

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

The November 10th, 2025, meeting of the Hayes Township Board was called to order by Supervisor William Conklin at 7:00 pm.

Board members present were Matt Cunningham (Trustee), Julie Collard (Treasurer), Doug Kuebler (Trustee), William Conklin (Supervisor) and Kristin Baranski (Clerk)

Audience Members signed in: Dan Thorp, Katherine Simon, Stan Boris, Diane Conklin, Roy Griffiths, CT Martin, Rex Greenslade, David Zipp, Ellis Boal, LuAnne Kozma, Darcy Phelps, Catherine Phelps, Greta Mcvay, Steve Hassell, David Kemme, Linda Balderson, Carol Umlor, Carey Cuddeback, Betty Henne, Todd Millar, Paul Zardus, Bob Jess, Tim Boyko, Jim Rudolph, Joellen Rudolph, Bridgette Fowler, Bob Fowler, Ashley Marina, Ray Cunningham, Kevin Willis, and Shelly VanWart.

CALL TO ORDER

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

DECLARATION OF CONFLICT OF INTEREST:

NONE.

REVIEWED & APPROVED AGENDA

Add item 12a. Cemetery Resolution #111025

Remove item #15 Short Term Rental Ordinance Discussion to a later date.

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

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

Nays: Motion Carried

PUBLIC COMMENTS:

Public comment opened at 7:02 pm.

- Maple Grove Road end for ice fishing access, **Sargant** at arms, Open litigation (Phelps, Phelps, Rudolph, Taylor, Lavanway, Umlor, VanWart, Willis v. Hayes Township), Hayes Township Sentinel article, Zoom camera position, Bay Shore area concerns, and permitted uses in the Agricultural zoning district.

Closed at 7:16

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APPROVAL OF OCTOBER 13TH 2025 BOT REGULAR MEETING MINUTES:

Ms. Baranski made a motion, supported by Mr. Kuebler to approve the October 13th, 2025, Board of Trustees regular meeting minutes as amended.

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

Nays: None **Motion Carried**

APPROVAL OF OCTOBER 27TH 2025 BOT SPECIAL MEETING MINUTES:

Ms. Baranski made a motion, supported by Mr. Kuebler to approve the October 27th, 2025, Board of Trustees special meeting minutes as amended.

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

Nays: None **Motion Carried**

TREASURERS REPORT

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

CLERKS REPORT: APPROVAL OF WARRANTS

Clerk, Ms. Baranski, presented the warrants in the amount of \$39,403.74.

Ms. Baranski made a motion, supported by Ms. Collard to approve Township warrants out of the General Fund in the amount of \$39,403.74. A roll call was taken.

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

Nays: **Motion Carried**

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

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

Nays: None **Motion Carried**

Ms. Baranski made a motion, supported by Mr. Kuebler to approve the amount of \$300,000 out of the Road Millage account for the Burnett Road Project. Township will own a remaining balance of \$101,857.05, to be paid in December with \$50,000 paid out of the General Fund pursuant to the budget, leaving a balance of \$51,857.05 to be paid out of the Road Millage account. A roll call was taken.

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

Nays: None

Motion Carried

Ms. Baranski made a motion, supported by Mr. Conklin, to approve the proposal from B&G Enterprises in the amount of \$45 per plowing and \$10 per shoveling for the snow removal at the Hayes Township Hall, Fire Barn and Lake Charlevoix EMS Building.

A roll call was taken.

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

Nays: None

Motion Carried

Mr. Conklin made a motion, supported by Mr. Kuebler, to approve the proposal from B&G Enterprises in the amount of \$95 per plowing for the snow removal at the Hayes Township Park / Camp Seagull for an ice fishing parking area.

A roll call was taken.

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

Nays: None

Motion Carried

Ms. Baranski made a motion, supported by Mr. Kuebler to approve the renewal of the township's premium MTA education package for all staff at \$1900 annual cost. A roll call was taken.

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

Nays: None

Motion Carried

FIRE CHIEF REPORT:

Dan Thorp reported on the Charlevoix Township Fire Station quarterly meeting updates for Hayes Township.

Report included:

- ISO Rating of 5-5Y
- Plans for Fire Truck and Fire Barn in Hayes Township

COUNTY COMMISSIONER REPORT

Bob Jess presented the County Commissioner Report.

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PARKS AND REC. REPORT

Ms. Collard presented the Parks and Rec. report.

The next regular Parks and Rec meeting is scheduled for December 1st 2025 at 4:00pm at Hayes Township Hall.

PLANNING COMMISSION

Mr. Cunningham presented the Planning Commission Report. The next regular Planning Commission meeting is November 18th, 2025, at 7:00 pm.

ZONING BOARD OF APPEALS

ZBA has an administrative meeting scheduled for November 19th, 2025 at 7:00 pm to review a variance request for 7125 Nine Mile Point drive.

ZONING ADMINISTRATOR REPORT

April Hilton presented a Zoning Administrator report.

TRUSTEES REPORT:

Mr. Cunningham stated the Swim Buoys have been removed from Eastern Avenue Beach. He will be pulling the Skid Pier at Hayes Township Park/ Camp Seagull within the next few weeks.

Ms. Collard stated the emergency information for the emergency services is being updated, they are seeking gate codes if residents would like the emergency services to have this information on file for access in case of emergency.

SUPERVISOR REPORT:

William Conklin presented a supervisor report.

NEW BUSINESS

DISCUSSION OF CURRENT LITIGATION (PHELPS, PHELPS, RUDOLPH, TAYLOR, LAVANWAY, UMLOR, VANWART, WILLIS V. HAYES TOWNSHIP – BOARD MAY GO INTO CLOSED SESSION:

Ms. Baranski made a motion, supported by Mr. Kuebler to approve the board members go into closed session to consult with township attorney Todd Millar, regarding trial or settlement strategy in connection with pending litigation (PHELPS, PHELPS, RUDOLPH,

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TAYLOR, LAVANWAY, UMLOR, VANWART, WILLIS V. HAYES TOWNSHIP). A roll call was taken.

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

Nays: None **Motion Carried**

Ms. Baranski made a motion, supported by Mr. Kuebler to approve the board come out of closed session. A roll call was taken.

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

Nays: None **Motion Carried**

Ms. Baranski made a motion, supported by Mr. Kuebler to authorize Todd Millar to offer the plaintiffs, in exchange for dropping the two lawsuits, Board of Trustees will order the matter to be forwarded to the Zoning Board of Appeals for a public hearing and if not accepted by plaintiffs to have Todd Millar request an order from the court requesting same relief.

A roll call was taken.

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

Nays: None **Motion Carried**

PLANNING COMMISSION NOMINATIONS:

Supervisor Conklin made a motion, supported by Ms. Baranski to open discussion of the nomination for Kevin Willis to the Planning Commission.

Discussion included:

- Completion of the Master Plan and Zoning Ordinance with the current members
- Improving Diversity of current members
- Education and dedication of both Mark and Carey

A roll call was taken.

Yeas: William Conklin

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

~~**Motion Carried**~~ **Motion Failed**

Supervisor Conklin made a motion, supported by Ms. Collard to open discussion of the nomination for Laura Ford to the Planning Commission.

Discussion included:

- Carey's work on the survey was outstanding.
- Laura Ford possibly a good fit for ZBA.

A roll call was taken.

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Yeas: William Conklin

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

~~Motion Carried~~

~~Motion Failed~~

REZONE REQUEST PARCEL 15-007-125-009-00:

Ms. Baranski made a motion, supported by Mr. Cunningham to approve the rezone for parcel # 15-007-125-009-00 from AG to RR, located at 7977 Pincherry Road. Supported by the fact the rezone is consistent with the Hayes Township Master plan, it would be compatible with existing land uses in the neighborhood and it passed unanimously by both the Hayes Township and Charlevoix County Planning Commission.

A roll call was taken.

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

Nays: None Motion Carried

SET BOARD OF REVIEW DATES DECEMBER MEETING:

Ms. Baranski made a motion, supported by Ms. Collard, to set Board of Review for Tuesday December 9th, 2025 at 12:00pm until Business is complete.

A roll call was taken.

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

Nays: None Motion Carried

CEMETERY RESOLUTION# 111025:

AN ORDINANCE TO AMEND THE HAYES TOWNSHIP

CEMETERY ORDINANCE (ORDINANCE NO. 091018)

The Township of Hayes, Charlevoix County, Michigan ordains:

Section 7- Subsection (a) of the Hayes Township Cemetery Ordinance (Ordinance 091018-001) is hereby amended to state in full as follows:

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.

Section 10- Subsection (c) of the Hayes Township Cemetery Ordinance (Ordinance 091018-001) is hereby amended to state in full as follows:

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See fee schedule for winter burials. No winter burials shall occur without the prior consent of the Township Sexton.

Section 11- Subsection (a) of the Hayes Township Cemetery Ordinance (Ordinance 091018-001) is hereby amended to state in full as follows:

Cremains may be buried in a container approved by the Township in a burial space that has been installed by the Township within a Township cemetery. A total of four (4) cremations per burial space or three (3) cremations and one (1) full burial per burial space. Full burial must be first. No cremations disinter to perform full burial.

Section 11- Subsection (b) of the Hayes Township Cemetery Ordinance (Ordinance 091018-001) is hereby amended to state in full as follows:

No cremains shall be scattered or dispersed within a Township cemetery.

Section 12- Subsection (c) of the Hayes Township Cemetery Ordinance (Ordinance 091018-001) is hereby amended to state in full as follows:

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 scrubs with thorns are allowed.

Section 17- Subsection (a) of the Hayes Township Cemetery Ordinance (Ordinance 091018-001) is hereby amended to state in full as follows:

A standard vault is required to be installed or constructed in a burial space before interment in the cemetery

Section 17- Subsection (b) of the Hayes Township Cemetery Ordinance (Ordinance 091018-001) is hereby amended to state in full as follows:

Cremains require a cremation vault to protect the urn, or container.

Except as expressly amended by this ordinance/ordinance amendment, the rest or balance of the Hayes Township

Cemetery Ordinance (Ordinance No. 091018) shall remain unchanged and in full force and effect.

This Ordinance/amendment shall take effect upon the expiration of thirty (30) days after its publication (or a summary thereof) in the manner provided by law.

The vote to adopt this Ordinance/amendment was as follows:

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Ms. Baranski made a motion, supported by Ms. Collard to adopt resolution #111025 as an amendment to the Hayes Township Cemetery Ordinance 091018-001 and update the fee schedule.

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

Nays: None **Motion Carried**

OLD BUSINESS

ZONING BOARD OF APPEALS ALTERNATE POSITION:

Ms. Collard made a motion, supported by Ms. Baranski to open discussion to appoint ZeZe Jess to the Zoning Board of Appeals as an alternate, expiring March 16th 2028.

- Ms. Jess would be a huge asset.

- Legal background is important for a ZBA member applicant.

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

Nays: Motion Carried

MAPLE GROVE ROAD END ACCESS:

Mr. Conklin is researching possible parking restrictions for Eastern Avenue beach. He will present his findings at the next regularly scheduled board meeting.

Mr. Conklin will research for a possible path and plowing for the Maple Grove Road End Access this winter to allow ice fishermen to access the lake there with minimal Shoreline Protection Strip distribution with the help of Tippi of the Mitt and the Hayes Township Shoreland Protection Committee.

PUBLIC COMMENTS: Public comments opened at 9:42 pm.

Comments included:

- Planning Commission Appointment discussion, Master Plan Draft, BRI/PC Workshop Meeting, Maple Grove Road End Access, Hayes Township Park / Camp Seagull, **Sargent** of arms at township meetings, board newsletter sent with tax bills, House

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Bill 4041 extension on poverty exemption, ZBA Alternate position, Supervisor getting to know current Planning Commission members, all areas of the township being represented by the Planning Commission.

Public comments closed at 9:56 p.m.

BOARD OF TRUSTEE COMMENT:

ADJOURNMENT: Mr. Kuebler made a motion, supported by Mr. Cunningham, to adjourn at 9:57 p.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