

AGENDA
HAYES TOWNSHIP BOARD OF TRUSTEES

June 9, 2025 7:00pm

Hayes Township Hall

9195 Major Douglas Sloan Road

Charlevoix, Michigan 49720

<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. Declaration of Conflict of Interest
4. Review and Approval of Agenda
5. Public Comments
6. Approval of Meeting Minutes: May 12th, 2025 BOT Regular Meeting
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. Adoption of 2025/2026 Fiscal Township Budget
10. Charlevoix County Road Commission Burnett Road Reconstruction Project
11. Charlevoix County Hazard Mitigation Plan
12. Hayes Township Park Camp Seagull Drainage Bids and Contract
13. Fire Protection Contract
14. 2025 Curbside Ice Storm Debris Clean-Up Up Date
15. Public Comment
16. 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.

Please excuse the confusion caused by the Board's Letter to all residents which stated that "anything larger than 15 inches will not be picked up". This was intended to mean no larger around [in diameter] – not length. The length of all materials must be at least 6 feet in order to be fed into the chipper, otherwise it is a serious safety risk to the operators.

1. W & W Tree Service has completed the east side of the township and is working the Murray/Burnett/Upper Bay Shore Rd area as of June 5. By June 9, I suspect that they will be working the Maple Grove and Burgess Road areas.
2. Over 75 homes of the elderly/infirm have been cleared of limbs/branches with chain saw crews, hauled, chipped and cleaned up by many volunteers. The surrounding parcels of some of these residents have not been able to be cleaned up, due to the extensive nature of the work and need for special logging equipment.
3. Recycling is encouraged; please consider using two waste baskets at your home. One for waste and one for recycled products like cans, glass jars, plastics and take them to the recycling centers on your way to the grocery store. The Township will be considering alternatives – please submit your ideas and suggestions.
4. The Fire Protection contract has been re-negotiated with Charlevoix Township. Charlevoix Township offers Hayes Township a one year fire protection contract for \$76,700.00 instead of \$106,700.00. After Charlevoix Twp brings the Hayes Township fire truck up to "road-worthy" compliance, Hayes Twp will be required to insure and maintain it. The fire truck will be used exclusively by Charlevoix Township Fire Department, although it will be located at the Township EMS Building.
5. Six submitted bids for Camp Sea-Gull Drainage Improvements were opened at the Township hall on May 5; The approval of a bid was adjourned to June 9. The bids ranged from \$51,560.50 to \$71,598.00.
6. The proposed Budget has been prepared and will be posted on the Website this weekend. The proposed Budget will be presented to the Board on June 9 for discussion, prior to the Board meeting. Hopefully, we can have final approval soon.
7. **Charlevoix County Recycling Program** is taking (FREE) common hazardous items, latex paint, electronics (TVs, microwaves, etc.) and Appliances (refrigerators, humidifiers, stoves, steel, etc). \$15 each for mattresses and box springs, but no tires. Please call 231-547-0080 to make an appointment for Friday **June 13** between 4-8pm and Saturday **June 14** between 9am-1pm.



Zoning Administrator Report

June 2025

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

- Received new Variance application for 6995 Birdland Drive.
- Sent first notice letter to landowner for a non permitted patio on Oyster Bay Drive.
- Sent first notice letter to landowner for a Nuisance Ordinance Violation on Maple Grove Road.
- Zoning permit application for a Demo and rebuild of existing home on Quarterline road. Shoreline Review Committee conducted inspection and advised applicant to work with Tip of the Mitt to create shoreland restoration plan.
- Awaiting response from landowner from progress request letter sent to landowner for non-compliance nuisance complaint with landowner on Hyek Road.
- Awaiting response from landowner from progress request letter sent to Landowner on Villa Road for Violation of Nuisance Ordinance and a non-compliance complaint.
- Application for a new single family dwelling unit on Murray Road. Waiting for additional information to complete application.
- Application for a free standing sign on Nine Mile Point. Proposed size of the sign exceeds the allowed maximum within the Zoning Ordinance, Zoning Permit was denied, continuing communication with applicant.
- Landowner has requested a meeting, regarding complaint of a Shoreline violation on Peaceful Valley Road.
- Public Hearing has been scheduled for June 17th 2025, to re-hear Dewitt Marine's Special Use Permit.
- Received and reviewing appeal application.
- Sent progress request Letter to landowner on Maple Grove Road for a Nuisance Ordinance complaint, Charlevoix County Fire Department Chief is monitoring parcel for fire hazards.

June 2025 Treasurer Report

(As of June 5, 2025)

Charlevoix State Bank

1. General Fund-\$726,664.31
(\$516,664.31 available, \$210,000 Recommended Reserve)
2. Tax Account-\$5,000 *(restricted Treasury Funds)*
3. Township Warrant Checking-\$32,279.13
4. Pantry-\$6,639.26*(restricted funds)*
5. ARPA *(restricted funds)*-\$73,454.877
6. Fundraising Account-\$17,064.56

Forefront

7. Metro Account-\$73,454.87
8. Prime Share-\$134.89

Horizon

9. Hayes Township Road Fund-\$332,299.73 *(restricted funds)*

HAYES TOWNSHIP
BOARD OF TRUSTEES REGULAR MEETING
May 12TH, 2025 7:00 PM
HAYES TOWNSHIP HALL
09195 MAJOR DOUGLAS SLOAN RD
CHARLEVOIX, MICHIGAN 49720
ZOOM 849 2451 3210

The May 12th, 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: Ed Bajos, Diane Conklin, David Zipp, Diane McMahon, Jim McMahon, Kathy Simon, Roy Griffiths, Ellis Boal, LuAnne Kozma, Bill Henne, Betty Henne, Leslie Cunningham, Debbie Luhrs, Tim Boyko, Chris Narten, Dee Hutchinson, Deb Narten, Steve Hassell, Carey Cuddeback, Bob Jess, CT Martin, Melvin Czechowski, Bob Muneio, Bob Grupp, and Craig Williams.

CALL TO ORDER

Supervisor William Conklin 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 adjourn the meeting no later than 9:30 pm.

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

Nays: William Conklin Motion Carried

Ms. Baranski made a motion, supported by Mr. Kuebler 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 7:07.

Public comments included:

- Stated the last meeting was very contentious, would like to see more kindness.

- Stated Bill Conklin and a crew came through last week and cleared some debris and today a different crew came through cleaning and would like to thank the members for there help.

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- Appreciates all the help with storm clean up. Requested information regarding an item on the Zoning Administrator report. Stated they feel the proposal from BRI should not be approved.
- Appreciates all the clean up efforts after the ice storm.
- Stated they would like to board to address the concerns brought up by the public.
- Requested clarification on Bill Conklins voice article stating the board did not approve clean up, however now there seems to be a contracted company cleaning up debris. Would like to know if there is a signed contract, and proof of insurance from the contractor. Would like to know if the contractor owes Bill any money personally.
- Stated they are concerned the board is considering another bid from BRI, after disregarding the last ordinance BRI presented to the board. They do not have much faith in BRI after the amount of money spent on a draft that went unused.
- Appreciates all the effort for the ice storm clean up, however would have liked to see better communication from the board to let people know the clean up options.
- The board responded they were still finalizing the specific information in order to send out a mailer to notify people.
- Concerned the Planning and Zoning in Hayes Township is not going well. Feels the Zoning Ordinance is written fine, and feels BRI is the issue. Would like the board to do some more research before approving.
- Requested information regarding an item on the Zoning Administrator Report.

Closed at 7:25

APPROVAL OF APRIL 14TH 2025 BOT REGULAR MEETING MINUTES:

Ms. Baranski made a motion, supported by Mr. Kuebler, to approve the April 14th, 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**

APPROVAL OF MAY 2, 2025 BOT SPECIAL MEETING MINUTES:

Ms. Baranski made a motion, supported by Ms. Collard to approve the May 2nd, 2025, Board of Trustees regular meeting minutes as presented.
Yeas: Julie Collard, William Conklin, Matt Cunningham, Doug Kuebler, and Kristin Baranski.
Nays: None **Motion Carried**

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66 **TREASURERS REPORT**

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

68

69 **CLERKS REPORT: APPROVAL OF WARRANTS**

70 Ms. Baranski made a motion, supported by Ms. Collard, to adopt the 24-25 Budget as
71 amended. A roll call was taken.

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

73 Nays: None **Motion Carried**

74 Clerk, Ms. Baranski, presented the warrants in the amount of \$48,476.15.

75 Ms. Baranski made a motion, supported by Mr. Kuebler, to approve Township warrants in
76 the amount of \$48,476.15. A roll call was taken.

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

78 Nays: None **Motion Carried**

79 Ms. Baranski made a motion, supported by Ms. Collard to approve the installment payment
80 for the EMS building loan in the amount of \$10,248.13, the total installment payment will be
81 offset 100% by the LCEMSA monthly lease payment. A roll call was taken.

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

83 **Nays: None** **Motion Carried**

84

85 **COUNTY COMMISSIONER REPORT**

86 Bob Jess presented an oral County Commissioners Report.

87

88 **BECKETT & RAEDER (BRI) PROPOSAL- REVIEW AND REVISION OF PROPOSED ZONING**

89 **ORDINANCE:**

90 Ms. Baranski stated the committee would include two Planning Commission and a BRI
91 representative. The workshops would be open to the public.

92 Mr. Cunningham as a member of the Planning Commission stated he believes the township
93 needs to move forward with this process.

94 Mr. Conklin requested if board members feel they need to look at other planners before
95 approving BRI's proposal.

96 Ms. Baranski stated BRI is a very respectable company.

97 Mr. Conklin requested the chair of the Planning Commission his thoughts of the revision
98 process.

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Mr. Griffiths stated the ordinance draft BRI currently has is the product created from the process of working with BRI, it is unfortunate BRI has delayed their work on the ordinance draft. The Green Pit and Mining in the last year has delayed the Master Plan revision, however they are getting close the finalizing the Master Plan update and he does not believe there will be any significant changes that will effect the Zoning Ordinance updates.

- Mr. Conklin stated tabling this discussion for more research would delay the process yet again. Asked if the Zoning Ordinance revision has been budgeted for.

- Ms. Baranski stated there is sufficient funds budgeted for the Zoning Ordinance revision which will be carried over to the next fiscal year budget as well.

Ms. Baranski made a motion, supported by Mr. Cunningham to approve the BRI proposal for the review and revision of the Planning Commission's proposed Zoning Ordinance in the amount of \$16,500.

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

Nays: William Conklin Motion Carried

CHARLEVOIX COUNTY ROAD COMMISSION (BURNETT RD):

Mr. Kuebler made a motion, supported by Ms. Collard to approve the Tri-County Excavating bid from the Charlevoix County Road Commission for Burnett Road in the amount of \$450,641.70, contingent on the road commission allowing for partial payment in January of 2026.

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

Nays: Motion Carried

HAYES TOWNSHIP PARK DRAINAGE BIDS:

Ms. Collard made a motion, supported by Ms. Baranski to table this discussion until the board finalizes the new fiscal budget.

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

Nays: William Conklin Motion Carried

ICE STORM CLEAN-UP:

Mr. Conklin presented the contract with W&W tree service with Todd Millars recommended changes.

Mr. Conklin stated the contractor has started however residents can continue to place debris on the road side until May 19th 2025 and the debris will still be picked up even if the

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contractor as already come through once, however, after this date the contractor will not circle back to areas they already cleared.

Resident requested what they should do if they do not have enough road frontage to fit all the debris.

Mr. Conklin stated they should reach out to himself or the contractor to coordinate pickup.

Mr. Conklin stated himself and volunteers are still offering to help residents move and clean-up debris.

Mr. Conklin stated W&W tree service will clean – up the storm debris at Bay Side Park.

Mr. Conklin presented letters and all the supporting contract information.

Ms. Collard stated she would have liked to receive this information from Bill sooner then the meeting in order to send the mailer out. At this point the mailer will not be going out until May 16th, 2025, which does not give residents very much time to move their debris.

W&W Tree Service stated the contract is written for May 19th, 2025, however, if the board would like to postpone the contract start date to the 28th of May they will go back to areas they need to clean-up. Would like to remind resident to place the debris with the butt end facing the road. Requested the board needs to find a place to put the wood that is over 15 inches in diameter.

The Board will research a place for W&W Tree service to take the larger debris.

The Board changed the Start date in article 6 of the contract to May 28th 2025, and excluded article 3 of the contract regarding date of completion.

Ms. Collard made a motion, supported by Ms. Baranski to approve the contract as amended with supporting documents from W&W Tree Service.

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

Nays: None Motion Carried

PARKS AND REC. REPORT

Julie Collard presented an oral Parks and Rec report. Next Parks and Rec meeting is scheduled for June 2nd 2025 at 4:30pm at Hayes Township Park.

Ms. Collard made a motion, supported by Ms. Baranski to approve the Park and Rec to apply for a raffle license for Hayes Township.

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

Nays: None Motion Carried

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PLANNING COMMISSION

Mr. Cunningham presented the Planning Commission Report. The next regular Planning Commission meeting is May 20th, 2025, at 7:00 pm.

ZONING BOARD OF APPEALS

ZBA did not meet.

ZONING ADMINISTRATOR REPORT

April Hilton presented a Zoning Administrator report.
Report available at the Hayes Township Hall.

TRUSTEES:

Mr. Cunningham stated the Skid Pier has been installed, however there will be some repair and redesign needed.

Ms. Baranski made a motion, supported by Ms. Collard to approve Ray Cunningham to install the Swim Buoys at Eastern Avenue Beach for \$500.00.

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

Abstained: Matt Cunningham

Nays: None **Motion Carried**

The board came to a consensus to test out a new free text messaging system for residents.

SUPERVISOR REPORT: William Conklin presented a supervisor report.

PUBLIC COMMENTS: Public comments opened at 9:34pm.

Comments included:

- Stated they would like to clarify if the board is allowed to legally roll budget items over to the next fiscal year? Concerned how the board amended the budget at tonight's meeting. Budget report is very difficult for them to read and understand, suggest the board find a new budget report. Stated they do not find there to be any inconsistency's within the current Master plan and Zoning Ordinance.
- Stated the find the township robbing Peter to pay Paul at every meeting when they address the budget. Concerned of the increase in expenses of the township and is concerned it will lead to a mileage request to cover operating cost for the township.

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Would like to see the township cut down on spending and make sure all money being spent is helping all township residents. They are concerned the recent approval for storm clean up will not benefit all residents, due to many residents already having their debris cleaned up.

Public comments closed at 9:46 p.m.

BOARD OF TRUSTEE COMMENT:

ADJOURNMENT: Mr. Kuebler made a motion, supported by Ms. Baranski to adjourn at 9:46p.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>

Burnett Road Fund Question

1 message

James Vanek <engineer@chxroads.org>

Thu, May 29, 2025 at 4:11 PM

To: Kristin Baranski <clerk@hayestownshipmi.gov>

Hi Kristin-

I talked with the low bidder Tri-County Excavating for the Burnett Road paving project regarding your request to delay the final payment until December for around \$63,000. The owner of Tri-County Excavating (Phil Vandermus) is willing to delay receiving his final payment for Burnett Road of up to \$65,000 until the middle of December.

Hopefully this information helps!

Let me know the townships decision on the Burnett Road Paving project.

Thanks-

James G. Vanek

Staff Engineer

Charlevoix County Road Commission

CHARLEVOIX COUNTY ROAD COMMISSION

BURNETT ROAD RECONSTRUCTION PROJECT - Hayes Township

A 489.0.24-07-01

May 12, 2025

James G. Vanek - Staff Engineer

1.19-Miles of clearing, drainage improvements, 22A aggregate, crush & shape, bituminous paving, aggregate shoulders and restoration on Burnett Road (a county local road), between Upper Bay Shore Rd. and major Douglas Sloan Rd., Hyes Township. October 10, 2025 completion date.

LOW BIDDER				#2		#3		#4		
WORK ITEM	QUANTITY	UNIT	Tri-County Excavating		Rieth-Riley Construction		E.F. Wilkinson & Sons, Inc.		Payne & Dolan, Inc.	
			Unit Price	Bid Price	Unit Price	Bid Price	Unit Price	Bid Price	Unit Price	Bid Price
Tree Removal, 6 to 19-Inch DIA.	33	EACH	\$ 270.00	\$ 8,910.00	\$ 475.00	\$ 15,675.00	\$ 500.00	\$ 16,500.00	\$ 580.00	\$ 19,140.00
Pavement, Rem.	200	SYD	\$ 6.50	\$ 1,300.00	\$ 10.00	\$ 2,000.00	\$ 10.00	\$ 2,000.00	\$ 14.50	\$ 2,900.00
Trenching	63.00	STA	\$ 48.00	\$ 3,024.00	\$ 18.00	\$ 1,134.00	\$ 125.00	\$ 7,875.00	\$ 77.00	\$ 4,851.00
Embankment, LM. (Misc. Quantity)	300	CYD	\$ 8.00	\$ 2,400.00	\$ 20.00	\$ 6,000.00	\$ 15.00	\$ 4,500.00	\$ 28.00	\$ 8,400.00
Ditching	600	LFT	\$ 4.25	\$ 2,550.00	\$ 5.00	\$ 3,000.00	\$ 5.00	\$ 3,000.00	\$ 8.50	\$ 5,100.00
Culv, CI A, CSP, 18-Inch DIA (14 Gauge)	50	LFT	\$ 65.00	\$ 3,250.00	\$ 70.00	\$ 3,500.00	\$ 45.00	\$ 2,250.00	\$ 190.00	\$ 9,500.00
Culv, CI F, CSP, 24-Inch DIA (14 Gauge)	55	LFT	\$ 80.00	\$ 4,400.00	\$ 75.00	\$ 4,125.00	\$ 60.00	\$ 3,300.00	\$ 185.00	\$ 10,175.00
Culv, CI F, CSP, 12-Inch DIA (16 Gauge)	310	LFT	\$ 38.00	\$ 11,780.00	\$ 50.00	\$ 15,500.00	\$ 42.00	\$ 13,020.00	\$ 115.00	\$ 35,650.00
22A Aggregate	2,435	TON	\$ 23.12	\$ 56,297.20	\$ 23.00	\$ 56,005.00	\$ 21.00	\$ 51,135.00	\$ 24.00	\$ 58,440.00
HMA Crush & Shape	19,755	SYD	\$ 1.50	\$ 29,632.50	\$ 1.80	\$ 35,559.00	\$ 1.85	\$ 36,546.75	\$ 1.20	\$ 23,706.00
4EL Mod. Bituminous Pavement	1,365	TON	\$ 73.50	\$ 100,327.50	\$ 73.50	\$ 100,327.50	\$ 73.50	\$ 100,327.50	\$ 85.00	\$ 116,025.00
5EL Mod. Bituminous Pavement	1,365	TON	\$ 75.00	\$ 102,375.00	\$ 75.00	\$ 102,375.00	\$ 75.00	\$ 102,375.00	\$ 86.00	\$ 117,390.00
Bituminous Approach (4EL - Base)	50	TON	\$ 73.50	\$ 3,675.00	\$ 73.50	\$ 3,675.00	\$ 73.50	\$ 3,675.00	\$ 155.00	\$ 7,750.00
Bituminous Approach (5EL - Top)	90	TON	\$ 130.00	\$ 11,700.00	\$ 130.00	\$ 11,700.00	\$ 130.00	\$ 11,700.00	\$ 155.00	\$ 13,950.00
Bituminous Curb	1,500	LFT	\$ 0.15	\$ 225.00	\$ 0.15	\$ 225.00	\$ 0.15	\$ 225.00	\$ 1.00	\$ 1,500.00
Bituminous Spillway	45	SYD	\$ 38.00	\$ 1,710.00	\$ 36.00	\$ 1,620.00	\$ 19.00	\$ 855.00	\$ 62.00	\$ 2,790.00
Riprap, Plain	35	SYD	\$ 44.00	\$ 1,540.00	\$ 48.00	\$ 1,680.00	\$ 60.00	\$ 2,100.00	\$ 125.00	\$ 4,375.00
Bituminous Driveway Restoration	4	EACH	\$ 300.00	\$ 1,200.00	\$ 500.00	\$ 2,000.00	\$ 500.00	\$ 2,000.00	\$ 1,250.00	\$ 5,000.00
Concrete Driveway Restoration	124	SYD	\$ 100.00	\$ 12,400.00	\$ 86.00	\$ 10,664.00	\$ 65.00	\$ 8,060.00	\$ 90.00	\$ 11,160.00
23A Shoulders	765	TON	\$ 24.70	\$ 18,895.50	\$ 28.00	\$ 21,420.00	\$ 27.00	\$ 20,655.00	\$ 28.00	\$ 21,420.00
Mulch Blanket (Misc. Quantity)	333	SYD	\$ 2.00	\$ 666.00	\$ 2.25	\$ 749.25	\$ 2.95	\$ 982.35	\$ 1.50	\$ 499.50
Restoration	8,245	SYD	\$ 3.20	\$ 26,384.00	\$ 4.00	\$ 32,980.00	\$ 4.25	\$ 35,041.25	\$ 4.65	\$ 38,339.25
Monument Preservation	2	EACH	\$ 500.00	\$ 1,000.00	\$ 500.00	\$ 1,000.00	\$ 1,000.00	\$ 2,000.00	\$ 500.00	\$ 1,000.00
Monument Box	2	EACH	\$ 500.00	\$ 1,000.00	\$ 750.00	\$ 1,500.00	\$ 1,000.00	\$ 2,000.00	\$ 500.00	\$ 1,000.00
Traffic Control/Mobilizaion	1	LSUM	\$ 44,000.00	\$ 44,000.00	\$ 30,165.00	\$ 30,165.00	\$ 65,000.00	\$ 65,000.00	\$ 35,000.00	\$ 35,000.00
TOTAL BID PRICE			\$450,641.70		\$464,578.75		\$497,122.85		\$555,060.75	

Burnett Road Reconstruction Project
Hayes Township
May 12, 2025

Prepared By:
James G. Vanek, Staff Engineer

CHARLEVOIX COUNTY ROAD COMMISSION

CONTRACT

It is mutually agreed between HAYES Township and Charlevoix County Road Commission, that the following construction will be contracted and completed by:

TRI-COUNTY EXCAVATING GROUP, LLC.: 1.19-Miles of clearing, drainage improvements, 22A aggregate, crush & shape, bituminous paving, shoulders, and restoration on Burnett Road, from Upper Bay Shore Rd. to Major Douglas Sloan Road, Hayes Township. October 10, 2025 completion date. (A489.0.25-07-01)

It is further agreed that the Burnett Road construction project estimated construction costs (to be completed by **TRI-COUNTY EXCAVATING GROUP, LLC.**) are **\$450,641.70** and has an October 10, 2025 completion date. All payments to the Road Commission shall be within 30 days of each billing for the above project.

It is further agreed that if the actual cost exceeds the estimated cost by 10%, the project will be stopped until authorization from HAYES Township is received to complete the above project.

HAYES Township

Charlevoix County Road Commission

Supervisor

Manager

Clerk

Clerk

Date: _____

Date: _____

Project No.: A489.0.25-07-01



clerk hayestownshipmi <clerkhayestownshipmi@gmail.com>

RE: Charlevoix County Hazard Mitigation Plan- Adoption

1 message

Sienna Wenz <wenzs@charlevoixcounty.org>

Fri, May 23, 2025 at 3:00 PM

Good afternoon,

With the announcement of the Hazard Mitigation Plan approved by MSP and FEMA, I just wanted to follow up to see when the adoption of the Hazard Mitigation Plan would be on your board of trustees/commissioners' agenda.

Here is some additional information that will help give more of an understanding of the plan.

As this is a multi-jurisdictional plan, the objective is to reduce or eliminate long-term risks to people, property, the environment, and the economy from natural hazards as well as certain technological and human-related hazards (i.e., dam failure, public health emergency, etc.). The plan identifies natural hazards that are common or likely in our county based on past events or experience, and potential mitigation strategies to help minimize the impact of these hazards on the community. The mitigation strategies address site-specific as well as county-wide hazard risks.

Some examples of potential mitigation projects that would be eligible for federal grant funding include tornado sirens, infrastructure improvements to address flooding issues, efforts to reduce shoreline flooding/erosion, water quality/invasive species improvement projects, increasing preparedness for severe weather events, wildfire watches, public awareness efforts (i.e., tornado sirens), etc.

As this 5-year plan passed the review through the Michigan State Police and the Federal Emergency Management Agency (FEMA), it is now time for it to 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 grant funding from FEMA to help cover the cost of hazard mitigation projects.

If your township/city is considering applying for a FEMA mitigation grant in the next five years, your proposed project must address a hazard issue/risk identified in the Natural Hazard Mitigation Plan.

Additionally, here is a link for easier access to the plan: <https://www.networksnorthwest.org/userfiles/filemanager/ewwyic3tfix137dt335a/>

Any questions, please don't hesitate to let me know.

Best Regards,

Sienna L. Wenz, PEM

Emergency Management Coordinator

Charlevoix County

1000 Grant St.
Charlevoix, MI 49720

W: 231-547-4461

C: 231-676-2462

F: 231-547-6720



From: Sienna Wenz
Sent: Friday, May 2, 2025 3:20 PM
Subject: [Charlevoix County](#) Hazard Mitigation Plan- Adoption
Importance: High

Good afternoon,

I hope things are returning to normal after the ice storm.

For the past 2 years, Charlevoix County has been working with Networks Northwest to update the Hazard Mitigation Plan.

If you are not familiar with what Hazard Mitigation is, here is some basic information.

- Hazard mitigation is defined as any action taken before, during, or after a disaster or emergency to permanently eliminate or reduce the long-term risk to human life and property from natural, technological, and human-related hazards. Mitigation is an essential element of emergency management, along with preparedness, response, and recovery.
- Strategies were developed based on discussions amongst the Task Force, local officials, and a review of FEMA best practices for hazard mitigation. A list of alternative strategies considered is included as Appendix E. The strategies table is grouped according to purpose. Purpose types include Awareness & Preparation, Shelters, Buildings & Development, Utilities & Technology, and Environment & Natural Resources. The table also includes: a description of each strategy; what natural hazards they address; where the strategy applies; who is responsible for implementing the strategy; how the strategy will be implemented (what resources are available to help execute the strategy); when the strategy could feasibly begin; the level of priority; and what type of strategy it is. Strategies are intended to be action items completed during the 5-year timeframe in which the plan is active. Some strategies may extend beyond the 5-year timeframe due to feasibility or level of difficulty.
- The main objective of the Charlevoix County Natural Hazard Mitigation Plan is to permanently eliminate or reduce long-term risks to people and property from natural hazards so that assets such as transportation, infrastructure, commerce, and tourism can be sustained and strengthened. This can be accomplished through collaborative efforts/activities amongst agencies within the county to protect the health, safety, and economic interests of the residents and businesses through planning, awareness, and implementation.

The plan was sent to MSP/FEMA in November 2024, and as of last week, we just got the notice that the Hazard Mitigation Plan has been approved and is ready to be adopted by the county and local governments.

The next step that needs to happen is having your local government to adopt the 5-year plan.

Please find attached a copy of the final hazard mitigation plan and a sample resolution form that I will need to have signed and sent back to me.

If you could let me know when this will be added to your board meeting with your Commissioners/Trustees, that would be greatly appreciated.

Best Regards,

Sienna L. Wenz, PEM

Emergency Management Coordinator

Charlevoix County

1000 Grant St.
Charlevoix, MI 49720

W: 231-547-4461

C: 231-676-2462

F: 231-547-6720



Sample HMP Res_Municipalities.docx

13K

Sample Resolution for Municipalities

Whereas, all jurisdictions within Charlevoix County have exposure to natural, technological and human-induced hazards that may damage or destroy life, property, the environment, or local economy; and

Whereas, pro-active mitigation of known hazards before a disaster event can reduce or eliminate damages and impacts to life, property, the environment or local economy; and

Whereas, The Disaster Mitigation Act (DMA) of 2000 (Public Law 106-390) established new requirements for pre- and post- disaster hazard mitigation programs; and

Whereas, the 2024 Charlevoix County Natural Hazard Mitigation Plan 5 Year Update has been developed in accordance with the DMA of 2000 to reflect the concerns of the citizens and stakeholders of Charlevoix County; and

Whereas, *Jurisdiction* previously adopted the 2016 Charlevoix County Natural Hazard Mitigation Plan on *date* by *Resolution No.*

Whereas, *Jurisdiction* affirmed participation in the maintenance of the 2024 Charlevoix County Natural Hazard Mitigation Plan and committed to participating in the update of the Plan no less than once every 5 years; and

Whereas, the 2024 Charlevoix County Natural Hazard Mitigation Plan provides a set of actions to reduce risk from natural hazards through education and outreach programs, establishes a foundation for coordination among agencies in Charlevoix County, identifies future mitigation projects, and meets the qualifications for federal assistance programs in order to be eligible for FEMA pre-disaster and post-disaster mitigation grant funding;

Now, therefore, be it resolved that:

(Name of Jurisdiction) does hereby adopt the 2024 Charlevoix County Natural Hazard Mitigation Plan 5 Year Update as an official plan of *(name of Jurisdiction)*.

Date of Adoption _____

Authorizing Signature _____



clerk hayestownshipmi <clerkhayestownshipmi@gmail.com>

Jones fence

1 message

Shelley Dorgan <shedrgnfly@gmail.com>

Mon, Jun 2, 2025 at 8:16 PM

To: Bill Conklin <supervisor@hayestownshipmi.gov>

Cc: Matt Cunningham <trustee2@hayestownshipmi.gov>, Doug Kuebler <hayestrustee5@gmail.com>, Kristin Baranski <clerk@hayestownshipmi.gov>, Julie Collard <treasurer@hayestownshipmi.gov>, Ron VanZee <zoning@hayestownshipmi.gov>

To all Hayes Township Officials,

As a result of Hayes Township allowing them to put a fence on the property line the township has taken away ALL my rights to that property line even though I have been here longer than they have. They even moved a survey marker that their survey people placed at a sharp angle on my side of their fence which was pushing in on their fence at the bottom and protruding out over my property. Their fence is through the center of some of my trees including a pink honeysuckle and white honeysuckle which were there before the Jones family installed their fence. I expect they will someday try to get me to pay for damages these trees will cause to their fence as they grow. When this happens I will bring a lawsuit against the township for allowing this to happen and not protecting my property rights,

As I stated before in a previous email I will NOT be able to maintain my side of the property where their fence is, I will NOT risk her accusing me again of damaging their fence. When she accused me before of damaging her fence she said I did with my mower. I have never touched their fence while mowing but I went to look for damage. The only damage was at the top of their fence. I told her my mower doesn't fly.

In her email to my attorney (attached) she stated the company she had previously told my attorney they were going to hire to move and straighten fencing refused to do the job. That is NOT true. She refused to pay them. I talked to them myself.

Allowing fences on property lines robs adjoining property owners of their rights to their property. If they ever come onto my property in the future to do work on their fence I will take action.

This has already cost me \$600.00 just to have them only move the two six inch posts that were completely on my property as I received no help from the township regarding them using my property.

Think about it, each of you may someday have a new neighbor who uses the ordinance to encroach onto your property and you will have to allow them to do so.

Sincerely,

Shelley Dorgan
10205 Maple Grove Rd
Charlevoix, MI

5 attachments

Jones fence crooked highlighted.jpg
707K



Jones fence from road 5-30-25.jpg
4744K



Jones survey stake on my side of their fence and protruding over my property moved.jpg
5538K



logo_gmail_lockup_dark_1x_r5.png
2K



Lt S Dorgan re Letter Kevin all would have been resolved.pdf
375K



clerk hayestownshipmi <clerkhayestownshipmi@gmail.com>

Jones Fence

1 message

Shelley Dorgan <shedrgnfly@gmail.com>

Sat, May 31, 2025 at 12:08 PM

To: Bill Conklin <supervisor@hayestownshipmi.gov>

Cc: Ron VanZee <zoning@hayestownshipmi.gov>, Matt Cunningham <trustee2@hayestownshipmi.gov>, Doug Kuebler <hayestrustee5@gmail.com>, Kristin Baranski <clerk@hayestownshipmi.gov>, Julie Collard <treasurer@hayestownshipmi.gov>

As a result of the fence being on/over the property line, and stakes that were placed by the Jones surveyors at a sharp angle on my side of their fence I can no longer mow or maintain that side of my property. I will not risk her accusing me of damaging her fence again.

3 attachments**Jones fence crooked highlighted.jpg**
707K**Jones fence from road 5-30-25.jpg**
4744K**Sharp angle of survey marker pushing fence in at bottom.jpg**
5538K



clerk hayestownshipmi <clerkhayestownshipmi@gmail.com>

Fencing

1 message

Shelley Dorgan <shedrgnfly@gmail.com>

Sat, May 31, 2025 at 12:00 PM

To: supervisor@hayestownshipmi.gov

Cc: Ron VanZee <zoning@hayestownshipmi.gov>, Matt Cunningham <trustee2@hayestownshipmi.gov>, Doug Kuebler <hayestrustee5@gmail.com>, Kristin Baranski <clerk@hayestownshipmi.gov>, Julie Collard <treasurer@hayestownshipmi.gov>

This is my recent Facebook post, I have also posted this on X (Twitter). I've only just begun.

**Shelley Easton Dorgan**

17 hours ago · 🌐

...

If you live in Hayes Township Charlevoix Michigan and would like more land all you have to do is put up a structure, such as a fence over the property line. Township officials will do nothing to help the person who's property you place your structure on. It seems they actually support such actions.



HAYESTOWNSHIPMI.GOV

Welcome to Hayes Township - Charlevoix, Michigan

Monthly Minutes and Reports View monthly township board meeting minutes, treasurer's reports, planning commission reports, and zoning administrator's reports....

i

use by the general public or a segment thereof, for the purpose of collecting, conveying, transporting, treating or otherwise handling sanitary sewage or industrial liquid waste of such a nature as to be capable of adversely affecting the public health operated and maintained by the general public.

Public Utility: Any person, firm, corporation, municipal department board, or commission fully authorized to furnish and furnishing, under federal, state or municipal regulations, to the public, electricity, gas, steam, communications, telegraph, transportation, water services, or sewage disposal.

Recreational Unit: Means a vehicular-type unit, primarily designed as temporary living quarters for recreational camping or travel use, which either has its own motive power or is mounted on or drawn by another vehicle which is self-powered. Recreation unit shall include "Travel trailers", "Camping trailer", "Motor home", "Truck camper", "Slide-in-camper", and "Chassis-mount camper" as defined in Act 171 of the Public Acts 1970, as amended. A recreational vehicle is not a mobile home or manufactured home as defined under this ordinance or under Section 2 of the Mobile Home Commission Act.

Recreational Vehicle: see Recreational Unit.

Road, Private: An area of land which is not a public road, but which is intended for passage to and from three (3) or more lots or site condominium units.

Road Right-of-Way: A street, alley or thoroughfare or easement permanently established for passage of persons or vehicles which, if used to establish a lot front, provides adequate permanent access.

Retail and Retail Stores: Any building or structure in which goods, wares, or merchandise are sold to the ultimate consumer for direct consumption and not for resale.

School: A public or private educational institution offering students a conventional academic curriculum, including kindergartens, elementary schools, middle schools, high schools and colleges. Such term shall also include all adjacent properties owned by and used by such schools for educational, research, and recreational purposes.

Seasonal Use: Any use or activity that reasonably can or should only be conducted during certain months or seasons of a year.

Setback: The minimum required horizontal distance from the applicable right-of-way line, easement, Ordinary High Water Mark or property line of a lot within which no buildings or structures may be placed, **except as otherwise provided in this Ordinance.**

Setback, Front: The required setback measured from the front lot line.

Setback, Rear: The required setback measured from the rear lot line.

Setback, Side: The required setback measured from a side lot line.

Sexual Encounter Center: A business or commercial enterprise that, as one of its principal business purposes, offers for any form of consideration:

1. physical contact in the form of wrestling or tumbling between persons of the opposite sex; or
2. activities between male and female persons and/or persons of the same sex when one or more of the persons is in a state of nudity.

Section 3.16 Fences, Walls and Hedges

set back?
Fences, walls, or hedges may be permitted on any property in any District, provided that no fence, or wall exceed a height of six (6) feet, except where specifically allowed by this Zoning Ordinance, and shall be no closer than five (5) feet to the front property line or road right-of-way, and further provided such fence, wall or hedge shall not obstruct sight distances needed for safe vehicular traffic, nor create a hazard to traffic or pedestrians. Fences may be located on the lot line in the side or rear yards. Fences shall not exceed four (4) feet in height within the front yard for a waterfront property. Where a lot borders a lake or stream, fencing shall not be constructed on the waterfront side within the required fifty (50) foot shoreland protection strip; provided however, except when the lot is immediately adjacent to a municipal park located on a lake, a maximum six foot fence shall be allowed on the shared boundary with the municipal park, provided the fence is at least 50% open and the finished side of the fence faces the municipal park.

Section 3.17 Hazardous Substances

All business or industries that store, use or generate hazardous substances, as defined in this Ordinance, shall meet all state and federal requirements for storage, spill prevention, record keeping, emergency response, transport and disposal of said hazardous substances. No discharge to groundwater, including direct and indirect discharges, shall be allowed without required permits and approvals.

Section 3.18 Junkyards, Salvage Yards, Sanitary Landfills

Location of a junkyard, salvage yard or sanitary landfill shall be not less than one hundred twenty-five (125) feet from any public highway. All uses of such facilities shall be completely screened from sight by natural terrain, or by a neatly finished and maintained wooden fence at minimum of eight (8) feet in height and by well maintained evergreens.

Glare from any process, such as arc welding, conducted at a junkyard, salvage yard or sanitary landfill, which emits harmful rays shall be screened so as not to constitute a hazard or nuisance to adjacent properties.

All required licenses from any state or federal agency shall be obtained prior to the issuance of a permit to operate the above listed facilities. The loss of or expiration of any necessary licenses shall prohibit the continued operation of the above facilities on the site until such time as the required licenses are reinstated.

Section 3.19 Access Management

In order to protect public safety, preserve rural character, maintain traffic flow, consider future transportation needs, provide adequate and safe access to property, promote efficiency and economy in public utility requirements, minimize land use conflict, protect natural resources, promote consistent development patterns and enhance the visual characteristics of entryways to Hayes Township, the following site development standards shall apply to all properties with frontage on US-31.

1. Building Setback Requirements. Development of highway corridor property, regardless of zoning district, shall have a minimum front yard setback of fifty (50) feet from edge of the road right-of-way.



July 30, 2024

April Hilton
Hayes Township Zoning Administrator Assistant
9195 Major Douglas Sloan Rd.
Charlevoix, MI 49720

Via E-mail

zoning@hayestownshipmi.gov

RE: Zoning Ordinance Legal Opinion
Our File No. 1932.00

Dear Ms. Hilton:

I have been asked to review the Zoning Ordinance interpretation by Marshall Miller and Sarah Ann Jones as it relates to a fence situated on the property line of what the Township believes to be their front yard. The Joneses appear to be arguing that since the property does not abut a public or a private road, it therefore has no front lot line and the five-foot requirement found in section 3.16 of the Hayes Township Zoning Ordinance does not apply. For the reasons stated below, I disagree with this conclusion and conclude that the Joneses must move their fence five feet away from their front property line, that being the property line closest to Maple Grove Road.

The Joneses own property at 10283 Maple Grove Road in Charlevoix, Michigan. Their parcel of property is separated from Maple Grove Road by a slender parcel of property owned by the neighbor. The Joneses gain access to their parcel across a 50-foot wide private driveway and utility easement across the neighbor's property connecting their property to Maple Grove Road. Several definitions contained in the Zoning Ordinance are pertinent to this discussion:

Lot Line, Front: In the case of an interior lot abutting upon one public or private street, the front lot line shall mean the property line separating such lot from such street right-of way. In the case of a lot having frontage upon a lake, river, or stream, the water frontage at the Ordinary High Water Mark shall be considered the front lot line.

Lot Line, Rear: The proper line being opposite the front lot line. In the case of a lot irregularly shaped at the rear, the rear lot line shall be an imaginary line parallel to the front lot line, not less than ten (10) feet long lying farthest from the front lot line and wholly within the lot.

Lot Line, Side: Any property line bounding a lot that is not a front lot line or a rear lot line.

PARKER HARVEY PLC

July 30, 2024

Page 3

For the above cited reasons, I interpret the Hayes Township Zoning Ordinance to require the fence running parallel with Maple Grove Road to be five feet off the property line. Thank you for allowing me to assist with the handling of this matter. Please do not hesitate to contact me with any questions you might have.

Very truly yours,

PARKER HARVEY PLC



Todd W. Millar

TMW:cmc

cc: Ron Vanzee via email



zoning hayestownshipmi <zoninghayestownshipmi@gmail.com>

Fwd: Fw: Michigan Fence Laws

1 message

Hayes supervisor <supervisorhayestownshipmi@gmail.com>

To: zoning@hayestownshipmi.gov

Cc: shedrgnfly@gmail.com, Matthew Cunningham <trustee2@hayestownshipmi.gov>

Hello Ron --- I received this from Shelley Dorgan after I met with her (at the Township Hall in December) and forwarded her concerns to you/April and Matt re: the fence still being on her side. Here was my letter sent to you and April dated 12/31/2024:

Side yard Fence Setback Issue -- ZA**Hayes supervisor** <supervisorhayestownshipmi@gmail.com>

to shedrgnfly@gmail.com, zoning, Matthew, bcc: bill@dwconklin.com

Hello Mrs. Dorgan,

I wanted to follow up on our conversation today. You came to the Township Hall to meet with me this afternoon. You expressed the history which you have had with your neighbor

You informed me that the front setback of the fence has been accomplished by the Jones' after Mr. Van Zee sent a letter requesting that the fence be moved 5 feet along the front

However, you stated that the Jones' did not move the fence properly along the entire side of your property 3.5 feet as Mr. Van Zee and/or Mr. Millar (and their lawyer) had agreed. The fence was moved 5 feet but did not move the remaining 200-300 feet of the fence back 3.5 feet. Furthermore, you stated that some of the posts were not moved but bent back from the original location. The fence shows that it was "moved". You asked whether something could be done to ensure total compliance.

You also stated that Mr. Van Zee told you that "the Township did not have an ordinance about side yard fence setbacks" but the Township attorney talked with the Jones' attorney to explain what he may have meant by that statement or that there was some misunderstanding about his statement or your understanding of his statement. The side issue of golf ball holes in the yard is a separate issue to know that I made a note as to your concerns, if it becomes a problem in the future.

I am sending a copy of your request to Mr. Van Zee and Mr. Cunningham, the Liaison for the Township Board for follow up and anticipated resolution.

Thank you for coming in to meet with me. If you have any further questions or concerns, please let me know as I look forward to hearing how this issue is resolved to your satisfaction.

Bill Conklin
Supervisor
231-373-0059

I understand the fence (bottom) is under the snow; however, I thought it best that you be aware of her concerns in this new e-mail dated Jan 29 and address them as you see fit.

1. Furthermore, the response from my e-mail above that I received from you/April was a stack of papers (probably history of the issue from your ZA file) with no explanation and no update as to what was done. In my letter (above) sent to Zoning and Matt Cunningham, I would have hoped that you or April would have contacted Mrs. Dorgan with the materials and information which you presented to me in April after September (apparently from the materials presented to me) to investigate that what the Jones' reported to you was factual and accurate and consistent with the agreement to the setback since something apparently was not finalized to her (the Complaining witness) satisfaction. It is possible that you may have concluded that nothing more could be done in your follow-up in Eastland Township at your convenience as to what can be done about this issue.

Additionally, from reviewing the record given to me by April, how come the side yard fencing was never addressed by Todd Millar's opinion or your letter or direction, as it seems from Todd's opinion to Maple Grove) but there was silence as to the other three sides of the fence, unless I am not understanding the fence. I do want to get involved but since the resident met with me in December to discuss concerns expressed for your attention, as you see fit. I think that a resolution can be found over the next 2-3 months as the snow melts and the boundary lines and base of the stakes can be confirmed. Mrs. Dorgan references. Thank you.

2. The second matter which Mrs Dorgan is referencing is what Stan Boris discussed with me at the same meeting in December with Mrs Dorgan is that his neighbor across the street from Mr. Dorgan has other hazardous materials for years at his property and it stinks and junk is piled all over the property. I was awaiting to hear from the EPA person with whom Mr. Boris and Mrs Dorgan had discussed that she could not come up with that person's name, but passed along his website apparently. I am asking that you contact Mr. Boris and ask him to discuss his concerns and show you the pictures about his neighbor. It may be a blight issue here in the Twp. I would appreciate it if you could follow up.

Thank you for your assistance on both of these matters.

Bill Conklin
Supervisor
231-373-0059

From: Shelley Dorgan <shedrgnfly@gmail.com>**Sent:** Wednesday, January 29, 2025 7:29 PM**To:** bill@dwconklin.com <bill@dwconklin.com>**Subject:** Michigan Fence Laws

[https://www.legislature.mi.gov/\(S\(kuxk0pfyfjncfpaavet1hcfrr\)\)/documents/mcl/pdf/mcl-chap43.pdf](https://www.legislature.mi.gov/(S(kuxk0pfyfjncfpaavet1hcfrr))/documents/mcl/pdf/mcl-chap43.pdf)

I haven't read all the way through this but beginning with 43.54 every township has to have a "fence viewer". It then continues on with their duties etc.

Also everything I've found so far regarding fences says there is a 2 to 8 inch set back requirement and the fence has to be completely on the owner's property while the Jones fence is still partially on her property. Looks like we need a "fence viewer" and our zoning people are not doing their job.

On the other situation with the dump across from Stan I still haven't found my notes from when the guy called me. I think this is where I put in a complaint <https://www.epa.gov/mi> and they have not responded yet.

Thank you for your time,

Shelley Dorgan
10205 Maple Grove Rd
Charlevoix



zoning hayestownshipmi <zoninghayestownshipmi@gmail.com>

Re: Response: 10283 Maple Grove

1 message

zoning hayestownshipmi <zoninghayestownshipmi@gmail.com>

Fri, Jul 19, 2024 at 2:35 PM

To: Sarah Jones <stnursing2010@gmail.com>

Sarah,

Can you provide us with the language describing the easement to your property from the road. Thank you.

Sent from my iPhone

On Jul 15, 2024, at 8:43 PM, Sarah Jones <stnursing2010@gmail.com> wrote:

April and VanZee,

As I related we did perform an updated survey, and sought counsel. We have corrected the sideline that was inaccurate based on previous stakes that were on the property and corrected the fence line in accordance with the survey stakes. We did not put them on the lot line on the SW side to avoid further conflict with the complaining neighbor, we left room so that if we needed to do further maintenance we have space to do so without trespassing. However, our fence by no means not being on the line is us forfeiting the space from stake to fence. As recommended from counsel see below related to the letter that was presented to us.

Thank you for your letter dated June 19, 2024. After consulting with legal counsel, I respectfully disagree with the assertion that the placement of our front yard fence on the property line constitutes a violation of Section 3.16 of the Hayes Township Zoning Ordinance. The Ordinance provides, in relevant part, "[f]ences... may be permitted on any property in any District, provided that no fence ... shall be no closer than five (5) feet to the front property line or road right-of-way..." (Hayes Township Zoning Ordinance, Eff. October 31, 2009, Article III, Sec. 3.16 (emphasis added)). Your letter asserts that our fence is "to [sic] close to your front property line" and cites to Section 3.16 of the Ordinance. However, the Ordinance defines "Lot line, Front" as follows: "In the case of an interior lot abutting upon one public or private street, the front lot line shall mean the property line separating such lot from such street right-of-way." (Hayes Township Zoning Ordinance, Eff. October 31, 2009, Article II, Sec. 2.02 "Definitions" at II- 9.) The definitions also include this image, illustrating that a "front lot line," by definition, abuts the road right-of-way.



As you know, our lot does not "abut[] upon one public or private street" but rather, to the contrary, would be landlocked but for the easement rights that we own which provide for legal access across our neighbors' adjacent property which lies between our lot and the public road right-of-way. Therefore, Section 3.16, which requires fences to be a certain distance from the road right-of-way, or from the "front property line" (defined as the line separating an interior lot abutting upon the street from the road right-of-way) simply does not apply.

Further, it is clear that the purpose of Section 3.16 of the Ordinance relates to preventing fences from "obstruct[ing] sight distances needed for safe vehicular traffic" and/or "creat[ing] a hazard to traffic or pedestrians," neither of which apply to a fence that is nowhere near, much less within 5 feet of, the road right-of-way.

In light of the foregoing, we respectfully request that you reconsider and withdraw your demand that we move our fence, which we constructed, in good faith, and with the full knowledge and consent of the now complaining neighbor.

Thank you ,

Sarah and Marshall Jones



Memo

To: Hayes Township

Date: 5-7-2025

From: Wayne Seger

Re: Camp Sea-Gull Drainage Improvements, Contract # 24-6646

Dear Board Members;

As you are aware, Performance Engineers, Inc. (PEI) advertised for bids for the Camp Sea-Gull Drainage Improvements. One addendum was issued, to clarify drainage casting replacement for two existing stormwater structures.

Six bids were received and publicly opened and read on Monday May 5, 2025. All six bids were deemed responsive and in compliance with the proposal requirements for an administratively complete bid.

A bid tabulation is attached with all six bids and PEI has performed a bid analysis, to verify the bids and check for errors and discrepancies. The low bid of \$51,560.50 was submitted by Spierling Trucking & Excavating, Inc. which is in line with the engineer's estimate of \$50,000.00 for the project. The low bid is consistent with the pricing provided by the other bidders and is reasonable for the scope of the project proposed.

PEI found a math error in Spierling Trucking & Excavating's bid where the unit cost multiplied by the bid quantity did not equal the total. The error was determined to be in bid item number 1 for MOBILIZATION, where the line item was misread during calculation of the bid total. The number \$4000 was read as \$400 when adding up the Extension column. The net difference between the unit cost multiplied by the bid quantity and the TOTAL was \$3,600.

PEI has discussed the discrepancy with Spierling Trucking & Excavating and they have confirmed the error and agreed to the total bid price of \$51,560.50, maintaining their amount as the low bidder. The Unit Price for MOBILIZATION has been adjusted to \$400. PEI found no other deviations, nor any bid qualifications that would invalidate the low bid.

Spierling Trucking & Excavating is a well-established and experienced excavator in Northern Michigan, and can complete the project based on their existing workload and schedule. It is our opinion that Spierling Trucking & Excavating is capable and has the necessary resources to complete the project.

Based on all of the above, PEI recommends award of the Camp Sea-Gull Drainage Improvements project to the low bidder Spierling Trucking & Excavating, Inc. for the low bid amount of \$51,560.50,

Should you have any questions regarding this recommendation for award, or the project in general, please let me know.

Sincerely,

Wayne Seger, PE

Performance Engineers, Inc.

Camp Sea-Gull Drainage Improvements
Hayes Township, Charlevoix County
Bid Tab

Date: 5/5/2025

No.	Unit	Item	Quantity	Spierling
Item #	DESCRIPTION	UNITS	QUANTITY	UNIT COST
1	MOBILIZATION	LSUM	1	\$400.00
2	EROSION CONTROL	LSUM	1	\$600.00
3	SAWCUT	LFT	98	\$4.00
4	REMOVE STORM SEWER	LFT	15	\$22.00
5	REMOVE RIPRAP	SFT	130	\$5.00
6	REMOVE SIDEWALK	SYD	28	\$20.00
7	REMOVE CURB AND GUTTER	LFT	60	\$9.00
8	REMOVE ASPHALT PAVEMENT	SYD	72	\$10.00
9	DR STRUCTURE COVER, VANE GRATE. E	EA	1	\$2,000.00
10	DR STRUCTURE COVER, CURB INLET. EJ	EA	1	\$1,600.00
11	STORM SEWER, 12 INCH	LFT	154	\$52.00
12	DR STRUCTURE, 48 INCH DIA. WITH CAST	EA	2	\$4,300.00
13	CONNECT TO EXISTING STORM SEWER	EA	1	\$800.00
14	CONNECT TO EXISTING STORM STRUCTU	EA	1	\$500.00
15	CONCRETE SIDEWALK	SFT	248	\$15.00
16	CONCRETE CURB & GUTTER	LFT	60	\$67.00
17	CONCRETE PAVEMENT, 6"	SFT	623	\$18.50
18	PAVEMENT MARKINGS	LSUM	1	\$500.00
19	RESTORATION	LSUM	1	\$3,100.00
20	DR STRUCTURE FRAME, EJ 7045Z (007045	EA	1	\$1,500.00
21	DR STRUCTURE FRAME, EJ 7045Z (007045	EA	1	\$1,500.00
BID TOTAL				

(Math discrepancy)

[illegible]

Miller's	Walton Contracting		Manthei Construction	
TOTAL COST	UNIT COST	TOTAL COST	UNIT COST	TOTAL COST
\$7,062.91	\$4,000.00	\$4,000.00	\$4,825.00	\$4,825.00
\$1,477.75	\$1,000.00	\$1,000.00	\$440.00	\$440.00
\$260.68	\$5.00	\$490.00	\$2.50	\$245.00
\$1,415.70	\$50.00	\$750.00	\$24.00	\$360.00
\$698.10	\$15.00	\$1,950.00	\$2.00	\$260.00
\$645.68	\$80.00	\$2,240.00	\$17.00	\$476.00
\$1,003.80	\$20.00	\$1,200.00	\$6.00	\$360.00
\$1,616.62	\$20.00	\$1,430.00	\$10.00	\$715.00
\$441.07	\$3,990.00	\$3,990.00	\$320.00	\$320.00
\$1,112.01	\$2,000.00	\$2,000.00	\$320.00	\$320.00
\$12,002.76	\$90.00	\$13,860.00	\$59.50	\$9,163.00
\$6,450.60	\$5,280.00	\$10,560.00	\$3,410.00	\$6,820.00
\$350.62	\$500.00	\$500.00	\$640.00	\$640.00
\$48.70	\$500.00	\$500.00	\$820.00	\$820.00
\$4,151.52	\$16.00	\$3,968.00	\$15.00	\$3,720.00
\$3,964.20	\$95.00	\$5,700.00	\$54.00	\$3,240.00
\$13,942.74	\$20.00	\$12,460.00	\$21.00	\$13,083.00
\$3,162.04	\$1,000.00	\$1,000.00	\$950.00	\$950.00
\$8,680.45	\$2,000.00	\$2,000.00	\$3,420.00	\$3,420.00
\$1,016.36	\$1,000.00	\$1,000.00	\$990.00	\$990.00
\$1,016.36	\$1,000.00	\$1,000.00	\$990.00	\$990.00
\$70,520.67		\$71,598.00		\$52,157.00



clerk hayestownshipmi <clerkhayestownshipmi@gmail.com>

Recommendation for Bid Award -

3 messages

Bill Conklin <supervisorhayestownshipmi@gmail.com>
To: Wayne Seger <waynes@performanceeng.com>
Cc: Kristin Baranski Clerk <clerk@hayestownshipmi.gov>

Tue, May 6, 2025 at 4:27 PM

Hello Wayne --

Thank you for attending the opening of the bids on Monday ---

I wanted to know whether we should be receiving your recommendation for awarding the bid before Monday? If so, then we will place "awarding the bid" on the agenda for our Board Meeting scheduled for Monday, May 12. I am not certain whether you intend to be at the meeting to answer questions.

Thank you,
Bill Conklin
231-373-0059

Bill Conklin <supervisorhayestownshipmi@gmail.com>

Tue, May 6, 2025 at 4:52 PM

To: Kristin Baranski Clerk <clerk@hayestownshipmi.gov>, Julie Collard <treasurer@hayestownshipmi.gov>

FYI..... I do not know if you might want Wayne at the meeting. Just passing along the information if Julie wants to meet Wayne tomorrow or Thurs. as well -- Bill

----- Forwarded message -----

From: **Wayne Seger** <waynes@performanceeng.com>
Date: Tue, May 6, 2025 at 1:48 PM
Subject: Re: Recommendation for Bid Award -
To: Bill Conklin <supervisorhayestownshipmi@gmail.com>

Hi Bill,

Yes, I will have the recommendation to you tomorrow. Once you receive it, please look it over and let me know if you have any questions. If it would be helpful for you to briefly discuss the project to date and the next steps moving forward, we'd be happy to have you stop by and we could talk.

Thank you,
Wayne

Wayne Seger, PE

Performance Engineers, Inc.

406 Petoskey Avenue

Charlevoix, Michigan 49720

(231) 547-2121 ph. (231) 499-6090 cell

www.performanceeng.com

From: Bill Conklin <supervisorhayestownshipmi@gmail.com>
Sent: Tuesday, May 6, 2025 4:27 PM
To: Wayne Seger <waynes@performanceeng.com>
Cc: Kristin Baranski Clerk <clerk@hayestownshipmi.gov>
Subject: Recommendation for Bid Award -

[Quoted text hidden]

Bill Conklin <supervisorhayestownshipmi@gmail.com> Wed, May 7, 2025 at 11:58 AM
To: Kristin Baranski Clerk <clerk@hayestownshipmi.gov>, Julie Collard <treasurer@hayestownshipmi.gov>, Doug Kuebler <hayestrustee5@gmail.com>, Matthew Cunningham <trustee2@hayestownshipmi.gov>

FYI --- re: Bids for Camp Sea-Gull Drainage Improvements
For Consideration at the Board Meeting ---

If the Board wants Wayne to be at the meeting to discuss, please advise --

Bill

----- Forwarded message -----

From: Wayne Seger <waynes@performanceeng.com>
Date: Wed, May 7, 2025 at 7:03 AM
Subject: Re: Recommendation for Bid Award -
To: Bill Conklin <supervisorhayestownshipmi@gmail.com>

Bill,

Please find attached the Award Recommendation letter and bid tab for the Camp Sea-Gull Drainage Improvements project.

As noted below, if you would like to schedule at time to get together to discuss the project, please let me know.

Thank you,
Wayne

Wayne Seger, PE

Performance Engineers, Inc.

406 Petoskey Avenue

Charlevoix, Michigan 49720

(231) 547-2121 ph. (231) 499-6090 cell

www.performanceeng.com

From: Wayne Seger <waynes@performanceeng.com>
Sent: Tuesday, May 6, 2025 4:48 PM
To: Bill Conklin <supervisorhayestownshipmi@gmail.com>
Subject: Re: Recommendation for Bid Award -

Hi Bill,

Yes, I will have the recommendation to you tomorrow. Once you receive it, please look it over and let me know if you have any questions. If it would be helpful for you to briefly discuss the project to date and the next steps moving forward, we'd be happy to have you stop by and we could talk.

Thank you,
Wayne

Wayne Seger, PE

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From: Bill Conklin <supervisorhayestownshipmi@gmail.com>

Sent: Tuesday, May 6, 2025 4:27 PM

To: Wayne Seger <waynes@performanceeng.com>

Cc: Kristin Baranski Clerk <clerk@hayestownshipmi.gov>

Subject: Recommendation for Bid Award -

[Quoted text hidden]

2 attachments



6646 Award Recommendation.pdf
630K



6646 Bid Tab.xlsx
25K