$366,920.80 for the Maple Grove Road paving project.

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

Nays: None **Motion Carried**

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UNDINE CEMETERY GROUND PENETRATING PROPOSALS:

Ms. Baranski made a motion, supported by Ms. Collard, to approve the proposal from Trimedia in the amount of \$13,950.00 from the ARPA fund, for the Undine Cemetery Ground Penetrating services.

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

Nays: None **Motion Carried**

TREE REMOVAL HAYES TOWNSHIP HALL PROPOSALS:

Mr. Kuebler made a motion, supported by Ms. Baranski to approve to proposal from Crandell Logging in the amount of \$500 to remove the tree at the Hayes Township Hall.

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

Nays: None **Motion Carried**

ELECTION INSPECTOR APPOINTMENTS:

Ms. Baranski made a motion, supported by Mr. Kuebler to approve the Election inspectors for the May 7th, 2024, special election.

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

Nays: None **Motion Carried**

UNDINE CEMETERY LAWN PROPOSALS:

Ms. Baranski made a motion, supported by Mr. Kuebler to approve the proposal from Drost Landscaping for Spring clean-up at Undine Cemetery in the amount of \$850.00.

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

Nays: None **Motion Carried**

ROAD MILEAGE RESOLUTION:

Resolution 04082024

HAYES TOWNSHIP ROAD MILLAGE RESOLUTION -:Ms. Baranski made a motion, supported by Mr. Kuebler to adopt the following resolution.

WHEREAS, the Township Board of Hayes Township wishes to provide Road Repair and Maintenance; and

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WHEREAS, townships, may provide Road Repair and Maintenance, as authorized by Public Act 51 of 1951, MCL 247.670; and

WHEREAS, townships may impose and levy ad valorem property taxes to finance lawful public services, as authorized by the Michigan Constitution of 1963 and other laws; and

WHEREAS, the Township Board of Hayes Township wishes to levy 1 mill for Road Repair and Maintenance;

NOW, THEREFORE, BE IT RESOLVED that the Township Board of Hayes Township, Charlevoix County, approves the following millage Ballot question language and directs the Clerk to submit it to be placed on the August 6, 2024 election ballot:

HAYES TOWNSHIP

Proposal to Renew Road Millage

This proposal renews the 1 mill road millage previously approved by the electors that expired after the December 2023 levy.

Shall the limitation on the amount of ad valorem taxes which may be levied by the Township of Hayes, Charlevoix County, Michigan, against taxable property in the township be increased by up to one (1) mill (\$1.00 per \$1,000 of taxable value) for a period of four (4) years, 2024 through 2028, inclusive, for the purpose of providing funds for road repair and maintenance, and shall the Township levy such millage for these purposes? If approved and levied in its entirety, this millage would raise an estimated. \$245,596.41.00 for the Township in 2024.

Roll Call

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

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CHARELVOIX COMMUNITY POOL RESOLUTION:

Ms. Baranski made a motion, supported by Ms. Collard to approve resolution # 482024b granting a charitable gaming license to the Charlevoix Area Community Pool of Hayes Township for fundraising purposes.

CITY OF CHARLEVOIX EMS ATTORNEY RESPONSE:

Ms. Collard made a motion, supported by Mr. Cunningham to approve Todd Millar the Township attorney to send a letter to the City of Charlevoix EMS.

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

Nays: None **Motion Carried**

TOWNSHIP STAFFING POSTION:

Ms. Baranski made a motion, supported by Mr. Kuebler to approve April as the Assistant Zoning Administrator through her training at the hourly rate of \$25 with a minimum of 8 hours a week with a review in 30 days at the May regular Board of Trustee meeting.

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

Nays: None **Motion Carried**

HAYES TOWNSHIP GENERATOR PURCHASE:

The Board came to a consensus to research cost of a generator for Hayes Township Hall.

PUBLIC COMMENTS: Public comments opened at 8:10 pm.

Comments included:

- Recommended a generator.
- Concerned the City of Charlevoix letter was kept under Attorney Client privilege.
- Supported the previous comment. Informed the Board they sent a FOIA request to the City of Charlevoix and explained what they received from the City of Charlevoix.
- Asked the board what the Cemetery budget is for this fiscal year.
- Asked when the agenda for the Parks and Rec meeting will be sent out.
- Paul Zardus stated when he was Sexton and first received the records for the Cemetery were a mess and very unclear and makes the job almost impossible. Stated he is appalled as a taxpayer the amount of money goes towards frivolous lawsuits.

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- Commented on the March issue of the Hayes Township Voice. Found the letter from Todd Millar disrespectful and has lost respect for the Townships Lawyer. Public comments closed at 8:27 p.m.

BOARD OF TRUSTEE COMMENT:

Mr. VanZee clarified the Letter from the attorney in the Voice was from the Township Attorney.

Mr. VanZee stated the Clerk can provide a description of the Zoning Administrators job duties.

ADJOURNMENT: Ms. Baranski made a motion, supported by Mr. Kuebler, to adjourn at 8:29p.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



Zoning Administrator Report

May 2024

Zoning Administrator work in progress report for the month of April includes the following:

- Issued zoning permit for a solar array on roof at 8484 Green Sky Road.
- Met with landowner and sent out notices for public hearing for DeWitt Marine scheduled for May 6th, 2024.
- Issued zoning permit for a new Single-Family Residence at 7800 Dalton Road.
- Issued zoning permit for a 30'x 90' attached garage at 06094 Division Street.
- Received and reviewing application for a new home build on Ridgeland's Road.
- Issued zoning permit for a 23'10"x29'8" Deck expansion at 07585 9 Mile Point.
- Working with Charlevoix County Equalization on zoning map corrections.
- Issued zoning permit for a new single-family dwelling with attached garage at 08045 Mulberry Lane.
- Issued zoning permit for a 32'x40' Residential addition at 08142 upper Bayshore Road.
- Inspected a violation on Maple Grove Road concerning lighting and sent a notice letter.
- Issued zoning permit for a 30'x65' accessory structure attached to principal structure with breezeway at 10252 Boyne City Road.
- Conducted Inspections for Compliance.
- Issued zoning permit for Shoreland Improvement at 6605 Woods Creek Drive.
- Issued zoning permit for 34'x35 accessory structure with living area less than a dwelling 11875 N Pa Ba Shan Trail.
- Inspected a violation on Seneca Lane and sent first notice letter.
- Inspected a violation on Hyek Road and sent first notice letter.
- Sent second notice letter for a violation on Eagle Nest Circle.

May 2024 Treasurer Report

(As of May 6, 2024)

Charlevoix State Bank

1. General Fund-\$710,732.41

(\$500,732.41 available, \$210,000 Recommended Reserve)

2. Tax Account-\$9,421.44 *(restricted Treasury Funds)*

3. Township Warrant Checking-\$24,480.01

4. Pantry-\$8,545.47 *(restricted funds)*

5. ARPA *(restricted funds)*-\$141,076.78

6. Fundraising Account-\$12,052.43

Forefront

7. Metro Account-\$66,634.89

8. Prime Share-\$134.76

Horizon

9. Hayes Township Road Fund-\$374,842.10 *(restricted funds)*

Resolution 04082024amended

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Roll Call

Yays:

Hayes Township Road Resolution

3 messages

clerk hayestownshipmi <clerkhayestownshipmi@gmail.com>

Tue, Apr 30, 2024 at 3:56 PM

Reply-To: clerk@hayestownshipmi.gov

To: Kim Kaminski <kaminskik@charlevoixcounty.org>

Kim,

Please find attached the draft minutes from the BOT meeting approving the Road Millage Renewal as well as the signed resolution. Please let me know if you need any additional information from me to get this on the August Ballot.

Thanks, I hope all is well with you.

--

Kristin Baranski
Hayes Township Clerk
9195 Major Douglas Sloan Road
Charlevoix, Michigan 49720
231.547.6961

 20240430162258262.pdf
1437K

Kim Kaminski <kaminskik@charlevoixcounty.org>

Wed, May 1, 2024 at 9:26 AM

To: "clerk@hayestownshipmi.gov" <clerk@hayestownshipmi.gov>

Kristin,

The ballot language states 4 years however, the way the language is written it is for 5 years. It should be 4 years, 2024-2027, inclusive, not 2028. We will need corrected ballot language for this proposal.

Regards,

Kim Kaminski, Chief Deputy Clerk

[203 Antrim Street](#)

[Charlevoix](#), MI 49720

231-547-7200

kaminskik@charlevoixcounty.org

[Quoted text hidden]

Kim Kaminski <kaminskik@charlevoixcounty.org>

Wed, May 1, 2024 at 9:27 AM

To: "clerk@hayestownshipmi.gov" <clerk@hayestownshipmi.gov>

I believe the amount is incorrect as well. \$245,596.41.00? I'm guessing you meant \$245,596.41.

Regards,

Kim Kaminski, Chief Deputy Clerk

[203 Antrim Street](#)

[Charlevoix](#), MI 49720

231-547-7200

kaminskik@charlevoixcounty.org

Fwd: Resignation

1 message

Hayes supervisor <supervisorhayestownshipmi@gmail.com>
To: clerk hayestownshipmi <clerkhayestownshipmi@gmail.com>

Tue, Apr 23, 2024 at 11:46 AM

Sent from my iPhone

Begin forwarded message:

From: Derek Burnett <burnett.pc@outlook.com>
Date: April 23, 2024 at 10:08:52 AM EDT
To: supervisor@hayestownshipmi.gov
Subject: Resignation

I, Derek Burnett, wish to submit this email as a letter of resignation to the Board of Trustees regarding my position as a planning commission member. I have too many other commitments to fulfill, and feel I cannot adequately fulfill the requirements of the position. Thanks,

Derek Burnett.



2010 Cedar Valley Rd. - P.O. Box 696 - Petoskey, MI 49770
P: 231-348-2624 F: 231-348-3852 www.drostlandscape.com

Proposal #28703 Maintenance Contract 2024

Submitted To: Hayes Township Clerk
09195 Old US 31 North
Charlevoix, MI 49720

Project: Hayes Township Clerk
7247-7287 Boyne City Road
Charlevoix, MI 49720

Scope We propose to furnish the following scope of work to complete the above mentioned project:

Spring Clean Up

Estimated Visit(s): 1

Initial Approved _____

\$850.39

Includes labor to remove winter debris from lawn area.
Debris includes: leaves and large sticks.

Debris will be loaded into truck and hauled off site.

Labor- Maintenance Team Leader

Labor- Maintenance Team Member

Initial

Fall Clean Up

Estimated Visit(s): 1

Initial Approved _____

\$2,099.01

Fall cleanup includes removal of leaf and debris in lawn areas on cemetery property. Sticks both large and small will also be cleaned up at this time.

Debris, Disposal

Labor- Maintenance Team Leader

Labor- Maintenance Team Member

Initial

Lawn Mowing

Estimated Visit(s): 11

Initial Approved _____

\$2,885.49

Bi-Weekly lawn cutting, trimming & blowing of site. (11 cuts)

Additional Fall mowing and leaf pickup will be done at Time & Material.

Labor- Lawn Mowing Team Leader

Labor- Lawn Mowing Team Member

Initial

Rainey's Landscaping

Hayes Township
Undine Cemetery

Estimate

- Spring Clean-Up..... \$1,000.00
- Fall Clean-Up..... \$1,000.00
- Lawn Mowing per cut..... \$175.00

Spring clean up includes leaf/stick removal. Fall clean up includes leaf/stick removal. Lawn mowing as needed but I presume it will need bi-weekly cuts for a rough estimate of 15 cuts per season.

B & G Enterprises, LLC
10400 Burnett Rd.
Charlevoix, Mi 49720
231-348-2705
Bgenterprises68@yahoo.com

Date: 5-6-24

Bid: Cemetery '24

Hayes Township
09195 Maj. Douglas Sloan Rd.
Charlevoix, Mi 49720
Attn: Kristin

Service:

Amount:

Monthly Mow (or as needed) per time:

\$375.00

Fall cleanup (1x charge):

\$725.00

Thank you so much for considering us to care for this property!

B & G Enterprises, LLC

Please sign and save a copy as acceptance of this bid.

Sign_____ Date_____