

AGENDA
HAYES TOWNSHIP BOARD OF TRUSTEES

September 8, 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 Comment
6. Approval of Meeting Minutes: August 11, 2025 BOT Regular Meeting a
7. Treasurers Report
8. Clerks Report: Approval of Warrants
9. Reports: County Commissioner, Zoning Administrator, Planning Commission, Zoning Board of Appeals, Parks and Recreation, Trustee's, and Supervisor Reports.

NEW BUSINESS

9. Resolution to establish an Emergency Preparedness Committee
10. Request to Charlevoix County Road Commission to establish a 4-way stop at the intersection of Upper Bayshore Rd and Maple Grove Rd
11. Authorize certain maintenance of the beach access at the south end of Maple Grove at Lake Charlevoix
12. Authorize Surveyor to investigate and make a report regarding the legal dimensions of Eastern Avenue Beach
13. Designate an ice-fishing parking area in the upper portion of Hayes Township Park/Camp Sea-Gull
14. Michigan Township Par Plan Risk Control comments and recommendations
15. Cemetery By-Laws update
16. Zoning Board of Appeals resignation and posting
17. Public Comment
18. Board of Trustee Comment

ADJOURN MEETING

HAYES TOWNSHIP
BOARD OF TRUSTEES REGULAR MEETING
August 11th 2025 7:00 PM
HAYES TOWNSHIP HALL
09195 MAJOR DOUGLAS SLOAN RD
CHARLEVOIX, MICHIGAN 49720
ZOOM 849 2451 3210

The August 11th, 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), William Conklin (Supervisor) and Kristin Baranski (Clerk)

Audience Members signed in: Carey Cuddeback, Diane Conklin, Stan Boris, Shelly Dorgan,
Andy Balderson, Darcy Phelps, David Zipp, David Kemme, Catherine Phelps, Kevin Willis, Deb
Narten, Sherry Baker-McCarey, Dee Hutchinson, LuAnne Kozma, Ellis Boal, Bill Henne, Betty
Henne, CT Martin, Steve Hassell, Carol Umlor, Bob Fowler, Roy Griffiths, Katherine Simon,
Linda Balderson, Leslie Cunningham, Shelly VanWart Greta McKay, and Tim Boyko.

CALL TO ORDER

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

DECLARATION OF CONFLICT OF INTEREST:

NONE.

REVIEWED & APPROVED AGENDA

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

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

Nays: William Conklin Motion Carried

PUBLIC COMMENTS:

Public comment opened and closed at 7:03.

- Stated the speed limit on Major Douglas Sloan Road already has a warning sign to
slow down to 35 mph why would there be a request to raise it to 45mph by the
board? Especially stopping at Maple Grove doesn't make since with all the new
residential builds happening past Maple Grove. Would like to know the average
speed on Maple Grove before the board makes a decision. Feel Shrigley road should
be lowered due to it being a dead end.

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- Stated on the minutes from June 30th 2025 under the board comment is says “correspondence attached” would like to have more detail of this. Stated on June 24th 2025 Ms. Baranski emailed requested the financial information of the money collected during the storm clean-up. Stated now there is a police report open. Would like Bill to have a name plate that is not paper.
- Stated the Hayes Township Picnic was lovely! Found the park ground absolutely beautiful thanks to the host Becky and Greg. There was activities for all ages and was able to meet and talk to the board members. Would like to see the Township host more events like the picnic.
- Correspondence attached.
- Stated bio-engineering is needed along the shoreline due to it being very dangerous, feels the board needs to discuss grants with Tip of the Mitt. They have observed boats, coming and going, could be a danger to swimmers. Feel two board members have very little integrity when attacking the supervisor. Feels the supervisor cares about the residents of the township and feels sorry for the supervisor having to deal with the disrespect.
- Stated the investigation made by Julie and Kristin is an attack against Bill Conklin. Feel it was a waste of the sheriff’s time.
- Stated the effort Bill Conklin made to help his neighbors and the township does not deserve the disrespect from the other board members, specifically Kristin and Julie. Would like to know if Doug, Matt or Ron VanZee had any involvement?
- Stated they are disgusted by the clerk and treasurer with their questioning of Bill Conklin’s intentions. Would like to see the clerk and treasurer resign.
- Stated the board has a lack of integrity. Stated the entire park needs safety improvements not just swim buoys.
- Stated they are disgusted with the attack on Bill Conklin.
- Stated they are speaking on behalf of Lake Charlevoix EMS, the speed limit change on Major Douglas Sloan Road could effect the EMS response time.

Closed at 7:35

APPROVAL OF JULY 14TH 2025 BOT REGULAR MEETING MINUTES:

Mr. Conklin made a motion, supported by Ms. Baranski to approve the July 14th, 2025, Board of Trustees regular meeting minutes as amended.

HAYES TOWNSHIP
BOARD OF TRUSTEES REGULAR MEETING
August 11th 2025 7:00 PM
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66 Yeas: Julie Collard, William Conklin, Matt Cunningham, Doug Kuebler, and Kristin Baranski.

67 Nays: None **Motion Carried**

68

69 **APPROVAL OF JULY 30th 2025 BOT SPECIAL MEETING MINUTES:**

70 Mr. Conklin made a motion, supported by Mr. Kuebler to approve the July 30th, 2025, Board
71 of Trustees special meeting minutes as amended.

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

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

74

75 **TREASURERS REPORT**

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

77

78 **CLERKS REPORT: APPROVAL OF WARRANTS**

79 Ms. Baranski made a motion, supported by Ms. Collard to buy back lot # 31 A-D and #32 A-D
80 from the Dow family in the amount of \$300 a piece totaling \$2400.

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

82 Nays: None **Motion Carried**

83 Mr. Cunningham requested how much money was spent on the budget with Maner and
84 Costerisan.

85 Ms. Baranski estimated about \$6,000.

86 Mr. Cunningham stated he does not recall the board ever spending this much money on a
87 budget before. Would like to know why Bill felt this expense was necessary.

88 Mr. Conklin stated during a discussion with Steve and Rod from Maner Costerisan he found it
89 necessary to have a budget that would be appropriate when it comes time for the audit to
90 avoid issues.

91 Mr. Cunningham responded that the Board adopted the budget created by the Clerk and
92 Treasurer.

93 Mr. Conklin stated in his perspective he proposed a very valid budget based on the information
94 in BS&A and with BS&A being new to everyone he felt someone trained in BS&A should prepare
95 the budget.

96 Mr. Cunningham stated the Clerk and Treasurer are both trained in BS&A. Asked Mr. Conklin
97 why he did not consult either one of them?

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98 Mr. Conklin stated he reached out to both the Clerk and Treasurer and did not receive much
99 input from either of them.

100 Ms. Collard stated the Clerk and her had both reached out way before the deadline to sit down
101 with Mr. Conklin to discuss the budget.

102 Ms. Baranski asked Bill Conklin if the board should be expecting any additional invoices from
103 Performance Engineers for the Drainage Repair project at Hayes Township Park Camp-Seagull.

104 Mr. Conklin stated he inherited this project in November 2024 and has been negotiating with
105 Performance Engineers since. Mr. Conklin stated Performance Engineers has a construction
106 oversight of \$4500.

107 Ms. Baranski asked if Bill can contact Performance Engineer and request information regarding
108 projected additional costs.

109 Mr. Conklin will be contacting Performance Engineers to ask the questions discussed by the
110 Board.

111 Clerk, Ms. Baranski, presented the warrants in the amount of \$48,589.04.

112 Ms. Baranski made a motion, supported by Mr. Kuebler, to approve Township warrants out
113 of the General Fund in the amount of \$48,589.04. A roll call was taken.

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

115 Nays: **Motion Carried**

116

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

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

121 Nays: None **Motion Carried**

122

123 **COUNTY COMMISSIONER REPORT**

124 Bob Jess was not present.

125

126 **PARKS AND REC. REPORT**

127 Ms. Collard presented the Parks and Rec. report.

128 The next regular Parks and Rec meeting will be rescheduled.

129

130 **PLANNING COMMISSION**

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Mr. Cunningham presented the Planning Commission Report. The next regular Planning Commission meeting is August 19th, 2025, at 7:00 pm.

ZONING BOARD OF APPEALS

ZBA held a hearing on July 23rd 2025 at 7:00 pm where they approved a variance for 6995 Birdland Drive.

ZONING ADMINISTRATOR REPORT

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

TRUSTEES:

Mr. Kuebler stated he had a request from a resident for a tractor sign to be placed on Murray Road.

Mr. Conklin will draft a letter to the Road Commission requesting a Tractor sign for Murray Road.

Mr. Kuebler stated he had a request after an accident happened on Murray Road, for the road to be widened in a certain area.

Mr. Conklin suggested the board make a resolution or motion to direct the Road Commission to widen a section Murray Road.

Mr. Kuebler made a motion, supported by Mr. Cunningham to approve Bill and Kristin to draft a resolution and sign it to request the road commission to widen a section of Murray road.

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

Nays: None **Motion Carried**

Ms. Collard asked Bill Conklin if he felt she offended or attacked by her requesting information about the donations he received during the Storm Clean-up.

Mr. Conklin stated he recalls Ms. Collard asking him "if he was asking people to take out loans".

Ms. Collard stated she was not accusing Mr. Conklin of keeping money. She as treasurer, wanted to make sure all township money was collected and accounted for properly. She recalls asking Mr. Conklin if people were giving money for the township cleanup to offset the cost of the \$30,000 that the board approved, or if they were aware they were donating it to Mr. Conklin in a private manner.

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Mr. Conklin stated he remembers the Treasurer asking him if he requested money from people and suggested people take out loans. Mr Conklin stated people gave him money to defray the cost of equipment, and unless the township wants to pay for the rental of the equipment used by the volunteers he will turn in the money he received by donations.

SUPERVISOR REPORT:

William Conklin presented a supervisor report.

FEMA GRANT RESOLUTION:

Resolution No. 08112025B

At a regular meeting of the Hayes Township Board of Trustees, Charlevoix County, Michigan held in the Hayes Township Hall, located at 9195 Major Douglas Sloan Road, Charlevoix, Michigan 49720 on August 11, 2025. Present: William Conklin, Kristin Baranski, Julie Collard, Matt Cunningham, Doug Kuebler

Absent: none

The following resolution was made by Ms. Baranski and supported by Mr. Cunningham to-wit: WHEREAS, the Township of Hayes has the authority to request reimbursement for the 2025 Ice Storm Debris Removal and WHEREAS, the Township of Hayes is requesting a reimbursement from FEMA for up to 75% of Township eligible associated costs; and WHEREAS, the Township of Hayes desires Supervisor to submit a "Request of Public Assistance" (RPA) for reimbursement related to the Ice Storm (FEMA-DR-4880-MI); THEREFORE BE IT RESOLVED by the Hayes Township Board of Trustees that, pursuant and subject to all of the terms and provisions of the RPA (FEMA-DR-4880-MI), application be made to the FEMA for reimbursement; and BE IT FURTHER RESOLVED that Bill Conklin Supervisor of said Hayes Township is hereby authorized and directed to cause the necessary data to be prepared and application to be signed and filed to FEMA;

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

Nays:

RESOLUTION DECLARED ADOPTED

BANK ACCOUNT RESOLUTION:

Resolution No. 08112025A

HAYES TOWNSHIP
BOARD OF TRUSTEES REGULAR MEETING
August 11th 2025 7:00 PM
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CHARLEVOIX, MICHIGAN 49720
ZOOM 849 2451 3210

196 At a regular meeting of the Hayes Township Board of Trustees, Charelvoux County, Michigan,
197 held at the Hayes Township Hall located at 9195 Major Douglas Sloan Rd, in Charlevoix MI,
198 Present: William Conklin, Kristin Baranski, Julie Collard, Matt Cunningham, and Doug Kuebler
199 Absent: none

200 The following resolution was made by Ms. Baranski and supported by Ms. Collard

201 WHEREAS the Township of Hayes has the authority to allow Treasurer Julie Collard to close 3
202 current Hayes Township accounts.

203 WHEREAS the State provides under the Revised Statutes of 1846, Chapter 41, Section 65 that the
204 Township Treasurer, as an authorized signer of township bank accounts, Hayes Township's
205 current accounts at Four front Credit Union, Prime Share and Metro Account, can be closed and
206 the amounts be transferred to the Hayes General Fund at Charlevoix State Bank. In addition,
207 the Fundraising Account at Charlevoix State Bank can also be closed and the balance amount be
208 transferred to the General Fund.

209 THEREFORE BE IT RESOLVED that Treasurer Julie Collard is authorized to close said accounts and
210 transfer all funds into the Hayes General Fund at Charlevoix State Bank, and to sign any
211 documents that may be required in connection with closure of said accounts. Therefore be it
212 shall be resolved by the Hayes Township Board of Trustees is in support this resolution and that
213 the copy of the above resolution be shared with the concerned banking institutions necessary
214 for any and all actions on their end.

215 Be it resolved on this 11th day of August, 2025.

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

217 Nays: None

218 RESOLUTION DECLARED ADOPTED

219

220 **CONSUMERS ENERGY FRANCHISE AGREEMENT:**

221 Mr. Conklin made a motion, supported by Ms. Baranski to adopt the Consumers Energy
222 Franchise Ordinance #081125.

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

224 Nays: None **Motion Carried**

225

226 **RESOLUTION TO THE COUNTY BOARD OF COMMISSIONERS SPEED LIMIT REDUCTION:**

227 No. 08112025C

228 Hayes Township Board of Trustees, Charlevoix County, Michigan

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BOARD OF TRUSTEES REGULAR MEETING
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RESOLUTION TO PETITION TO CHANGE SPEED LIMITS WHEREAS, the Hayes Township Board of Trustees voted on July 14, 2025 to Petition the Charlevoix County Board of Commissioners to undertake efforts to change the speed limits on three roads in Hayes Township, to wit: (1) Townline Road south of US-31 to Pincherry Road to be a 25-mph zone and (2) Shrigley Road, the entire length, to be a 25-mph zone and Major Douglas Sloan Road, from Murray Road to Maple Grove Road to be a 45-mph zone, and WHEREAS, the Hayes Township Board has withdrawn its request to change the speed limit on Major Douglas Sloan Road, pending further investigation and study, and WHEREAS, a letter, with attachments, from the Supervisor has been delivered to the County Board of Commissioners c/o County Administrator and to the Manager of the County Road Commission requesting that they undertake efforts to change the speed limits at these locations, and WHEREAS, the County Board of Commissioners requires a Resolution from the Hayes Township Board of Trustees, before it can act on these requests, NOW, THEREFORE, IT IS RESOLVED that the Hayes Township Board of Trustees formally petitions the Charlevoix County Board of Commissioners to "change to a" or "create a" posted 25-mph zone on: (1) Townline Road, from US-31 south to Pincherry Road and on (2) Shrigley Road, the entire length.

Be it resolved on this 11th day of August, 2025.

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

Nays:

RESOLUTION DECLARED ADOPTED

CORRESPONDENCE DEADLINE

The board came to a consensus to create a deadline for agenda items. All agenda items will need to be submitted to the clerk by the Monday before the Board meeting and supporting documents to be submitted by the Wednesday at 10am before the board meeting. All public correspondence must be received by noon on the Thursday before the Board meeting, to allow the Board members to have sufficient time to review and research meeting material.

VOICE NEWSLETTER DISCUSSION:

The board came to a consensus to discontinue the voice.

DESIGNATED SWIM AREA/BUOYS FOR HAYES TOWNSHIP PARK/CAMP SEAGULL:

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BOARD OF TRUSTEES REGULAR MEETING
August 11th 2025 7:00 PM
HAYES TOWNSHIP HALL
09195 MAJOR DOUGLAS SLOAN RD
CHARLEVOIX, MICHIGAN 49720
ZOOM 849 2451 3210

The board came to a consensus Parks and Rec will research what is needed to create a designated swim area for Hayes Township Park Camp Seagull and consult professional services as needed.

SHELLEY DORGAN LETTER DATED 6.19.2025:

Board review Shelley Dorgan's Letter.

PUBLIC COMMENTS: Public comments opened at 10:03 pm.

Comments included:

- Resident stated they would like to see the board get along.
- Resident stated Upper Bay Shore and Maple Grove intersection is very dangerous.
- Resident stated they did not know about the complaint filed with the sheriff department against Bill Conklin. Stated they would like to hear the board members thank Bill Conklin for his work during the storm clean-up.
- Resident stated the board eliminated the Voice and spring clean up while having a huge expense in lawsuits created by Supervisor Conklin, which is creating the division in the township.
- Mr. Conklin stated there will be spring clean up in 2026.
- Resident stated due to the lawsuit brought to the township by Supervisor Conklin himself the township is now behind \$129,000. If people are wondering why there is animosity, it is because you sued the board the day before you took office! Would like to know the supervisor's goal for doing that?
- Mr. Conklin stated he sued the township because the board changed the terms of the Planning Commission before he took office, which he believes was wrong and illegal.
- Resident asked what the judge ruled on the lawsuit.
- Mr. Conklin stated the local judge said the township board had every legal basis to do so and that is why he is taking it to the Court of Appeals.
- Resident asked how much that is going to cost the township?
- Mr. Conklin stated the cost is not his concern.
- Resident stated the board went after Bill Conklin for something they should be thanking him for. Would like to see the board members resign.

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- Resident stated instead of the Clerk and Treasurer contacting the sheriff about what Bill Conklin did to help the Township they should have stepped up and worked beside him to help the community.
- Resident stated the board needs to look at what is right and what is wrong. Feels the laws have been broken by the previous board. Would like to know if the link to the cemetery has been put on the website.
- Ms. Collard stated she will post the link as a post tomorrow, she is looking into how to place it under the cemetery section of the website.
- Resident stated requested if the Treasurer consulted the Township Counsel before reaching out to the Sheriff. Would like to know what the Township Attorney told her to include in her complaint.
- Ms. Collard stated she did reach out to Todd before contacting the Sheriff.
- Resident stated the Clerk and Treasurer should reimburse the township for the money they spent consulting the attorney to discuss the complaint against Bill Conklin.
- Resident stated Ron VanZee retiring from Zoning Administrator would solve many issues within the township.
- Resident stated the board gives residents reasons to complain.
- Resident stated the previous board gave residents too many excuses for Ron VanZee poor enforcement.

Public comments closed at 10:22 p.m.

BOARD OF TRUSTEE COMMENT:

ADJOURNMENT: Mr. Kuebler made a motion, supported by Ms. Baranski, to adjourn at 10:30p.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

September 2025 Treasurer Report

(As of September 3, 2025)

Charlevoix State Bank

1. General Fund-\$772,885.72

(\$562,885.80 available, \$210,000 Recommended Reserve)

2. Tax Account-\$371,195.87 *(restricted Treasury Funds)*

3. Township Warrant Checking-\$31,044.04

4. Pantry-\$5,509.68*(restricted funds)*

5. ARPA *(restricted funds)*-\$19,498.76

Horizon

6. Hayes Township Road Fund-\$333,515.70*(restricted funds)*



Zoning Administrator Report

September 2025

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

- Variance application for 6995 Birdland Drive approved at ZBA meeting on July 23rd 2025 at 7:00 pm. Waiting for applicant to submit Site Plan for the Shoreland Protection strip from the Stream and Lake Charlevoix.
- Communicating with landowner regarding violation for a non permitted patio on Oyster Bay Drive. Sent Zoning permit application and section 3.14 of the Hayes Township Zoning Ordinance to landowner.
- Received rezone request application for 7977 Pincherry Rd. Planning Commission meeting scheduled for September 16th 2025.
- Received Zoning permit application for New Single Family Dwelling on Spring Street, waiting for Health Department Permit from applicant.
- Received Variance request application for 7125 Nine Mile Point Dr. ZBA Meeting scheduled for October 8th 2025 at 7:00 pm.
- Received Variance request application for 7720 Indian Trails Dr. ZBA Meeting scheduled for October 8th 2025 at 7:00 pm.
- 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.
- Continuing to see progress from landowner for non-compliance nuisance complaint with landowner on Hyek Road. Seeking to purchase property in Boyne City.
- Inspected and trying to contact landowner, last communication with landowner stated he was not well on Villa Road for Violation of Nuisance Ordinance and a non-compliance complaint. Sheriff department checking for occupancy.
- Spoke with landowner with storage units US 31, to relocate their signs.
- Working with equalization to complete the Zoning Map updates.



- Sent an informational letter to Rick Lobenherz and DeWitt Marine after Planning Commission moved to change to provisions of their special use permit. DeWitt Marine requested 45 days to re-submit.
- Application for a new single family dwelling unit on Murray Road. Waiting for additional information from landowner.
- Spoke with Holtec Representative, sign permitted to Holtec on 4/23/2025 was placed incorrectly, they will be correcting the placement.
- Communicated with landowner on Stonebridge drive for a trailer encroaching into the front yard, they will be correcting the issue by the end of the month.
- Resolved violation with landowner on Shrigley Road for a violation of the Hayes Township Zoning Ordinance.
- Met with Landowner regarding complaint of a Shoreline violation on Peaceful Valley Road, they will be submitting a Shoreline Restoration plan.
- Continuing to see progress from landowner on Maple Grove Road for a Nuisance Ordinance complaint, Charlevoix County Fire Department Chief is monitoring parcel for fire hazards. EGLE confirmed that the property owner complied with requirements, contaminated soils were removed from the site.
- Received and reviewing Zoning permit application for a new single family residence on Deer path Drive.

25-08-01	08/04/25 007-119-007-20	11950 US 31N	Charlevoix Meadows Assisted Living	New 29,000 sq ft Assisted Living and Memory Care Facility as approved by the Planning Commission on March 18 th 2025.
25-08-02	08/11/25 007-129-009-15	7645 Mulberry Lane	Tyler Kruzel	Repair two existing decks 13.6'X44' and 8'X14'
25-08-03	08/11/25 007-129-014-35	10850 Quarter Line Rd.	KCB LLC	Replace existing home with new Single Family dwelling unit 28'X70'
25-08-04	08/20/25 007-109-016-10	10504 Burgess rd	Jason and Kaylee Lagwig	24'X16' Addition on existing Accessory Building.

1. Some people have again asked me about a deputy who contacted them in June and July about my efforts with the clean-up. Let me be clear to those who are wondering about that scenario. Julie Collard and Kristin Baranski accused me of misappropriation, misuse and obtaining money under false pretenses relating to my receiving 7 donations to offset the cost of equipment, which I contracted and paid for, used at their personal residence.

The deputy who investigated the accusations concluded that their claims were UNFOUNDED. The case was closed on August 4.

The residents of the Township need to know that I did this work, as I stated at Board meetings, as an individual, Bill Conklin, and incurred \$2200.00 of expense, while paying \$1600.00 out of my pocket for the rental of the equipment, as 7 people gave me \$600.00 to offset the cost of the equipment, used by the volunteers and I at their residence. As you remember, the Board would not approve the rental of the chipper and dump truck to address the needs of the elderly and disabled. Therefore, I stated that I would do so, on my own. Despite the ridicule, the elderly and needy were served

The police report, my narrative of the cleanup work, with a Synopsis and Accounting were presented last month at the Board meeting. Copies are available from me, upon request.

Thank you to Reith-Reilly, Charlevoix Country Club and Dan Dixon for your assistance to help those in need. Thanks also to the 24 volunteers who donated 288 hours of their time over 3 months to clean up debris at 104 homes.

2. I have met with FEMA and MSP (Michigan State Police) after submitting an application for the Township to be refunded 75% of the \$21,500.00 which was paid to W&W Tree Service and Rainey Landscaping from Hayes Township funds. The Hayes Township application is now being reviewed by FEMA officials in Washington. I expect to hear something in the next two weeks as to the next step in the process.
3. In July and in August, members of the Board have questioned my use of Maner Costerisan (accounting firm hired by the former board) in assisting me in drafting, compiling and presenting the Budget for the fiscal year of 2025-2026. I asked for their explanation and insight after being confronted in July. I attach their correspondence in response to the accusations directed at me for causing an invoice of \$3200 for their time on the Budget. See attached email exchanges.

4. Information received from Par Plan indicated that Hayes Township has been paying insurance on buildings at Camp Sea Gull that are no longer located on the premises. I called our agent for Municipal Underwriters about that issue and they agreed that the buildings were insured that an update seems to be required, as the last update was 3 years ago. I presented the question at the last Board meeting and Kristin advised that she was going to change the insurance company; perhaps credit for past premiums can be obtained.

Bill Conklin
231-373-0059



Bill Conklin <supervisorhayestownshipmi@gmail.com>

Invoice in July for Work on Budget -

6 messages

Bill Conklin <supervisorhayestownshipmi@gmail.com>

Thu, Jul 31, 2025 at 3:33 PM

To: Rod Taylor <rtaylor@manercpa.com>

Cc: Steve Kirinovic <skirinovic@manercpa.com>

Hello Rod and Steve --

My difficulties do not diminish --- I just need to request how much was charged Hayes Township for your time in assisting me with the Budget --

I do not have any problem with what was charged/billed for your time as it was certainly necessary BUT, Kristin gave a bill to the Board for \$3200 (approx) suggesting that was your time on the budget (I also saw that your time was 10 hours)....I think it was closer to 10 hours -- so thought I would ask you and Steve ...

I will need to have some proof of your time (\$\$) charged to correct the record as Julie and Matt were upset that I would spend so much (\$3200) of the Twp's money on something that was not necessary, in their opinion -

Perhaps a breakdown of the Invoice as to what was charged for the Budget and what was charged for other Township matters would be in order -

Thanks again and I appreciate all that you and Steve have done for me/us --

Bill Conklin
231-373-0059

Steve Kirinovic <skirinovic@manercpa.com>

Fri, Aug 1, 2025 at 10:51 AM

To: Bill Conklin <supervisorhayestownshipmi@gmail.com>, Rod Taylor <rtaylor@manercpa.com>

Bill --

This is unfortunate that you are getting questioned on this but I think Rod can attest that things were not done correctly in the past (or maybe not, not correctly, but done very loosely and not following basic budgeting best practices) and all the time that he has spent was well worth it and allowed for a better, more accurate budget for the current year. That is just hard for some people to understand.

What they need to know though is the work that we have done, both with the accounting system assistance and the budgeting assistance was drastically needed by the township.

As some perspective, looking back at the last 3 audits (2024, 2023, 2022) the auditors have written the township up for a statutory non-compliance finding for having substantial budget overages. the reports are attached:

1. 2024 -- finding 2024-003 (PDF page 47)
2. 2023 -- finding 2023-007 (PDF page 50)
3. 2022 -- finding 2023-007 (PDF page 48) -- the 2022 and 2023 audits were done simultaneously because the records were not ready for 2022 in a timely fashion and not issues until December 2023

What this shows is that the assistance with the budget IS NECESSARY. The findings don't lie. **The budget was NOT done appropriately in the past per these findings.** We'll see what happens in 2025 with this situation, but the money you spent is to prevent this finding in 2026 and the future. Is it a guarantee, no, but at least you are not putting your head in the sand and ignoring the problem. It is the Board's job to address these findings and that is what you are trying to do.

Something else to point out. We did some accounting assistance for the 2024 audit for the first time. The township has spent money having us provide accounting assistance (not related to the budget) and the findings from 2022 and 2023 were **7 significant issues**. In 2024, the year we assisted for the 1st time, **the findings were cut down to 3**. Our assistance helps! Again, is it a guarantee, no, but again the numbers don't lie. A significant improvement in the overall internal control and accounting system of the township. The money is well spent.

Now, after all that, I did my best to give you details for the June billing (\$3,263.50) broken down, so it makes sense. I also did the same for the July billing (\$1,521) that was done at the end of July that hasn't been paid yet. This was an oddity to split the month from 6/1-6/11 and 6/12-6/30 but Kristin (I believe, or Julie) called and wanted a June "to date" billing in mid-June so we did 2 for the month.

This isn't perfect, since it meant me pulling reports after the billing was done and they aren't as clean, but I think they give you what you need.

I will do better on future bills to give you this information up front on the billing when it goes out.

If there are any questions on the billings or on any of my comments above, please do not hesitate to reach out to me.

Thanks,

Steve Kirinovic, CPA | Principal - Board of Directors

☎ (517) 323-7500 | 📠 (517) 999-5810
✉ skirinovic@manercpa.com
2425 E Grand River Ave Ste 1, Lansing, MI 48912
manercpa.com



DISCLAIMER: Any accounting, business or tax advice contained in this communication, including attachments and enclosures, is not intended as a thorough, in-depth analysis of specific issues, nor a substitute for a formal opinion, nor is it sufficient to avoid tax-related penalties. If desired, Maner Costerisan would be pleased to perform the requisite research and provide you with a detailed written analysis. Such an engagement may be the subject of a separate engagement letter that would define the scope and limits of the desired consultation services.

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From: Bill Conklin <supervisorhayestownshipmi@gmail.com>

Sent: Thursday, July 31, 2025 3:34 PM

To: Rod Taylor <rtaylor@manercpa.com>

Cc: Steve Kirinovic <skirinovic@manercpa.com>

Subject: Invoice in July for Work on Budget -

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

[Quoted text hidden]

5 attachments

 **TOWNSHIP OF HAYES-FINAL AUDIT REPORT (2024).pdf**
1519K

 **Audit Report_Hayes Township (2023).pdf**
1641K

 **063022_Twp Hayes_Report (2022).pdf**
1639K

 **Hayes twp detailed billing 6-12-2025 billing.pdf**
104K

 **Hayes twp detailed billing 7-21-2025.pdf**
103K

Bill Conklin <supervisorhayestownshipmi@gmail.com>
To: Steve Kirinovic <skirinovic@manercpa.com>
Cc: Rod Taylor <rtaylor@manercpa.com>

Fri, Aug 1, 2025 at 11:24 AM

Thank you very much Steve. I am alone and it is quite burdensome.

Your explanation offers me a ray of hope that you see the problem/issue and have outlined it accurately. I studied the audits of the 2-3 years and outlined such to you, when we met. I wanted to address the problem through the budget, although I was delayed due to ice storm cleanup. Rod gave us extraordinary assistance. With your company's help (by Rod), I know that Kayla and I presented a much better budget, although it was still an uphill battle. They dug in and did not like our consistency to proper standards.

The splitting of bills is curious unless it was to create a narrative for the other members to attack me for "spending \$3200 on the budget, when it was not necessary".

Much appreciation to you and Rod -

Bill Conklin, Supervisor
Hayes Township
231-373-0059

[Quoted text hidden]

Steve Kirinovic <skirinovic@manercpa.com>
To: Bill Conklin <supervisorhayestownshipmi@gmail.com>
Cc: Rod Taylor <rtaylor@manercpa.com>

Fri, Aug 1, 2025 at 11:35 AM

Glad this all will help.

I think the splitting of the bills was so that they "could get the June time paid in June for budget purposes" (which sounds like didn't happen). I have had conversations before about it not mattering when the bill was paid, it matters when the work was done so if it is paid in June or July, (or august), for budgetary (and audit) purposes, we would need to accrue those payments back to the year they related to.

I know this is an issue with the clean up guy for the ice storm too. The concept is "if you were to close your doors on 6/30/25 what would you owe and what would you be owed?" so even if you don't pay the guy until the fall, the work he did through 6/30/25 needs to be estimated and accrued back to that fiscal year.

If we can do anything else, just let us know.

Thanks,

Steve Kirinovic, CPA | Principal - Board of Directors

☎ (517) 323-7500 | 📠 (517) 999-5810

@ skirinovic@manercpa.com

2425 E Grand River Ave Ste 1, Lansing, MI 48912

manercpa.com

[Quoted text hidden]

Bill Conklin <supervisorhayestownshipmi@gmail.com>

Fri, Aug 1, 2025 at 3:23 PM

To: Steve Kirinovic <skirinovic@manercpa.com>

Payment of W & W Tree Service (\$30,000.00 - \$10k from Grant paid in May and \$20k from Twp) occurred on July 14 - Kristin and the other members of the Board put the "Budget" item for W & W Tree Service (Ice Storm Clean up) in the 2025-2026 Budget over Rod and my objections because the work was substantially completed on 6/30/2025 - he did two days of work in July. Hopefully, you and Peter can rectify that issue in their books - wanted you to know.

By the way, it now appears that the FEMA will be reimbursing the Twp 75% at the least [\$15k of the \$20k payment] - we should receive that money this fall.

I am working on compiling the volunteer hours, my management/coordinating time and my scheduling miles/time for those 9 weeks which could cover the 25%, meaning the Twp could recover the entire \$30k. The four members opposed my urging (at two meetings) to do this cleanup, until I stated "well, you spent \$50k on BS&A to help the Clerk/Treas with record keeping and we can't help the elderly and the needy with cleanup?" Then they agreed.

Thank you, Bill

[Quoted text hidden]

Steve Kirinovic <skirinovic@manercpa.com>

Mon, Aug 4, 2025 at 9:18 AM

To: Bill Conklin <supervisorhayestownshipmi@gmail.com>

Yes, if "substantially complete" modified accrual accounting REQUIRES it to be in 24/25, even if the budget was in 25/26. We'll assist with the recording accordingly and it will be a comment in the audit as it sounds like it will cause over budget issues, again solidifying the logic that Rod's budget time was time well spent. We can explain that further when the time comes.

That is great on the FEMA reimbursement too! We'll make sure that gets recorded correctly also.

It is very important to work for the citizens of the township.. that is also money well spent!

[Quoted text hidden]

Mission Statement

The Hayes Township Emergency Preparedness Committee members are focused on developing a workable and practical operating plan when either a natural, manmade, or technical disaster occurs. Our goal is to foster a safe community through education, providing information about available resources, administering aid when possible, providing directions for assistance, provide training, communicating and outlining areas for preparedness.

Our aim is to work in conjunction with the Charlevoix County Emergency Response Team's efforts during these disasters to ensure our community members feel safe and protected and are provided information as to available resources for assistance.

The Emergency Preparedness Committee members have listed two (2) top priority objectives:

- Get all community members signed up with RAVE (emergency alerts & notifications via text message, phone call, email & social media through 911).
- Develop a short survey seeking volunteers to assist during an emergency and names of those who would like someone to contact them during these emergencies.



Bill Conklin <supervisorhayestownshipmi@gmail.com>

Hazardous Intersection

1 message

Rick Daniel <radaniel3@gmail.com>
To: supervisor@hayestownshipmi.gov

Sat, Aug 30, 2025 at 8:34 PM

To the trustees

At the August Township meeting, a neighbor mentioned the need for a 4 way stop at the corner of Maple Grove and Upper Bay Shore Rd. Having discussed this with other neighbors on Maple Grove, the limited lines of sight make this a dangerous intersection. It could be much improved with the addition of a 4-way stop. Please consider this when you have the opportunity to bring issues to the county road commission.

Thank you.

Rick and Denise Daniel



Bill Conklin <supervisorhayestownshipmi@gmail.com>

No Lake Access Sign and Building Permit Question

5 messages

Bill Conklin <supervisorhayestownshipmi@gmail.com>

Fri, Jul 18, 2025 at 1:16 PM

To: Janinewarner8709@gmail.com

Cc: zoning hayestownshipmi <zoninghayestownshipmi@gmail.com>, Pat Weeks <manager@chxroads.org>, Kristin Baranski Clerk <clerk@hayestownshipmi.gov>

2316750762

Good afternoon Bill, I have 2 questions for you.

1. The public access to Lake Charlevoix on Maple Grove Road. When was the sign posted that we don't have lake access anymore? I was not given that information until I walked down there with my granddaughter to go swimming. I need to know more details on how this came about.

2. I was just at my friends house on Green Sky Hill and just before getting to Green Sky Hill from BC Road, [on Maj Doug Sloan Rd] on the left, looks like a new driveway with construction/equipment down the "new" drive but there are no building permits posted. Can you give me info so I can let Linda & Bill Purdy know what's going on? I would like to know the particulars about that location.

Thank you for your attention to these questions.

Your

Message:

Hello Mrs. Janine Warner --

In response to your questions - I have forwarded them: 1. to Mr. Pat Weeks, Mgr of the CVX Road Commission and as to the second question, I have forwarded that to Mr. Van Zee for his response.

Thank you for contacting me and I am certain that they will respond to your questions, with a cc to me, as soon as possible; Zoning Admin also might have information about the sign on Maple Grove.

Bill Conklin, Supervisor
Hayes Township
231-373-0059

zoning hayestownshipmi <zoninghayestownshipmi@gmail.com>

Mon, Jul 21, 2025 at 9:44 AM

To: Bill Conklin <supervisorhayestownshipmi@gmail.com>

Hello,

We have not issued any permits for the property on Major Douglas Sloan Road referenced in Janine's second question. Also the Township does not permit driveways, driveways are handled by the Charlevoix County Road Commission.

The Maple Grove Road end is controlled by Chx County Road Commission and a contractual agreement between adjacent property owners and township.

Thank you!

[Quoted text hidden]

--

Ron VanZee-Hayes Township Zoning Admin.
April Hilton - Hayes Township Zoning Admin. Assistant
Phone: 231-547-6961
Email: Zoning@hayestownshipmi.gov

Pat Weeks <manager@chxroads.org>

Mon, Jul 21, 2025 at 12:16 PM

To: Bill Conklin <supervisorhayestownshipmi@gmail.com>, "Janinewarner8709@gmail.com" <Janinewarner8709@gmail.com>

Cc: zoning hayestownshipmi <zoninghayestownshipmi@gmail.com>, Kristin Baranski Clerk <clerk@hayestownshipmi.gov>

The driveway on Major Douglas Sloan Road was permitted back in March of this year. CCRC does not require the permit to be posted on-site. I visited the Maple Grove Road access today. I did not see any signs telling people that they could not use the access. If anyone has an exact location or picture that would be great. Thanks.

[Quoted text hidden]

Bill Conklin <supervisorhayestownshipmi@gmail.com>
To: Janinewarner8709@gmail.com

Mon, Jul 21, 2025 at 3:37 PM

Here is the response from our Zoning Administrator. I will ask for further clarification about the Contractual Agreement between the adjacent property owners and the township or better yet a copy of the Contract between the adjacent property owners and the township.

[Quoted text hidden]

Bill Conklin <supervisorhayestownshipmi@gmail.com>
To: zoning hayestownshipmi <zoninghayestownshipmi@gmail.com>

Mon, Jul 21, 2025 at 3:40 PM

Thank you for your response.

Could you please forward to me a copy of the Contract between the adjacent property owners and the township or advise where that Contract may be located in the offices of the Township so I can retrieve a copy of the contractual agreement.

Thank you,
Bill conklin
[Quoted text hidden]

Fwd: More funny business at Eastern Ave Beach also called Hayes Township Park

1 message

William Conklin <wmmconklin@gmail.com>
To: Supervisor@hayestownshipmi.gov

Mon, Sep 1, 2025 at 3:09 PM

FYI.....

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

From: <pcvita@comcast.net>

Date: Wed, Aug 6, 2025 at 3:59 PM

Subject: Eastern Ave Beach also called Hayes Township Park

To: William Conklin <wmmconklin@gmail.com>

Hi Bill,

Fowler's dock and boat continue to be installed 20 feet past the legal variance. This reduces public beach and swim area.

The park needs to be outlined so the public knows the size of the park and where private/public land is.

The Able family who owns a cottage that borders the public park planted a line of bushes on the public park to create a line to keep people off a large section of public park so they can extend their front yard for private use.

How is this allowed? Can Hayes Township remove these plantings on the public park?

Here is picture from Aug 2023. The Able family planted a round garden on public park property. I documented this and sent emails to Hayes Township. I was harassed and threatened with police arrest and referral to Hayes Township lawyer. Thanks, Corinne Vita



Here is picture from Aug 2025. Able family planted a line of low bushes from the round garden to the larger bushes. All these plantings are on the public park.

Black line shows new line of bush plantings on public park. Red line shows boundary of public park and end of Able private home property.

Plantings are clearly meant to keep public use off a big patch of land in front of Able house.







August 27, 2025

Kristin Baranski, Clerk
Hayes Township
09195 Old U.S. 31 N
Charlevoix, Michigan 49720

Dear Kristin,

I would like to thank you for taking the time to meet with Risk Control to discuss the operations of Hayes Township. This action allows the Risk Control Department to assist your organization and its services in identifying existing and potential liability exposures that may be present in day-to-day operations such as yours.

Upon review of the information gathered and discussed during our meeting, please allow me to offer the following comments and recommendations:

- **2025-08-03 - Cemetery - Posting of Rules and Hours**

Cemeteries V2 - CEMETERIES

The cemetery rules and hours should be posted in a highly visible location. The posting should include the cemetery ordinance number. Ensuring that visitors to the cemetery are aware of the rules and hours is beneficial in defense of a claim or enforcement of the rules. It is recommended the hours for public access be restricted to daylight hours.

- **2025-08-04 - Personnel - Annual Driving Record Review**

Core Profile V2 - PERSONNEL

All employees that operate a motor vehicle on behalf of the your entity should be enrolled in an annual driving record review program. This action will keep you apprised of any changes in the status of your employees' driver's licenses and whether there have been any significant driving violations. Information on your states driving record review program (if offered) is attached for your reference.

- **2025-08-05 - Personnel - Concealed Carry Weapon Policy**

Core Profile V2 - PERSONNEL

It is strongly recommended that a concealed carry weapons policy, prohibiting the carry of concealed weapons as it pertains to the operation of entity business, be adopted. Detailed policies provide guidelines for employees and assist in minimizing liability exposure in the event of an employment related claim. Enclosed is a sample policy for your review and resource.

- **2025-08-06 - Personnel - Driving Policy**

Core Profile V2 - PERSONNEL

A driving policy that addresses the rules and requirements for operating a motor vehicle on behalf of your entity should be implemented. This will help reduce potential automobile related liability exposure and provide clear guidance to employees, volunteers and others that operate a motor vehicle on your behalf. A sample policy has been provided for your reference.

- **2025-08-07 - Personnel - HRMuni Registration**

Core Profile V2 - PERSONNEL

Enclosed you will find literature for a program entitled HRMuni. The HRMuni program is provided free of charge to policy holders and provides resources such as unlimited HR advice by telephone / email, training for managers and employees, a toll-free employee hotline, and public sector employment law updates just to name a few. In their online knowledge center, you will find sample workplace policies to help guide you in developing an employee handbook for your entity.

- **2025-08-08 - Application - Criminal Background Checks**

Core Profile V2 - APPLICATION PROCESS

A criminal background check should be performed on all prospective employees and volunteers. Criminal background checks may provide critical information regarding a candidate that may not otherwise present itself during the hiring process.

The State of Michigan's iChat program is a free program that assists governmental agencies in performing criminal background checks. Instructions for enrolling in this program are provided for your reference.

- **2025-08-09 - Application - Background Check Acknowledgement (Separate)**

Core Profile V2 - APPLICATION PROCESS

Employment applications should not include a background check acknowledgement. The Fair Credit Reporting Act requires that this acknowledgment be on a stand-alone document. A sample has been attached for your review and resource

- **2025-08-01 - Joint Operation(s) - Indemnification Language Included in Written Agreement(s)**

Joint Operation/Authority/Task Force - Joint Operations / Authority / Task Force

Although a written agreement is utilized for your joint operations, it is recommended that a hold harmless clause be included in the agreement. The addition of this clause will assist in indemnifying your municipality from any and all liability, injuries and/or damages. Sample hold harmless language has been provided for your reference.

● **2025-08-02 - Joint Operation(s) - Insured**

Joint Operation/Authority/Task Force - Joint Operations / Authority / Task Force

It is recommended that you verify that the joint operation is insured and that you obtain a copy of the certificate of liability insurance listing your municipality as an additional insured. This action will provide your municipality coverage under the joint operations policy.

In the event you are in need of additional resource material, or assistance regarding this recommendation, please contact the Risk Control Department.

Thank you and we look forward to a continued, good working relationship with you and Hayes Township.

Regards,

A handwritten signature in black ink, appearing to be "Lori Burton", with a stylized, cursive script.

Lori Burton
Michigan Township Participating Plan

Cc: Municipal Underwriters of Michigan
Rachel Nelson, Underwriter

Enclosures: Multiple Enclosures (9)

This is a Sample only. It should be tailored to meet the specific needs of your entity and should be reviewed by Legal Counsel before implementation.

AUTHORIZATION AND UNDERSTANDING:

Upon the signing of this form, I represent that all of the information now or hereafter given by me in support of my application for employment is true and complete. I authorize you to verify any of the information concerning my background, driving history or education with the appropriate individuals, companies, institutions or agencies and I authorize them to release such information as you require, including my prior disciplinary employment record, without any obligation to give me written notice of such disclosure. I also authorize you to release any information requested by any of my prospective or subsequent employers without any obligation to give me written notice of such disclosure. I hereby release you and them from any liability whatsoever as a result of any such inquiries and disclosures. I agree that any false information in support of my application may subject me to discharge at any time during the period of my employment. If hired, I agree I will serve at the will of the (*Entity Name*) and I agree that I shall be bound by the rules, policies, regulations and terms and conditions of employment of the (*Entity Name*) as they are from time-to-time changed with or without notice to me. I agree that either party may terminate the employment relationship, with or without cause, at any time for any reason.

Applicants Signature

Date

Witnessed by:

***This is a sample only which should be tailored to meet the needs of your entity.
It is provided for informational purposes only. This Policy must be
approved by legal counsel before***

DRIVING RECORD REVIEW POLICY

PURPOSE

To ensure that employees of ____(*Entity Name*)____ maintain a current and unrestricted Michigan driver license in accordance with this policy.

GENERAL

- A. Each employee driver of ____(*Entity Name*)____ shall at all times maintain a current unrestricted Michigan driver license while operating a municipal and/or any personal vehicle on behalf of ____(*Entity Name*)____.
- B. Any employee driver whose driver license is suspended, revoked or restricted is immediately prohibited from operating any municipal or personal vehicle on behalf of ____(*Entity Name*)____. Each employee driver shall immediately notify their immediate supervisor if their driver license has been suspended, revoked or restricted in any way. Each employee driver is responsible for knowing the status of his/her driver license.
- C. ____(*Entity Name*)____ shall enroll in the subscription program through the State of Michigan Secretary of State. This program will automatically notify the immediate supervisor of a violation.
- D. A change in status of a license restriction may result in a driving status change or possible suspension from ____(*Entity Name*)____.

PROCEDURE

A. MISDEMEANOR VIOLATIONS

Any employee driver of ____(*Entity Name*)____ convicted of a misdemeanor violation shall be automatically suspended from operating a municipal vehicle or a personal vehicle on behalf of ____(*Entity Name*)____. In addition, any such employee driver may also be required to attend an approved driver improvement program or equivalent training.

"Misdemeanor Violations" referred to in this policy include, but are not limited to, the following:

- a) Operating while intoxicated
- b) Operating under the influence of a controlled substance
- c) Operating during a period of suspension or revocation

d) Reckless driving

e) Leaving the scene of an accident

B. CIVIL INFRACTIONS

Any employee driver who receives a civil infraction moving violation on their driving record may be prohibited from operating any municipally owned and/or personal owned vehicles on behalf of____(*Entity Name*)____. The suspension may expire after review by the immediate supervisor.

I have read and understand the content of this policy.

X _____
(Employee Signature)

(Date)

This policy presented by the Michigan Township Participating Plan, is intended as general guidelines for members of the Michigan Township Participating Plan Program. This policy should not be construed as legal advice. The viewer or reader of the material should consult legal counsel to review the information presented before implementation of any policy or procedures.



Human Resources Risk Management Services for Public Entities



Spend Less Time on HR Compliance While Reducing Risk

HR MUNI™ is provided free of charge to all Michigan Township Participating Plan members.

HR MUNI Risk Management Services

Unlimited HR Advice by Telephone / Email

Reduce employment lawsuits with real-time advice from experienced HR professionals and/or employment attorneys.*

Training for Managers and Employees

Limit sexual harassment and discrimination claims with interactive, online training courses.

Toll-Free Employee Complaint Hotline

Encourage early reporting of employee concerns to a third party for crucial advance notice of claims that may be avoided.

Public Sector Employment Law Updates & Webinars

Stay abreast of employment law changes with email updates and periodic webinars.

Online Knowledge Center

Easily access online resources (24/7) developed by employment attorneys and HR professionals* including:

- **Sample workplace policies** to help prevent the most significant workplace claims.
- **Step-by-step guidance** to respond to and handle human resources issues.
- **Red flags** to trigger further action/investigation before employee discipline or termination.

Proactive Onboarding

Each client receives an introductory email and phone call about these risk control services from a member of the HR MUNI risk management team.*

Login to hrmuni.com

On your **first visit** to hrmuni.com:

1. Click Register.
2. Enter the information in the required fields. Your Sign-Up Code is your current policy number.
Do not include spaces, dashes or hyphens when entering your policy number. If you need assistance obtaining your sign-up code, please contact the HR MUNI program at 800-387-4468 or email: hradvice-pe@eplaceinc.com.
3. Click Submit.
4. On the next page, read the Terms of Service and indicate your acceptance by clicking: I Accept.

On your **next visit** to hrmuni.com:

1. Enter your email address and password. If you do not remember your password, click "Forgot my password" and a new password will be sent via email.
2. Click Submit.

For all assistance or questions about HR MUNI, call **800-387-4468** or email: hradvice-pe@eplaceinc.com

For all other risk control assistance, contact TMHCC Risk Control at 800-878-9878.

hrmuni.com

ICHAT Information

As part of the hiring process for your entity, it is recommended that criminal background checks be performed on any prospective employee or volunteer. This can be accomplished directly through the Michigan Department of State Police ICHAT program, which is a **free** service to all governmental agencies. To enroll in this program and gain access to ICHAT, your entity may contact Johanna Richardson, ICHAT Coordinator at MSP-CRP-ICHATHELP@michigan.gov to obtain an agency access code. Or a letter can be either mailed or faxed to the following:

Johanna Richardson, ICHAT Coordinator
Michigan State Police
Criminal Justice Information Center
333 South Grand Avenue
Lansing, MI 48913
ICHAT Help Desk

Michigan State Police
Criminal Justice Information Center
P. O. Box 30634
Lansing, Michigan 48909
Tel. 517-241-0606
Fax 517-241-0866
MSP-CRD-ICHATHELP@michigan.gov

Visit www.michigan.gov/msp and click on "Criminal History Records" Link in the middle of the page. Then, under "Name Based Background Check" you will see tutorials for setting up your Agency Registration.

*****Important note: When requesting criminal background reports, you must utilize the email address that was used to register your agency in order for there not to be a fee. *****

Michigan Department of State Subscription Service Program for Local Governmental Units and Non-profit Entities

A critical issue facing public entities today is the operation of municipal owned vehicles. Negligent operation of these vehicles could present an exception to governmental immunity. To help protect yourself from this exception it is recommended that driving record reviews be performed on all personnel operating municipal vehicles. This will assist in identifying potential liability exposures involving operation of vehicles.

- There is a subscription program available through the State of Michigan Secretary of State that allows the municipal entity to participate in this program **at no charge**. Enrollment instructions are below. The employer should notify the employees of participation in the program.
- Once enrolled, a copy of individual driving records will be sent to your entity contact whenever there is a change in the status of an individual's driver license. While enrolled in this program, the entity primary contact would only need to notify the Secretary of State when a new employee needs to be added or to remove a former employee from the program.
- It is possible your entity is already enrolled in the program. Send an inquiry to CommercialServices@Michigan.gov to determine if your organization is currently enrolled in the program.
- The Governmental Subscription Service provides your agency with a driving record of your employee(s) when you first enroll them, and subsequently whenever there are violations, restrictions, suspensions, or revocations posted to their driver record.
- You must be 100 percent government funded to receive this service at no charge.
- **Non-Profit organizations are also eligible and must submit a copy their Articles of Resolution and the acknowledgment letter signed by the State of Michigan - Office of the Great Seal.**

Requesting an Online Account

- Access the State of Michigan website: <http://www.michigan.gov/SOS>
 - Select **Online Services**
 - In the **Additional Services** column select **Record Sales Services**
 - Click **Apply** to begin the contract application process
 - Click **NO** to all fields except **Information about Subscription Services**, click **YES** to the question : **Would you like to receive information about Subscription Services?**
 - Click "**I agree** to the terms and conditions", then **Next**.
 - Click box for **Government** and then **Next**
 - Click box at top right for **I certify that I have read this explanation**. Then click **Next**.
 - Click box for **Government / Municipality** and then **Next**
 - Complete organization information. Select billing method. **Note** : As a government entity, you will not be charged. Click **Next**.
 - Complete the account representative information. **Click** the certification box then **Next**.
 - Complete the remaining information then **Next**.

You are required to **upload** a letter of application (requirements are below), and the Account Manager Application you received with this document. This will occur at the end of the registration process under the Attachment section.

Your letter of application must be submitted on agency letterhead with original documents and include:

- What type of agency you are (City, County, Health, Police, Library, Transportation, etc.)
- Contact person, phone number, fax number and e-mail address. (**E-mail address is required for this program**)
- Are your employees required to have a CDL to do their job?
- You will subsequently receive approval and an account number with instructions on submitting driver information.

Questions can be directed via email to CommercialServices@Michigan.gov or by phone at 1-888-767-6424.

ACCOUNT MANAGER APPLICATION



Michigan Department of State
Office of Business & Internal Services/Commercial Services
Email: CommercialServices@Michigan.gov

PLEASE PRINT OR TYPE INFORMATION REQUESTED

SECTION A: APPLICATION REQUEST

- ☐ ADD NEW ACCOUNT MANAGER
- ☐ REMOVE EXISTING ACCOUNT MANAGER
- ☐ NAME CHANGE (FOR CURRENT ACCOUNT MANAGER)

Previous Legal Name:

SECTION B: ACCOUNT MANAGER INFORMATION (ACCOUNT MANAGER COMPLETES ALL FIELDS IN THIS SECTION)

COMPANY NAME

ADDRESS

CITY

STATE

ZIP

EMAIL

PHONE (AREA CODE & NUMBER)

FAX (AREA CODE & NUMBER)

SECTION C: ACCOUNT MANAGER CERTIFICATION (ACCOUNT MANAGER COMPLETES ALL FIELDS IN THIS SECTION)

By signing this document, I certify that the employees for whom I submit access requests forms (Form DP-45) do require access to Michigan Department of State (MDOS) records for performance of assigned job duties and in accordance with the contract the organization has with MDOS.

ACCOUNT MANAGER'S PRINTED NAME

ACCOUNT MANAGER'S TITLE

SIGNATURE OF ACCOUNT MANAGER

DATE

SECTION D: CERTIFICATION (TO BE COMPLETED BY AN ORGANIZATION'S DIRECTOR OR ABOVE)

I certify that all information provided above is true and complete, and that the individual above is appointed to sign and approve access to MDOS records for our employees.

PRINTED NAME

TITLE

SIGNATURE

DATE

Contact CommercialServices@Michigan.gov for help in completing this form
and with questions about the Direct Access Program.

ACCOUNT MANAGER APPLICATION INSTRUCTIONS

Michigan Department of State
Office of Business & Internal Services/Commercial Services
Email: CommercialServices@Michigan.gov

APPLICATION REQUEST

1. **Add New Account Manager:** Check this box if the organization/company/agency in which you are from is a new applicant to the Direct Access Program or you are a new/replacement Account Manager.
2. **Remove Existing Account Manager:** Check this box if the current Account Manager has left the organization/company/agency and/or the Account Manager needs to be replaced with a new person.
NOTE: If the organization/company/agency wishes to replace an Account Manager with a new one, two forms will have to be submitted: 1) one to remove the current Account Manager and 2) another to add the new Account Manager.
3. **Name Change (for Current Account Manager):** If you are a current Account Manager and your name has legally changed, check this box, and enter your previous legal name. Your current legal name should be included within the "Name" box under the "Account Manager Information" section.

ACCOUNT MANAGER INFORMATION

4. Eligibility: An Account Manager can be a supervisor-level or above.
5. Complete all fields. Incomplete, illegible, or inaccurate forms may delay processing.

ACCOUNT MANAGER CERTIFICATION

6. The Account Manager must use a wet signature or use an e-signature service [that has an audit trail associated with the signature] to sign this form. Once signed, send the form to a director-level or above to complete the certification section.

CERTIFICATION

7. A director-level or above can certify and approve Account Managers for the organization/ company/agency. The Director must use a wet signature or use an e-signature service [that has an audit trail associated with the signature] to sign this form.
8. Complete all fields. Upload this form on [CARS e-Services](#).

FREQUENTLY ASKED QUESTIONS

Q1. What is an Account Manager?

An Account Manager is a person that has been appointed by the director-level or above at an organization/company/agency within the Direct Access Program for Michigan Department of State. Account Managers approve all MDOS Third Party Access Request Forms (DP-45) originating from their organization/company/agency.

Q2. If I am an Account Manager, do I need to submit both an Account Manager Application and an Access Request Form?

Account Managers that also require access to records must submit both an Account Manager Application and an Access Request Form. If you only intend to manage access for your account and do not plan on accessing records, you will only need to submit the Account Manager Application.

POLICY: CARRYING & SECURING CONCEALED PISTOL

PURPOSE

- 1) To prohibit non-law enforcement personnel from carrying a concealed pistol while representing **(Municipal Entity Name)**.

DEFINITION

- 1) The definition of a concealed pistol is any pistol that is required to be licensed under the current CPL law.

PROCEDURE

- 1) Employees licensed under the CPL law shall **NOT** carry a pistol while representing **(Municipal Entity Name)** in any capacity to include meetings, trainings, or while occupying any **(Municipal Entity Name)** property or sponsored event.
- 2) If any employee is responding from their place of residence, the employee shall secure their pistol prior to representing **(Municipal Entity Name)** in any capacity to include meetings, trainings, or while occupying any **(Municipal Entity Name)** property or sponsored event. If responding from a location other than their residence, the employee shall secure the pistol in their vehicle prior to representing **(Municipal Entity Name)**.

*This is a sample only which should be tailored to meet the needs of your entity.
It is provided for informational purposes only. This policy must be
approved by legal counsel before implementation.*

SAMPLE HOLD HARMLESS CLAUSE

The **(CONTRACTOR NAME)** agrees to defend, indemnify and hold harmless **(MUNICIPAL ENTITY NAME)** from any claim, demand, suit, loss, cost of experience, or any damage which may be asserted, claimed or recovered against or from **(CONTRACTOR NAME)** by reason of any damage to property, personal injury or bodily injury, including death, sustained by any person whomsoever and which damage, injury, or death, arises out of or is incident to or in any way connected with the performance of this contract, and regardless of which claim, demand, damage, loss, cost of expense if caused in whole or in part by the negligence of **(CONTRACTOR NAME)**, or by third parties, or by the agents, servants, employees or factors of any of them.

*This is a sample only which should be tailored to meet the needs of your entity.
It is provided for informational purposes only. This policy must be
approved by legal counsel before implementation.*

This Policy is a Sample Policy only. It should be tailored to meet the specific needs of your entity and should be reviewed by Legal Counsel before implementation.

SOCIAL MEDIA POLICY

[Municipality Name]

I. PURPOSE

To prohibit the inappropriate use of electronic communication systems, media imaging systems, networks, devices, and equipment and dissemination of inappropriate information, images, recordings, photographs or other materials by municipal personnel. This includes the use of social media. Social media is broadly defined as internet-based communications technology that provides immediacy, interactivity and the sharing of information across multiple platforms.

The municipality allows the use of social media, where appropriate, to further the goals and missions of the municipality. However, the municipality has an overriding interest and expectation in deciding what is “spoken” on behalf of the municipality through social media. This policy establishes guidelines for the use of social media by municipal Employees.

II. APPLICABILITY

This policy applies to all municipal Employees and approved volunteers, consultants, service providers and contractors performing business on behalf of municipal (“Employees”).

III. POLICY

It is the policy of the municipality that all individuals identified in paragraph II abide by the policy set forth herein when using municipal information systems, which are defined as: computers and the services of both internal and external databases and information exchange networks, the internet, email, voice mail, mobile data terminals, facsimile machines, mobile telephones, lap top computers and social media (“Information Systems”).

Communications sent by email may be subject to disclosure under the Freedom of Information Act or in litigation. No Employee shall have any expectation of privacy with regard to any information transmitted or stored on the municipality’s Information Systems.

IV. PROCEDURE

- A. Transmission of electronic messages and information on communications media provided for Employees of the municipality shall be treated with the same degree of propriety, professionalism and confidentiality as official written correspondence or public records.
- B. The municipality encourages authorized and trained personnel with access to municipal Information Systems to utilize these devices whenever necessary. However, all Information Systems are the property of the municipality and use of any of these Information Systems is a privilege that is subject to revocation. Information Systems are intended for use in conducting official municipal business with limited exceptions noted in this policy
- C. Employees are advised that they do not maintain any right to privacy or ownership in Information Systems equipment or its contents or to include or install personally owned software.
- D. The municipality's administration reserves the right to access any of the records within the Information Systems at any time and to retain or dispose of those records as it deems necessary and appropriate, and may require employees to provide passwords to files that have been encrypted or password protected.
- E. The municipality reserves the right to access, for quality control purposes and/or for violations of this policy, data, electronic and voice transmissions of Employees conducting business in the municipality.
- F. Personal and/or private use of municipal Information Systems to access social media sites is prohibited.
- G. Accessing or transmitting materials from municipal Information Systems that involve the use of obscene language, images, jokes, sexually explicit materials, or messages that disparage or threaten the municipality, any person, group, or classification of individuals is prohibited regardless of whether the recipient has consented to or requested such materials.

[This section applies to Law Enforcement Agencies if applicable]

Exception: Employees involved in criminal investigations, during the performance of their official duties, may be requested to receive, copy, download, or transmit sexually explicit or other materials normally not allowed. Anyone requiring such authorization will request, in writing, permission from the Employee's supervisor prior to beginning to receive, copy, download or transmit this material.

- H. Confidential, proprietary or sensitive information may be disseminated or made

available through shared directories or networked systems only to individuals with a need and a right to know and when there is sufficient assurance that appropriate security of such information will be maintained. The dissemination of confidential, proprietary or sensitive information, including photographs, on social media sites or personal web pages is prohibited.

- I. Employees shall not post photographs of their co-workers or any member of the general public on their personal social media sites.
- J. No Employee shall access or allow others to access any file or database of the municipality unless that person has a need and a right to such information. Personal identification and access codes shall not be revealed to any unauthorized source.
- K. Employees are not to open email messages unless they are certain of the trustworthiness of the source.
- L. Employees may not utilize email messages as a secure and confidential means of communication since subsequent direction of the message cannot be controlled.
- M. Employees may not knowingly accept messages with inappropriate content as described in the policy and will immediately report it to their supervisor and then completely delete any such message inadvertently received when directed to do so.
- N. Creating a web site or social media page that has any appearance of officially representing the municipality is prohibited without the express written approval of the Municipal Board or designee. Any information added to the official municipal web page(s) or site(s) must have the written approval of the Municipal Board or designee prior to being accessible by the general public.
- O. Using images of any official municipal logo, patch, badge or sign on personal web pages is prohibited without the express written approval of the Municipal Board or designee.
- P. Employees shall not utilize Information Systems to spoof, masquerade or assume any identity or credentials of another individual.
- Q. The use of social media shall conform to all municipal policies prohibiting discrimination, retaliation and harassment of co-workers.
- R. Employees shall not identify themselves or any co-worker specifically, or

otherwise infer in any way that they are an employee of the municipality or any personal social media site, unless explicitly granted permission by the Municipal Board or designee.

V. DISCIPLINE

Any violation of this policy may result in disciplinary action up to and including termination.

This policy, as presented by the Michigan Township Participating Plan, is intended as general guidelines for members of the Michigan Township Participating Plan Program. This policy should not be construed as legal advice. The viewer or reader of the material should consult legal counsel to review the information presented before implementation of any policy or procedures.

Township Cemetery Ordinance

**HAYES TOWNSHIP
CHARLEVOIX COUNTY, MICHIGAN
Ordinance No. 091018**

An ordinance to protect the public health, safety and general welfare by establishing regulations relating to the operation, control, maintenance and management of cemeteries owned, controlled or operated by the Township of Hayes, in Charlevoix County, Michigan; to provide penalties for the violation of said ordinance, and to repeal all ordinances or parts of ordinances in conflict therewith.

THE TOWNSHIP OF HAYES, COUNTY OF CHARLEVOIX, MICHIGAN ORDAINS:

Section 1. Title

This Ordinance shall be known and cited as the "Hayes Township Cemetery Ordinance."

Section 2. Purpose and Intent

The Hayes Township Board recognizes and concludes that the proper and reasonable maintenance, appearance and use of the cemetery or cemeteries owned or controlled by the Township is an important function of the government of the Township. It is also important that burials, disinterments and other matters associated with a municipal cemetery are handled in a respectful and proper way in order to promote the safety, public health and general welfare of the community. The Township Board finds that the adoption and enforcement of this Ordinance is in the best interests of the property owners and residents of the Township.

Section 3. Definitions

- (a) A "burial space" shall consist of an area in a Township cemetery sufficient to accommodate one burial space for one deceased person. Exceptions may be made with Township permission to accommodate infant burial or the burial of cremains.
- (b) "Infant" means someone who is two years or younger at the time of death.
- (c) "Township" means Hayes Township.
- (d) "Township cemetery" or "cemetery" means any cemetery owned, operated and/or controlled by the Township.
- (e) "Township Clerk" means the elected Township Clerk and/or other designee(s) of the Township Board.

Section 4. Sale of Cemetery Burial Spaces; Nontransferable

- (a) After the effective date of this Ordinance, cemetery burial spaces shall be sold by the Township for the purpose of burial for the purchaser of a burial space, or his or her immediate family. No sale shall be made to funeral directors or others, except for those acting as an agent for an eligible purchaser.
- (b) All sales and transfers of burial spaces shall be made on a form approved by the Township Board, which grants a right of burial only and does not convey any other title or right to the burial space sold. Such forms shall be signed by the Township Clerk, and shall then constitute a permit.
- (c) Burial spaces may be sold by the Township to any resident or taxpayer of the Township. The Township Clerk is hereby granted the authority to vary the aforesaid restriction on sales where the purchaser discloses sufficient personal reason for burial within the Township through previous residence in the Township or relationship to persons interred in the Township cemetery involved. Any such decision by the Township Clerk (either granting or denying such variance) may be overturned by the Township Board pursuant to Section 23 hereof.
- (d) At the time of purchase from the Township, each burial space shall be assigned the name of the specific person who shall be interred in that burial space upon death. Each such person must either be

a resident or taxpayer of the Township, or be a member of the immediate family of a qualified purchaser. If the owner of a burial space desires to effectuate a name change regarding the assigned burial space, that person must request in writing such change to another eligible person and receive approval from the Township Clerk.

- (e) Ownership of burial spaces is nontransferable without prior written approval by the Township, and may be sold back at a price set by the Township Board (for resale by the Township).
- (f) The Township Board shall have the authority to place a limit on the number of burial spaces sold to a particular person, as well as such person's family and relatives. Furthermore, the Township shall have the absolute right and discretion to determine whether a particular burial space or spaces will be sold to a specific person and where such burial space or spaces will be located and within which Township cemetery. Such decision shall be based upon reasonable factors, including, but not limited to, the number of vacant burial spaces available and whether family or relatives of the person seeking to purchase a burial space or spaces are buried adjacent or nearby the burial space or spaces requested.
- (g) The Township shall have the right to correct any errors that may be made concerning interments, disinterments, or in the description, transfer or conveyance of any burial space, either by canceling the permit for a particular vacant burial space or spaces and substituting and conveying in lieu thereof another vacant burial space or spaces in a similar location within the cemetery at issue or by refunding the money paid for the burial space to the purchaser or the successor of the purchaser. In the event that an error involves the interment of the remains of any person, the Township shall have the right to remove and transfer the remains so interred to another burial space in a similar location in the same Township cemetery in accordance with law.
- (h) The owner of every burial space shall be responsible for notifying the Township whenever that person's mailing address changes.

Section 5. Purchase Price for Burial Spaces; Indigent Burials

- (a) The Township Board shall by resolution set the fees for each burial space. The lawful owner of any burial space within the Township shall promptly provide the Township Clerk with any change in that owner's mailing address.
- (b) All charges shall be paid to the Township.
- (c) The Township Board may waive some or all fees for the burial of indigent persons. Furthermore, the Township Board may set aside a portion of a Township cemetery or cemeteries for the burial of indigent persons.
- (d) The Township Board may by resolution periodically alter the foregoing fees to accommodate increased costs and needed reserve funds for cemetery maintenance and acquisition.

Section 6. Grave Opening Charges

- (a) The Township may charge reasonable fees for the opening and closing of any burial space, prior to and following a burial therein, and including the interment of ashes. Such fees shall be set from time to time by resolution of the Township Board, payable to the Township.
- (b) No burial space shall be opened or closed except under the direction and control of the Township Sexton or such other individual as is designated by the Township Board. This subsection (b) shall not apply to any grave opening, disinterment, or similar matter which is done pursuant to a valid court order or under the supervision and direction of local or state health department authorities; however, even in such cases, the Township Sexton shall be given at least twenty-four (24) hours' prior notice of when such grave opening or closing will occur.

Section 7. Markers or Memorials; No Monuments

- (a) All markers and memorials must be comprised of stone or other equally durable composition and shall face the same direction as the markers and memorials around them. **Only one above grade stone or marker per burial space. Additional surface markers will be permitted for cremation burials.**
- (b) Except for monuments that existed in a Township cemetery before the effective date of this Ordinance, no monument will be allowed or erected in a cemetery. For purposes of this Ordinance, "monument" shall be defined as any marker, memorial, statue or similar item which exceeds thirty (30) inches in height above normal ground level or which has a ground surface area exceeding thirty (30) inches in width (or forty-eight (48) inches in width for a double marker), with an overall height of no more than thirty (30) inches above ground level, including the foundation. Only one (1) marker or memorial shall

be permitted per burial space, or one marker or memorial in total where two adjoining spaces share that one marker or memorial. Markers shall be no more than thirty (30) inches in width (or forty-eight (48) inches in width for a double marker), with an overall height of no more than thirty (30) inches above ground level, including the foundation. Individual markers for cremains shall be flush with the ground and shall be no more than twelve (12) inches by twenty-four (24) inches in size.

- (c) The footing or foundation upon which any marker or memorial must be placed shall be constructed by the Township, or such person(s) as may be designated by the Township Board. Fees for such work shall be set from time to time by resolution of the Township Board, and shall be paid to the Township.
- (d) Should any monument or memorial (including any monument or memorial that was in place before this Ordinance became effective) become unsightly, broken, moved off its proper site, dilapidated or a safety hazard, the Township Board shall have the right, at the expense of the owner of the burial space, to correct the condition or remove the same. The Township shall make reasonable attempts to contact the owner of the burial space prior to any such work beginning.
- (e) The maintenance, repair and upkeep of a cemetery memorial, marker, urn or similar item is the responsibility of the heirs or family of the person buried at that location. The Township has no responsibility or liability regarding the repair, maintenance or upkeep regarding any such marker, memorial, urn or similar item.

Section 8. Interment Regulations

- (a) Only one (1) person shall be buried in a burial space, except for a parent and infant child or two (2) infants buried at the same time when approved by the Township.
- (b) The Township shall be given not less than 36 hours' prior notice in advance of any funeral to allow for the opening of the burial space. The opening and closing of burial spaces shall be done only by the Township or such person or persons as are designated by the Township.
- (c) The appropriate permit or form issued by the Township for the burial space involved, together with appropriate identification of the person to be buried therein and the burial-transit permit from the health department, shall be presented to either the Township Sexton or the Township Clerk prior to interment. Where such permit or form has been lost or destroyed, the Township Clerk must be satisfied, from his or her records, that the deceased person to be buried in the burial space is an authorized and appropriate person for that space before any interment is commenced or completed.
- (d) The surface of all graves shall be kept in an orderly and neat-appearing manner within the confines of the burial space involved.

Section 9. Disinterments

- (a) No disinterment or digging up of an occupied grave shall occur until and unless any and all permits, licenses and written authorizations required by law for such disinterment or digging up of an occupied grave have been obtained from any applicable state or county agency, governmental unit or official, and a copy of the same has been filed with the Township.
- (b) The Township Board shall have the authority to refuse to allow a disinterment or the digging up of an occupied grave if the disinterment or digging up of an occupied grave is not done pursuant to a court order (issued by a court of competent jurisdiction) or does not have a reasonable basis.

Section 10. Winter Burials

- (a) The Township may charge additional fees for winter burials.
- (b) If a winter burial cannot occur due to inclement weather, frozen ground or similar condition, the deceased person may be kept in winter storage until a spring burial can occur. Written permission by the next of kin or authorized agent must be obtained prior to winter storage. All such winter storage costs shall be paid by the estate of the deceased person or the person's next of kin.
- (c) No winter burials shall occur without the prior consent of the Township Sexton. **MCL 333.28.52 states that winter burials cannot be prohibited. Additional fee can be charged. Family must give written authorization to store. This should be taken care of by the funeral director.**

Section 11. Cremains

- (a) Cremains may be buried in a container approved by the Township in a burial space or in a columbarium that has been installed by the Township within a Township cemetery. A single burial space

may be used for two cremations. Change to four cremations per burial space, or one full and three cremations. Full burial must be first. We will not disinter cremations to perform a full burial.

- (b) No cremains shall be scattered or dispersed within a Township cemetery. No cremains interred without the sexton.

Section 12. Grounds Maintenance

- (a) Flower pots, urns and grave blankets may be placed and maintained at the head stones of graves no earlier than May 1 and must be removed no later than November 1 of each year. Decorations will be permitted for holidays falling outside of these dates, but only for one (1) week prior and one (1) week following the holiday. Veteran flags and flag holders shall be governed by the Veteran's Administration rules and guidelines.
- (b) No grading, leveling or excavating within a cemetery shall be allowed without the prior permission of the Township Sexton or the Township Clerk. Furthermore, no tree, shrub, landscaping or similar plantings shall occur without the prior permission of the Township Sexton or the Township Clerk.
- (c) No flowers, shrubs, trees or vegetation of any type shall be planted outside of an urn. Any of the foregoing items planted without Township approval will be removed by the Township or the Township Sexton. No plants or shrubs with thorns.
- (d) The Township Board reserves the right to remove or trim any existing trees, plants or shrubs located within a cemetery in the interest of maintaining proper appearance and the use of the cemetery.
- (e) Mounds, bricks, blocks and any borders that hinder the free use of a lawn mower or other gardening apparatus are prohibited.
- (f) The Township Sexton shall have the right and authority to remove and dispose of any and all growth, emblems, displays, containers and other items that through decay, deterioration, damage or otherwise become or are unsightly, a source of litter or a maintenance problem.
- (g) Surfaces other than earth or sod are prohibited.
- (h) All refuse of any kind or nature including, but not limited to, dried flowers, wreaths, papers and plastic flower containers must be removed from the cemetery within 10 days after a burial.
- (i) No glass containers or items are allowed.
- (j) Except for markers, memorials, flowers, and urns expressly allowed by this Ordinance, and veteran flags as authorized by law, no other item (including, but not limited to, ornaments, signs, trellises, statues, benches, landscaping, bricks, stones, grave border materials or other structures) shall be installed or maintained within a Township cemetery, nor shall any grading, digging, mounding or similar alteration of the ground or earth occur except as authorized by this Ordinance or by the Township.

Section 13. Disclaimer of Township Liability and Responsibility

Every person who enters, remains in and travels within a Township cemetery does so at their own risk. The Township is not responsible for any injury, accident or other calamity that might occur to any person present in a Township cemetery. Furthermore, the Township is not responsible for any damage or vandalism to, theft of or deterioration of any burial monument, headstone, flower urn or other item placed at or near a burial space, burial site or anywhere in a Township cemetery. The purchaser or transferee of any burial space or the equivalent (and all subsequent transferees, assigns, heirs, or beneficiaries) hereby releases, waives, indemnifies and holds harmless the Township for, from and against any injury, damages, causes of action, claims, costs and expenses associated with, relating to and/or involving the burial space or similar right, any headstone, monument or similar items, and any matter related to the cemetery involved. Such waiver, release and hold harmless provision shall apply not only to the Township, but also as to the Township Sexton and any Township employee, officer, official or agent.

Section 14. Forfeiture of Vacant Burial Spaces

Burial spaces sold after the effective date of this Ordinance and remaining vacant for forty (40) years or more from the date of their sale shall automatically revert to the Township upon the occurrence of the following events:

- (a) Notice shall be sent by the Township Clerk by first-class mail to the last known address of the last owner of record informing him/her of the expiration of the 40-year period and that all rights with respect to said burial spaces will be forfeited if he/she does not affirmatively indicate in writing to the Township

Clerk within sixty (60) days from the date of mailing of such notice of his/her desire to retain such burial rights; and

- (b) No written response to said notice indicating a desire to retain the burial spaces in question is received by the Township Clerk from the last owner of record of said spaces, or his/her heirs or legal representative, within sixty (60) days from the date of mailing of said notice.

Section 15. Repurchases of Burial Spaces

The Township may repurchase any burial space from the owner for a price set by the Township Board, upon the written request of said owner or his or her legal heirs or representatives.

Section 16. Records

The Township Clerk shall maintain records concerning all burials, burial spaces, issuance of burial permits and any other records of the Township related to Township cemeteries, and the same shall be open to public inspection at all reasonable business hours.

Section 17. Vaults

- (a) A standard vault is not required to be installed or constructed in a burial space before interment in the cemetery. When a body is buried without a vault the cost of grave opening and closing will be adjusted upward by the Township Board in an amount not to exceed the cost of a vault at the time of the opening and closing to reflect the cost of future filling and seeding of that site. If a vault is used it shall be a standard concrete vault (which meets all applicable laws) installed or constructed in each burial space before interment. Vaults of other suitable materials may be allowed at the discretion of the Township. **Change this to vaults are required. This has become standard for most cemeteries, to prevent cave ins, and more maintenance expense in the future. The vault company also supplies the apparatus for lowering the casket into the ground.**
- (b) **Cremains shall be in a container approved by the Township. Require a cremation vault. This will protect the urn, or container, and be better if probing is needed in the future**

Section 18. Cemetery Hours

Unless otherwise specified by the Township Board by resolution, all Township cemeteries shall be closed during the hours from 9 p.m. until 7 a.m. the next morning. During those hours, no person shall be present in a Township cemetery. Such prohibition on being present in a Township cemetery during the time when a Township cemetery is closed shall not apply to the Township Sexton, any Township official, a person accompanied by the Township Sexton or other Township official, or any law enforcement or firefighting official when engaged in the lawful duties of any such office or position.

Section 19. Prohibited Uses and Activities

The following prohibitions shall apply within any Township cemetery:

- (a) No person shall destroy, deface, apply graffiti to or otherwise injure any monument, sign, tree or other lawful item located within a Township cemetery.
- (b) No person shall disturb the peace or unreasonably annoy, harass or disturb any other person who is lawfully present on the grounds of any Township cemetery.
- (c) No vehicles shall be permitted to drive on lawns or burial spaces in a cemetery.
- (d) There shall be no entry or presence in the cemetery by any person when the cemetery is closed or outside of authorized times.
- (e) There shall be no destruction of cemetery property.
- (f) There shall be no headstones, ornaments, vases, plastic flowers, fences, benches, trellises, statues, signs or any other item placed, kept, installed or maintained in a cemetery except those expressly allowed by this Ordinance.
- (g) There shall be no digging, grading or mounding unless expressly authorized by this Ordinance.
- (h) There shall be no driving of an automobile, truck or any vehicle on any portion of a cemetery except the designated roads or drives.
- (i) There shall be no gathering of persons in excess of 75 people without prior Township approval (except during or incidental to a funeral occurring concurrent with burial).
- (j) There shall be no disinterment or grave openings unless approved by the

Township.

- (k) There shall be no possession or consumption of any alcoholic beverage.
- (l) There shall be no picnicking or consumption of food without prior Township approval.
- (m) There shall be no music, playing of any radio, or the use of any amplification device or similar item, except pursuant to a military ceremony or a funeral.
- (n) There shall be no solicitation or peddling of services or goods or any signs or placards advertising any goods or services.
- (o) There shall be no littering or dumping. There shall be no dumping, vandalizing or tipping over of any lawful garbage container or receptacle.
- (p) There shall be no unlawful interference with or disruption of a lawful funeral or funeral procession.
- (q) There shall be no private signs, lighting, moving displays or changeable copy on a sign.
- (r) There shall be no fires, candles or open flames.
- (s) No children under twelve (12) years of age shall be allowed in any Township cemetery unless accompanied by an adult and are properly supervised by an adult.
- (t) There shall be no domestic animals of any kind or pets allowed within the cemetery grounds. However, this prohibition shall not apply to dogs assisting handicapped persons.
- (u) No firearms or archery arrows shall be discharged or shot except that military or other veteran's organizations may carry arms for the purpose of firing over the grave at the burial of a member.
- (v) No person shall engage in any fight, quarrel or disturbance.

Section 20. Authority of the Township Sexton

- (a) The Township Board shall appoint a Township Sexton, who shall serve at the discretion of the Township Board. The Township Sexton may be a Township employee or independent contractor for the Township at the discretion of the Township Board.
- (b) The Township Sexton shall assist other Township officials with the enforcement and administration of this Ordinance.
- (c) The Township Sexton shall have such duties and obligations with regard to Township cemeteries as may be specified from time to time by the Township Board.

Section 21. Fees

The Township Board shall have the authority to set fees pursuant to this Ordinance from time to time by resolution. Such fees can include, but are not limited to, a fee or fees for a burial permit, disinterment permit, grave opening, setting of foundations, grave closing, winter or holiday burial, the price for a new burial space, transfer fees for burial spaces, and other matters. Any check for fees pursuant to this Ordinance should be made out to the Township or the Township Treasurer and not to the Sexton or any other individual Township employee.

Section 22. Applicability of this Ordinance

- (a) This Ordinance shall apply only to cemeteries owned, controlled or operated by the Township.
- (b) The provisions of this Ordinance shall not apply to Township officials or their agents or designees involved with the upgrading, maintenance, administration or care of a Township cemetery.
- (c) The provisions of this Ordinance shall not apply to police officers or firefighting officials or officers involved in carrying out their official duties.

Section 23. Interpretation/Appeals to the Township Board

- (a) The Township Board shall have the authority to render binding interpretations regarding any of the clauses, provisions or regulations contained in this Ordinance and any rule or regulation adopted pursuant to this Ordinance, as well as their applicability. The Township Board (or its designee) is also authorized to waive application of the strict letter of any provision of this Ordinance or any rules or regulations promulgated under this Ordinance where practical difficulties in carrying out the strict letter of this Ordinance or any rules or regulations related thereto would result in hardship to a particular

person or persons or the public. Any such waiver, however, must be of such a character as it will not impair the purposes and intent of this Ordinance.

(b) Any party aggrieved by any interpretation or decision made by the Township Sexton or any Township official, agent or contractor pursuant to this Ordinance, as well as any matter relating to a Township cemetery, rights to a burial space, or other matter arising pursuant to this Ordinance, shall have the right to appeal that determination/decision or matter to the Township Board. Any such appeal shall be in writing and shall be filed with the Township within thirty (30) days of the date of the decision, determination or other matter being appealed. The Township shall give the aggrieved party who filed the written appeal with the Township at least ten (10) days prior written notice of the meeting at which the Township Board will address the matter unless an emergency is involved, in which case the Township shall utilize reasonable efforts to notify the aggrieved party who filed the appeal of a special or emergency meeting of the Township Board at which the matter will be addressed. Pursuant to any such appeal, the decision of the Township Board shall be final.

(c) The Township Board may set a fee or fees for any such appeal from time to time by resolution.

Section 24. Authority of the Township to Remove Unauthorized or Unlawful Items from a Township Cemetery

Any monument, marker, planting, trellis, personal item, urn, flowers or foliage (whether real or artificial), structure, flag (except for lawful veterans flags), or other item that has been placed, installed, left or maintained in any Township cemetery in violation of this Ordinance, any Township rule or regulation regarding Township cemeteries, or any county, state or federal law, statute or regulation may be removed by the Township from the Township cemetery at any time and destroyed or disposed of by the Township without any prior notice to, permission from, or liability or obligation to the person or persons who left, installed, maintained or kept such item in the Township cemetery. No such item (including, but not limited to, a monument, marker, planting, trellis, personal item, urn, flowers or foliage, structure, flag, or similar item) can be installed, placed, maintained or kept in a Township cemetery unless expressly authorized by this Ordinance or a written rule or policy of the Township. Even if such an item is authorized to be installed, kept, maintained or left in a Township cemetery, the Township shall still have the discretion to remove any such item at any time and dispose of the same without prior notice to, consent from or liability to the person or persons who installed, maintained or left such item in a Township cemetery.

Section 25. Penalties

A violation of this Ordinance (or of any rule or regulation adopted pursuant to this Ordinance) constitutes a municipal civil infraction. Any person who violates, disobeys, omits, neglects or refuses to comply with any provision of this Ordinance, or any permit or approval issued hereunder, or any amendment thereof, or any person who knowingly or intentionally aids or abets another person in violation of this Ordinance, shall be in violation of this Ordinance and shall be responsible for a civil infraction. The civil fine for a municipal civil infraction shall be not less than one hundred dollars (\$100) for the first offense and not less than two hundred dollars (\$200) for subsequent offenses, in the discretion of the court, in addition to all other costs, damages, expenses and remedies provided by law. For purposes of this section, "subsequent offense" means a violation of the provisions of this Ordinance committed by the same person within twelve (12) months of a previous violation of the same provision of this Ordinance or similar provision of this Ordinance for which said person admitted responsibility or was adjudged to be responsible. Each day during which any violation continues shall be deemed a separate offense.

A violation of any permit or permit condition issued pursuant to this Ordinance shall also constitute a violation of this Ordinance.

Section 26. Township Officials Who Can Enforce this Ordinance

Unless otherwise specified by the Township Board by resolution, the following officials or officers shall have the authority to enforce this Ordinance and to issue municipal civil infraction citations/tickets pursuant to this Ordinance:

- Township Supervisor
- Township Clerk
- Township Sexton
- Any deputy of the County Sheriff's department
- Any State Police officer

Section 27. Severability

The provisions of this Ordinance are hereby declared to be severable and should any provision, section or part thereof be declared to be invalid or unconstitutional by any court of competent jurisdiction, such decision shall only affect the particular provision, section or part thereof involved in such decision and shall not affect or invalidate the remainder of this Ordinance, which shall continue in full force and effect.

Section 28. Effective Date; Conflicts

This Ordinance shall become effective thirty (30) days after a copy of this Ordinance (or summary thereof) appears in the newspaper. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

The above Ordinance was offered for adoption by Township Board Member Marlene Golovich and was seconded by Township Board Member Matt Cunningham, the vote being as follows:

YEAS: Matt Cunningham, Paul Hoadley, Ron VanZee, Marlene Golovich

NAYS:

ABSENT: Robbin Kraft

ORDINANCE DECLARED ADOPTED.

CERTIFICATION

I hereby declare that the above is a true copy of an ordinance adopted by the _Hayes Township Board at a regular meeting held on September 10, 2018, at the Hayes Township Hall, pursuant to the required statutory procedures.

Dated: September 11, 2010

Respectfully submitted,

By Marlene Golovich, Hayes Township Clerk



clerk hayestownshipmi <clerkhayestownshipmi@gmail.com>

cemetery

1 message

randy johnson <randyj_j20@yahoo.com>

Wed, Jul 9, 2025 at 1:19 PM

To: Clerk Hayestownshipmi <clerkhayestownshipmi@gmail.com>

Kristen

Here is a good start I think. I think we also need to address fees. Full burials aren't bad, but cremations are WAY below others in the area. The other cemeteries also have weekday and weekend and holiday rates, and resident and non resident. Cremations start at \$240.00 at the others, and go to over \$1000.00. I would think that \$175.00 to \$200.00 would be more than fair.

Randy

**Cemetery Ordinance 091018.doc**

79K

HALL RENTAL Resident Funeral Dinner All Hall Rentals are subject to Hayes Township residency & deposit (100.00)	100.00 No Charge
CEMETERY FEES Single Burial Plot in Old Section (Cremation Only) Single Burial Plot in New Section Grave Open/Close Cremains Burial Open/Close Grave Marker Foundation Installation Grave Marker Foundation All fees subject to Hayes Township Cemetery Ordinance #091018 Weekend/Holiday/Winter	100.00 300.00 750.00 100.00 125.00 Township Cost + Shipping 1.5 X
SEE REVERSE SIDE FOR MORE FEES The above list includes the initial fees only. If the Planning Commission or Zoning Board of Appeals determines that review of an application and/or participation in the review process by qualified professional planners, engineers, attorneys, or other professionals is necessary they may require the applicant to deposit funds in an escrow account as regulated by Section 9.05.2 of the Zoning Ordinance. *Charged to the developer or landowner if initial inspection is not passed due to failure to install plants and landscaping according to the requirements of the Hayes Township Ordinance and the approved site plan.	



**CITY OF
CHARLEVOIX**

Sexton: Justin Doran
210 State Street
Charlevoix MI 49720
231-547-3271

Cemetery Rates

<u>Service/Charge</u>	<u>Resident</u>	<u>Non-resident</u>
Adult Lots	535.00	810.00
Baby Lots	270.00	400.00
Adult Opening	400.00	620.00
Baby Opening	200.00	315.00
Winter Opening	810.00	1220.00
Adult Exhumation	810.00	1220.00
Cremation Opening	240.00	380.00
Cremation Exhumation	270.00	400.00
Winter Storage: City Cemetery	150.00	150.00
Winter Storage: Other Cemetery	210.00	210.00
Monument Foundation: Single or Double (price per square inch)	0.40	0.40
Replacement Deed	30.00	30.00
Deed Transfers: One to Four (1-4) (price each)	40.00	40.00
Deed Transfers: More than Four (4+)	Cost	Cost
Perpetual Care	240.00	370.00
Seeding / Topseeding / Leveling	Cost	Cost
Full Setup	150.00	150.00
Partial Setup	75.00	75.00
Saturday / Sunday / Holiday	Double	Double

BOYNE CITY MAPLE LAWN CEMETERY FEES
1 May 2025 - 30 April 2026

LOT FEES	<u>Resident</u>	<u>Non-resident</u>	<u>Change</u>
Full Burial Lot	\$500.00	\$650.00	\$0.00
Lot Purchase Plan* (monthly)	\$50.00 per lot	\$50.00 per lot	\$0.00

*Not to exceed 12 months from date of contract. In the event the account becomes three months (90 days) past due, the contract will become null and void unless the remaining balance is paid within 30 days. Beyond 120 days past due, the lot(s) will revert back to the City. All funds paid towards the purchase will be retained by the City of Boyne City. No burials will be made until the lot and interment fees are paid in full.

GRAVE OPENING FEES	<u>2025 FYE</u>	<u>2026 FYE</u>	<u>Change</u>
April 1 - November 30	\$475.00	\$475.00	\$0.00
Monday - Friday			
December 1 - March 31*	\$700.00	\$700.00	\$0.00
Monday - Friday			
Saturday, Sunday, & City Holidays	\$850.00	\$850.00	\$0.00

GRAVE OPENING FEES	<u>36" grave or under</u>	<u>36" grave or under</u>	
April 1 - November 30	\$325.00	\$325.00	\$0.00
Monday - Friday			
Saturday, Sunday, & City Holidays	\$425.00	\$425.00	\$0.00
December 1 - March 31*	\$500.00	\$500.00	\$0.00
Monday - Friday			
Saturday, Sunday, & City Holidays	\$650.00	\$650.00	\$0.00

*Rates will vary according to equipment used. Base rate is used plus time and material to remove snow and thaw ground. Winter burials contingent upon accessibility to gravesite.

ADDITIONAL FEES	<u>2025 FYE</u>	<u>2026 FYE</u>	<u>Change</u>
Over 3 feet wide	\$115.00	\$115.00	\$0.00

FEES FOR CREMATION GRAVE OPENING	<u>2025 FYE</u>	<u>2026 FYE</u>	<u>Change</u>
Monday - Friday	\$225.00	\$225.00	\$0.00
Saturday, Sunday and City Holidays	\$350.00	\$350.00	\$0.00

DISINTERMENT

1 1/2 above costs

REINTERMENT

Same as grave opening costs

Lot Charges

	Resident	Non-Resident
Blocks 119-122, 128, 160-194	\$650	\$780
Blocks 138-141, 150-151, 200	\$1,100	\$1,320
Blocks 202-204, 208-212	\$1,600	\$1,900
Blocks 152-153, 207, 213	\$2,300	\$2,760
Block 154	\$3,450	\$4,140
Baby section	\$100	\$120

Price is per grave space and includes perpetual care. See map, page 3.

Columbariums

	Resident	Non-Resident
Blocks 33, 66, 118, 206	\$1,200	\$1,440
Block 190	\$600	\$720
Honor Garden (veterans/spouses only)	\$500	\$600

Scattering Garden Inscriptions

Inscription, 2 lines	\$375
Additional line	\$160
Final date cut	\$180

Columbarium Memorial Wall Inscriptions

Inscription, 1 line	\$240
Additional line	\$120
Final date cut	\$140

Pre-Paid Charges

Greenwood allows prepayments on the following charges:

Grave opening, Casket	\$700
Grave opening, Cremation (in-ground or niche)	\$350
Final Date Cut on Marker (not raised letters)	\$220

Pre-paid grave opening charges are for weekday, non-holiday interments made between 10 a.m. and 3:30 p.m. The cemetery will not accept pre-paid charges for Saturday or holiday grave openings.

Foundation Charges

20x10	\$84	36x12	\$181	54x16	\$362
24x12	\$120	42x14	\$246	60x16	\$403
30x12	\$150	48x14	\$282	66x18	\$498

Contact the office for larger sizes. Anyone wishing to install foundations in the cemetery must pay a location fee (\$100 for 48" or shorter, \$250 for 49" or longer) for cemetery personnel to locate the correct placement for the foundation. Form and payment must be submitted prior to installation. Greenwood Cemetery does not require a border around the marker.

Interment (Burial) Charges

No Sunday burials

Service Hours:

- 10 am-3:30 pm for all processions from church or funeral home and graveside cremation services
- 11 am-3:30 pm for graveside casket services

Adult (37-inch vault and above)

Monday-Friday	\$700
Saturday	\$1,000
Holiday*	\$1,200

Cremations (cremation burial vault required)

Monday-Friday	\$350
Saturday	\$600
Holiday*	\$700

Winter Processions

Above all other charges

Not applicable if mourners are not present

Directional Signs

By request, the cemetery may provide directional signs for scheduled funerals. If you are doing your own service or scattering on a Saturday or holiday, we will place signs for a fee of \$250.

Late Charges

Add \$75 per half hour for procession entering the cemetery after 3:30 p.m. or for services starting at 3:30 p.m. or later

Grave Setup Charges

Tent	\$200
Chairs (8)	\$50
Chairs (12)	\$100

Cremation or memorial services only.
Not in lieu of vault company tent

Infant (Up to 36-inch Vault)

Monday-Friday	\$100
Saturday or holiday	\$250

Disinterment (Normal re-interment charges will apply)

Adult	\$850
Infant	\$230
Cremation	\$350

Payments are due two (2) full business days prior to scheduled interment. A 3.5% administration fee will be applied if paying by debit or credit card(s).

*Holidays

New Year's Day, Memorial Day, Independence Day,

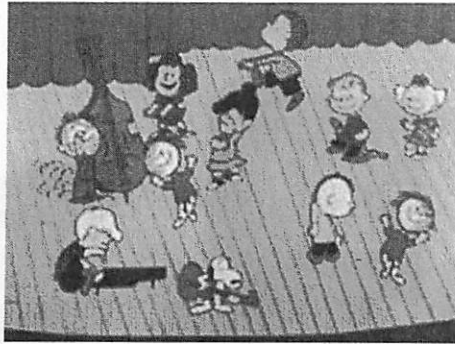
Cemetery Management & Administration

PRESENTED BY: CINDY DODGE
LOR CONSULTING

1

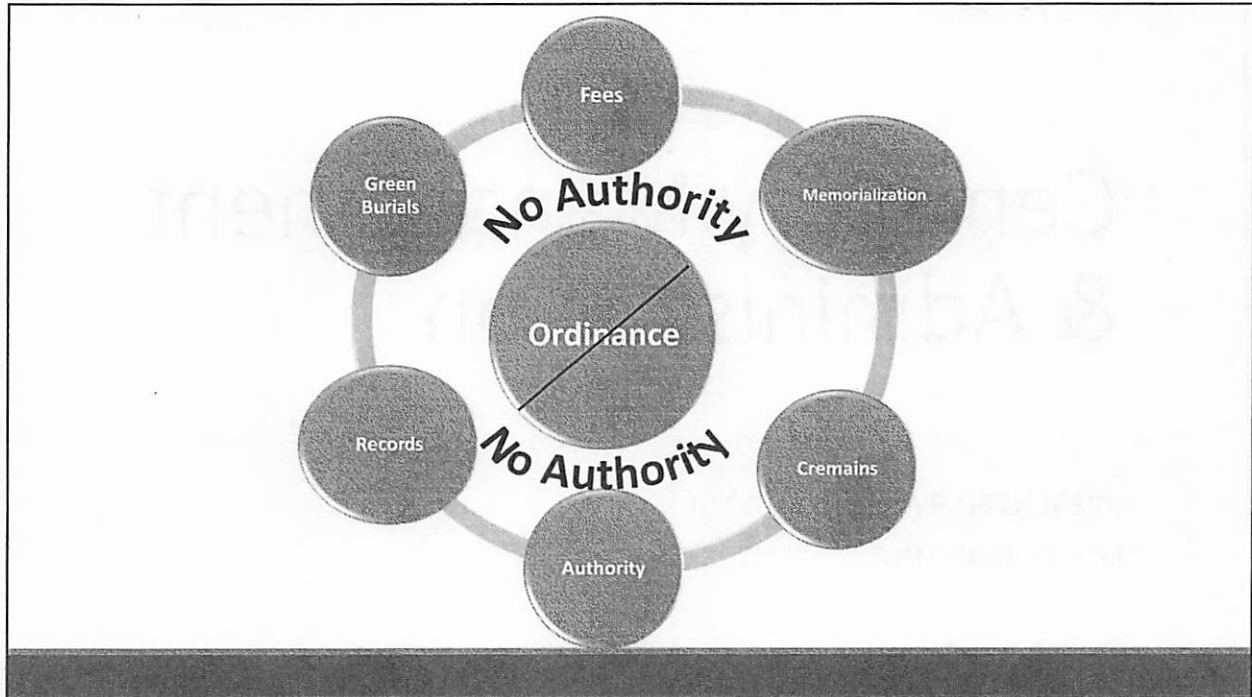
M.I. ASSOC. MUNICI. CEM.

MAMC



Because you know I'm all about that ordinance,
'Bout that ordinance, no treble
I'm all 'bout that ordinance, 'bout that ordinance, no treble
I'm all 'bout that ordinance, 'bout that ordinance, no treble
I'm all 'bout that ordinance, 'bout that ordinance

2



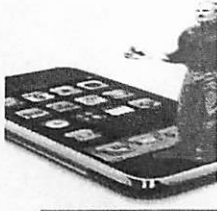
3



• Do you have an ordinance?



• Or, do you operate using rules?



• Is your ordinance updated to address all the new and emerging trends in services, memorialization, and technology?

4

What do you think will be the most important future issues?

Expansion or Space Recovery
Cremation
Green Burials
Pets
Memorialization
Pricing
Technology and the Internet



5

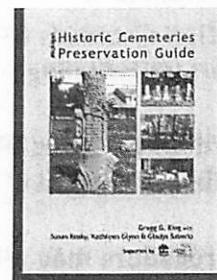
Expand or Create A New Cemetery?

Land can be acquired for a new cemetery:

- By voluntary sale
- By eminent domain (MCL 128.151-164)
- Donated

Platting the spaces:

- By a professional planner
- By township staff



6

Make sure you have a good survey!



7

Steps for Expanding or Creating New Cemeteries

County health department approval (MCL 333.2458)

- Submit a request to the Environmental Health Department* for a vacant land evaluation to check for:
 - Well drained soil
 - Isolation distances from water sources (wells, surface water, etc.)
- A report with findings and recommendations will be produced.

The board (or planning commission) will evaluate the report and determine if it is feasible to expand or create a new cemetery.

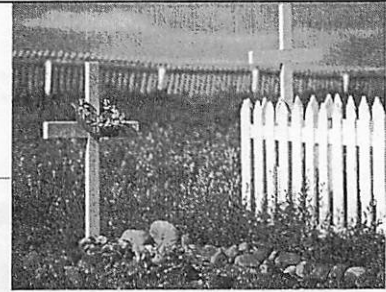
*Note: procedure may vary by county.

8

Family Cemeteries

MCL 128.111

- Must be used for their families or descendants
- Cannot exceed 1 acre of land
- Must record a deed for the land with the county (using same process as township)
- A grant forever
- Property Tax exempt



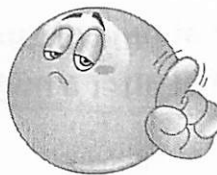
Vacating a Cemetery (MCL 128.31)

CEMETERY LAW

- Requires townships to reinter in a township cemetery remains disinterred from a private cemetery in the township, when 10 or more township residents complain in writing that the private cemetery is not being cared for.

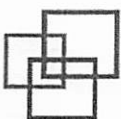
9

Can you close an existing cemetery?



You can stop selling burial rights.

10



MICHIGAN
TOWNSHIPS
ASSOCIATION

Cemetery Management &
Administration ■ June 2025

Our thanks to TriMedia Environmental & Engineering
for their sponsorship of the afternoon
Cemetery Challenges & Solutions session!



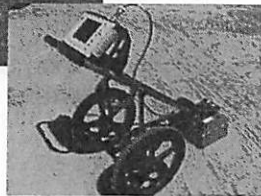
TRIMEDIA
ENVIRONMENTAL & ENGINEERING
CEMETERY MAPPING

5

No records: Start from Scratch



- Volunteers
- Eagle Scout Projects
- Web research (Find A Grave, etc.)



Jason Juilleret

Gourdie-Fraser, Inc. (GFA)
123 W Front St, Traverse City, MI 49684

email: JasonJ@gfa.tc
Phone: (231) 946-5874

11

Forfeiting Burial Rights

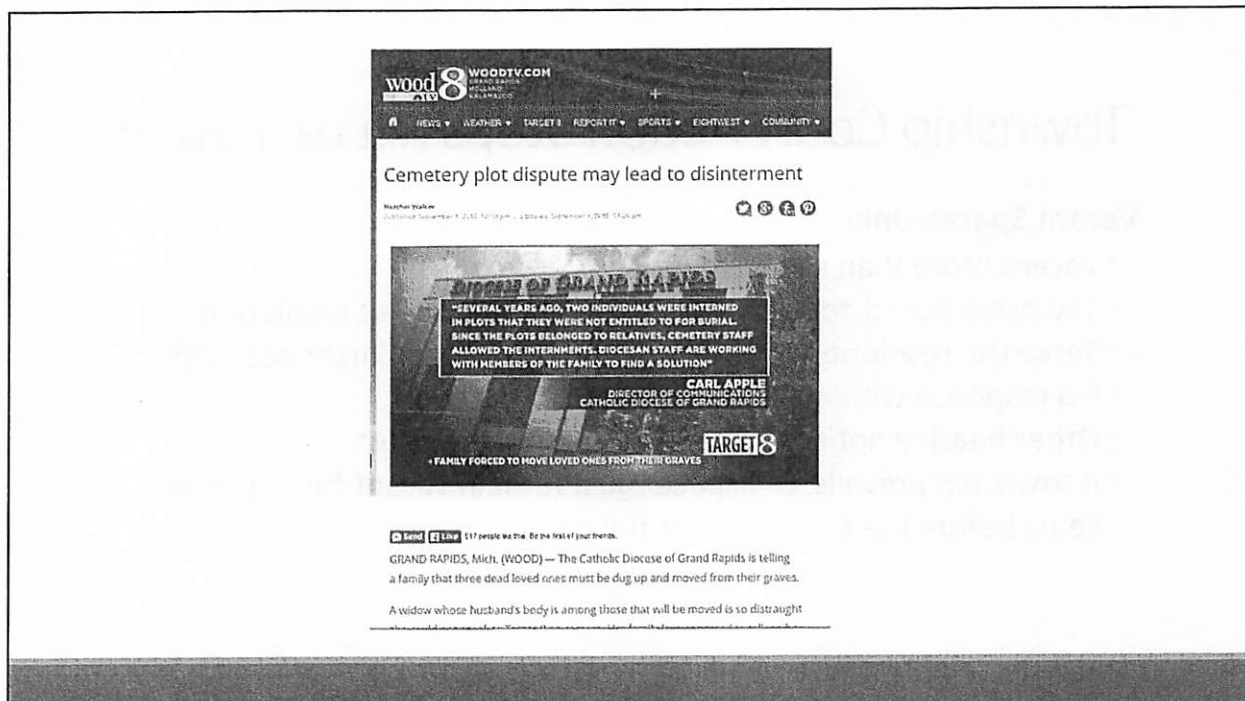


Must be set by **ordinance**.

- Best—Assign Burial Right at time of Purchase
- Better—Burial Rights forfeit after a number of years.
- Good—Use Court Action
 - Township and Family

BURDEN ON FAMILY TO PROVE & MAINTAIN CONTACT

12



13

Family Court Action

APPROPRIATE, SIGN FILE NO.

STATE OF MICHIGAN FAMILY COURT COUNTY OF	PETITION AND ORDER FOR ASSIGNMENT	FILE NO.
---	--	-------------------------

Estate of _____ Decedent FILE NO. _____ Can have sign of court

PETITION

1. Name and residence _____ represents that

2. Decedent died on _____

3. ☐ Decedent was a resident of _____ at the time of death.

4. ☐ Decedent lived outside of Michigan and left an estate within this county to be administered.

5. The decedent's personal and real property gross value, and net amount (if any) is listed below. The value of all property is calculated as of the decedent's date of death. If no net amount is shown after March 31, 2013, the gross value of a person can be reduced by any net amount on that person. However, the remaining inventory value of that person cannot be less than zero. For personal property, the gross value and inventory value are the same. (Check appropriate box.)

Large description of real property	Gross value	Net amount	Inventory value
Large description of real property			
Description of personal property	Gross value		Inventory value
Description of personal property	Gross value		Inventory value
Description of personal property	Gross value		Inventory value
Description of personal property	Gross value		Inventory value
Total	Total Gross Value		Total Inventory Value

6. Funeral and burial expenses are \$ _____

The following schedule lists the funeral and burial expenses, claiming amounts as shown:

NAME	AMOUNT	NAME	AMOUNT

The amount of funeral and burial expenses remaining unpaid is \$ _____

The gross value of the decedent's personal property remaining after payment of funeral and burial expenses does not exceed \$15,000 as adjusted annually for cost of living.

(SEE SECOND PAGES)

Do not write below this line - For court use only

MC 500 - 10/15 PETITION AND ORDER FOR ASSIGNMENT
MC 700 (2) MC 701, MC 702, MC 703, MC 704

14

Township Court Action Steps (MCL 128.11 to 128.16)

Vacant Spaces Only

- Vacant more than seven years
- Township Board adopts a forfeiture/abandonment resolution
- Serve the resolution to the last know address by first class mail
- No response within 30 days initiate court action
- Other hearing notices will be initiated by the court
- If township prevails, the space must remain vacant for two more years before the township has full ownership

15



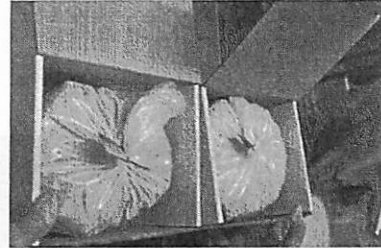
16

Cremains

Are not regulated like full body interment. Their final disposition is at the crematory.

They can be:

- Buried - *CONTAINER - VAULT*
- Entombed
- Columbarium
- Private headstone
- Scattered *NO!*
- Some people even think they can bury them in your cemetery on their own! *NO!*



17

cem HOVERS

Can people just bury their loved ones cremains if they bought, or not, a burial right in the cemetery?
NO—That would be Trespassing!

Cremains can only be buried in compliance with your **ORDINANCE**.

- Who has authority to open and close?
- Options for interment of cremains?
 - Buried within a space or a garden
 - Interred in a headstone.
 - Interred in a columbarium.

How much notice required?

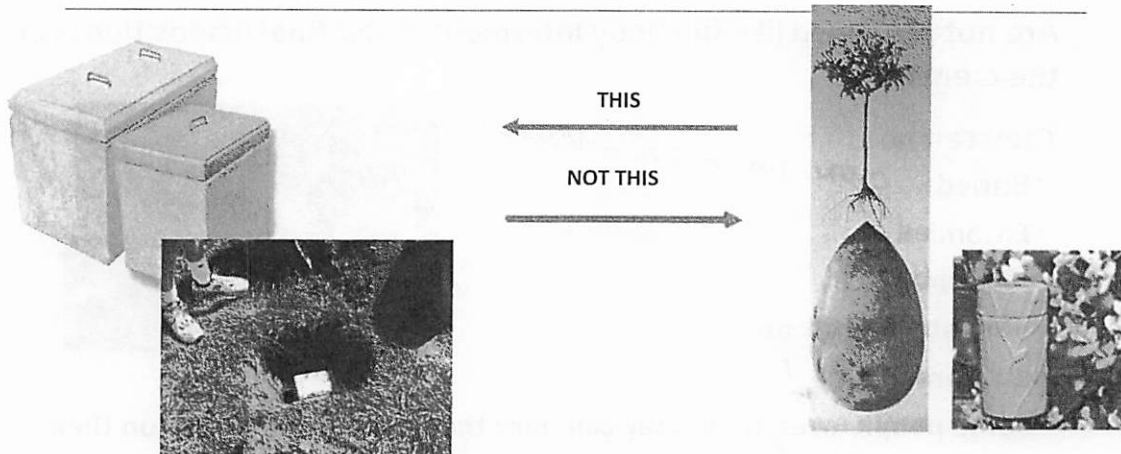
What paperwork will be required? *~BTP*

Are vaults required?

Fees

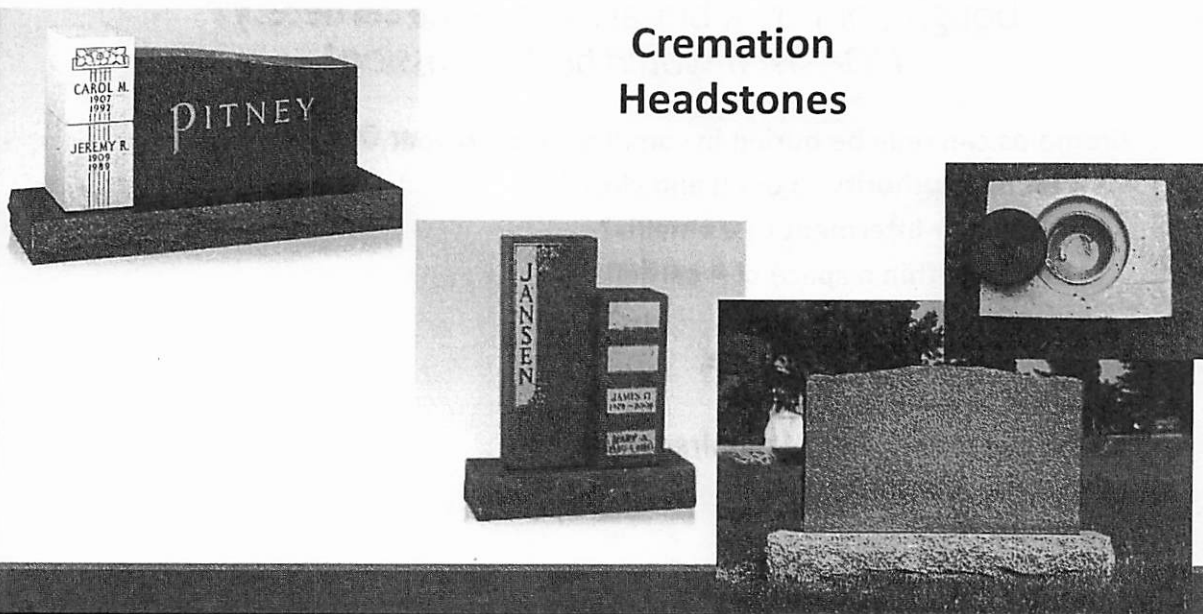
18

Cremation Vaults



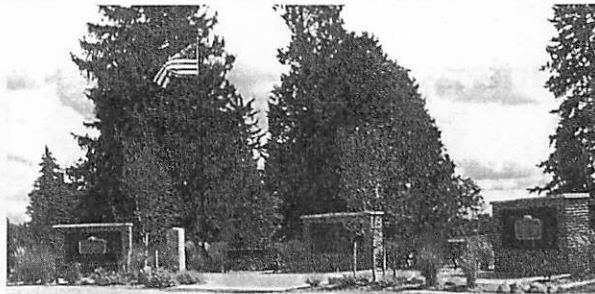
19

Cremation Headstones

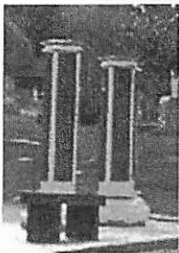


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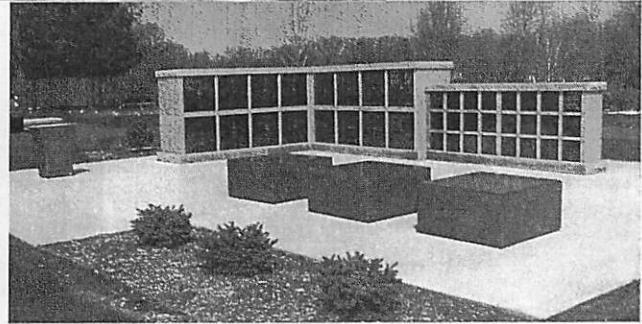
Columbarium



Williamstown
Township, Ingham
County

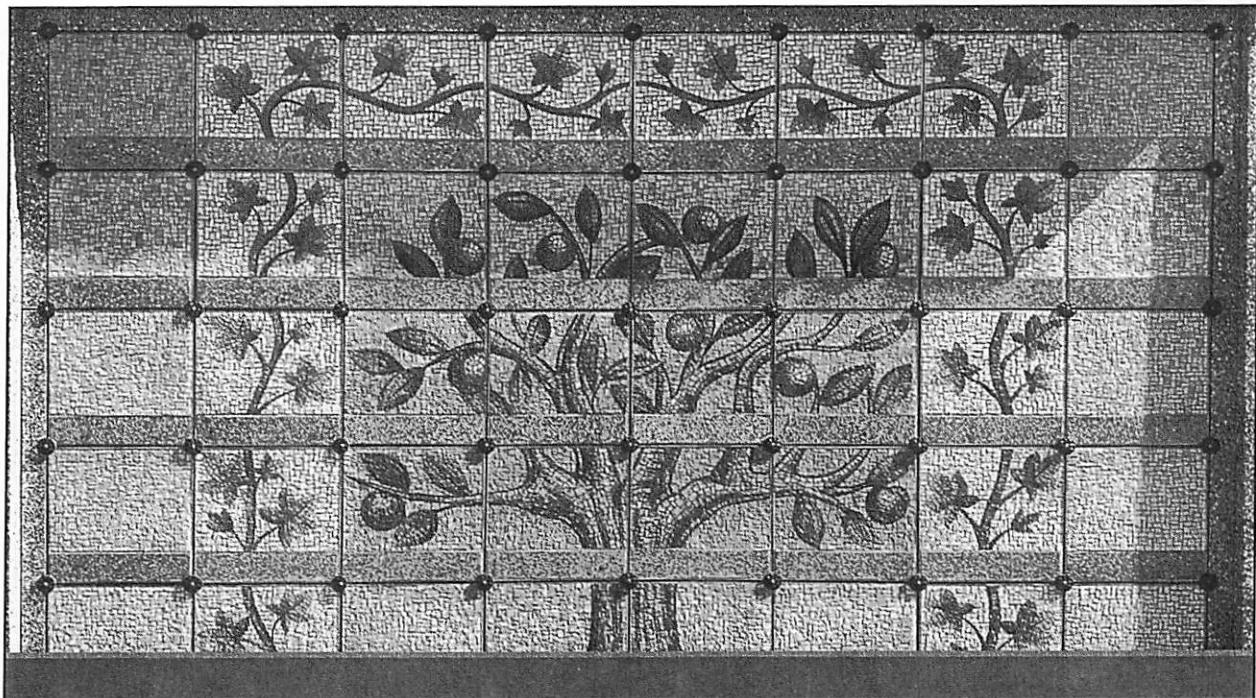


Delhi Charter Township,
Ingham County

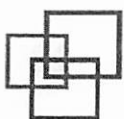


Lincoln Charter Township, Berrien County

21



22



MICHIGAN
TOWNSHIPS
ASSOCIATION

Cemetery Management &
Administration ■ June 2025

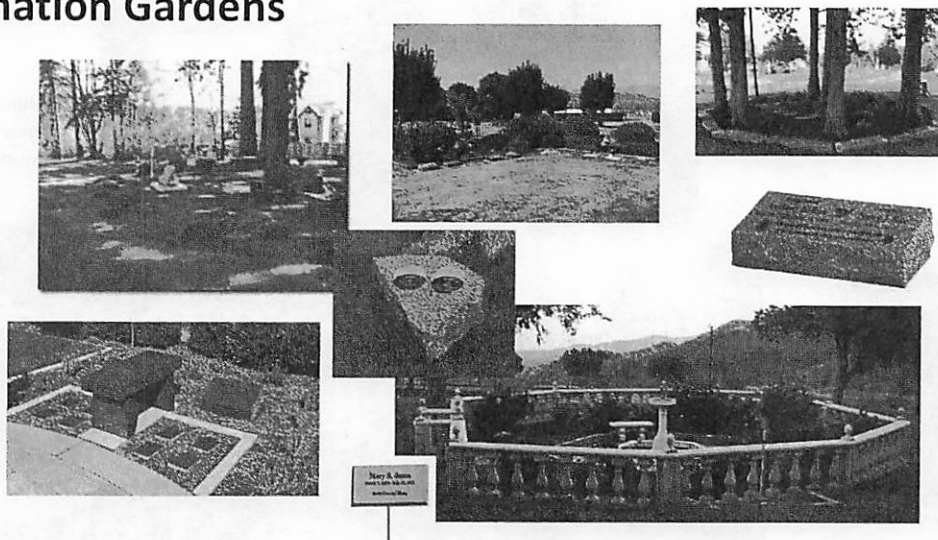
Our thanks to TriMedia Environmental & Engineering
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TRIMEDIA
ENVIRONMENTAL & ENGINEERING
CEMETERY MAPPING

11

Cremation Gardens



23

New Cremains Burial Area City of Marquette, Marquette County



24

Memorial Garden

Lincoln Charter Township, Berrien County



25

Can you allow scattering?

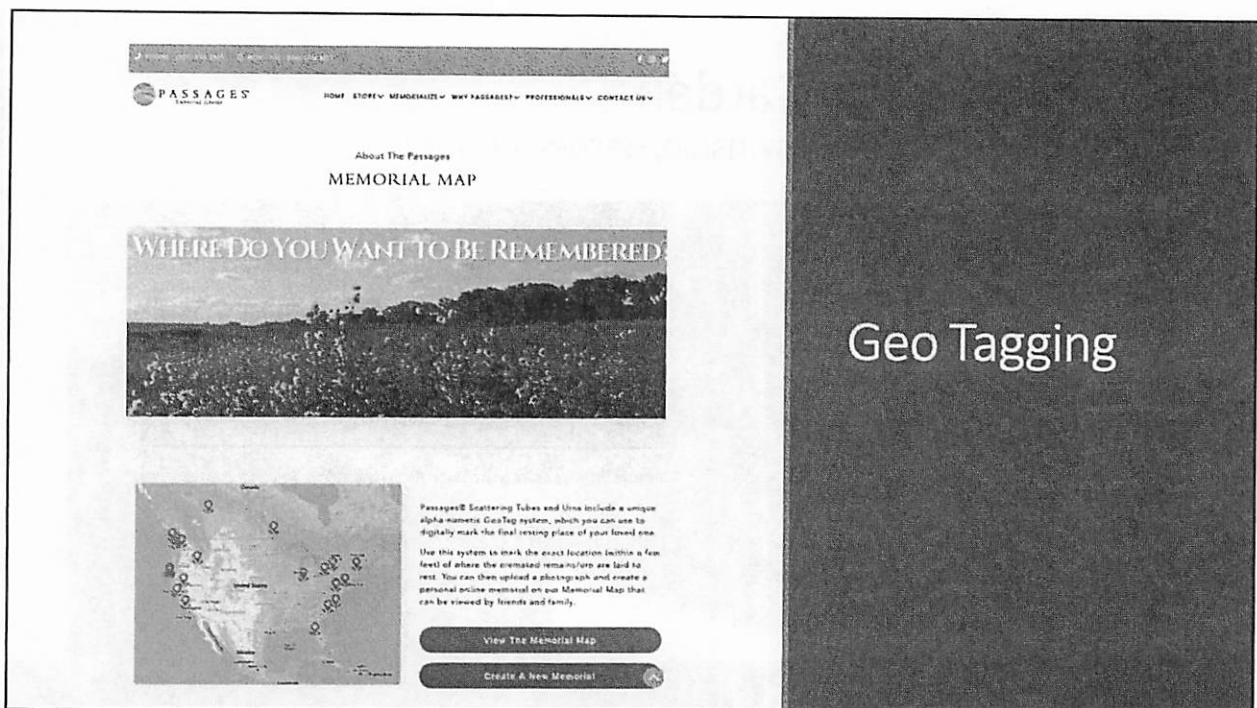
In Michigan, there are no state laws controlling where you may keep or scatter ashes. Ashes may be stored in a crypt, niche, grave, or container at home. If you wish to scatter ashes, you have many options. ***Cremation renders ashes harmless, so there is no public health risk involved in scattering ashes.*** Use common sense and refrain from scattering ashes in places where they would be obvious to others.

You are allowed to scatter ashes on your own private property. If you want to scatter ashes on someone else's private land, it's wise to get permission from the landowner.

Nolo.com / Michigan Burial, Cremation Laws: <http://www.nolo.com/legal-encyclopedia/burial-cremation-laws-michigan.html#7>



26



27



28

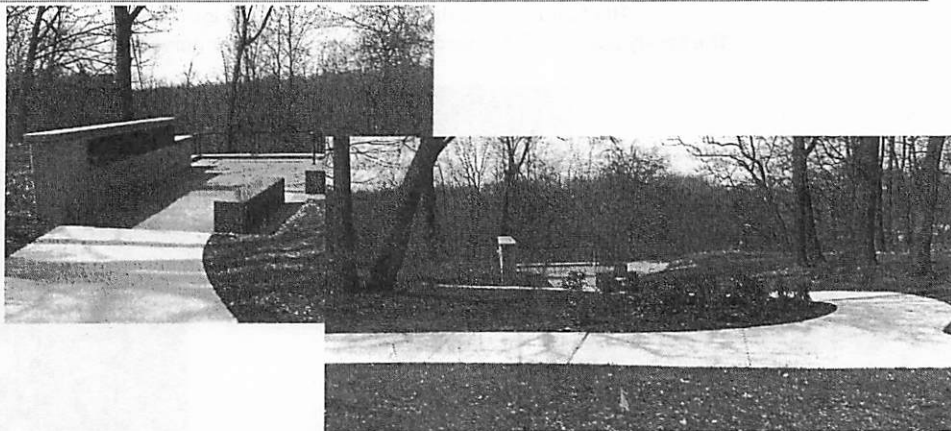
Howdy Doody
 Creator – Buffalo
 Bob Smith
 Flatrock, NC



29

Scattering Option

Lincoln Charter Township, Berrien County



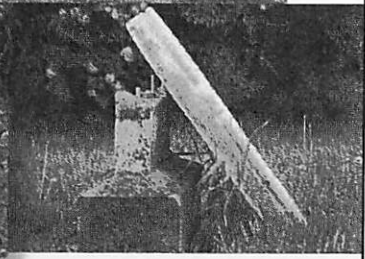
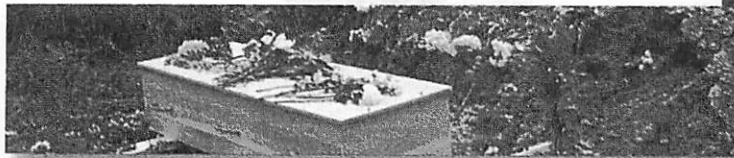
30

Full Body Interment

Traditional Burial

- Foundation
- Headstones and/or Monuments

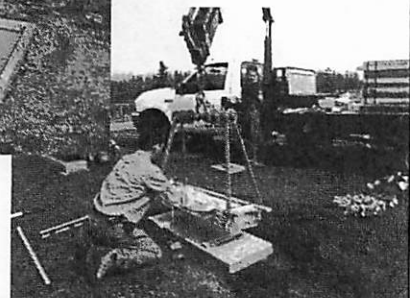
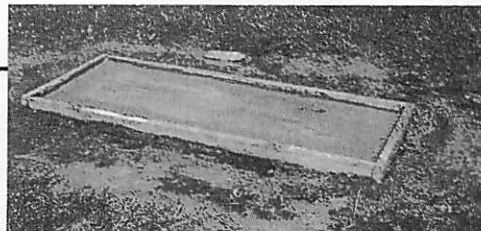
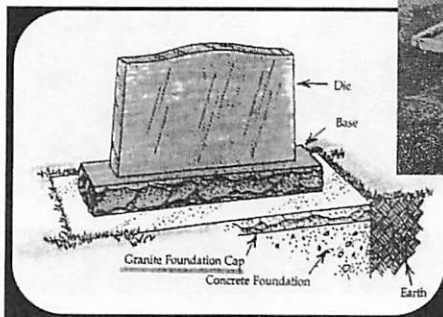
Green Burial



31

Foundations

The foundation is the responsibility of the local unit.
The family purchases the headstone and base as their personal property.



32

Foundation setting and fees are set by ordinance.

Sample Ordinance Language:

The footing or foundation upon which any marker or memorial must be placed shall be constructed by the (XXXXX), or such person(s) as may be designated by the (XXXXX) Board. Fees for such work shall be set from time to time by resolution of the (XXXXX) Board, payable to the (XXXXX).

Note—the payment for a foundation **NEVER** goes directly to the person setting the foundation.

Sexton: Family pays township; township pays sexton for the work.

Monument Company: Charges township for foundation; township pays monument company with funds received from the family. (*Note this requires a contract for services.*)



33

Fees and Handling Money



FEES are set by **ordinance** for all services (interments: cremains and full body; opening and closing; foundations; administrative services).

- The board should reserve the right to set fees as necessary by resolution as needed.

MONEY must be transmitted to and deposited by the treasurer. The clerk accounts for the money.

No money is to be received by an employee or private business as compensation for the service.

- Cemetery property and services—including burial rights and the arrangements for burial—are municipal assets.
- Private individuals or businesses cannot use the cemetery as a private business, and any fees paid for cemetery services must be paid to the township.

The treasurer can authorize the sexton or others to receive cemetery fees on behalf of the township.

- All fees received **must be receipted for using official receipts**, delivered to the treasurer according to an established schedule, and deposited by the treasurer in the bank.

The township should notify its insurance carrier of any officer, employee or contractor handling money to ensure that the appropriate liability insurance covers each person.

34

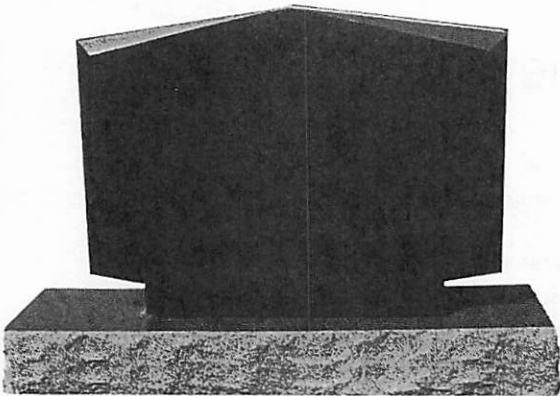
Cemetery caretaker charged with embezzling from township

By: Christa Ferguson

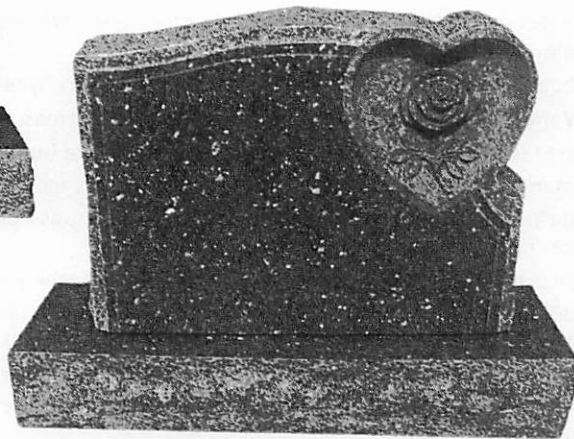
Updated: Jun 15, 2017 01:51 PM EDT

24 Hour News 8 web staff - HARTFORD TOWNSHIP, Mich. (WOOD) -- A longtime employee in charge of Hartford Township's cemetery is facing charges for allegedly taking up to \$100,000 from the township over several years.

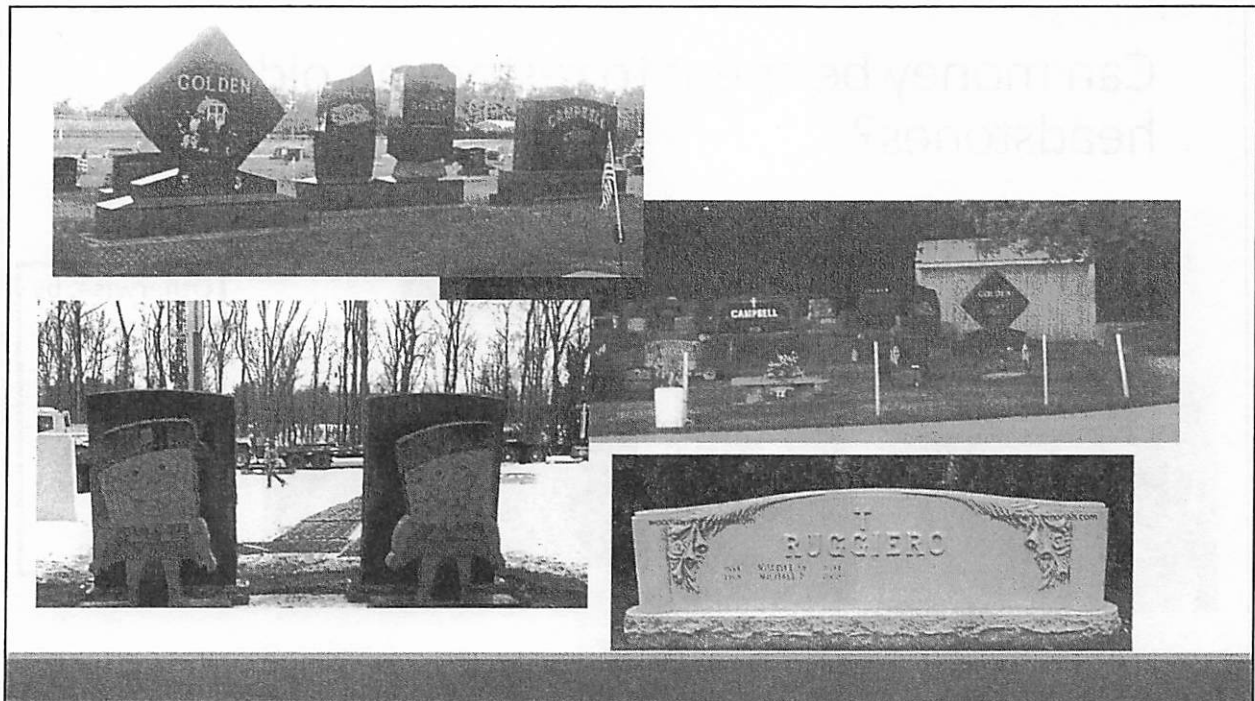
35



Standard 30" x 48"
Headstone



36



37

Cenotaph and Other Burial Uses



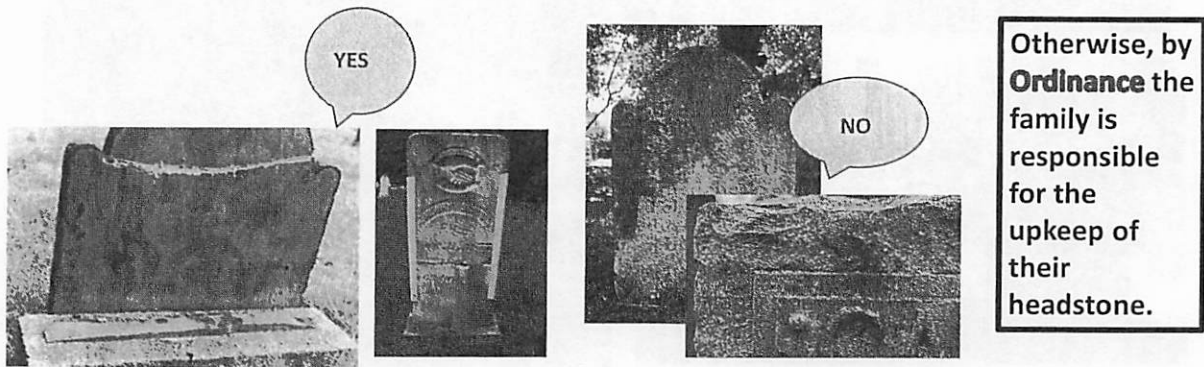
Do you allow Cenotaphs?



Do you allow Pet burials?

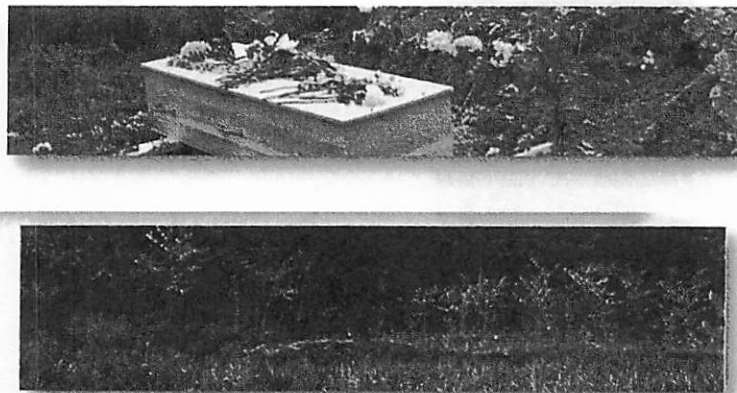
38

Can money be spent to restore an old headstones?



39

Green Burials



40

Vaults Not Required in Michigan

MCL 339.1811

- The purchase of a vault or similar receptacle designed or intended to enclose or receive a casket, coffin, or other similar container from a particular individual, partnership, association, or corporation *shall not be required as a condition to burial in a cemetery in this state.*

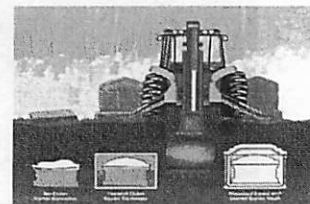
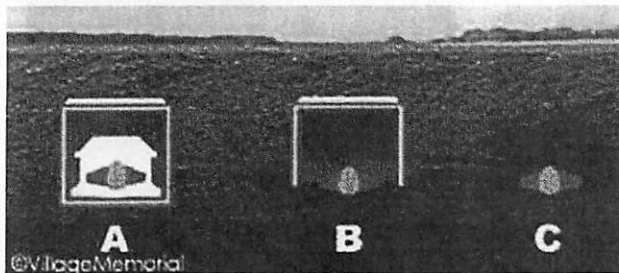
UNLESS

- *Township requires the use of a vault—By **Ordinance!***
- If not, you could be considered a green burial friendly cemetery.

41

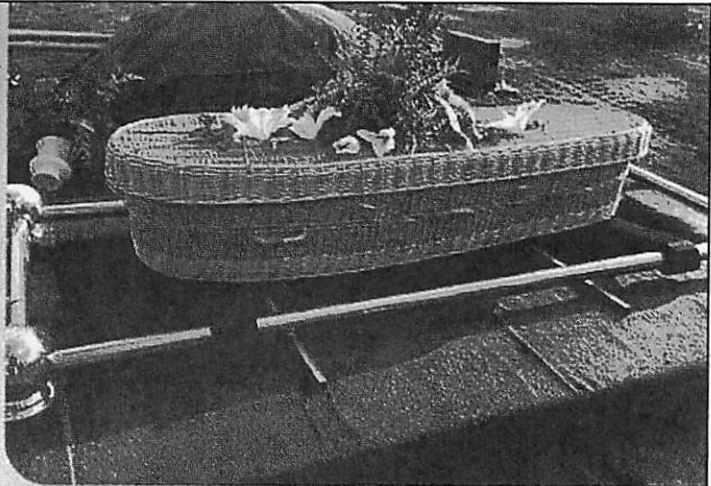
Does your ordinance require vaults?

Vaults versus Green Burials



42

services to meet these needs. Contact the GBC to learn how and get certified.

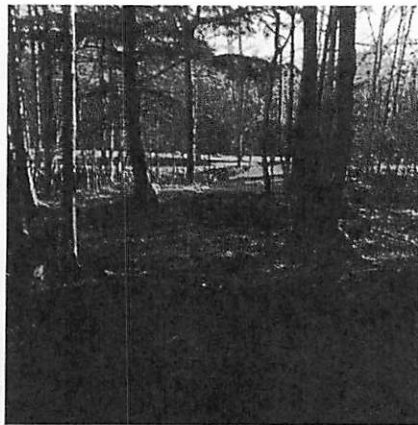


Please visit us at:
ICCFA Convention Booth #937

43

New Green Burial Area

Chassell Township, Houghton County



44

New Green Burial Area

Peninsula Township, Grand Traverse County



Only pins will be used to denote grave space—no markers allowed in their prairie green burial area.

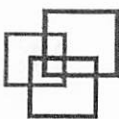
45

Cremains & Full Burial Interments

Ordinance must address burial rights:

- Cremains Option(s)
 - Authorization for interment, vault and type of services
- Full Body
 - Number of full body and cremains per space, vaults
- Green Burials
- Pets
- Headstones and Monuments (material, size, location, how many per space)

46



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Cemetery Management &
Administration ■ June 2025

Our thanks to TriMedia Environmental & Engineering
for their sponsorship of the afternoon
Cemetery Challenges & Solutions session!



TRIMEDIA
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CEMETERY MAPPING

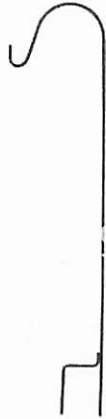
23

Pink Flamingos and other Knickknacks

Private items—allowed or disallowed?

No statutory regulation, must—

Regulate by Ordinance!



47 TOWNSHIP OFFICIAL ~ NOT CLARK

Grounds Maintenance

Regulate by Ordinance:

- Time of year restrictions
- Excavating and plantings
- Bricks, blocks and borders
- Removal of flowers and other materials after a funeral service
- Types of containers: glass, etc.
- Ornaments, signs, trellises, statues, benches, lighting
- Authority to remove at township discretion.

48

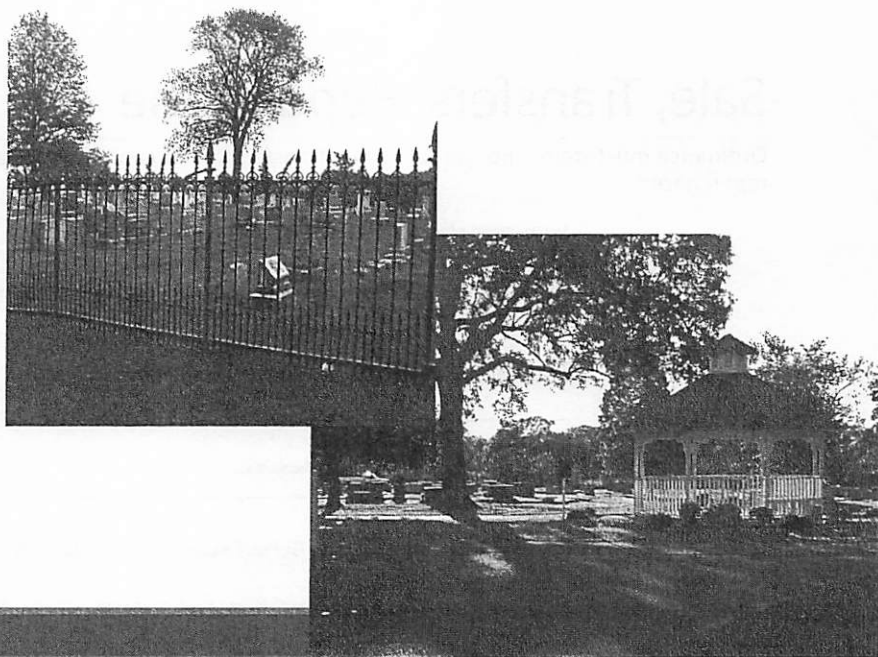
Memorialization



49



Option: Donate towards an item that will benefit the cemetery.



50

Examples for R-Residents; NR-Nonresidents

Township	Lot Fee	Burial Fee	Cremains Space	Cremains Internment	Green Burial Lot Fee	Green Burial Fee
Lincoln Charter	R: \$350 NR: \$900	R: \$400 NR: \$800	Columbarium R: \$575-675 NR: \$575-675 Garden: R: \$100 NR: \$200	Columbarium R: No Charge NR: \$50 Garden: R: \$100 NR: \$200		
Peninsula	R: \$500 NR: \$750		Space R: \$500 NR: \$750		R: \$750 NR: \$1125	
Chassell	R&NR: \$250				R: \$250 NR: \$350	O/C: \$300 Interment: \$300
Marquette City (Same fee for resident and nonresident)	Fee: \$600 Perp: \$600	\$800-1600	Space: \$300 P: \$300 Garden: \$600 P: \$600 Columbarium: \$700-1600 P: \$200	Space: \$300-600 Garden: \$300-600 Columbarium: \$150-300		
Peninsula Pet	R: \$250 NR: \$375					
Lincoln Scatter	R: \$250 NR: \$350					
Hamburg Mausoleum	Crypts: R & NR: \$3600-11,000	Niches \$450-1100				

51

Sale, Transfers, Repurchase

Ordinance must state who can sell, when transfers can or cannot occur, and if spaces can be repurchased.

[lansing craigslist > for sale / wanted > general for sale - by owner](#)

Avoid scams and fraud by dealing locally! Beware any deal involving Western Union, Moneygram, wire transfer, cashier check, money order, shipping, escrow, or any promise of protection/certification/guarantee. [More info](#)

Delta Center Cemetery Plots (4) - \$2100 (St. Joe hwy.)

Date: 2012-04-27, 1:18PM EDT

Reply to: j5xxn-2982575376@sale.craigslist.org [\(login when replying to ad\)](#)

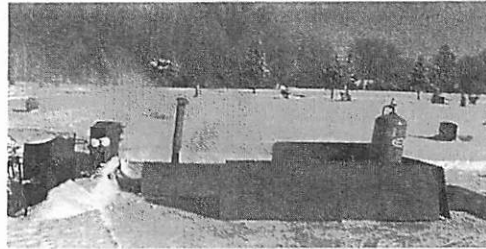
Cemetery plots for sale, 4 plots, Delta Center, Lot #37, Plat E, Front area of cemetery \$2,100 for Delta Twp. Residents, \$3,100 for non residents

52

Winter Burials

Winter burials (MCL 333.28.52)

- Cannot prohibit
- Must get written authorization to store.
- No permit required for storage.
- Can charge additional fee.



53

Perpetual Care Funds

MCL 128.1 provides that:

- The legislative body of the municipality owning or controlling a cemetery or burial grounds MAY by resolution or ordinance provide for the perpetual care and maintenance of a cemetery or burial lot upon the payment of the owner of the lot or another person of the agreed upon sum, and in consideration for which the municipality may bind itself to perpetually care for and maintain the lot.

54

Perpetual Care

Restricted perpetual care funds are defined as a specific charge at time of grave sale.

- They must be invested and only the interested can be used.
- Cannot dissolve or reverse a restricted perpetual fund account.
- Public Act 13 of 2016 does allow the funds to be invested in mutual funds.

Better Option—Create your own perpetual fund.

- No promise or specific charge at time of grave sale.

For example:

- Charge \$600
 - \$300 in Savings for perpetual care
 - \$300 in General Fund for general use

55

Burial Rights and Forms

How many spaces will you sell? (Full Body Burial vs. Cremains)

Sell Burial Rights (Certificate) not Deeds

- Assign all burial right spaces
- Require notification of address change

How will errors be corrected?

- Appeals



56



- Prohibited Activities
- Veteran's Flags
- Budgeting
- Record Keeping

57

Prohibited Activities

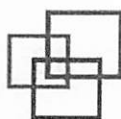
By **ordinance** the township board will determine what activities are prohibited in the cemetery:

- Hours of Operation
- Dogs
- Vandalism
- Disturbing the Peace
- Off road vehicles
- Etc.



Helpful Hint: Put ordinance on site.

58



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**Cemetery Management &
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Veteran Flags



MARKERS FOR VETERANS' GRAVES (EXCERPT) Act 63 of 1915

35.831 Flag holders and United States flags for veterans' graves in cemetery belonging to city, village, municipality, or township; petition; expense; purpose.

Sec. 1. (1) The legislative body of a city, village, municipality, or township in this state, upon the petition of a local, or an affiliate of, a recognized veterans' organization or of 5 eligible voters of the city, village, municipality, or township, shall procure for and furnish to the petitioners, at the expense of the city, village, municipality, or township, a suitable flag holder and United States flag for the grave of each veteran who served in the armed forces of the United States and who is buried within the limits of a public or private cemetery located within the city, village, municipality, or township. The requirement to provide a suitable flag holder and United States flag for private cemeteries does not apply in the current fiscal year where an initial request for a suitable flag holder and United States flag exceeds 50 graves within a particular township, but would apply in the following fiscal year at that township.

(2) A flag holder and United States flag shall be placed on the grave of a veteran for the purpose of marking and designating the grave for memorial purposes.

59

Budgeting

How do you know if you can offer a new service?

You have to budget and plan!

Recommended that you review your price structure at least every 5 years.

Consider creating a masterplan or incorporating the cemetery in your master plan.

60

Survey grids or plot maps showing where remains are buried

[illegible]

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ASSOCIATION

Individual Burial Records

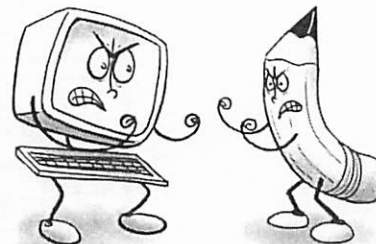
Burial Certificate
Obituary
Authorization for burial (MCL 700.3206)
Grave opening and closing documents
Burial Transit Permit
Work orders
Monument setting records
Transfer of ownership documents
Disinterment-Reinterment Permit (County Issued)
Winter Storage documentation
Receipts of Sale or Fees

63

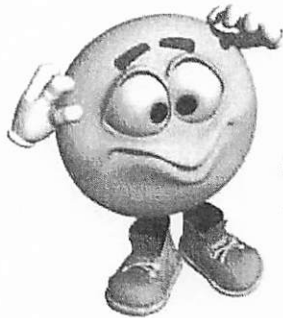
Paper Vs. Electronic

The choice is yours and there are many choices:

- Excel Spreadsheets
- Customized databases
- Government Software: Pontem
- Commercial Software



64



**OH NO!
I FORGOT ...
SOMETHING ...
... BUT WHAT ?**

Call me: (517) 321-6467

Email me: cindy@michigantownships.org

OR—It's in the Book



65

CRYSTAL LAKE TOWNSHIP CEMETERY ORDINANCE

Resolution # 07.13.2021--#01

Amended July 13, 2021

An ordinance to protect the public health, safety and general welfare by establishing regulations relating to the operation, control, maintenance and management of cemeteries owned by the Township of Crystal Lake, County of Benzie, State of Michigan; to provide penalties for the violation of said ordinance; and to repeal all ordinances or parts of ordinances thereof in conflict herewith. Nothing shall supersede but shall be subject to any statute governing cemeteries in the State of Michigan.

The Township of Crystal Lake, County of Benzie, and State of Michigan hereby ordains that:

SECTION I: TITLE

This Ordinance, as amended, shall be known and cited henceforth as the "Crystal Lake Township Cemetery Ordinance."

SECTION II: PURPOSE AND INTENT

The Crystal Lake Township Board recognizes and concludes that the proper and reasonable maintenance, appearance and use of the cemeteries owned by the Township is an important function of the government of the Township. It is also important that Burials, Dis-interments, and other matters associated with a Township cemetery are handled in a respectful and proper way to promote the safety, public health and general welfare of the community. The Township Board finds that the adoption and enforcement of this Ordinance is in the best interests of the property owners and residents of the Township.

SECTION III: DEFINITIONS AS USED IN THIS ORDINANCE

"Abandonment" or "Forfeiture" references any Burial Right that has been un-used for a term of not less than forty (40) years, and has been vacated by either Owner consent, due process, or circuit court decree.

"Board" or "Township Board" shall refer to the Crystal Lake Township Board consisting of the Supervisor, Clerk, Treasurer, and Trustees.

"Burial Party" shall refer to those responsible for making all private party decisions and payments to inter or entomb the dead, most often the family of the deceased.

"Burial Right" or "Right" means the Township-given privilege to Interment in a specified earthen area, or Entombment in a Crypt, and a Monument to mark it. It does not grant any ownership right in the land, which remains the property of the Township.

"Burial Space" or "Space" means an area designed, intended, or used for the Interment or Entombment of a human body or Remains, or the placement of a Marker.

"Cemetery" means that ground dedicated by the Township for earth Interment or Crypt Entombments of human remains and includes all land the Township has set aside for burial, whether currently developed or not.

"Cemetery Administrator" shall refer to the designated Board representative for cemetery management.

"Certificate of Burial Right" or "Certificate" means the official paper document recording of dates, costs, owners, locations, and other important information issued upon purchase of a Burial Right. Owners shall be given the original, and the Township shall maintain a copy.

"Cremains" means the residuals that are collected after cremation, often referred to as **"Ashes."**

"Crypt" shall be interchangeable with **"mausoleum,"** or **"tomb,"** and refers to an above ground chamber of sufficient size to entomb the remains, usually un-cremated, of a decedent.

"Decoration" means any transitory, seasonal, or non-permanent inorganic adornment of a Grave.

"Entombment" means the enclosure of human remains in a Crypt or within a Vault.

"Foundation" means a durable, usually concrete, slab to set and level a Marker.

"Full Burial" means the Interment or Entombment of the non-cremated remains contained most often within a casket, which is within a vault.

"Grave" means the physical opening in which human remains are buried, or are entombed in a raised structure.

"Gravesite" means a larger area encompassing more space around the Grave.

"Green Burial" refers to a 'natural' burial where the Interment of the dead in the soil is performed in a manner that does not inhibit decomposition but instead allows the body to recycle back into the earth quickly and 'naturally' as it would without human intervention (e.g. embalment).

"Interment" means the disposition of human remains in a determined depth of earth either by burial, entombment or inurnment. **"Dis-interment"** is the reverse process of interment.

"Lot" or "Plot" refers to an area of earth most often, but not always, measuring between 4x8 feet and 4.5x10 feet for a Full Burial, and measuring approximately one half or one quarter or less for Cremains, and shall have an assigned cemetery name, section or block, and number for location/identification purposes.

"Marker" and "Monument" are interchangeable terms, often synonymous with **"memorial"** and **"stone,"** that refer to any substantial Grave or Gravesite indicator that is intended to be permanent.

"Ordinance" refers to this document duly passed and made public by the Crystal Lake Township Board.

"Owner" means any person(s) owning or possessing, by permission or inheritance, the right of Interment in a Burial Space.

"Planting" refers to the organic indicator or adornment of a Grave or Plot.

"Sexton" refers to the person employed specifically as a grave digger; a representative employed by the Township to assist in the overseeing of Cemetery Burials.

"Township" shall refer to entity of Crystal Lake Township government with the ultimate authority and judgment residing with that of the Board.

"Vault" refers most often to the underground cement, or plastic, structure that entombs a coffin. A **"Cremains Vault"** encases and further protects a container of ashes when it is interred.

SECTION IV: SALE OF BURIAL RIGHT

- (A) Purchase of a Burial Right shall be a limited contractual right to be interred or entombed in a Township cemetery and/or to place a Marker; purchase shall not result in the deed to real property.
- (B) Owner of Burial Right may also be granted the right to construct an approved crypt and/or a retaining wall. Permission for structures must be granted in writing by the Cemetery Administrator when conditions concerning landscape, topography, aesthetics, sizes and construction standards meet Owner's needs, Township expectations and any applicable codes. All associated costs of construction and maintenance shall be assumed by Owner.
- (C) Burial Rights may be limited in quantity, according to needs, and shall not be purchased for speculative purposes or sold to third parties.
- (D) Burial Rights, upon due process, may be subject to extinguishment, reclamation, or abandonment.
- (E) Upon purchase of a Burial Right, the purchaser will be issued a Certificate approved and executed by the Cemetery Administrator, a copy of which shall be held in Township files.
- (F) When a Burial Right is purchased by more than one person, other than husband and wife, each shall be named on the Certificate. Cemetery Administrator shall attempt to also note all known heirs expected to inherit the Right.
- (G) The Township Board shall from time to time, by separate resolution, establish the cost for a Burial Right and administrative fees under the terms and conditions of this Ordinance.
- (H) When a person purchases a Burial Right as a non-Crystal Lake Township property owner and later becomes a Crystal Lake Township property owner, there shall be no refund of the cost difference. The cost to Township property owners and non-owners of Township property may differ. With a written request to the Cemetery Administrator, special price consideration may be given to long term residents, such as renters, who do not own property. The Board may set aside a portion of a cemetery for the burial of indigent persons, and may seek waive some or all fees for the burial of indigent persons.
- (I) Each Burial Right is sold subject to the Ordinance rules now in effect or that may be hereinafter adopted or amended by the Board.

SECTION V: TRANSFER, RE-PURCHASE, ABANDONMENT AND FORFEITURE OF BURIAL RIGHT

- (A) The ownership of a Burial Right is nontransferable, except by inheritance.
- (B) Upon the written request of the Owner, the Township shall repurchase the Burial Right at the original price less an administrative fee as determined by resolution of the Township Board.
- (C) Burial Spaces sold after the effective date of this Ordinance and remaining vacant for forty (40) years or more from the date of their sale shall automatically revert to the Township upon the occurrence of the following events: a) notice shall be sent by the Township by first class mail to the last known address of the Owner of

record, informing Owner of the expiration of the 40 year period and that all rights with respect to said Space(s) will be forfeited if Owner does not affirmatively indicate in writing to the Township within sixty (60) days from the date of mailing of such notice of Owner's desire to retain such Burial Right(s); b) no written response to said notice indicating a desire to retain the Burial Spaces is received by the Owner or Owner's legal representative within sixty (60) days from the date of mailing of said notice. The Township, at its option, may pursue further attempts to contact the Owner via modern media methods.

- (D) If the Township wishes to declare abandoned and forfeited back to the Township any Burial Space sold before the effective date of this Ordinance, and the Township had no specific abandonment or forfeiture provision or procedure attached to the sale or in effect when the burial space was purchased, the Township shall initiate a lawsuit in local circuit court to effectuate abandonment or forfeiture of the vacant Burial Space(s) pursuant to MCL 128.11-128.16 so that the Township can extinguish and reclaim the Burial Right(s).

SECTION VI: INTERMENT AND DIS-INTERMENT

- (A) Burial may take place all year, excluding ten Federal holidays (New Year's Day, Martin Luther King's Birthday, President's Day, Memorial Day, Independence Day, Labor Day, Veteran's Day, Thanksgiving, Christmas Eve and Christmas Day) but only with weather permitting, especially in the winter. No burial shall occur without the prior consent of the Sexton.
- (B) The Township requests a minimum of thirty-six (36) hours notification of an Interment or Dis-interment.
- (C) All charges related to the Township's part in the opening and closing of a Burial Space, and in Interment or Dis-interment, shall be established by Board resolution.
- (D) No burial shall take place unless the Burial Right and other costs and fees have been paid in full, or if special payment arrangements have been granted by the Cemetery Administrator.
- (E) All burials shall be that of the Owner or others given special written permission by a legal representative of same.
- (F) Burial shall be of the human dead.
- (G) Official documentation of the deceased and the state of the remains (i.e. Certificate of Death or Certificate of Cremation) is requested and shall be filed with the Cemetery Administrator; additional documents might include, but are not limited to, a Burial Permit, a Delayed Burial Permit, and Burial Transit Permit.
- (H) All burials shall be positioned in accordance with instructions provided by the Cemetery Administrator and be recorded on Plot diagram and held in the Township files. The Township shall not be responsible for errors in location of Burial Space, especially such as those arising from improper instructions from the Owner or funeral directors, who shall be considered representative of the Owner.
- (I) All interments/dis-interments shall take place only with the knowledge and consent of the Cemetery Administrator. All Full Burials/Green Burials shall be under the direct supervision of the Sexton and a licensed funeral provider. Cremains Interments/Dis-interments shall take place under the direct supervision of the either the Cemetery Administrator or the Sexton.

- (J) Once a casket or urn containing the remains of a human body is within the confines of the Cemetery, no one shall be permitted to open the casket or other container, without the written consent of the legal representative of the deceased, and/or an order signed by a court of competent jurisdiction. This provision shall not apply to proceedings for the removal and re-Interment of any form of remains when matters are under the supervision of the local health department.
- (K) The re-opening, Dis-interment or transfer of a Full Burial or Green Burial shall be accomplished under the direct supervision of the Sexton and/or other court ordered authorities, and only with the correct and legal applicable permit (e.g. the health department, unless ordered otherwise by a court of competent jurisdiction.) All removals (casket, Vault, cremains container, Marker and/or Foundation) shall be at the expense of the requesting party. Cash or surety bond, determined by Township to be sufficient to cover all costs of the Grave re-opening or Dis-interment and remediation of the site, shall be posted with the Township prior to such action. All restoration of the gravesite shall be completed in a manner deemed satisfactory by the Cemetery Administrator and/or the Sexton within the reasonable exercise of discretion.
- (L) Full Burials may be enclosed in metal or concrete Vaults, or surrounded by a Grave liner as determined by Burial Party in conjunction with a Funeral Director and Sexton, and shall be installed only by authorized firms in conjunction with the Sexton.
- (M) Green Burials may be buried in shrouds, wooden boxes, or "soft" organic containers, as determined by Burial Party's choice in conjunction with a licensed funeral provider and the Sexton.
- (N) Cremains must be interred in a designated Grave and not scattered above ground. A sustainable, retrievable container is optional but not required for the containment of Cremains. An additional protective Cremains Vault may be used. The Township shall not be liable for the condition of any retrieved Cremains or the container(s) in which they were buried, especially if a degradable, or no container is chosen.
- (O) Damage incurred to the cemetery in general, neighboring plots, the Graves, Gravesite and Monuments or the Crypt in the Burial or Entombment, or Dis-interment procedure shall be the responsibility of the Burial Party, even if the Sexton or Cemetery Administrator assists, unless such employees directly cause damage.
- (P) Upon refusal of the Cemetery Administrator to permit Interment because of lack of adherence to any terms of this Ordinance, the Township shall refund to the Owner the original Burial Right purchase price less an administrative fee and all interest of the Owner shall revert to the Township.

SECTION VII: GRAVE MARKERS & FOUNDATIONS

- (A) A qualified Marker shall be installed within one year of burial and consist of granite or other material of equally durable composition. Corner stones are optional accessories.
- (B) Monuments and their etchings/carvings/inscriptions must not be offensive or improper as judged by the Cemetery Administrator, per Township standards, within the exercise of reasonable and lawful discretion. If rejected by the Cemetery Administrator, Owner shall be responsible for all expenses for immediate removal upon being given due notice.
- (C) There shall be only one upright Marker per plot and placed on indicated boundary line (e.g. the west boundary in Sections J-K-L); all others Markers shall be flush to the ground for ease of mowing. All placements of Markers

shall be arranged to the satisfaction of the Cemetery Administrator with the assistance of a representative of the deceased, and/or the Monument company, and be recorded on a Plot diagram.

- (D) Although the Township is not responsible for the care of Markers, temporary or permanent, the Cemetery Administrator may at his/her discretion order and supervise the installation or repair of absent, neglected or historic Markers.
- (E) A suitable Foundation must be placed under a Monument, one adequate to maintain Marker in a lasting, erect position. Foundation shall be not less than two inches, and may be—depending on size and weight of stone—considerably more in length and width than the Marker it holds. Foundation and Marker must sit within boundaries of one plot; for an especially large upright Marker, special permission by Cemetery Administrator may be needed for use of adjacent Lots.
- (F) All Foundations and corner Markers shall be installed by a designated Township employee.
- (G) Burial Party shall place Marker and any optional corner stones at their own cost and at their own risk. Private contractors installing a Marker shall be responsible for damages caused to the Marker, as well as to adjacent cemetery grounds and Markers during installation. The Township assumes no liability and is not responsible for the oversight, repair or replacement of except when Township employees or volunteers directly cause damage to such items.

SECTION VIII: THE TOWNSHIP'S PERPETUAL CARE OF AND JURISDICTION OVER THE CEMETERY

- (A) The general and overall perpetual care of the Cemeteries is assumed by the Township and may include but is not limited to the cutting of the grass at reasonable intervals, the overall raking and cleaning of the grounds, tree and bush trimming or removal, the regulation of Decorations and Plantings, the seeding of grass post-burial, signage, road maintenance and overall landscape planning, all at the discretion of the Township.
- (B) There shall be no perpetual care provided in certain designated areas, (e.g. the Memorial Woods section, North Cemetery.)
- (C) The Township has the right to remove any unauthorized or unlawful items and plantings that have been neglected, become dangerous or unsightly, installed, left or maintained in the cemetery, that are in violation of this Ordinance, any Township rules or regulation regarding cemeteries, or any county, state or federal law, statute or regulation. Such items or plantings may be removed at any time and destroyed or disposed of without any prior notice to, permission from or liability or obligation to the person(s) who left, installed, maintained or kept such items.
- (D) The Township, at its discretion, may provide trash disposal for inorganic waste associated with general maintenance by the Township and by Owners only; all organic waste shall be collected and recycled into designated areas in Cemetery grounds.
- (E) The Township reserves the right to enlarge, reduce, re-plat or change the boundaries or grading of the Cemetery, or sections(s) thereof, from time to time, including the right to modify or change the location of, remove or re-grade roads, drives, walks or any part thereof; and the right to lay, maintain, operate or alter available water supply or drainage systems.
- (F) The Township reserves the right to use unsold Cemetery property for Cemetery purposes, including Interment of the dead, or for anything necessary, incidental, or convenient thereto.

- (G) The Township will take all reasonable precautions to protect the grounds and the records of the Burial Right from loss or damage, but the Township disclaims all responsibility for loss or damage from causes beyond its reasonable control (e.g. natural elements, "Acts of God," common enemy, thief, vandal, striker, malicious mischief, explosion, accident, invasion, insurrection, riot, or order of any military or civil authority whether the damage be direct or collateral, other than as herein provided.

SECTION IX: DECORATIONS, PLANTINGS AND CARE OF LOTS

- (A) Owners may assist the Township in the maintenance their Plot but for reasons of liability shall be limited to light chores such as raking, trimming and pruning.
- (B) Owner's non-organic material planting waste shall be carried away entirely from the cemetery to Owner's private facilities; only insignificant, small sized organic materials may be disposed of in nearby woods and, with permission, larger organic materials may be carried to specially designated recycling collection areas.
- (C) Decorations, especially those made of plastic and Styrofoam, are prohibited for reasons of overall environmental health, aesthetics and maintenance. Examples of prohibited Decorations include but are not limited to fences, trellises, artificial flowers, plaques, trinkets, stones, statues, figurines, vigil lights, wreathes, Grave blankets, shepherd's hooks, crosses, flags (except for lawful veteran's flags), storage containers, benches (except when functioning in a dual capacity as a Marker) and banners.
- (D) Per Michigan State Statute, American flags and a suitable flag holder shall only be supplied to and indicate a U.S. Veteran and, then again, removed by the Township, not by the Owner.
- (H) Seasonal pots or in-ground plantings such as flowers from bulbs, are permitted if they do not interfere with mowing or encroach on adjacent property; pots are limited to two per Plot, shall be in substantial, non-plastic containers, and then placed only in line/in close proximity (but not in front or behind) to a Marker to facilitate maintenance and aesthetics. Whether potted or planted, the Township assumes no responsibility if damaged or destroyed by maintenance.
- (I) Large plantings such as trees and bushes are strictly prohibited unless special written permission and placement is given by the Cemetery Administrator.
- (E) All Plantings and decorations may be trimmed, moved or removed by the Cemetery Administrator without notice if they are deemed by the Township to be dead, dying or detrimental to the appearance and/or general maintenance of the Cemetery. The Cemetery Administrator, the Cemetery Committee and Grounds Keeper may use the following guidelines when deciding what is prohibited or in need of maintenance. Does it
- interfere with maintenance or pose a danger to maintenance routines;
 - use or encroach onto surrounding areas;
 - offend the natural setting and overall simplicity of the area; or
 - show signs of neglect?
- (J) From time to time, the Township may require an Owner to remove, and/or to bear the cost to remove Plantings (trees, limbs, bushes and shrubs, as well as their stumps and underlying root systems) on their Plot which interfere with a burial, endanger the public, threaten another's Plot, or become unsightly. Because of liability, removal of such Plantings, stumps and roots shall only be arranged and accomplished through the Cemetery Administrator.

- (H) No sod shall be removed from, and no wood chips or gravel or stones added to gravesites; there shall be no grading, mounding, leveling, or excavating on Lots.
- (I) The use of water hoses, sprinklers or other sustained watering delivery systems is prohibited.
- (J) Anyone installing Decorations or Plantings for (Owners, gardeners, landscaping companies) shall be responsible for and the repair of any damage to cemetery property, including to roads, turf and Markers.

SECTION X: CEMETERY CONDUCT

- (A) No person or vehicles shall be permitted in the Township Cemeteries but for the explicit purpose of honoring the dead. Visitors to the Cemetery shall conduct themselves at all times in a manner respectful of the dead, the families of the deceased, the environment, and the Township. Prosecution of violators may be pursued.
- (B) The following is prohibited activity everywhere within the boundaries of the cemetery, in both the developed and undeveloped sections:
 - loitering
 - removal or re-arrangement of veterans, historic or fraternal club markers nor survey rods or Plot Markers, fallen or otherwise.
 - discharge of firearms or archery arrows except by military organizations that may carry firearms for the sole purpose ceremonial display to honor a deceased veteran
 - hunting, culling or trapping
 - soliciting, advertising or posting of unauthorized signs
 - taking of any natural elements (picking of fruit, cutting of flowers, removal of wildlife, cutting of timber, transplanting groundcover)
 - disturbing of the peace or engaging in any loud, boisterous, rude or profane conduct or noise
 - possession or consumption of alcohol or other intoxicating substances except by special written permission for religious services
 - dumping of household trash, littering, or fouling of the environment in any way
 - presence of pets or other domesticated animals
 - fire or open flame
 - snowmobiling or off-roading
- (C) The Cemetery shall only be open to the public in the hours from sunrise to sunset (closed from sunset to sunrise). Presence of persons gaining entry or found within cemetery boundaries when closed shall be treated as criminal trespass.

SECTION XI: CEMETERY ACCESS AND ROADS

- (A) Entry to the Cemetery shall be through the established entrances only.
- (B) Driving off the established roadways within the Cemetery is prohibited; parking shall not block roadways, nor to tread on Graves.
- (C) The Township reserves to itself and to those lawfully entitled thereto a perpetual right of ingress and egress over Burial Spaces for the purpose of passing to and from other Burial Spaces.

- (D) The speed limit is 5 miles per hour.

SECTION XII: RECORDS

- (A) The Township Clerk shall maintain records, assisted by the Cemetery Administrator, relating to the Township cemetery operations and it shall allow public inspection and/or disclosure of those records pursuant Township Policy and to the terms and conditions of the Michigan Freedom of Information Act.
- (B) The Township shall maintain records including
- Burial Rights
 - Burials
 - Military Service
 - Other pertinent information voluntarily submitted identifying the dead
 - Documentation of attempts to reach Owner in vacation cases
 - Gravesite diagrams indicating Owners, Burials, Markers
 - Landscaping plans that have been given written approval
- (C) Cemetery records shall be kept separate and apart from any other records of the Township.
- (D) Cemetery records shall be detailed and updated for accuracy on a regular basis.

SECTION XIII: PAYMENTS & ACCOUNT KEEPING

- (A) Only the Township shall charge for Burial Rights, Foundations and Township-requested removal of plantings/ decorations. Township fees for Interments and Dis-interments may be paid directly to the Township, or may be paid indirectly through a professional funeral service provider.
- (B) All direct payments shall be made payable only to Crystal Lake Township and deposited with the Crystal Lake Township Treasurer at the Township hall, or addressed to PO Box 2129, Frankfort, MI 49635.
- (C) Any charges for undertaking, and a funeral service, purchase of a Marker, and associated costs for the installation/etching/maintenance on same, shall be a private contract between family members or legal representatives of the deceased and contractor providing those services.

SECTION XIV: INTERPRETATION & APPEALS

- (A) The Cemetery Administrator is authorized to waive application of the strict letter of any provision of this Ordinance where practical difficulties in carrying out the strict letter of the Ordinance would result in hardship to a particular person or persons or the public. Any such waiver, however, must be of such a character as it will not impair the purposes and intent of this Ordinance.
- (B) The Cemetery Administrator shall have the day-to-day operational authority, but the Township Board shall have the ultimate authority, to render interpretations regarding any of the clauses, provisions or regulations contained in this Ordinance, and any rule or regulation adopted pursuant to this Ordinance, as well as their applicability.

- (C) Any party aggrieved by any interpretation or decision made by the Cemetery Administrator, Sexton, Township official, agent or contractor pursuant to this Ordinance or other matter arising relating to a Township Cemetery shall have the right to appeal. Appeals to terms of the Ordinance or decisions shall be filed with the Cemetery Administrator and brought first to the Cemetery Committee. If more action is necessary, plaintiffs may further appeal to the Township Board. All such appeals shall be made in writing and filed with the Cemetery Administrator and the Clerk, who shall give the aggrieved party who filed the written appeal at least ten (10) days prior written notice of the meeting at which the Board will address the matter, unless there is an emergency involved, in which case all reasonable efforts shall be made to bring the Township Board and the aggrieved party together, provided there is proper public notice.
- (D) The Township at its sole discretion reserves and shall have the right to correct any errors that may be made by it as it sees fit. In undertaking Interments or Dis-interments, an error may be corrected by removing or transferring remains to another property of equal value and similar location as may be substituted and conveyed in lieu thereof; or in the description, transfer or conveyance of any Burial Right, either by canceling such conveyance and substituting and conveying in lieu thereof other interment property of equal value and similar location as far as possible, or by refunding the amount of money paid on account of said purchase less an administrative fee.
- (E) The Township Board is the final arbiter of all cemetery operations.

SECTION XV: TOWNSHIP OFFICIALS WHO CAN ENFORCE THIS ORDINANCE

Unless otherwise specified by resolution, the following officials or officers shall have the authority to enforce this Ordinance and to issue municipal civil infractions citations/tickets pursuant to this Ordinance:

- Township Supervisor
- Township Clerk
- Township Cemetery Administrator
- Township Ordinance Enforcement Officer
- Any deputy of the county sheriff's department
- Any State Police officer

SECTION XVI: PENALTIES

Any person, firm or corporation who violates, disobeys, omits, neglects or refuses to comply with any of provision of this Ordinance, or any that abets in same, shall be responsible for a municipal civil infraction, as defined in the Crystal Lake Township's Civil Infraction Ordinance #2013-01-01 or as it may be amended in the future.

SECTION XVII: REPEAL & SEVERABILITY

- (A) All prior Township Cemetery Ordinances, as amended, including Ordinance No. 2014-09-9, are hereby repealed in their entirety.
- (B) The provisions of this Ordinance are hereby declared to be severable and should any provision, section or part thereof be declared to be invalid or unconstitutional by any court of competent jurisdiction, such decision shall only affect the particular provision, section or part thereof involved is such decision and shall not affect or invalidate the remainder of this Ordinance, which shall continue in full force and effect.

SECTION XVIII: EFFECTIVE DATE

This Ordinance, as amended, was adopted on and effective as of the 13th day of July, 2021 by the Crystal Lake Township Board as follows:

Motion by: Amy Ferris Seconded by: William Northway

Ferris Yes Nielsen Yes Northway Yes Sullivan Yes Trentham-Popp Yes

I certify that this is a true copy of the Crystal Lake Township Cemetery Ordinance, as amended, and that it was adopted at a Special Meeting of the Crystal Lake Township Board on July 13, 2021.


Sue Sullivan, Clerk

14 July 2021
Date

August 27, 2025

Kristin Baranski
Clerk, Hayes Township
Charlevoix, MI 49720

Kristin,

With regret, I hereby submit my resignation from the Zoning Board of Appeals due to circumstances beyond my control. My tenure on ZBA was rewarding and I am thankful for the opportunity to serve my community.

I strongly urge the Hayes Township Board of Trustees to adopt standards for printed material that is submitted to the township that are commonly used in the publishing industry. Sans-serif fonts such as Helvetica, Arial, and Calibri or Garamond (a serif font) in a 12-point or 14-point font are commonly used for legibility and ease of reading. Times New Roman is another widely used font. There should be standards for what is acceptable to facilitate the work of the board and committees to serve the residents of Hayes Township. Handwritten material is another matter, but that, too, should be legible and easy to read.

It has been my experience that some material submitted to ZBA was difficult or nearly impossible to read.

Rod Slocum