

HAYES TOWNSHIP
BOARD OF TRUSTEES REGULAR MEETING
January 13TH, 2025 7:00 PM
HAYES TOWNSHIP HALL
09195 MAJOR DOUGLAS SLOAN RD
CHARLEVOIX, MICHIGAN 49720
ZOOM 849 2451 3210

The January 13th, 2025, meeting of the Hayes Township Board was called to order by Supervisor William Conklin at 7:00 pm.

Board members present were Matt Cunningham (Trustee), Julie Collard (Treasurer), Doug Kuebler (Trustee), April Hilton (Deputy Clerk/Recording Secretary), William Conklin (Supervisor) and Kristin Baranski (Clerk)

Audience Members signed in: Winnie Boal, Roy Griffiths, Stan Boris, Carey Cuddeback, Mark Snyder, Julie VanZee, Jesse Silva, Steve Crandall, Jim McMahon, Ellis Boal, LuAnne Kozma, Diane McMahon, Grant Ohlsen, CT Martin, David Zipp, Ray Cunningham, David Kemme, Sherry, Baker-McCary, Paul Zardus, Steve Hassell, Luke VanZee, Jake VanZee, Todd Millar, Tim Boyko, Betty Henne, Frank Shepherd, Kathy Simon, Kyra Allen, Regina Crandell, and Gerry Mills.

CALL TO ORDER

Supervisor William Conklin called the meeting to order at 7:00 pm.

PLEDGE OF ALLEGIANCE

REVIEWED & APPROVED AGENDA

Remove item #9 Fire Department Chief Dan Thorp

Mr. Conklin made a motion, supported by Ms. Baranski to approve the agenda as amended.

Yays: Matt Cunningham, Julie Collard, Doug Kuebler, William Conklin, and Kristin Baranski.

Nays: None Motion Carried

PUBLIC COMMENTS UNRELATED TO AGENDA ITEMS

Public comment opened and closed at 7:05.

Public comments included:

- Stated they would like to praise Carey Cuddeback for all her hard work on the Survey for the Master Plan. It is one of the best surveys they have seen and had wide circulations. They survey team was great at accepting public input. Think the Township should redo the 2023 Parks and Rec survey and focus on better circulation. Perhaps Carey Cuddeback could help Parks and Rec with a new survey.

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- Has been a resident since 1977. would like to know Mr. Conklins plans for the township. They feel everything that he has brought up at meetings have been old business. Does not appropriate another lawsuit
- Request the board to speak louder.
- Request if the Supervisor, Mr. Conklin still has a lawsuit against the township. Mr. Conklin answered yes. Requested if this is how Mr. Conklin plans to improve the township, he does not appreciate spending his tax payers money on lawsuit. Never heard of a supervisor having a lawsuit against the township.
- Requested why Mr. Conklin feels his lawsuit fees should be paid by the tax payers. Mr. Conklin stated he his lawsuit contains an Open Meeting act violation and this statute allows the request to recover attorney fees for having to bring the lawsuit. In a way to teach the township Board to not do the same in the future. Clarified Mr. Conklin is teaching the board a lesson.
- Stated the board is prolonging the issue by not giving into Mr. Conklins request. Applauds Mr. Conklin lawsuit for it is what the tax payers want. Stated it is the Supervisors duty to appoint Planning commission members at the time they resign.

Closed at 7:18

APPROVAL OF DECEMBER 9TH 2024 BOT REGULAR MEETING MINUTES:

Ms. Baranski made a motion, supported by Mr. Cunningham, to approve the December 9th, 2024, Board of Trustees regular meeting minutes as corrected.

Yeas: Julie Collard, William Conklin, Matt Cunningham, Doug Kuebler, and Kristin Baranski.

Nays: None **Motion Carried**

APPROVAL OF DECEMBER 18TH 2024 BOT REGULAR MEETING MINUTES:

Ms. Baranski made a motion, supported by Mr. Kuebler to approve the December 18th, 2024, Board of Trustees regular meeting minutes as corrected.

Yeas: Julie Collard, William Conklin, 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.

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CLERKS REPORT: APPROVAL OF WARRANTS

Clerk, Ms. Baranski, presented the warrants in the amount of \$51,843.06.

Ms. Baranski made a motion, supported by Mr. Kuebler, to approve Township warrants in the amount of \$51,843.06 with \$14,175.00 being paid out of the ARPA account for BS&A. A roll call was taken.

Yeas: Matt Cunningham, Julie Collard, William Conklin, Doug Kuebler, and Kristin Baranski.

Nays: None **Motion Carried**

Ms. Baranski made a motion, supported by Mr. Kuebler, to approve amendments to the 24-25 Budget. A roll call was taken.

Yeas: Matt Cunningham, Julie Collard, William Conklin, 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, William Conklin, Doug Kuebler, and Kristin Baranski.

Nays: None **Motion Carried**

COUNTY COMMISSIONER REPORT

NA

PARKS AND REC. REPORT

Did not meet. Will post the next meeting date on the website. Year in review for Parks and Rec. article is in the latest article of the Hayes Township Voice.

PLANNING COMMISSION

Mr. Cunningham presented the Planning Commission Report. The next regular Planning Commission meeting is January 21st, 2025, at 7:00 pm.

ZONNING BOARD OF APPEALS

Next ZBA meeting is scheduled for February 26th, 2025, at 7 pm.

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ZONING ADMINISTRATOR REPORT

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

TRUSTEES:

Mr. Kuebler stated the Road Commission requested the Townships representatives to attended the February Road Commission meeting to submit the Township's projected road repairs for the 2025 season.

SUPERVISOR REPORT: William Conklin presented a supervisor report.

LAKE CHARLEVOIX EMS REPORT- LCEMSA CHAIR ROY GRIFFITTS:

Mr. Griffiths presented the 2024 year end Lake Charlevoix EMS Report.

This report included:

- 2024 was the busy year ever for EMS in this area.
- Busiest month of the year was December 2024.
- Largest call volume was from Munsion for Transfers.
- Eveline Township joined the authority in 2024.
- Staffing is a challenge, currently looking positions to be filled. Unavailable housing makes it very difficult to hire someone outside of the area.
- Annual report will be in the Newspaper after the LCEMSA Annual Audit is complete.

MICHIGAN STATE FORFEITURE REPORT:

Ms. Baranski made a motion, supported by Ms. Collard to authorize Mr. Conklin to submit and sign the Michigan State Forfeiture report for Hayes Township by February 1st, 2025.

A roll call was taken.

Yeas: Matt Cunningham, Julie Collard, William Conklin, Doug Kuebler, and Kristin Baranski.

Nays: None

Motion Carried

CHARLEVOIX COUNTY PARK MILEAGE RESOLUTIONS:

Application Resolution

Resolution NO. 01132025

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Whereas, Julie Collard, Treasurer of Hayes Township, has the authority to purchase and make arrangements with a local professional contractor to install a shade sail, new basketball nets, basketballs, and a ball holder at Hayes Township Hall Park; and

Whereas Julie Collard is requesting no more than a \$10,000.00 appropriation from the Charlevoix County Board of Commissioners: and

Whereas, Julie Collard, desires to enhance, provide, and create an enjoyable recreation environment to meet the needs of users in Charlevoix County;

THEREFORE BE IT RESOLVED by Hayes Township that, pursuant and subject to all of the terms and provisions of the Charlevoix County Parks millage, application be made to the Charlevoix County Board of Commissioners for funding; and

BE IT FURTHER RESOLVED that Julie Collard of Hayes Township is hereby authorized and directed to cause the necessary data to be prepared and application to be signed and filed with the County of Charlevoix;

Ms. Collard made a motion, supported by Ms. Baranski to approve Resolution NO. 01132025.

Yeas: Matt Cunningham, Julie Collard, William Conklin, Doug Kuebler, and Kristin Baranski.

Nays: None

Motion Carried

Application Resolution
Resolution NO. 011320258

Whereas, Julie Collard, Treasurer of Hayes Township, has the authority to purchase and make arrangements with a professional to create interpretive signage for Hayes Township Parks Eastern Avenue Beach, Hayes Township Hall Park, Camp Sea Gull, and Bayside Park and a local professional to install the signs; and

Whereas Julie Collard is requesting no more than a \$10,000 appropriation from the Charlevoix County Board of Commissioners: and

Whereas, Julie Collard, desires to enhance, provide, and create an enjoyable recreation environment to meet the needs of users in Charlevoix County;

THEREFORE BE IT RESOLVED by Hayes Township that, pursuant and subject to all of the terms and provisions of the Charlevoix County Parks millage, application be made to the Charlevoix County Board of Commissioners for funding; and

BE IT FURTHER RESOLVED that Julie Collard of Hayes Township is hereby authorized and directed to cause the necessary data to be prepared and application to be signed and filed with the County of Charlevoix;

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Ms. Collard made a motion, supported by Ms. Baranski to approve resolution NO. 01132025B
Yeas: Matt Cunningham, Julie Collard, William Conklin, Doug Kuebler and Kristin Baranski.

Nays: None Motion Carried

ASSEST TEST RESOLUTION (POVERTY GUIDELINES):

Ms. Baranski made a motion, supported by Ms. Collard to approve the increase of Hayes Township Poverty Guideline 10% across the board of the federal poverty levels for 2025.

Yeas: Matt Cunningham, Julie Collard, William Conklin, Doug Kuebler and Kristin Baranski.

Nays: None Motion Carried

TOWNSHIP OF HAYES
Resolution No. 01132025A

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 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.

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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 exceed the Federal Poverty Guidelines by one (1) times 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.

Ms. Baranski made a motion, supported by Ms. Collard to approve Resolution NO. 01132025A.

Yeas: Matt Cunningham, Julie Collard, William Conklin, Doug Kuebler, and Kristin Baranski.

Nays: None **Motion Carried**

BOARD OF REVIEW RESIGNATIONS/APPOINTMENTS:

Ms. Baranski made a motion, supported by Mr. Kuebler to accept the resignation letter from Greg Denzinger's from the Board of Review.

Yeas: Matt Cunningham, Julie Collard, William Conklin, Doug Kuebler, and Kristin Baranski.

Nays: None **Motion Carried**

Ms. Baranski made a motion, supported by Mr. Cunningham to accept the resignation letter from Richard Sculthorpe from the Board of Review.

Yeas: Matt Cunningham, Julie Collard, William Conklin, Doug Kuebler, and Kristin Baranski.

Nays: None **Motion Carried**

Ms. Collard stated she does not disagree the Hayes Township Application could use an update, however feels it is important to have consistent applications. Would have like Mr. Conklin to have communicated with the other board members before using a new application.

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Mr. Conklin apologized, stated he drafted the new application for ZBA, BOR and any other commission. He stated he had help from Mike O'Hara and LuAnne Kozma to create the new application. He stated he was not satisfied with the Application on the website.

Ms. Baranski stated he could have reached out to any of the board members at any time to discuss a new application. Which he should have done because it is a board document.

The board decided to accept both forms of application presented at the meeting.

The board will work on updating the Hayes Township application for future applicants.

Mr. Conklin made a motion, supported by Ms. Baranski to appoint Cody Wheat to the Board of Review to replace Greg Denzinger's term ending December 31st, 2026.

Yeas: Matt Cunningham, Julie Collard, William Conklin, Doug Kuebler, and Kristin Baranski.

Nays: None **Motion Carried**

Ms. Collard made a motion, supported by Mr. Cunningham to appoint Tiffany George to the Board of Review to replace Richard Sculthorpe's term ending December 31st, 2026.

Yeas: Matt Cunningham, Julie Collard, William Conklin, Doug Kuebler, and Kristin Baranski.

Nays: None **Motion Carried**

SET MARCH BOARD OF REVIEW DATES:

Ms. Baranski made a motion, supported by Mr. Cunningham to approve Tuesday March 4th 2025 at 1 pm for the organization meeting for the Board of Review. Board of Appeals process March 10th, 2025, 3pm-9pm and the Following Wednesday March 12th, 2025, from 9am – 3pm.

Yeas: Matt Cunningham, Julie Collard, William Conklin, Doug Kuebler and Kristin Baranski.

Nays: None **Motion Carried**

ZONING BOARD OF APPEALS APPOINTMENTS:

Ms. Baranski made a motion, supported by Mr. Kuebler to appoint Bruce Deckinga to the Zoning Board of Appeals, expiring January 13th 2028.

Yeas: Matt Cunningham, Julie Collard, William Conklin, Doug Kuebler and Kristin Baranski.

Nays: None **Motion Carried**

TOWNSHIP ATTORNEY ACCESS:

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Board of Trustees will create a policy for Township Attorney access and present it at the next regularly scheduled meeting.

BS&A CONTRACT:

Board discussed the Hayes Township BS&A contract.

MANER AND COSTERISAN CONTRACT:

Board discussed the Hayes Township Maner and Costerisan Contract.

PUBLIC COMMENTS: Public comments opened at 9:27 pm.

Comments included:

- Mentioned he would be interested in reviewing all the ZBA Decisions made throughout the years to create a summery of them to post on the Township website. Would like authorization from the board to do this project.
- Was on the Survey Committee and thanks Carey for all her hard work and would like to remind every one the Survey deadline is January 15th, 2024.
- Stated there are not very many ZBA decisions, however feel they need to be on the website. Would like to see the ZBA rules and procedures on the website. Would like to see the lawsuit resolved, and the township money saved. Supports the Supervisor Bill Conklin has the right to appoint Planning Commission members.
- Stated for clarification if the request for a variance could be found in the Zoning Ordinance.
- Asked Mr. Conklin was aware of the request made to create a summary of the ZBA decisions and recommends he adds request like that to the agenda when he is aware of them before meetings. Reminds Bill the attorney cost the township money every second Todd Millar is present on the zoom meeting recommends reaching out to him before meetings for his feedback.
- Does not understand how Bill Conklin can have a lawsuit against the rest of the board and still have a civil working relationship. Would like to know how much the lawsuit is costing the residents.
- Would recommend the Township request the attorney create an application for the Township. Also does not see the value in creating a summary document of ZBA cases for the are all individual for each parcel request.

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Public comments closed at 9:41 p.m.

BOARD OF TRUSTEE COMMENT:

ADJOURNMENT: Mr. Kuebler made a motion, supported by Ms. Baranski, to adjourn at 9:41p.m.

Yeas: Matt Cunningham, Julie Collard, William Conklin, Doug Kuebler and Kristin Baranski.

Nays: None

Motion Carried

Respectfully Submitted,

April Hilton

Hayes Township Deputy Clerk/Recording Secretary



clerk hayestownshipmi <clerkhayestownshipmi@gmail.com>

Letter to Hayes Township Board

1 message

Bill Henne <wm.henne@gmail.com>

Sun, Jan 12, 2025 at 7:05 PM

To: Bill Conklin <supervisor@hayestownshipmi.gov>, Kristin Baranski <clerk@hayestownshipmi.gov>, Hayes Treasurer <treasurerhayestownshipmi@gmail.com>, Matt Cunningham <trustee2@hayestownshipmi.gov>, trustee5@hayestownshipmi.go

January 13, 2025

Bill and Members of the Board,

Since I have not been able to be at your first two board meetings as our new Supervisor, Bill, I want to welcome you tonight to this position and wish you good luck at your first meeting of the year.

I have been told that your first two meetings were unnecessarily challenging due to a lack of cooperation and consideration by the other four trustees. This concerns me very much. It is clear that our voters wanted to replace the former Supervisor and his agenda with you, Bill, and your new and different agenda. It is also clear that none of the other trustees are very happy about this and are still influenced by the former Supervisor. This is counterproductive to the best interests of our township. This must change. Accordingly, here is what I expect of you as trustees:

1. Cooperate with our new Supervisor to make township government operate smoothly.
2. Be considerate of our new Supervisor. He needs your support.
3. Be careful in your dealings with the former Supervisor. He is now our employee and his views matter exactly as much as all other citizens and not a bit more.
4. Never forget that you are working for the citizens of Hayes Township, and it is your responsibility to perform according to the law and to always be transparent. I want to point out that those two points are what Bill stressed in his successful campaign.

If you keep these four expectations in mind and make decisions that are good for the township, you will rescind the decision to contest the latest lawsuit against you and rescind the resolution that appointed some planning commissioners illegally. This would be an excellent way to start out the new year.

I have one final point. I am not comfortable with the relationship that you have had with our township attorney. In my opinion, he has had far too heavy a hand in guiding this board. In some cases, it appears that you actually let him make your decisions. His advice is very necessary but you are not obligated to follow it. You are, instead, obligated to consider it and make your own decisions. He, also, is our employee. He works for all of us.

As the months go on I will be looking for an improvement in your relationships with Bill Conklin. No citizen should expect less.

Bill Henne