

HAYES TOWNSHIP  
BOARD OF TRUSTEES SPECIAL MEETING  
June 23rd, 2025 6:00 PM  
HAYES TOWNSHIP HALL  
09195 MAJOR DOUGLAS SLOAN RD  
CHARLEVOIX, MICHIGAN 49720  
ZOOM 849 2451 3210

The June 23rd, 2025, meeting of the Hayes Township Board was called to order by Supervisor William Conklin at 6:00 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: Dan Thorp, LuAnne Kozma, Ellis Boal, Diane Conklin, Roy Griffiths, David Zipp, Betty Henne, Kyra Allen, and Carey Cuddeback.

**CALL TO ORDER** Supervisor William Conklin called the meeting to order at 6:00 pm.

**REVIEWED & APPROVED AGENDA**

Mr. Cunningham added item # 9 Memorial Tree donation

Ms. Collard 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:**

Public comment opened and closed at 6:04.

- Concerned about the ARPA funds and the legal use of the funds. Would like to know if there is an existing contract for the installation of the pickle-ball courts at Hayes Township Park. Feel the Township has not allocated the ARPA funds correctly.
- Requested clarification one the expenses spent on attorney fees.

Closed at 6:08

**2024-2025 AMENDED FINAL BUDGET/WARRANTS:**

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

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

Nays: None                      Motion Carried

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Clerk, Ms. Baranski, presented the warrants in the amount of \$1,814.00.

Ms. Baranski made a motion, supported by Ms. Collard, to approve Township warrants out of the General Fund in the amount of \$1,814.00. 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 adopt the 24-25 Final Budget as amended. 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 adopt the 24-25 Final Road Budget as presented. A roll call was taken.

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

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

**2025/2026 FISCAL YEAR BUDGET ADOPTION/RESOLUTIONS:**

The board came to a consensus to use \$35,000 of ARPA funds for the Fire Contract with Charlevoix Township Fire Department as reported to the federal government under public health. The remaining ARPA funds reported under capital improvements to the federal government will be used to cover the drainage repair at the Hayes Township park.

The board reviewed and discussed the proposed 2025/2026 fiscal year budget.

Ms. Baranski made a motion, supported by Mr. Kuebler, to adopt the proposed 2025/2026 budget with the discussed changes. A roll call was taken.

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

Nays: None **Motion Carried**

Ms. Baranski made a motion, supported by Mr. Cunningham, to adopt the proposed 2025/2026 Road Budget. A roll call was taken.

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

Nays: None **Motion Carried**

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**FIRE PROTECTION CONTRACT:**

Dan Thorp presented to the Board of Trustees a proposed one year fire contract in the amount of \$76,700 for the boards consideration.

Ms. Baranski requested if Charlevoix township would guarantee next years contract would not increase more than 5%.

Mr. Thorp stated he could not guarantee that, however, Charlevoix Township plans to communicate with the involved townships a new way to calculate to cost of the contracts in the future.

Ms. Baranski stated its important to Hayes Township to have an operating truck in the Hayes fire barn without the cost of the fire contract doubling every year. Would like to see the Fire Department and Charlevoix township host quarterly meetings for two board members of the township to attend for transparency.

Ms. Baranski made a motion, supported by Mr. Cunningham to approve the fire contract in the amount of \$76,700 with the conditions that Charelvoix Township and the Fire department hold quarterly meetings with Hayes Township officials (minimum of two Board Members) to share fire activity reports and be available to discuss any concerns and/or questions the officials may have. A roll call was taken.

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

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

**HAYES TOWNSHIP PARK DRAINAGE:**

Ms. Collard made a motion, supported by Ms. Baranski to accept the bid for \$51,560.50 submitted by Spierling Trucking & Excavating Inc. for the Hayes Township park – Camp Sea-Gull drainage improvements, with \$48,000 of the cost from the ARPA funds. A roll call was taken.

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

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

**MEMORIAL TREE DONATION:**

Mr. Cunningham stated he had an employee pass away in December and his mother has contacted Matt requesting to plant a tree in his memory at Hayes Township Park over looking the lake. Mr. Cunningham is requesting board approval to allow her to plant a native tree on the hill at Hayes Township Park in his memory.

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Ms. Collard will provide Mr. Cunningham with the donation paperwork.  
The board supported the donation of a memorial tree at Hayes Township Park Camp Seagull.

**BOARD OF TRUSTEE COMMENT:**

The board discussed the actual financial charts.

Ms. Collard brought up a concern of donated money for Storm Clean up not being properly accounted for. She as treasurer has not received any of the money from donations collected.

Mr. Conklin stated he had received the money as a resident for his volunteer group.

Clerk and Treasurer requested a report showing the amount of money collected by Supervisor Conklin as donations from residents for Storm Clean up efforts per the request he made in multiple township publications.

**ADJOURNMENT:** Mr. Cunningham made a motion, supported by Mr. Kuebler, to adjourn at 9:42p.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

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Nays: None

**Motion Carried**

Respectfully Submitted,

April Hilton

Hayes Township Deputy Clerk/Recording Secretary

6-23-25

Members of the Board –

I received two emails from Kristin and Julie telling me that I should not have used the services of Maner Costerisan in preparation of the Budget; suggesting that they received a bill for \$3000 for their work in assisting in the preparation of the Budget.

Maner Costerisan was contracted by the Board in Feb, 2024, before my arrival on the Board. I do not know the terms of that Contract, although I know that Maner was hired to assist Kristin and Julie in correcting accounting deficiencies and informing how accounting and bookkeeping entries could be improved.

By asking (Maner) the company which is familiar with the Township's fiscal picture and its present financial standing, I felt that they would best be able to glean the data from BS&A quickly and efficiently in order to create a Budget which is consistent with the Township's present accounting/financial system.

ARPA funds available to the Township have been an unknown quantity for too long. Knowing that "obligated funds" require a contract according to the definitions supplied by the Code of Federal Regulations (CFR) and outlined in the handouts, I am of the opinion that Maner Costerisan could and would provide valuable insight and direction to address the ARPA issue and its place in the budget. Kristin and Julie have both stated that \$40,000 has been obligated for Pickleball Courts at Camp Sea Gull; yet I am not aware of any Contract with any Builder/Contractor for Pickleball Courts which requires payment. Therefore, if the Board authorizes ARPA funds to be used in 2025 or 2026 for Pickleball Courts it is very likely that the Federal Govt will "claw back" such sums as being expended/spent contrary to the rules, policies and procedures of ARPA. If that event occurs, then the Township will be using its General Fund to pay for Pickleball Courts. I believe that other items should be a priority, such as the replacement of well and/or the windows at the Twp Hall.

According to the State and Local Fiscal Recovery Fund (SLFRF) filed data, as of 12/31/2024, \$35,000 was listed for Fire Contract; \$48,000 was listed as "Hayes Capital" and \$4825 was listed as Hall Improvements. I think that an argument could be made that \$35,000 was possibly intended and thus obligated for the Fire Protection Contract since the Board had a 2025/2026 proposed contract from Charlevoix Township Fire Department for services covering the 2025/2026 fiscal year, which would require payment. Although the current Fire Protection Contract will not be signed until June 23, 2025, perhaps ARPA would not allow the \$35,000 "obligated" funds for the Fire Contract, but it would be worth the effort to try to retain those funds.

We run the risk that \$48,000 or \$40,000 listed as "Hayes Capital" would not be justified and determined to be not legally "obligated" for Pickleball Courts since there was no Contract requiring payment as of 12/31/2024 or 4/30/2025. If the Board wanted to run the risk of having the money taken back, the best case scenario would be to amend the ARPA filing and list the \$40,000 as being part of the Fire Contract. In that way, we might be able to save those Federal funds for a Township use rather than forfeiting that sum of money or having that \$40k "clawed back", since there is no contract requiring payment. I would much rather risk the argument over using it for the Fire Contract vs using it for Pickleball Courts. However, I am no expert on ARPA procedures and rules; however, by reading the definition of "obligated funds", it requires a contract which requires payment in order to be legally viewed as "obligated". Earmarking or saying that we have set this sum aside for pickleball purposes at a future date does not satisfy the legal definition of "obligated", from the materials which I have read. Perhaps the Board has a different legal opinion of which I am not aware, however, I would be happy to be educated or enlightened by that opinion.

Therefore, I am opposed to any use of ARPA funds for any purpose other than for the Fire Contract, specifically the use of \$35,000.00 for such purpose. Further, I would be agreeable to making an amended application or designation to ARPA in order to possibly being allowed use the remaining \$40,000 for the Fire Contract, in an attempt to retain those funds and not forfeit that sum of money or have that sum of money possibly "clawed back" at a later date.

Thank you for your consideration of my position.

Bill Conklin, Supervisor

June 23. 2025