

HAYES TOWNSHIP
BOARD OF TRUSTEES REGULAR MEETING
March 10TH, 2025 7:00 PM
HAYES TOWNSHIP HALL
09195 MAJOR DOUGLAS SLOAN RD
CHARLEVOIX, MICHIGAN 49720
ZOOM 849 2451 3210

The March 10th, 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: Stan Boris, Ray Cunningham, Roy Griffiths, David Zipp, Mark Snyder, Bill Henne, Betty Henne, Sherry Baker-McCary, Diane McMahon, Jim McMahon, Kyra Allen, Kevin Willis, Gerry Mills, Mary Mills, Diane Conklin, Ed Bajos, LuAnne Kozma, Ellis Boal, Leslie Cunningham, Tim Boyko, Rick Daniel, Denise Daniel, Carey Cuddeback, Winnie Boal, Kathy Simon, Carol Umlor, and Tammy Nalevayled.

CALL TO ORDER

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

PLEDGE OF ALLEGIANCE

REVIEWED & APPROVED AGENDA

Mr. Cunningham made a motion, supported by Mr. Kuebler to approve the agenda as presented.

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 7:04.

Public comments included:

- Stated they have a neighbor with a light that is very bright. Presented pictures. Says the lights bother the deer hunting and neighboring houses.
- Stated the supervisor of a township is a very important role and not a hobby job someone picks up for extra cash. Stated at a previous meeting the recall Mr. Conklin stating he thought the supervisor position was part time.
- Stated they have noticed someone had ran into the fence at The Hayes Township Park, would like to know who is responsible. Asked the Supervisor about the plowing

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at Hayes Township park as mentioned in his supervisor report. Ms. Baranski stated the fence had been damaged before the snowfall.

- Stated they have seen local studies showing the full time occupancy in the Charlevoix area is decreasing. Stated they wonder if Short Term rentals effect this, and feel the Board doing away with the Hayes Township Short Term Rental Ordinance is part of the problem. Do not see apartments as affordable. No one can afford a family home in the area. Feel the short term rentals need to be controlled.
- Thanked the board for all their hard work. Asked for the survey results. Ms. Baranski stated they have a special meeting scheduled for tomorrow and the result have been posted on the website.
- Stated tomorrows meeting should have posted sooner. Stated they feel Ron VanZee did not do office hours. Feels a deputy supervisor shall be appointed and paid. Stated the clerk and treasurer are using an accounting firm to help them the supervisor should have a deputy to help him. Stated they do not see a rush in approving a CREO Workable Ordinance.
- Stated climate change is advancing throughout the world. Stated Michigan will be facing forest fires soon. Stated a CREO Workable Ordinance is the wrong subject to be looking at, they should be focused on Climate Change.
- Stated Short Term rentals do not impact the housing market as much as other factors, is willing to present real facts if anyone wants them.
- Requested how long Kristin and Julie have been doing their jobs, Julie stated 2018, Kristin stated 2020. Asked what Maner Costerisan was used for. Kristin answered the switch over between accounting software. Asked why the warrant report is not in the pre-packet. Ms. Baranski stated she does warrants on the Monday of the meeting.
- Agrees housing is a challenging issue for the entire region, the Planning Commission will need to address this in the Master Plan and Zoning Ordinance. Mr. Conklin request Roy's opinion on the timeline of the Administrative forms for CREO. Mr. Griffiths stated yes there is time. Mr. Conklin thanks the Planning Commission for all their work on the CREO.
- Stated they are happy everyone is learning on the job especially the Clerk and Treasurer.

Closed at 7:30

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APPROVAL OF FEBRUARY 10TH 2025 BOT REGULAR MEETING MINUTES:

Ms. Baranski made a motion, supported by Mr. Kuebler, to approve the February 10th, 2025, 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.

CLERKS REPORT: APPROVAL OF WARRANTS

Ms. Baranski made a motion, supported by Mr. Kuebler, to adopt the 24-25 Budget as amended. Amendments report attached. A roll call was taken.

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

Nays: None

Motion Carried

Clerk, Ms. Baranski, presented the warrants in the amount of \$52,807.58.

Ms. Baranski made a motion, supported by Ms. Collard, to approve Township warrants in the amount of \$52,807.58. 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

Ms. Baranski made a motion, supported by Ms. Collard to approve the increased hourly rate of \$215 for the Hayes Township Attorney.

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

Nays: None

Motion Carried

COUNTY COMMISSIONER REPORT

Bob Jess was not present.

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PARKS AND REC. REPORT

Parks and Rec are beginning to plan a Community picnic for the first Saturday in August 2025.

Mr. Collard presented an oral Parks and Rec. Report. Next Parks and Rec meeting is scheduled for April 7th 2025.

PLANNING COMMISSION

Mr. Cunningham presented the Planning Commission Report. A special meeting has been scheduled for March 11th 2025. The next regular Planning Commission meeting is March 18th, 2025, at 7:00 pm.

ZONING BOARD OF APPEALS

ZBA did not meet.

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

ZONING ADMINISTRATOR REPORT

April Hilton presented a Zoning Administrator report.

Report available at the Hayes Township Hall.

Board discussed a lighting compliant on Maple Grove Road.

TRUSTEES:

Mr. Kuebler stated Burnett Road will be done in 2025. Estimates will be coming. Murray Road was suggested for sometime in the future. In 2026 there will be no roads done in the Township because the County will be on Beaver Island.

Ms. Baranski stated she has received complaint about Major Douglas Sloan Road.

Mr. Kuebler stated the residents need to put their complaints into the State Representatives to encourage state funding.

Ms. Baranski suggested researching how to convert Major Douglas Sloan Road to a historic highway.

SUPERVISOR REPORT: William Conklin presented a supervisor report.

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SET ELECTION COMMISSION MEETING (APRIL 9, 2025 AT 1:00PM) AND PUBLIC ACCURACY TEST (APRIL 9, 2025 AT 1:30PM):

Ms. Baranski made a motion, supported by Mr. Cunningham to set the Election Commission Meeting for April 9th 2025 at 1:00 pm followed by the Public Accuracy test at 1:30 pm.

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

Nays: None **Motion Carried**

HAYES TOWNSHIP PARK DRAINAGE IMPROVEMENT PROPOSAL (PERFORMANCE ENGINEERS):

Ms. Collard made a motion, supported by Ms. Baranski to approve Performance Engineers to send the proposed option B for Drainage improvements at Hayes Township Park out for bids.

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

Nays: None **Motion Carried**

DEPUTY SUPERVISOR:

Mr. Conklin stated he wants to appoint Kayla Pennington as Deputy Supervisor.

Ms. Baranski is concerned of liability and tax purposes, would like to pay the deputy supervisor through the Township.

Mr. Conklin will reach out to Todd Millar for a legal opinion.

ZONING BOARD OF APPEALS POSITION:

Applicant Bill Henne stated he has served on the ZBA for 6 years in prior years and has 12 years experience on Planning Commission. Has attend multiple ZBA workshops and is familiar with the Finding of Facts and Hayes Township Ordinance.

Ms. Baranski made a motion, supported by Ms. Collard to appoint Joni Hostler to the Zoning Board of Appeals from an alternate to a member, expiring January 8th 2027. To appoint Rod Slocum to the Zoning Board of Appeals as an alternate, expiring March 16th 2028. To appoint Jessica Perry to the Zoning Board of Appeals as an alternate, expiring March 10th 2028.

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

Nays: William Conklin **Motion Carried**

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HAYES TOWNSHIP PROPOSED ZONING TEXT AMENDMENTS (CREO):

RESOLUTION TO APPROVE ORDINANCE NO. 2025-3-10-A

HAYES TOWNSHIP
CHARLEVOIX COUNTY, MICHIGAN

WHEREAS, the Hayes Township Planning Commission researched and drafted a proposed Ordinance to Amend the Hayes Township Zoning Ordinance to add provisions for a utility-scale solar energy system, which is considered a “workable ordinance”, as opposed to a Compatible Renewable Energy Ordinance (CREO); and

WHEREAS, the Hayes Township Planning Commission recommended a proposed draft of the proposed “workable ordinance” to Amend the Zoning Ordinance in order to add provisions for a permit process for solar-energy systems and requested the Charlevoix County Planning Department to make recommendations on its proposed “workable ordinance”; and

WHEREAS, the Charlevoix County Planning Department made recommendations and suggestions to be included in this proposed solar energy system Ordinance to Amend the Hayes Township Zoning Ordinance, entitled Staff Report of “Hayes Township Proposed Zoning Text Amendments”, dated March 6, 2025; and

WHEREAS, the Charlevoix County Planning Department’s recommendations and suggestions have been adopted and included into Ordinance No. 2025-3-10-A and the Hayes Township Board by Roll Call vote unanimously passed this Resolution,

NOW, THEREFORE, BE IT RESOLVED that the Hayes Township Board authorized the adoption of Ordinance No. 2025-3-10-A to Amend the Hayes Township Zoning Ordinance to Provide Zoning Regulations for Solar Energy Systems within the Township, as follows:

Mr. Conklin made a motion, supported by Ms. Baranski to approve Resolution NO. 2025-3-10A for an amendment the Hayes Township Zoning Ordinance to provide zoning regulations for Solar Energy Systems.

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

Nays: None **Motion Carried**

RESOLUTION TO APPROVE ORDINANCE NO. 2025-3-10-B

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CHARLEVOIX COUNTY, MICHIGAN

WHEREAS, the Hayes Township Planning Commission researched and drafted a proposed Ordinance to Amend the Hayes Township Zoning Ordinance to add:

1. Definitions to Article II;
2. Add a New Section 3.28 titled “ON-SITE BATTERY ENERGY SYSTEM REGULATIONS”;
3. Add a New Section 3.29 titled “OFF-SITE BATTERY ENERGY STORAGE SYSTEM REGULATIONS”;
4. In Section III, Amend Article VII Supplemental Site Development Standard to add Section 7.01.23 titled “OFF-SITE BATTERY ENERGY STORAGE SYSTEMS”;
5. Certain amendments to the various districts, among others; and

WHEREAS, the Hayes Township Planning Commission recommended a proposed draft of the proposed additions and amendments to the Zoning Ordinance in order to add provisions for a permit process for Battery Energy Storage Systems and requested the Charlevoix County Planning Department to make recommendations on its proposed draft; and

WHEREAS, the Charlevoix County Planning Department made recommendations and suggestions to be included in this proposed Battery Energy Storage System Ordinance to Amend the Hayes Township Zoning Ordinance, entitled Staff Report of “Hayes Township Proposed Zoning Text Amendments”, dated March 6, 2025; and

WHEREAS, the Charlevoix County Planning Department’s recommendations and suggestions have been adopted and included into Ordinance No. 2025-3-10-B and the Hayes Township Board by Roll Call vote unanimously passed this Resolution,

NOW, THEREFORE, BE IT RESOLVED that the Hayes Township Board authorized the adoption of Ordinance No. 2025-3-10-B to Amend the Hayes Township Zoning Ordinance to Provide Zoning Regulations for Battery Energy Storage Systems within the Township, as follows:

Mr. Conklin made a motion, supported by Ms. Baranski to approve Resolution NO. 2025-3-10B for an amendment to the Hayes Township Zoning Ordinance to provide zoning regulations for Battery Energy Storage Systems.

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

Nays: None **Motion Carried**

PUBLIC COMMENTS: Public comments opened at 9:36 pm.

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Comments included:

- Stated he commends bill for going to training. Does not agree with Bill Conklin paying his own Deputy.
- Stated they observed conversation tonight when appointing ZBA members and find there is contention still among the board members.
- Stated they do not agree with the deputy supervisor being paid directly by the Supervisor. Concerned the Board does not want to pay a female deputy. Thanked Bill for all his hard work. Stated more than 3 members should not show up at the same meetings.
- Mr. Conklin stated he should have posted requested the Clerk and deputy clerk to post the meeting notice at the Hayes Township Hall.
- Ms. Baranski stated the Road Commission meeting does have minutes that are available at the Hayes Township hall. Also, as far as the fire department meeting it was an invite to all board members from Dan. The board works very hard to not break the opening meeting act, even in emails they are very careful not to reply all.
- Stated she supports zoning enforcement. Supports the Township paying the deputy supervisor versus the Supervisor him self paying her, that would not be transparent.
- Stated they believe the deputies pay should be extracted from the public officials pay.
- Stated the problem at Hayes Township park is the runoff and the grade of the parking lot misses the rain gardens. Suggest to fix it for good and feel someone should research other engineers other then Performance because they did the work prior that was not done currently. Requested why the Board of Review organization meeting was changed from 1pm to 11pm on Monday with no notice.
- Ms. Baranski stated the information submitted to the county by the Supervisor was in error.
- Stated they support placing the election behind the board, by rescinding the Planning Commission appointment resolution and stop spending money on the legal fees.

Public comments closed at 9:56 p.m.

BOARD OF TRUSTEE COMMENT:

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ADJOURNMENT: Ms. Baranski made a motion, supported by Mr. Kuebler to adjourn at 9:56p.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