

AGENDA
HAYES TOWNSHIP BOARD OF TRUSTEES
November 11, 2024 7:00pm
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 Meeting Minutes: October 14, 2024 BOT Regular Meeting
6. Treasurers Report
7. Clerks Report: Approval of Warrants
8. Reports: County Commissioner, Zoning Administrator, Planning Commission, Zoning Board of Appeals, Parks and Recreation, Trustee's, and Supervisor Reports.

NEW BUSINESS

9. Hayes Township Hall/Fire Barn Snow Removal Contract
10. Set Board of Review Date for Tuesday, December 10, 2024.
11. Planning Commission Retirement (Resignation); Terms
12. Parks and Rec Master Plan Update/Resolution
13. Hayes Township Park Engineering Report
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.

HAYES TOWNSHIP
BOARD OF TRUSTEES REGULAR MEETING
October 14TH, 2024 7:00 PM
HAYES TOWNSHIP HALL
09195 MAJOR DOUGLAS SLOAN RD
CHARLEVOIX, MICHIGAN 49720
ZOOM 849 2451 3210

The October 14th, 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: Kathy Simon, Greg Stauffer, CT Martin, Andy Balderson, David Zipp, Betty Henne, Carey Cuddeback, Ellis Boal, LuAnne Kozma, Deb Narten, Leslie Cunningham, Kevin Willis, Janet Simon, Sherry McCarey, Connie Foster, Mark Snyder, David Kemme, Jesse Silva, Laura Ford, Tim Boyko, Susan Pyke, Joan Wagner, Linda Balderson, Brigitte Fowler, Bob Fowler, Nancy LaCoix, John Hogan, Melvin Czechowski, Roy Griffiths, and Sharon Bagley.

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:

Public comment opened and closed at 7:01.

- Stated they have received many mailings from candidates and requested to see the zoning permit issued to the Laws for the Boat House.
- Stated they thank the park host for placing the park bench they pledged for placed in the spot they always enjoy sitting.
- Stated the believe the boat house permit was illegal. Referenced a ZBA interpretation case.

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- Disappointed when they FOIA requested correspondences between Rieth Riley and Hayes Township they only received one letter.(Read letter). Disappointed it took so long for the fence letter to be sent to Rieth Riley.
 - EMS director gave back story to the LCEMS resolution on agenda. They went from 3 calls a day to 7 call a day, 2 new EMS Vehicles are on their way.
 - Stated they appreciated the report on the EMS services. Agreed with Ron the Zoning Permit for the Boathouse was not illegal. Believe the township should have wrote the Rieth Riley letter before the court hearing.
- Closed at 7:23.

APPROVAL OF SEPTEMBER 9TH 2024 MEETING MINUTES:

Ms. Baranski made a motion, supported by Mr. Kuebler to approve the September 9th, 2024, Board of Trustees 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 \$58,646.34.

Ms. Baranski made a motion, supported by Ms. Collard, to approve Township warrants out of the General Fund in the amount of \$58,646.34 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

Bob Jess was not present.

PARKS AND REC. REPORT

The next regular Parks and Rec meeting is scheduled for November 7th, 2024 at 6:00pm at the Hayes Township Hall. Julie requested the Board or Trustees to contact the attorney on behalf of the Parks and Rec Committee regarding Harassment by a resident to visitors at Eastern Avenue Beach. Mr. Vanzee with support of the board will contact the Township's Attorney.

PLANNING COMMISSION

Mr. Cunningham presented the Planning Commission Report. The next regular Planning Commission meeting is October 15th, 2024, at 7:00 pm.

ZONING BOARD OF APPEALS

Doug Kuebler presented a ZBA report from the Wednesday September 18th 2024 Variance Request meeting. The Variance Request from Little Traverse Bay Conservancy was approved.

ZONING ADMINISTRATOR REPORT

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

TRUSTEES:

Mr. Cunningham stated due to illness the buoy removal has been delayed.
Mr. Kuebler stated Maple Grove Road work from Upper Bay Shore to Major Douglas Sloan is complete.

SUPERVISOR REPORT:

Ron VanZee presented a supervisor report.
He is sadden to report that Larry Levensgood passed away. Larry Levensgood has served the community for decades.

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101 **HAYES TOWNSHIP PARK HOST RECAP:**

102 Mr. Stauffer stated they want to thank the board for having them host again this year. The
103 bench project and donations was a nice addition to the park. Boyne Thunder and 4th of July
104 were busy weekends. As host they are always willing to move stuff to accommodate residents
105 and visitors to the park. Are in charge of maintaining all the park equipment and would like to
106 see more people at the Township Hosted events at the park next summer.

107 Ms. Baranski made a motion, supported by Ms. Collard to welcome the Stauffers to come back
108 as the 2025 Hayes Township Park Host.

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

110 Nays: None **Motion Carried**

111

112 **LCEMS RESOLUTION**

113 LCEMS Resolution amends current resolution to add Eveline Township to authority.

114 Ms. Baranski made a motion, supported by Ms. Collard to adopt the LCEMS Resolution
115 #10142024.

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

117 Nays: None **Motion Carried**

118

119 **PUBLIC COMMENTS:** Public comments opened at 7:50 pm.

120 Comments included:

121 - Stated they live on Eastern Avenue and after receiving multiple candidate mail would like to
122 know when the Treasurer is required to be in the office to collect tax payments and what
123 accounting information is the Clerk not being transparent about.

124 - Stated the Boathouse Zoning Permit presented earlier has expired. Referenced a court case
125 they were involved in. They still believe the issue of the boathouse permit at the time was
126 illegal.

127 - Requested an explanation why the consent judgment can override the Zoning Ordinance.

128 - Glad to see everyone here tonight and would like to see everyone voting.

129 - Stated they came tonight to see how ugly people were going to get tonight and would like
130 to see people stop being up old issues and be united again.

131 Public comments closed at 7:59p.m.

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135 **BOARD OF TRUSTEE COMMENT:**

136 Ms. Collard stated the clerk was always transparent about the finances of the township. The
137 Hayes Township Quick books is not a public record. The Treasurer stated under Public Act
138 129 of 2019, a designee for the township treasurer can also act on his or her behalf for tax
139 collection purposes. She designated the clerk and supervisor to collect taxes this year
140 because it fell on a Monday during office hours when the Clerk and Supervisor are in the
141 office.

142 Mr. VanZee stated the first application submitted to Hayes Township included a Boat Basin
143 and it was sent back with denial. The Laws submitted a second application for just the boat
144 house.

145 **ADJOURNMENT:** Mr. Cunningham made a motion, supported by Mr. Kuebler, to adjourn at
146 8:05p.m.

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

148 Nays: None **Motion Carried**

149

150 Respectfully Submitted,

151 April Hilton

152 Hayes Township Deputy Clerk/Recording Secretary

November 2024 Treasurer Report

(As of November 4, 2024)

Charlevoix State Bank

1. General Fund-\$508,659.66
(\$298,659.66 available, \$210,000 Recommended Reserve)
2. Tax Account-\$83,259.99 *(restricted Treasury Funds)*
3. Township Warrant Checking-\$33,775.86
4. Pantry-\$9,082.94*(restricted funds)*
5. ARPA *(restricted funds)*-\$121, 733.91
6. Fundraising Account-\$17,092.06

Forefront

7. Metro Account-\$73,348.29
8. Prime Share-\$134.82

Horizon

9. Hayes Township Road Fund-\$379,450.62 *(restricted funds)*



Zoning Administrator Report

November 2024

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

- Conducted several Inspections for Compliance.
- Approved Parcel Division and reconfiguration Application on Quarterline Road.
- Received and reviewing zoning permit application for a 72"x60" Free Standing Sign on US 31.
- Resolving with assistance from Tip of the Mitt a non-compliant parcel on Susan Lake.
- Resolving a non-compliance nuisance complaint with landowner on Hyek Road.
- Continuing to receive updates towards compliance from landowner regarding non-compliance notice letter sent to 6099 Charlevoix Street.
- Received Shoreline Subcommittee Review and working with Tip of the Mitt for zoning permit application for a new single family dwelling on North Pa Ba Shan Road. Review from Planning Commission scheduled for the November 19th 2024 Planning Commission Meeting.
- Received Shoreline Subcommittee Review and working with Tip of the Mitt for zoning permit application for a new single family dwelling on North Pa Ba Shan Road.
- Progress received from land owner on Susan Shore Drive for violation of Nuisance Ordinance.
- Zoning Board of Appeals Public approved Zoning Variance Application from Little Traverse Conservancy for a parcel on Division Ave. Received Zoning Application for Shoreland Review.
- Progress received from Landowner on Villa Road for Violation of Nuisance Ordinance and a non-compliance complaint.



- Received Zoning permit application for a 12'x24' Storage Barn Structure on Burnett Road.
- Received Zoning permit application for a 20'X20' unattached Garage on Nine Mile Point.
- Received a Site Plan Approved by Tip of the Mitt to resolve a Zoning Ordinance Violation on Boyne City Road.
- First Notice Letter was sent to landowner on Maple Grove Road for a Nuisance Ordinance compliant.
- First Notice Letter was sent to landowner on Maple Grove Road for a Nuisance Ordinance compliant.

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

Date: 11-6-24
Bid: Plow '24-25 season

Service Address
Hayes Twp. Hall
09195 Maj. Douglas Sloan Rd.
Charlevoix, Mi 49720
Attn: Kristin

Services:

Plow hall @ \$45 per time
Shovel, \$10 per time

Plow EMT bldg. @ \$45 per time
Shovel, \$10 per time

Pricing remains the same as '23-'24 season prices.
Due on receipt and payable to the above address.

Please sign, date and return to accept the above pricing. You may confirm via email also.

Thank you so much!

Sign_____ Date_____



GRETCHEN WHITMER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF TREASURY
LANSING

RACHAEL EUBANKS
STATE TREASURER

**Bulletin 20 of 2023
December 19, 2023
2024 Boards of Review**

TO: Boards of Review and Assessing Officers

FROM: Michigan State Tax Commission

SUBJECT: 2024 Boards of Review

This Bulletin contains information that Boards of Review need to be aware of for the 2024 assessment year. The State Tax Commission Q&A regarding the statutory obligations for Boards of Review can be found on the State Tax Commission website at www.michigan.gov/statetaxcommission. The State Tax Commission asks that all Board of Review members carefully review this document.

Board of Review members are also strongly encouraged to attend an annual *Board of Review Member Training* to review updates on statutory and policy changes. Public Act 660 of 2018 requires that all Board of Review members receive training approved by the State Tax Commission at least once every two years.

Key Dates for 2024 Boards of Review

- **March 5, 2024.** The March Board of Review begins their work on the Tuesday following the first Monday in March. On this day, the Board holds their organizational meeting and formally receives the assessment roll from the assessor. This is the meeting for the Board to “get organized”. They should elect a chairperson, discuss how they are going to conduct business, review any statutory or policy changes they should be aware of for the current year and receive any briefings they want from the assessor regarding the assessment roll. The Board will not hear appeals at this first meeting. The organizational meeting date cannot be rescheduled to a different day.
- **March 11, 2024.** Appeal meetings of the March Board begin on the 2nd Monday in March. Local units can set an alternative start date for the appeal meetings by adopting an ordinance or resolution, but that alternative start date can only be the Tuesday or Wednesday of that same week (i.e. the Tuesday or Wednesday following the 2nd Monday in March).

The required first appeal meeting on the second Monday in March must start no earlier than 9 a.m. and no later than 3 p.m. The Board of Review must meet for a

minimum of 6 hours that day. The Board must meet a total of at least 12 hours during that first week and at least 3 hours of the required sessions must be after 6 p.m.

- **April 1, 2024.** The March Board of Review must complete their work by the first Monday in April. Assessment rolls must be turned over to County Equalization by the Wednesday following the first Monday in April or 10 days following the close of the March Board, whichever is first.
- **July 16, 2024.** The July Board meets on the Tuesday following the third Monday in July, unless an alternate start date is adopted by the local unit.
- **December 10, 2024.** The December Board meets the Tuesday following the second Monday in December, unless an alternate start date is adopted by the local unit.

Alternate Start Dates for the July or December Boards of Review

MCL 211.53b provides that July or December Boards of Review may have an alternate start date. The governing body of the city or township must adopt by ordinance or resolution alternate start dates that must conform to the following: for the July Board, an alternate date during the week of the third Monday in July; for the December Board, an alternate date during the week of the second Monday in December.

Documentation of Board of Review Changes

The State Tax Commission requires that all Boards of Review maintain appropriate documentation of their decisions including minutes, a copy of the form 4035, form 4035a whenever the Board of Review makes a change that causes the Taxable Value to change, form 4031, and a Board of Review Action Report. Form 4035 must include a detailed reason why the Board made their determination. **Assessors are not required to file the Board of Review log or Action Report with the State Tax Commission.**

Minutes must include all the following items:

- Day, time, and place of meetings.
- Members present, members absent, name of elected chairperson and notation of any correspondence received.
- A log that identifies the hearing date, the petition number, the petitioner's name, the parcel number, the type of appearance, type of appeal and decision of the board of review.
- Record daily the actual hours the Board was in session, and time of daily adjournments. Record the closing date and time of the final annual session.

Inflation Rate used in the 2024 Capped Value Formula

The inflation rate, expressed as a multiplier, to be used in the 2024 Capped Value Formula is 1.05.

The 2024 Capped Value Formula is as follows:

$$\text{2024 CAPPED VALUE} = (\text{2023 Taxable Value} - \text{LOSSES}) \times 1.05 + \text{ADDITIONS}$$

The formula includes 1.05 because the inflation rate multiplier of 1.051 is higher than 1.05.

July and December Board of Review Authority and Qualified Errors

Boards of Review **and** assessors are cautioned to take great care to ensure that any changes made by the July or December Board of Review meet the requirements of MCL 211.53b.

MCL 211.53b provides that the July or December Boards of Review can correct "qualified errors" for the current year and one prior year unless additional years are specifically addressed by the statute.

Regarding MCL 211.27a(4): if the taxable value of property is adjusted and the assessor determines that there had not been a transfer of ownership, the taxable value of the property shall be adjusted for the current year and for the **three** immediately preceding calendar years.

Qualified Errors are defined in MCL 211.53b as:

- A clerical error relative to the correct assessment figures, the rate of taxation, or the mathematical computation relating to the assessing of taxes
- A mutual mistake of fact.
- An adjustment under section 27a(4) – taxable value or an exemption under section 7hh(3)(b)– qualified start-up business exemption.
- An error of measurement or calculation of the physical dimensions or components of the real property being assessed.
- An error of omission or inclusion of a part of the real property being assessed.
- An error regarding the correct taxable status of the real property being assessed.
- An error made by the taxpayer in preparing the statement of assessable personal property under section 19.
- An error made in the denial of a claim of exemption for personal property under section 9o.
- **NEW** - An error made by the local tax collecting unit in the processing of a timely filed disabled veterans exemption affidavit.
- **NEW** - A delay in the determination by the United States Department of Veterans Affairs that a veteran is permanently and totally disabled as a result of military service and entitled to veterans' benefits at the 100% rate.

- **NEW FOR 2023** - For tax year 2023 only, a denial by the Board of Review of a disabled veterans exemption claimed by an unremarried surviving spouse under MCL 211.7b(1)(b).
- **NEW** - An exemption under section 7u(10), for the immediately preceding tax year only, if the exemption was not on the assessment roll and was not denied for that tax year. A claim for exemption must be filed with the board of review on a form prescribed by the state tax commission and provided by the local assessing unit, accompanied by supporting documentation establishing eligibility for the exemption for that immediately preceding tax year under the criteria in section 7u(2) and any other supporting documentation as may be required by the state tax commission.

Clerical Error was defined by the Court of Appeals in *International Place Apartments v Ypsilanti Township* 216 Mich App 104; 548 NW2d 668 (1996), as “an error of a transpositional, typographical, or mathematical nature.” July and December Boards of Review are NOT allowed to revalue or reappraise property when the reason for the action is that the assessor did not originally consider all relevant information.

Mutual Mistake of Fact was defined by the Court of Appeals in *Ford Motor Co v City of Woodhaven*, 475 Mich 425; 716 NW2d 247 (2006) as “an erroneous belief, which is shared and relied on by both parties, about a material fact that affects the substance of the transaction.” This definition was clarified by the Michigan Supreme Court in *Briggs Tax Service, LLC v Detroit Public Schools*, 485 Mich 69; 780 NW2d 753 (2010). The Michigan Supreme Court indicated that to qualify, the “mutual mistake of fact” must be one that occurs only between the assessor and the taxpayer.

Disabled Veterans Exemption Changes

Public Acts 150, 151, and 152 of 2023 were signed by the Governor on November 7, 2023. The Acts remove the authority of the Boards of Review to review and approve disabled veterans exemptions. All applications for a disabled veterans exemption are to be reviewed and approved or denied by the assessor.

Public Act 152 amends MCL 211.53b to allow the July or December Board of Review to consider a denial by a Board of Review in 2023 of an exemption claimed by the unremarried surviving spouse for the 2023 tax year only. This means that the 2023 December Board of Review and 2024 July and December Boards of Review can hear claims for a 2023 disabled veterans exemption if the unremarried surviving spouse requested an exemption at a 2023 Board of Review and was denied.

Personal Property Tax

Taxpayers who miss the February 20 filing deadline for either the Small Business Taxpayer Exemption, the Eligible Manufacturing Personal Property Exemption, or the Qualified Heavy Equipment Rental Personal Property Exemption may file a late application directly with the March Board of Review.

Important Reminder: The July and December Boards of Review **have no authority** to grant these exemptions. If an assessor misplaces or missed a timely filed Form 5278, that **is not** considered a clerical error or mutual mistake and cannot be considered by the July or December Board of Review.

See the [Guide to Small Business Taxpayer Exemption](#) and [Bulletin 18 of 2022: Qualified Heavy Equipment Rental Personal Property Exemption](#) for more information.

Further information and guidance on the Eligible Manufacturing Personal Property (EMPP) Exemption, Special Acts, and the Essential Services Assessment (ESA) is available at www.michigan.gov/ESA. Additional questions should be sent via email to ESAQuestions@michigan.gov.

Poverty Exemption Changes

The State Tax Commission issued Bulletin 22 of 2023 regarding the poverty exemption. This Bulletin reflects updates due to recent legislative changes to the poverty exemption made in November 2023 by PA 191 of 2023. It is important that Board of Review members review this bulletin and understand the changes to the statute that impact how poverty exemptions are reviewed and granted.

Specifically, PA 191 amends the poverty exemption to allow local units to grant a 75% partial exemption, in addition to the previously allowed 100%, 50%, and 25%, without prior approval by the State Tax Commission. The act extends the ability for local governments to adopt resolutions by December 1, 2023 to automatically re-enroll residents into a poverty property tax exemption for the 2023 tax year if the assessor determines that the homeowners are still eligible for the exemption. Finally, PA 191 amends both MCL 211.7u and MCL 211.53b to allow the July and December Board of Review to grant a poverty exemption, as a qualified error, for the immediately preceding year on the principal residence of a person who establishes eligibility as required by Section 7u if an exemption was not on the assessment roll and was not previously denied.

The Board of Review shall approve or deny the request for the poverty exemption. The Board of Review is required to follow the policy and guidelines adopted by the local assessing unit in granting or denying a poverty exemption. **The Board of Review is not permitted to deviate from the adopted policy and guidelines** (this is a change to the law in 2020 PA 253).

Poverty exemption applications can be heard at the March, July, or December Board of Review (this applies to a current year exemption, not an exemption for the immediate preceding year which can only be heard by the July and December Board of Review as a qualified error). However, there can only be **one** Board of Review decision for a specific calendar year; a subsequent Board of Review cannot reconsider a decision already made that year. For example: if an application is denied at the March Board of Review, it may not be reheard by the July or December Board of Review during the same calendar year.

To request a poverty exemption, a taxpayer must file:

1. Form 5737 *Application for MCL 211.7u Poverty Exemption*
2. Form 5739 *Affirmation of Ownership and Occupancy to Remain Exempt by Reason of Poverty*
3. All required additional documentation (such as federal/state income tax returns)

Local units are still required to have adopted income guidelines and an asset test. These documents should be in writing and should be made available to taxpayers.

If a taxpayer qualifies for the poverty exemption, the Board of Review may grant a 100%, 75%, 50%, or 25% reduction in taxable value. There are no other percentage reductions permitted unless approval is granted to the local unit by the State Tax Commission for additional percentage reductions. The request must comply with the *State Tax Commission Policy Regarding Requests for Percentage Reductions in Taxable Value for Poverty Exemptions* and must be submitted using Form 5738.

The forms and guidance related to the poverty exemption are available on the State Tax Commission's website under the [Poverty Exemption Forms & Policy Related to PA 253 of 2020](#) link.

Reminders:

- The Michigan Court of Appeals ruled in *Ferrero v Township of Walton* (Docket No. 302221) that monies received pursuant to MCL 206.520 (homestead property tax credit) is a rebate of property taxes and is not income for purposes of MCL 211.7u.
- Statutory changes allow an affidavit to be filed for all persons residing in the residence who were not required to file federal or state income tax returns in the current year or in the immediately preceding year. This includes the individual filing for the exemption.

Board of Review members are encouraged to review Bulletin 20 of 2023 prior to the start of March Board of Review meetings.

Property Classification

Property is classified according to its current use. A property cannot have more than one classification. MCL 211.34c(5) states that if the total usage of a parcel includes more than one classification, the assessor shall determine the classification that most significantly influences the total valuation of the parcel.

Boards of Review are encouraged to review the [Property Classification Q&A](#) available on the State Tax Commission website.

Board of Review Member Required Training

PA 660 requires the State Tax Commission audit to ensure that Board of Review members are participating in training. Beginning in 2022, Board of Review members will be required to complete Board of Review training at least once every two years to meet this audit requirement. This training will be offered by the State Tax Commission, or by outside organizations with State Tax Commission approval and use of State Tax Commission approved materials. Proof of completion and the required Form 5731 should be attached to the Board of Review's Certification of the Assessment Roll and maintained with local unit records.

The State Tax Commission has provided additional resources and guidance regarding changes to be implemented as a result of Public Act 660 of 2018 under the "Property Assessing Reform" link at www.michigan.gov/statetaxcommission.

Resources

The State Tax Commission has published a significant amount of resource information to assist Boards of Review in carrying out their statutory responsibilities. This information can be found on the State Tax Commission website at www.michigan.gov/statetaxcommission under the "Board of Review Resources" heading.

If you have additional questions or cannot locate information on the State Tax Commission website, please contact the State Tax Commission at (517) 335-3429 or email State-Tax-Commission@michigan.gov.



clerk hayestownshipmi <clerkhayestownshipmi@gmail.com>

Fwd: Planning Commission

1 message

Hayes supervisor <supervisorhayestownshipmi@gmail.com>

Thu, Nov 7, 2024 at 10:38 AM

To: Kristin Baranksi <clerk@hayestownshipmi.gov>, Julie Collard <treasurer@hayestownshipmi.gov>, Matt Cunningham <trustee2@hayestownshipmi.gov>, Doug Kuebler <hayestrustee5@gmail.com>

Sent from my iPhone

Begin forwarded message:

From: Marilyn Morehead <morehead.m@gmail.com>
Date: November 7, 2024 at 10:10:37 AM EST
To: Hayes supervisor <supervisorhayestownshipmi@gmail.com>
Cc: Roy Griffiths <rwgriffitts3@gmail.com>
Subject: Planning Commission

Dear Ron,

I am tendering my resignation to the Planning Commission, effective immediately. I have given this a lot of thought and have decided to resign for the following reasons. I have been a member of the PC for almost 19 years, first appointed in the spring of 2006. It's time for someone else to serve. Secondly, at my age, the night meetings are increasingly difficult. I have a lot of confidence in my fellow PC members to serve effectively and competently and to continue to make progress in the tasks before the Planning Commission.

Thank you for your confidence in me as witnessed by all the times I was reappointed. I am confident you and the Board of Trustees will find a competent replacement.

Sincerely,

Marilyn Morehead

09.10.2024

Engineering Services Proposal

To:

Hayes Township
Attn: Ron VanZee
9195 Major Douglas Sloan
Charlevoix, MI 49720

Via email:
supervisor@
hayestownshipmi.gov

From:

Aaron Nordman
Performance Engineers
406 Petoskey Ave.
Charlevoix, MI 49720

Proposal No.: 2024910

Drainage Improvements

Project Understanding:

Hayes Township has requested a proposal for engineering services in support of proposed drainage improvements at the Hayes Township Park. The drainage improvements would generally include re-working of the sidewalk along the ADA parking spaces to direct runoff into the storm collection system and additional site grading and drainage improvements between the parking area and the shoreline to mitigate erosion that is occurring, primarily in the vicinity of the kayak launch.

Based on this information, PEI has attached a sketch depicting the drainage improvement area and prepared the following proposal to provide the necessary topographic survey and site plan for the project.

Proposed Scope of Work:

Based on our discussions and information identified above, PEI understands our scope of work being limited to the site civil engineering necessary to complete the following tasks:

1. Base Map Update:

Utilize the existing topographic survey on file from the park project, supplemented with limited field data to update the base map. PEI plans to conduct one field inspection to verify and locate additional utilities/topography for the base map.

2. Design Development Preliminary Site Plan (80% DD)

PEI will develop a preliminary grading and site drainage plan for owner review. The plan will be based on the development concept we discussed.

3. Design Development & Bid Set Plans (100%)

Based on review comments, PEI will complete the civil design development drawings and provide a construction cost estimate, submitting these for the Township to use for planning purposes.

Cost of Services:

Performance Engineers, Inc. will provide our services for the scope of work identified above on a time and materials basis according to the attached fee schedule. For your budgeting purposes, we estimate the following total cost to complete:

Performance Engineers, Inc.

Tel (231) 547-2121
Fax (231) 547-0084

406 Petoskey Ave.
Charlevoix, MI 49720

performanceeng.com
info@performanceeng.com



To:

Hayes Township
Attn: Ron VanZee
9195 Major Douglas Sloan
Charlevoix, MI 49720

Item 1. Update existing Base Map	\$ 800
Item 2. DD Preliminary Site Plan	\$ 1,600
Item 3. Final Plans	<u>\$ 1,100</u>

Via email:
supervisor@
hayestownshipmi.gov

PROPOSAL TOTAL = \$ 3,500

From:

Aaron Nordman
Performance Engineers
406 Petoskey Ave.
Charlevoix, MI 49720

Proposal Limitations & Exclusions: The scope of work included in this proposal is intended to provide the civil site plan necessary to quantify and budget drainage improvements for the project and provide the Township with budgetary information that can be used for planning purposes.

Proposal No.: 2024910
Drainage Improvements

Summary:

Performance Engineers, Inc. appreciates the opportunity to provide you with a proposal for this project. At this point, we anticipate that we could provide a review set (80% DD) by January 20, 2025. Based on the outcome of this review, we anticipate being ready for final plans by the end of February for the Township to use in the spring grant cycle, if that is the intention. Should you have any questions or need additional information, please feel free to contact us. We would also invite you reach out to us if you envision a different scope of our services. However, if you would like to proceed based on the proposal presented above, please sign and return a copy to our office.

Sincerely,
Performance Engineers, Inc.

Aaron Nordman

Aaron Nordman, PE
Principal

Accepted by:

Notes:

Standard Hourly Rates:

1. Rate schedule provides standard hourly rates for PEI labor and expense categories. Individual service contracts may have differing rates and/or rates for categories outside of these standard services.

2. Rates are subject to change with written notice to owner, as provided within individual service contracts.

3. Rates will be charged in prorated amounts, not less than 15-minute increments.

Personnel:

Structural Engineer VII (P.E.)	\$160 /hour
Principal Engineer VII (P.E.)	\$155 /hour
Senior Geotechnical Engineer VI (P.E.)	\$149 /hour
Senior Engineer VI (P.E.)	\$140 /hour
Engineer V (P.E.)	\$130 /hour
Engineer IV (P.E.)	\$120 /hour
Engineer III (E.I.T)	\$105 /hour
Engineer I/II (E.I.T)	\$ 95 /hour
Senior Engineering Technician VI	\$115 /hour
Engineering Technician V	\$100 /hour
Engineering Technician IV	\$ 90 /hour
Engineering Technician III	\$ 80 /hour
Engineering Technician II	\$ 65 /hour
Engineering Technician I	\$ 55 /hour
Surveyor	\$115 /hour
Clerical	\$ 60 /hour
Certified Operator II	\$ 85 /hour
Operator I	\$ 65 /hour
Senior Materials Testing Technician	\$115 /hour
Materials Testing Technician II	\$100 /hour
Materials Testing Technician I	\$ 80 /hour

Expenses:

Mileage	\$ 0.65 /mile
Reimbursable Expenses and Subconsultants	cost + 15% markup
GIS Instrument	\$135 /Day
Survey Instrument	\$175 /Day
Nuclear Density Gauge	\$ 85 /Day
DCP Test Equipment	\$ 50 /Day
Concrete Cylinder Compression Test	\$ 35 /ea
Sieve Analysis	\$250 /ea
Proctor Analysis	\$400 /ea

Walk-In Reproduction

CADD Plotting

\$ 65 /hour

Engineering Copies

\$ 0.75 /sft

October 9, 2024

Dear Charlevoix County Local Government Representative,

The Charlevoix County Department of Emergency Management, with assistance from Networks Northwest, has prepared a draft of the County's 2024 Natural Hazard Mitigation Plan. The objective of this multi-jurisdictional plan is to eliminate or reduce long-term risks to people, property, the environment, and the economy from natural hazards. The plan also considers certain technological/human related hazards, such as a dam failure and public health emergency. Several mitigation strategies are included to address site-specific or county-wide hazard risks.



The updated 5-year plan must pass review from Michigan State Police and the Federal Emergency Management Agency (FEMA), and then be adopted by each local unit of government that participated in the plan's development. A current, approved local hazard mitigation plan is one of the requirements* for a community to apply for and/or receive FEMA mitigation grants from the following programs¹:

- **Building Resilient Infrastructure and Communities (BRIC)** (a pre-disaster grant; the program's guiding principles are supporting communities through capability and capacity building; encouraging and enabling innovation; promoting partnerships; enabling large infrastructure projects; maintaining flexibility; and providing consistency)
- **Flood Mitigation Assistance (FMA)** (a pre-disaster grant; projects must aim to eliminate the risk of repetitive flood damage to buildings and structures insured under the National Flood Insurance Program)
- **Hazard Mitigation Grant Program (HMGP)** (available after a presidentially declared disaster)
- **HMGP Post-Fire** (to implement hazard mitigation measures after wildfire disasters in any area that receives a Fire Management Assistance Grant declaration)

Potential projects that could be funded under one or more of the grant programs listed above include:

- Secondary Power Source
- Warning System
- Mitigation Reconstruction
- Safe Room Construction
- Structural Retrofit
- Wildfire Mitigation
- Property Acquisition
- Structure Elevation
- Localized Flood Risk Reduction
- Non-Localized Flood Risk Reduction
- Stabilization
- Dry Floodproofing (Non-Residential Building)

Your participation in the development of this plan is an essential component of the planning process, as well as a Federal Emergency Management Agency (FEMA) requirement to be eligible to apply for federally-funded hazard mitigation grants. The draft plan can be accessed at: <https://www.networksnorthwest.org/community/natural-hazard-mitigation/charlevoix-county.html> Many of the hazard mitigation strategies have a county-wide application, but some are site-specific. ***Please review the plan, and the mitigation strategies in particular, from the viewpoint of your community. If you are considering applying for a FEMA mitigation grant in the next five years, your proposed project must be associated with a specific hazard issue and mitigation strategy identified in the final plan.***

¹ <https://www.fema.gov/grants/mitigation/learn>

A public hearing for the plan is scheduled for 6 pm on October 23, 2024, as part of the regularly scheduled meeting of the Charlevoix County Board of Commissioners. The meeting will be held in the Shirley Roloff Center at 13513 Division Street, Charlevoix, Michigan 49720.

Upon review of the plan, the Board of Commissioners shall recommend it be sent to Michigan State Police Homeland Security Division for review and then on to FEMA for their review and approval. Once FEMA has indicated the plan has met their review requirements, it will be brought before the County and local government boards for adoption. The plan will then be officially approved by FEMA for those communities that have adopted the plan, and will be valid for five (5) years from the earliest date of adoption.

Comments on the plan are requested either in person at the public hearing; by mail at 2240 Mitchell Park Drive, Suite B, Petoskey, MI 49770; or by email to stephanie.marchbanks@networksnorthwest.org on or before October 23, 2024.

A copy of this letter will also be provided to you via electronic mail.

Sincerely,

Stephanie Marchbanks
Community Planner, Networks Northwest

* Having an approved mitigation plan does not mean that mitigation grant funding will be awarded. Specific application and eligibility requirements for the programs listed above can be found in each FEMA grant program's respective policies and annual Notice of Funding Opportunities, as applicable. Information on the FEMA mitigation grant programs can be found at: <https://www.fema.gov/grants/mitigation>



clerk hayestownshipmi <clerkhayestownshipmi@gmail.com>

Weird videographer

1 message

Debbie Luhrs <debiluhrs@gmail.com>

Sat, Oct 19, 2024 at 10:39 AM

To: treasurer@hayestownshipmi.gov, supervisor@hayestownshipmi.gov, clerk@hayestownshipmi.gov, trustee2@hayestownshipmi.gov, hayestrustee5@gmail.com, assessor@hayestownshipmi.gov

Good morning, sorry to contact everyone on a Saturday.

I am reaching out to everyone so I can explain what is making me very uncomfortable with our township hall. I have been there several times in the last few months and I am beginning to think that there is something going on. Several times I have seen someone filming the township when I arrive and when I go in and around to the back to drop something off or ask a question regarding our subdivision, voting registration, volunteering and once even to get a copy of the townhall newsletter with the schedule.

The first time I notice someone in a car watching it made think that may be waiting for someone but that was quite a distance to have dropped someone off. So when I left I looked more and noticed it looked like they were filming. Now it has happened at least 5 more times and honestly it makes me nervous like someone is watching us to see how we vote or whether we are getting signs etc. I have several signs in my yards and now as with many others people are stealing them right out of my yard.

I feel like it should be unlawful for people to videotape without my permission. I am wondering if I should vote by absentee as it really feels like an aggressive abuse for them to videotape me at my election place. Furthermore after our new station was built during our primary there were people waving and calling to us as I came in to vote. Is it these same disrespectful people trying to scare us from coming to our town hall. I was at the townhall social on the 1st Thursday of the month and couldn't help but feel nervous and on edge and this was the first time ever.

I guess I am wondering 1. are you having our township video taped? If not 2. Why someone is allowed to film us getting voting information from our township and other personal business without permission. and 3. How do people that use the food pantry etc fee about being video taped. I find it very intimidating and scary to be taped trying to go to my township hall to donate time or food or anything. No matter who is doing it and why they shouldn't be spying on us. Are you aware that this is happening? I have wrestled with what to do but feel it is time to find out what is going on as it is now affecting my access to the hall. Should I just call the police to see if they can ask this person why they are watching us? I am afraid to go see who exactly who it is and why they are taping me or anyone else during such a contentious presidential election, who knows how crazy they are especially if they are out there watching us so many days. I find it very intrusive and intimidating, invading and taping me and others like that. Is it the township and if it is you can you stop as it is not okay. What is our County coming to when we are being stalked and videotaped without our permission just going about our business at our township hall.

Please let me know how to get this to stop. I have always voted in person but honestly it doesn't feel as safe as it used to. My phone is 231-313-0320 and you have my email above. I don't like this going on and I am sure others if they too have noticed are just as intimidated. Please let me know if you are involved with any of this?

Sincerely,
Hayes Township Resident
Debbie Luhrs