

AGENDA
HAYES TOWNSHIP BOARD OF TRUSTEES
February 9, 2026 7:00pm
Hayes Township Hall
9195 Major Douglas Sloan Road
Charlevoix, Michigan 49720

<https://us02web.zoom.us/j/88001640434?pwd=QkdY3AzN1dmKzZpajZQNEkwMkZ5dz09>

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: January 12, 2026 BOT Regular Meeting
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

10. Hayes Township Zoning Updated and Corrected Map Ordinance to Adopt
11. 2026 Master Plan Resolution to Adopt
12. 2026 Hayes Township Road Projects
13. Moratorium Data Centers Resolution to Adopt
14. LCEMS Annual Report- Roy Griffiths LCEMS Authority President
15. Roberts Rules of Order Discussion
16. 2025 Audit Report
17. ZBA Recording Secretary for Currently Active Appeal
18. EGLE Proposed Project 15-10592 Burgess Road (CMS Energy)
19. Townline Road Speed Limit

OLD BUSINESS

20. Short Term Rental Advisory Committee Resolution
21. Zoning Board of Appeals Alternate Open Position

Public Comment

Board of Trustee Comment

ADJOURN MEETING

Public Comment at Meetings of the Hayes Township Board of Trustees

The Hayes Township Board of Trustees values public input and offers two opportunities for the public to comment at its meetings, once near the beginning and once near the end. This affords the Board of Trustees the opportunity to hear your views and remarks. If you speak, you should not expect to engage the Board of Trustee members or any staff in discussion or debate.

Board of Trustee members will not respond to comments made during the Public Comment unless it becomes necessary to ask a clarifying questions, correct a factual error, or to provide specific factual information.

Questions about Township matters are best directed to individual Board members or Township staff (Planner, Zoning Administrator, or Assessor) between meetings. Contact information is available on the township website at: hayestownshipmi.gov.

The availability of public comment is recognized by the Michigan Open Meetings Act. The Act provides that rules may be adopted for orderly comment from the public. To that end, the following rules have been established by the Board of Trustees:

1. A person wishing to speak will indicate on the sign in sheet that they would like to be called on at Public Comment. All persons in attendance in person will be called on first. Zoom attendees can indicate they would like to speak by raising their hand icon.
2. The person will begin by stating their name, spelling it out if requested.
3. The person addresses the Chairperson, or other person chairing the meeting, on behalf of the entire Board of Trustees. Public comment is NOT to be addressed to individual Board of Trustee members, to any township staff present, or to other members of the audience.
4. There is a three (3) minute time allotment for each speaker. The time limit may be extended by the Chairperson or majority of the Board of Trustee members present. A speaker may speak only once at each Public Comment. There is no provision for another audience member to 'donate' their three (3) minutes to another speaker.
5. A speaker will be out of order if the speaker disrupts the meeting, speaks longer than the allotted time, uses vulgarities or makes a personal attack on a Board of Trustee member or Township employee that is unrelated to the performance of that person's duties.
6. If a speaker is called out of order, that speaker will not be able to speak again at the same meeting except by special leave of the Board of Trustees
7. The Chairperson, or other person chairing the meeting, will have the discretion to permit members to speak at times other than the times reserved for Public Comment.

HAYES TOWNSHIP
BOARD OF TRUSTEES REGULAR MEETING
January 12th 2026 7:00 PM
HAYES TOWNSHIP HALL
09195 MAJOR DOUGLAS SLOAN RD
CHARLEVOIX, MICHIGAN 49720

The January 12th, 2026, 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: David Zipp, Jessica Perry, CT Martin, Darcy Phelps, Catherine Phelps, Rex Greenslade, Roy Griffitts, Diane Conklin, David Kemme, LuAnne Kozma, Steve Hassell, Ellis Boal, Diane McMahon, Jim McMahon, Katherine Simon, Mel Czechowski, Jim Rudolph, Aaron Nordman, Tim Boyko, Rick Daniel, Denise Daniel, Bill Henne, Andy Balderson, Linda Balderson, Betty Henne, Sherry Baker- McCary, Carey Cuddeback, Bob Fowler, and Bill Eaton.

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. Kuebler to approve the agenda as presented.
Yays: Matt Cunningham, Julie Collard, Doug Kuebler, Kristin Baranski, and William Conklin.
Nays: Motion Carried

PUBLIC COMMENTS:

Public comment opened at 7:03 pm.

- Recent lawsuit regarding ZBA appeal case, Zoning Administrator Ron VanZee, Drainage Project at Hayes Township Park, Master Plan Process, BOR Training Session, Poverty Form on Website,

Closed at 7:27 pm

APPROVAL OF DECEMBER 8TH 2025 BOT REGULAR MEETING MINUTES:

Mr. Conklin made a motion, supported by Mr. Cunningham to approve the December 8th, 2025, Board of Trustees regular meeting minutes as presented.
Yeas: Julie Collard, William Conklin, Matt Cunningham, and Doug Kuebler.
Recused: Kristin Baranski
Nays: None **Motion Carried**

HAYES TOWNSHIP
BOARD OF TRUSTEES REGULAR MEETING
January 12th 2026 7:00 PM
HAYES TOWNSHIP HALL
09195 MAJOR DOUGLAS SLOAN RD
CHARLEVOIX, MICHIGAN 49720

34 **TREASURERS REPORT**

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

36

37 **CLERKS REPORT: APPROVAL OF WARRANTS**

38 Ms. Baranski made a motion, supported by Mr. Kuebler, to adopt the 25-26 Budget as
39 amended. A roll call was taken.

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

41 Nays: None **Motion Carried**

42 Budget Amendments attached.

43

44 Clerk, Kristin Baranski, presented the warrants in the amount of \$137,295.76.

45 Ms. Baranski made a motion, supported by Ms. Collard to approve Township warrants out of
46 the General Fund in the amount of \$137,295.76. A roll call was taken.

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

48 Nays: **Motion Carried**

49

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

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

54 Nays: None **Motion Carried**

55

56 Ms. Baranski made a motion, supported by Mr. Kuebler to approve the payment to the
57 Charlevoix County Road Commission in the amount of \$51,857.05 out of the road fund account
58 to complete the payment for the Burnett Road project. A roll call was taken.

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

60 Nays: None **Motion Carried**

61

62 Ms. Baranski made a motion, supported by Mr. Kuebler to amend the 25/26 budget as
63 discussed. Budget Amendments report attached. A roll call was taken.

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

65 Nays: None **Motion Carried**

HAYES TOWNSHIP
BOARD OF TRUSTEES REGULAR MEETING
January 12th 2026 7:00 PM
HAYES TOWNSHIP HALL
09195 MAJOR DOUGLAS SLOAN RD
CHARLEVOIX, MICHIGAN 49720

Ms. Baranski made a motion, supported by Mr. Kuebler to approve the payment to Spierling Trucking and Excavating in the amount of \$51,560.50. A roll call was taken.

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

Nays: None Motion Carried

Ms. Baranski made a motion, supported by M to approve payment to Performance Engineers in the amount of \$3000 for Drainage Project at Hayes Township Park, and withhold \$1500 dollars of payment for 12 months for Board Members to observe project. A roll call was taken.

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

Nays: None Motion Carried

COUNTY COMMISSIONER REPORT

Bob Jess was not present.

PARKS AND REC. REPORT

Ms. Collard presented the Parks and Rec. report.

The next regular Parks and Rec meeting is scheduled for February 2nd, 2026 at 4:00pm at Hayes Township Hall.

PLANNING COMMISSION

Mr. Cunningham presented the Planning Commission Report. The next regular Planning Commission meeting is January 27th, 2026, at 7:00 pm.

ZONING BOARD OF APPEALS

ZBA will hold an administrative and training meeting at 1pm on January 14th, 2026 and a public hearing for a variance request on Spring Street on January 14th, 2025 at 7:00 pm.

ZONING ADMINISTRATOR REPORT

April Hilton presented a Zoning Administrator report.

TRUSTEES REPORT:

Mr. Cunningham stated the Circulators for Camp Seagull are on hold and Matt's crew is keeping an eye on the ice and lake conditions for the proper time for installation.

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BOARD OF TRUSTEES REGULAR MEETING
January 12th 2026 7:00 PM
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CHARLEVOIX, MICHIGAN 49720

Ms. Baranski stated the side road down to the tree approved for removal at Camp Seagull will need to be plowed when the tree removal service is available to complete this project.

Mr. Kuebler stated the Road Commission annual meetings are scheduled for January 12th, 13th and 27th 2026 at 5:00, 6:00, and 7:00 pm. Some of the Township board members will be attending one of these meetings.

SUPERVISOR REPORT:

William Conklin presented a supervisor report.

NEW BUSINESS

PARKER HARVEY RATE INCREASE:

Ms. Baranski made a motion, supported by Ms. Collard to approve the billing hourly rate beginning January 1st 2026 to \$250.00 for Todd Millar at Parker Harvey for legal services. A roll call was taken.

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

Nays: None **Motion Carried**

AMENDATORY ORDINANCE – HAYES TOWNSHIP ZONING MAP:

Ordinance No. 01122026

AN ORDINANCE TO AMEND THE HAYES TOWNSHIP ZONING MAP

SECTION 1: AMENDMENT TO SECTION 4.13 OF THE HAYES TOWNSHIP ZONING ORDINANCE (MAP).

Section 4.13 (page IV-14) of the Hayes Township Zoning Ordinance is hereby amended to replace the Zoning Map to read as follows:

(MAP ON FOLLOWING PAGE)

SECTION 2: REPEAL.

All other ordinances, resolutions, orders, or parts of ordinance herewith in effect that are in conflict with this ordinance are hereby repealed only to the extent necessary to give this Ordinance full force and effect.

SECTION 3: EFFECTIVE DATE.

Pursuant to Section 401 of the Michigan Zoning Enabling Act (MCL 125.3401), this Ordinance shall take full effect eight (8) days after publication of this Ordinance, or a summary of the regulatory effect thereof, which publication of this Ordinance, or a summary of the regulatory effect thereof, which publication shall occur in a newspaper of

HAYES TOWNSHIP
BOARD OF TRUSTEES REGULAR MEETING
January 12th 2026 7:00 PM
HAYES TOWNSHIP HALL
09195 MAJOR DOUGLAS SLOAN RD
CHARLEVOIX, MICHIGAN 49720

134 general circulation in the Township within fifteen (15) days after adoption.
135 This Ordinance is hereby declared to have been passed and adopted by Hayes Township,
136 County of Charlevoix, State of Michigan, at a regular meeting thereof duly called and held
137 on this 12* day of January, 2026.
138 Ms. Baranski made a motion, supported by Mr. Kuebler to adopt Ordinance No. 01122026 to
139 amendatory the Hayes Township Zoning Map. A roll call was taken.
140 Yeas: Matt Cunningham, Julie Collard, William Conklin, Kristin Baranski, and Doug Kuebler.
141 Nays: None Motion Carried
142 Map attached.
143

144 **SHORT TERM RENTAL – PRESENTATION BY CT MARTIN (PLANNING COMMISSION):**
145 CT Martin (Hayes Township Planning Commission) presented Short Term Rental industry
146 growth and background information. Including some regulatory and enforcement options as
147 well as a “good neighbor Guide”.
148 The Board will be seeking some legal advise regarding a Short Term Rental Ordinance and
149 creating a Short Term Rental Advisory Committee.
150

151 **ZBA RESIGNATION AND APPOINTMENTS:**
152 Ms. Baranski made a motion, supported by Mr. Kuebler to accept Bruce Deckinga’s
153 resignation from the Zoning Board of Appeals.
154 Yeas: Matt Cunningham, Julie Collard, William Conklin, Doug Kuebler and Kristin Baranski.
155 Nays: None Motion Carried
156

157 Ms. Baranski made a motion, supported by Mr. Kuebler to accept Joni Hosler’s resignation
158 from the Zoning Board of Appeals.
159 Yeas: Matt Cunningham, Julie Collard, William Conklin, Doug Kuebler and Kristin Baranski.
160 Nays: None Motion Carried
161

162 Ms. Baranski made a motion, supported by Ms. Collard to appoint Jessica Perry to the
163 Zoning Board of Appeals, to fulfill Bruce Deckinga’s term, expiring January 13th 2028. A roll
164 call was taken.
165 Yeas: Matt Cunningham, Julie Collard, Doug Kuebler and Kristin Baranski.
166 Nays: William Conklin Motion Carried

HAYES TOWNSHIP
BOARD OF TRUSTEES REGULAR MEETING
January 12th 2026 7:00 PM
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CHARLEVOIX, MICHIGAN 49720

167 Ms. Baranski made a motion, supported by Ms. Collard to appoint ZeZe Jess to the Zoning
168 Board of Appeals, to fulfill Joni Hoslers' term, expiring January 8th 2027. A roll call was taken.
169 Yeas: Matt Cunningham, Julie Collard, Doug Kuebler and Kristin Baranski.

170 Nays: William Conklin Motion Carried

171

172 Ms. Baranski made a motion, supported by Mr. Conklin to appoint Laura Ford to the Zoning
173 Board of Appeals as an alternate.

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

175 Abstained: Julie Collard

176 Nays: None Motion Carried

177

178 Ms. Baranski made a motion, supported by Mr. Cunningham to re-appoint Janice Vedder-
179 Whipple to the Zoning Board of Appeals, expiring January 12th 2029. A roll call was taken.

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

181 Nays: William Conklin Motion Carried

182

183 The second Alternate position will be tabled until the February Board Meeting to allow time to
184 receive applications. The board will post the open position details on the website.

185

186 **MICHIGAN STATE FORFEITURE REPORT:**

187 Ms. Baranski made a motion, supported by Ms. Collard to authorize Mr. Conklin to submit
188 and sign the Michigan State Forfeiture report for Hayes Township by February 27th, 2026.

189 A roll call was taken.

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

191 Nays: None Motion Carried

192

193 **SET MARCH BOARD OF REVIEW DATES (ORGANIZATIONAL MARCH 3RD, 2026 @ 12PM,**
194 **APPEAL MARCH 10TH 3PM-9PM, APPEAL MARCH 11TH 9AM TO 3PM:**

195 Ms. Baranski made a motion, supported by Mr. Cunningham to adopt Resolution #01122026B
196 setting the Board of Review dates as Tuesday March 3th 2026 at 12pm for the organization

197 meeting for the Board of Review. Board of Appeals process March 10th, 2026, 3pm-9pm and
198 the Following Wednesday March 11th, 2026, from 9am – 3pm. A roll call was taken.

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

200 Nays: None Motion Carried

HAYES TOWNSHIP
BOARD OF TRUSTEES REGULAR MEETING
January 12th 2026 7:00 PM
HAYES TOWNSHIP HALL
09195 MAJOR DOUGLAS SLOAN RD
CHARLEVOIX, MICHIGAN 49720

ASSET TEST RESOLUTION (POVERTY GUIDELINES):

Resolution No. 01122026 A

At a regular meeting of the Hayes Township Board held at the Hayes Township Hall
09195 Major Douglas Sloan Road, Charlevoix, Michigan 49720 on January 12, 2025.

Present: Supervisor Bill Conklin, Treasurer Julie Collard, Clerk Kristin Baranski, Trustee Matt
Cunningham, Trustee Doug Kuebler

Absent: None

The following resolution was made by Ms. Baranski and supported by Mr. Conklin to-wit:

ASSET LEVEL TEST

WHEREAS PA 390 of 1994 states that the poverty exemption guidelines established by the
governing body of the local assessing unit shall also include an asset level test.

WHEREAS an asset test means the amount of cash, fixed assets or other property that
could be used, or converted to cash for use in the payment of property taxes. The asset
test is calculated based on a maximum amount permitted and all other assets above that is
considered as available;

WHEREAS the homestead of persons, who in the judgment of the board of review, by
reason of poverty, are unable to contribute to the public charges is eligible for
exemption in whole or part from taxation under Public Act 390, 1994 (MCL 211.7u); and

WHEREAS pursuant to PA 390, 1994 Hayes Township, Charlevoix County adopts the
following guidelines for the board of review to implement. The asset level test shall
include but not be limited to the specific income of the claimant and all persons residing

HAYES TOWNSHIP
BOARD OF TRUSTEES REGULAR MEETING
January 12th 2026 7:00 PM
HAYES TOWNSHIP HALL
09195 MAJOR DOUGLAS SLOAN RD
CHARLEVOIX, MICHIGAN 49720

in the household, including any property tax credit returns, filed in the current or immediately preceding year;

To be eligible, a person shall do all the following on an annual basis:

- Be an owner of and occupy as a homestead the property for which an exemption is requested.
- File a claim with the board of review, accompanied by federal and state income tax returns for all persons residing in the homestead, including any property tax credit returns filed in the immediately preceding year or in the current year.
- Produce a deed, land contract, or other evidence of ownership of the property for which an exemption is requested if requested.
- Meet the Federal poverty income standards **(plus 10%)** as defined and determined annually by the United States Office of Management and Budget.
- Provide a list of asset valuations, including cash on hand, fixed assets, and any other property that could be used, or converted to cash for use in the payment of property taxes.
- The board of review shall not include the homesteaded property to calculate the asset level.
- If the combined total of cash on hand, fixed assets, and any other property values exceed the Federal Poverty Guidelines by one (1) times no exemption is allowed

NOW, THEREFORE, BE IT RESOLVED the board of review shall follow the *above* stated policy and federal guidelines in granting or denying an exemption per PA 253 2020.

RESOLUTION DECLARED ADOPTED.

HAYES TOWNSHIP
BOARD OF TRUSTEES REGULAR MEETING
January 12th 2026 7:00 PM
HAYES TOWNSHIP HALL
09195 MAJOR DOUGLAS SLOAN RD
CHARLEVOIX, MICHIGAN 49720

259 **SHANKS REZONE:**

260 Ms. Baranski made a motion, supported by Mr. Conklin to approve the rezone for parcel # 15-
261 007-125-009-00 from AG to RR, located at 7977 Pincherry Road. Supported by the fact the
262 rezone is consistent with the Hayes Township Master plan, it would be compatible with existing
263 land uses in the neighborhood and it passed unanimously by both the Hayes Township and
264 Charlevoix County Planning Commission.

265 A roll call was taken.

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

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

268

269 **PUBLIC COMMENTS:** Public comments opened at 9:22 pm.

270 Comments included:

- 271 - Recent lawsuit regarding ZBA appeal case, ZBA Position Appointments, Zoning
272 Ordinance Changes, Thanked CT Martin for all his hard work and time researching
273 Short Term Rentals, Short Term Rentals in Hayes Township, Legal Research for Short
274 Term Rental Ordinance, Advisory Committee for Short Term Rental ordinance, Bill
275 Conklin questioning ZBA members education.

276 Public comments closed at 9:39 pm.

277

278 **BOARD OF TRUSTEE COMMENT:**

279

280

281 **ADJOURNMENT:** Mr. Kuebler made a motion, supported by Mr. Cunningham, to adjourn at
282 9:40 p.m.

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

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

285

286 Respectfully Submitted,

287 April Hilton

288 Hayes Township Deputy Clerk/Recording Secretary

JOURNAL ENTRY
JE: 0000000315

Post Date: 01/13/2026
Entry Date: 01/13/2026
Description:

Entered By: KBARANSKI
Journal: BA

GL #	Description	DR	CR
101-751-989.000	EQUIPMENT/IMPROVEMENTS	3,000.00	0.00
101-751-930.001	REPAIRS AND MAINTENANCE-HTP/CSG	0.00	3,000.00
Journal Total:		3,000.00	3,000.00

APPROVED BY: _____

JOURNAL ENTRY
JE: 0000000314

Post Date: 01/13/2026
Entry Date: 01/13/2026
Description:

Entered By: KBARANSKI
Journal: BA

GL #	Description	DR	CR
101-000-710.000	FICA/MEDICARE	0.00	1,000.00
101-101-730.000	POSTAGE & POSTAGE METER	2,500.00	0.00
101-261-956.000	FOOD PANTRY	0.00	1,848.00
101-262-727.000	SUPPLIES	0.00	500.00
101-265-780.000	OFFICE EQUIPMENT	200.00	0.00
Journal Total:		2,700.00	3,348.00

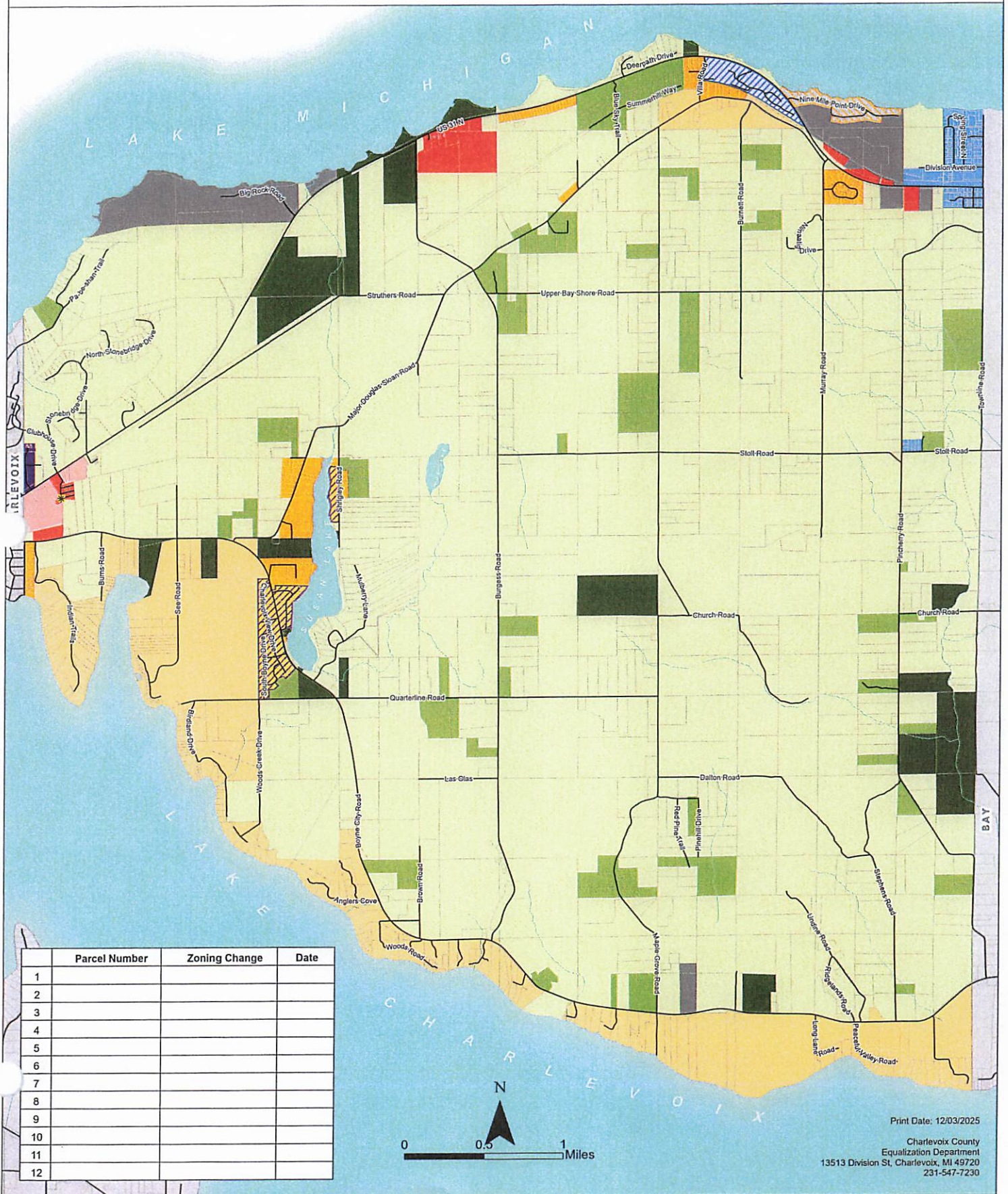
APPROVED BY: 

HAYES TOWNSHIP PROPOSED ZONING MAP

ADOPTED: PENDING
EFFECTIVE: PENDING

This map is to be used as a reference only. It is not an authority on the zoning of Hayes Township properties. Zoning should be confirmed with the township zoning administrator. It is not survey quality and cannot be used to replace an actual survey.

- A: Agricultural
- CR: Conservation Reserve
- RR: Rural Residential
- R-1: Low Density Residential
- R-2: Small Lot Residential
- R-2MS: Michigan Shores
- R-2SL: Susan Lake
- R-3: One and Two Family Residential
- R-4: Multiple Family Residential
- R-5: Mobile Home Park District
- C-1: Neighborhood Commercial
- C-2: General Commercial
- I-1: General Industrial
- ★ Conditional Rezoning



Print Date: 12/03/2025

Charlevoix County
Equalization Department
13513 Division St. Charlevoix, MI 49720
231-547-7230

February 2026 Treasurer Report

(As of February 5, 2026)

Charlevoix State Bank

1. General Fund-\$618,473.37
(\$408,473.37 available, \$210,000 Recommended Reserve)
2. Tax Account-\$890,274.94 *(restricted Treasury Funds)*
3. Township Warrant Checking-\$28,018.95
4. Pantry-\$5,345.08*(restricted funds)*
5. ARPA *(restricted funds)*-\$19,512.02

Horizon

9. Hayes Township Road Fund-\$78,814.53 *(restricted funds)*



Zoning Administrator Report

February 2026

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

- Variance application for 6995 Birdland Drive approved at ZBA meeting on July 23rd 2025 at 7:00 pm. Applicant will submit Site Plan for the Shoreland Protection strip from the Stream and Lake Charlevoix after the first of the year.
- Sent STAY letter to landowner of the private storage building on Pincherry road.
- Working with applicant for proposed new single family dwelling in Ridgeland.
- Held meeting with property and business owners to arrange meeting to receive input for sign regulations in Commercial Districts.
- 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 Variance request application for 7125 Nine Mile Point Dr. Zoning Board of Appeals approved variance request on November 19th 2025. Shoreline restoration plan was approved by Planning Commission on November 18th 2025. Waiting for Zoning Application from applicant.
- Variance request application for 7720 Indian Trails Dr, ZBA approved Variance request at the October 8th 2025 meeting. Waiting for Shoreline plan and Zoning Application from applicant.
- 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. Shoreline plan from applicant will be submitted after the new year.
- 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. Reached out to the VA and Tribe for additional support.
- 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 are contacting MDOT for a survey showing the width of the ROW for that part of US31.
- 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. Stop Work Order has been issued on this project, until shoreline protection strip is restored. Property has also been cited for wetland violation.

1. The Township Board and Performance Engineering agreed that the Township will retain \$1200.00 from its latest Camp Sea-Gull Drainage invoice to fix the curb along the west side of the handicap parking area, if required. If the current drain in the SW corner of the handicap parking area is unable to handle the volume of rainwater adequately, then the \$1200.00 will be used to replace the current tapered curb with a 3-4" (height) curb to function as a type of backstop for that drain. If no improvements are needed, the \$1200.00 will be paid to Performance Engineering in December 2026.
2. The Planning Commission is to be commended for all of its extra work and effort to produce the Master Plan and Future Land Use Map. The Future Land Use Map was well done.

Our Master Plan has been the subject of many public meetings over the past 3 months, including a joint meeting with the planning commission and the township board and reviews by the Charlevoix County Planning Commission. Numerous residents have expressed their ideas, concerns, proposals, suggestions and fears.

A Master Plan is a policy guide to help our residents create a vision of what they want Hayes Township to look like in the future. Master Plans help guide future decisions by the Planning Commission on land use development and preservation. The Planning Commission will use the Master Plan and the Future Land Use Map to guide it in future decisions on zoning and development proposals.

To implement the Master Plan, the Planning Commission will develop and administer the Zoning Ordinance, *which has been in the process of being analyzed and reviewed; suggested modifications have been compiled.* Please review, study and express your thoughts over the next few months!

The Zoning Ordinance is the specific law related to land use in Hayes Township. While the Future Land Use Map is written in broad terms and is not enforceable, the Zoning Map and Ordinance describe the specific types of uses allowed on any given property, among other regulated activities for the health, safety and general welfare of our residents.

3. I recommend that a Short-Term Rental (STR) Advisory Committee be formed, if the Township Board decides to move forward in adopting an STR Ordinance. The STR Committee will be tasked with reviewing existing rentals, evaluating possible regulations and recommending policies and procedures for an Ordinance regulating short-term rental operations.

I have been involved in Short-Term Rentals, known the difficulties with enforcement and have witnessed the anger/frustration of neighbors, when their peace is invaded. My position on the matter rests with enforcement. If

the Township is going to implement an Ordinance, then it must be prepared, equipped and funded properly to enforce it with diligence, i.e., 24/7 hotline, quick response within 20 minutes using video equipment and education of licensees and neighbors, at a minimum. Peace and quiet must be non-negotiable; no outdoor gatherings/bonfires past 10:00pm, in a neighborhood setting. If such regulations seem too extreme, then there should be no STR ordinance and the Township must implement and vigorously enforce a Noise Ordinance, at taxpayer expense.

Hayes Township used to have a Short-Term Rental Ordinance, I do not know the reasons why that Ordinance was abandoned or repealed.

4. The Road Commission, at our annual meeting, outlined options for Hayes Township to consider chip and fog seal on a township road to extend "its life", in order to avoid replacement costs. The options are attached for the Board's consideration.

Further, the Engineer advised us:

- a. A four-way stop at Upper Bayshore and Maple Grove Road was not being recommended since there was only one accident there in 5 years and that was the fault of a failure to stop for the stop sign. They concluded that visibility east or west is not an issue for safe travel.
 - b. Speed limit study on Shrigley Road came back as consistent with the present speed limit, to wit: 39-41 mph.
 - c. Speed limit study on Townline Rd. showed speeds ranging from 41 to 43 mph, so using the 85% rule, that a speed limit lower than 35 mph could not be supported. I suggest that we pursue a 25-mph zone between US-31 and Pincherry. A letter to Mr. Vanek would be required.
5. No parking (with signs and enforcement) on Eastern Avenue will be the subject of many Board meetings over the next few months.

Bill Conklin
231-373-0059

**HAYES TOWNSHIP
COUNTY OF CHARLEVOIX, STATE OF MICHIGAN**

ORDINANCE NO. 2092026

Adopted: 02.09.2026

Effective: TBD (8 Days after publication)

AN ORDINANCE TO AMEND THE HAYES TOWNSHIP ZONING MAP

SECTION 1: AMENDMENT TO SECTION 4.13 OF THE HAYES TOWNSHIP ZONING ORDINANCE (MAP).

Section 4.14 (page IV-14) of the Hayes Township Zoning Ordinance is hereby amended to replace the Zoning Map to read as follows:

(MAP ON FOLLOWING PAGE)

SECTION 2: REPEAL.

All other ordinances, resolutions, orders, or parts of ordinance herewith in effect that are in conflict with this ordinance are hereby repealed only to the extent necessary to give this Ordinance full force and effect.

SECTION 3: EFFECTIVE DATE.

Pursuant to Section 401 of the Michigan Zoning Enabling Act (MCL 125.3401), this Ordinance shall take full effect eight (8) days after publication of this Ordinance, or a summary of the regulatory effect thereof, which publication of this Ordinance, or a summary of the regulatory effect thereof, which publication shall occur in a newspaper of general circulation in the Township within fifteen (15) days after adoption.

This Ordinance is hereby declared to have been passed and adopted by Hayes Township, County of Charlevoix, State of Michigan, at a regular meeting thereof duly called and held on this 9th day of February, 2026.

**Kristin Baranski- Clerk
Hayes Township**

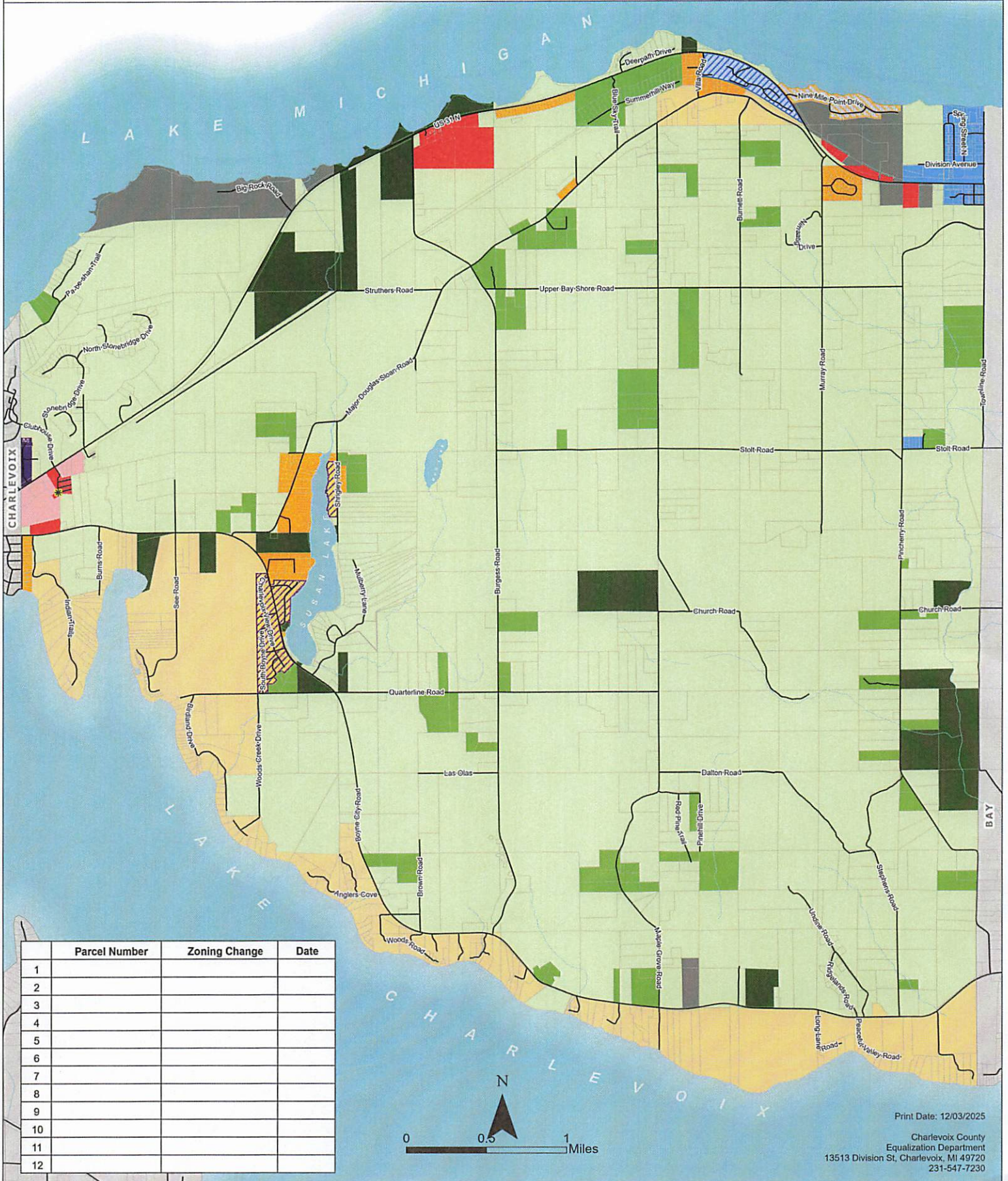
DIGITAL MAP AVAILABLE AT WWW.HAYESTOWNSHIPMI.GOV

HAYES TOWNSHIP PROPOSED ZONING MAP

ADOPTED: PENDING
EFFECTIVE: PENDING

This map is to be used as a reference only. It is not an authority on the zoning of Hayes Township properties. Zoning should be confirmed with the township zoning administrator. It is not survey quality and cannot be used to replace an actual survey.

- A: Agricultural
- CR: Conservation Reserve
- RR: Rural Residential
- R-1: Low Density Residential
- R-2: Small Lot Residential
- R-2MS: Michigan Shores
- R-2SL: Susan Lake
- R-3: One and Two Family Residential
- R-4: Multiple Family Residential
- R-5: Mobile Home Park District
- C-1: Neighborhood Commercial
- C-2: General Commercial
- I-1: General Industrial
- * Conditional Rezoning



Print Date: 12/03/2025

Charlevoix County
Equalization Department
13513 Division St, Charlevoix, MI 49720
231-547-7230

TOWNSHIP OF HAYES
COUNTY OF CHARLEVOIX, MICHIGAN
Resolution No. 2092026

TOWNSHIP BOARD RESOLUTION TO ADOPT MASTER PLAN

WHEREAS, the Michigan Planning Enabling Act (MPEA) authorizes the Planning Commission to prepare a Master Plan for the use, development and preservation of all lands in the Township; and

WHEREAS, the Planning Commission prepared a proposed new Master Plan and submitted the plan to the Township Board for review and comment; and

WHEREAS, on October 27, 2025, the Hayes Township Board received and reviewed the proposed Master Plan prepared by the Planning Commission and authorized distribution of the Master Plan to the Notice Group entities identified in the MPEA; and

WHEREAS, notice was provided to the Notice Group entities as provided in the MPEA; and

WHEREAS, the Planning Commission held a public hearing on January 27, 2026 to consider public comment on the proposed new Master Plan, and to further review and comment on the proposed new Master Plan; and

WHEREAS, the Township Board finds that the proposed new Master Plan is desirable and proper and furthers the use, preservation, and development goals and strategies of the Township;

WHEREAS, the MPEA authorizes the Township Board to assert by resolution its right to approve or reject the proposed Master Plan; THEREFORE BE IT HEREBY RESOLVED AS FOLLOWS:

1. Adoption of 2025/2026 Master Plan. The Township Board hereby approves and adopts the proposed 2025/2026 Master Plan, including all of the chapters, figures, maps and tables contained therein. Pursuant to MCL 125.3843 the Township Board has asserted by resolution its right to approve or reject the proposed Master Plan and therefore the approval granted herein is the final step for adoption of the plan as provided in MCL 125.3843 and therefore the plan is effective as of February 9, 2026.

2. Distribution to Notice Group. The Township Board approves distribution of the adopted plan to the Notice Group.

3. Findings of Fact. The Township Board has made the foregoing determination based on a review of existing land uses in the Township, a review of the existing Master Plan provisions and maps, input received from the Planning Commission and public hearing, and with input from Charlevoix County Planning Commission and finds that the new Master Plan will accurately reflect and implement the Township's goals and strategies for the use, preservation, and development of lands in Hayes Township.

4. Effective Date. The Master Plan shall be effective as of the date of adoption of this resolution.

The foregoing resolution offered by Board Member _____.

Second offered by Board Member _____.

Upon roll call vote the following voted:

"Aye": _____

"Nay": _____

The Supervisor declared the resolution adopted.

Clerk

**RESOLUTION _____, TO IMPOSE A TEMPORARY MORATORIUM ON
APPROVAL OF DATA CENTERS**

WHEREAS, the Hayes Township Zoning Ordinance does not address data centers; and

WHEREAS, data centers are being proposed in communities in Michigan; and

WHEREAS, data centers currently operating in Michigan are of a significantly higher intensity than typical uses of property within the Township; and

WHEREAS, for the health, safety, and welfare of the residents of Hayes Township, and for the protection of its natural resources, it is necessary that portions of the Zoning Ordinance be revised and rewritten to regulate data centers and clearly define the parameters for their consideration by the Township; and

WHEREAS, the Hayes Township Board of Trustees has concluded that it is necessary to study and consider proposed amendments to the Zoning Ordinance to ensure a consistent, cohesive and sensible policy, which conforms to the most recent juris prudence is developed and maintained with regard to data centers and regulation of data centers; and

WHEREAS, the Hayes Township Board of Trustees has concluded that, during the pendency of such consideration, it would be counterproductive for applications relating to data centers to move forward; and

WHEREAS, the Hayes Township Board of Trustees has concluded that, during the course of deliberations on the anticipated revisions, there should be a deferral of review of data center applications; and

WHEREAS, the Hayes Township Board of Trustees also recognizes that a delay in the establishment of new development or the expansion of existing development, or the rezoning of property, or the granting of a Certificate of Zoning Ordinance Compliance or licenses, could result in inconvenience for some applicants; and

WHEREAS, the Hayes Township Board of Trustees has determined that it may be necessary to expedite the pursuit of certain development or business opportunities, and may be appropriate to provide mechanism allowing a petition to the Hayes Township Board of Trustees for an exemption to the deferral contained in this resolution; and

WHEREAS, the Hayes Township Board of Trustees has received a request from the Hayes Township Planning Commission to consider the imposition of a moratorium to give it time to conduct the necessary research and review and to recommend necessary changes to the Hayes Township Zoning Ordinance,

NOW, THEREFORE, BE IT RESOLVED as follows:.

1. For a period commencing on the date of this resolution and terminating one hundred eighty (180) days from the date of this resolution, and except as otherwise provided herein, and unless terminated earlier by subsequent Ordinance or Resolution, there shall

be no consideration or action taken by the Township Board, Planning Commission, or other Township entity, official, or agent, on applications for data centers under the Zoning Ordinance or any other applicable section of the Hayes Township ordinances.

2. No new data centers shall be accepted for review, consideration, approval, or otherwise allowed during the moratorium period.
3. The Township Planning Commission, along with any necessary planners, engineers, Township officials, and attorneys, shall proceed with efforts to study the relevant state of the law, and shall present to the Township Board and Planning Commission a proposed plan for amending the Zoning Ordinance, or the adoption of any other necessary ordinances, or any combination thereof, with respect to applicants for data centers, as deemed appropriate.
4. During the effective period of the deferral, any aggrieved property owner or business shall be entitled to a hearing for the purpose of attempting to demonstrate to the Township Board that the temporary deferral established by this Resolution will result in the preclusion of any viable economic use of their property or otherwise violates applicable provisions of state or federal law. Such hearings shall be conducted on an expedited basis before the Township Board. At the conclusion of the hearing, the Township Board shall make findings and conclusions with respect to whether the petitioner has demonstrated that all viable economic use of the property has precluded by the temporary deferment adopted in this Resolution, and whether this Resolution is unconstitutional on its face or as applied to the petitioner's case. If it is found and demonstrated that the deferment has the effect of precluding all viable use of the property, or that it violates state or federal law, the Township Board shall grant relief from the deferment to the degree necessary to cure the contravention.
5. The Township Board may extend the term of this moratorium resolution prior to the expiration of its then-current term, if the Township Board determines additional time is necessary to consider and possibly adopt the ordinance amendments as described herein. Such extensions shall be for thirty (30) days, and multiple extensions are allowed. All other provisions of this Resolution shall remain in full force and effect during any such extension period.

ADOPTED BY THE FOLLOWING VOTE:

YEAS: _____

NAYS: _____

ABSTAIN: _____

Declared adopted on _____, 2026.

Kristin Baranski, Hayes Township Clerk

William Conklin, Hayes Township Supervisor

CHARLEVOIX COUNTY ROAD COMMISSION

ENGINEERS ESTIMATE

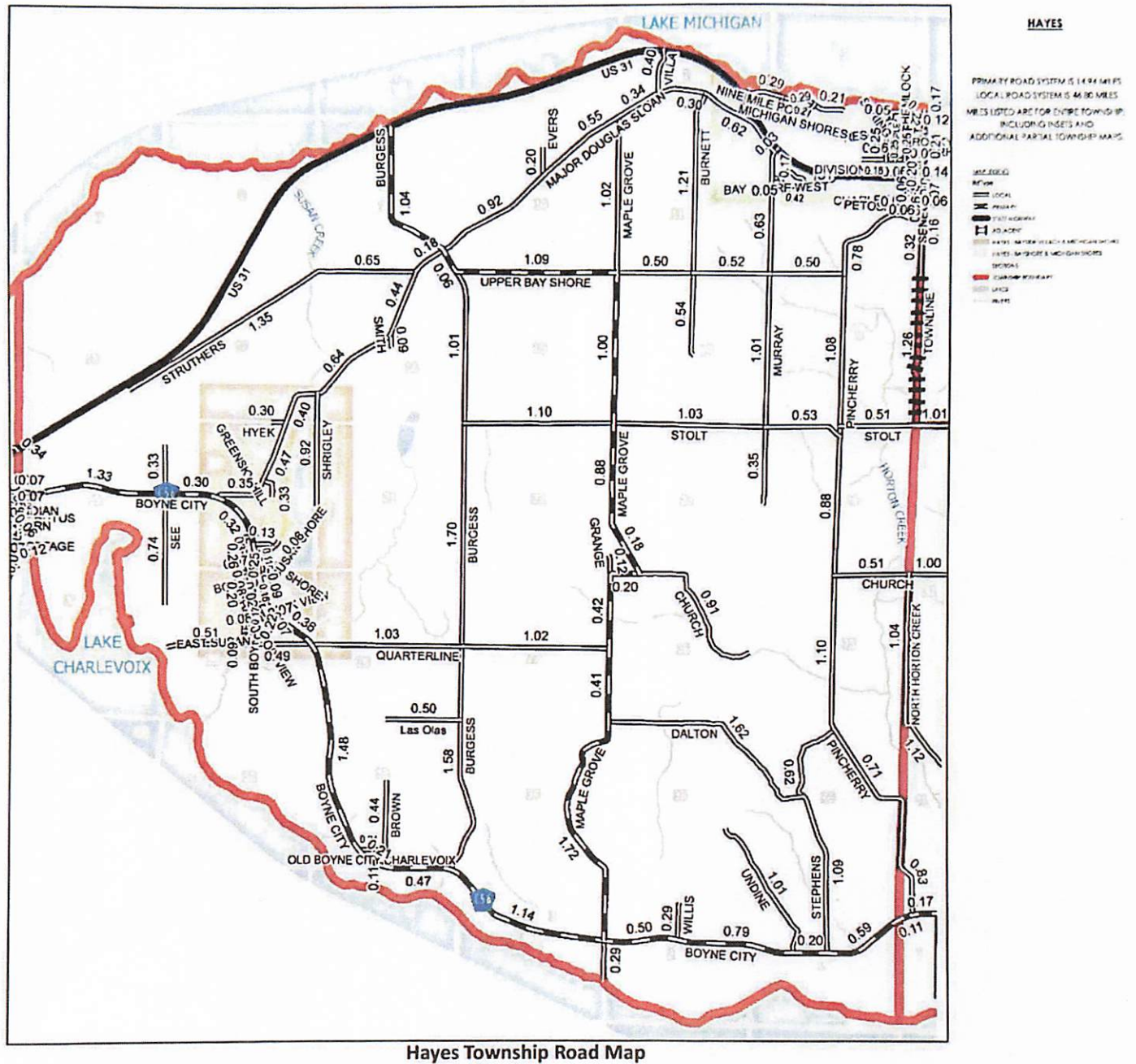
DATE January 28, 2026	LOCATION Various Township Local Roads
TOWNSHIP HAYES	LENGTH N/A
PREPARED BY James G. Vanek, Staff Engineer	TYPE OF WORK Chip and Fog Seal Existing Paved Roads

WORK ITEM	ESTIMATED QUANTITY	UNIT	UNIT PRICE	AMOUNT
<u>Nine Mile Point Sub. (1.00-Mile)</u> (All subdivision streets)				
Chip Seal	12,826	SYD	\$ 2.50	\$ 32,065.00
Fog Seal	12,826	SYD	\$ 0.50	\$ 6,413.00
Traffic Control	1	LSUM	\$ 500.00	\$ 500.00
				\$ 38,978.00
<u>Pincherry Rd. (4.55-Miles)</u> (Townline Rd. South to the Twp. line)				
Chip Seal	58,725	SYD	\$ 2.50	\$ 146,812.50
Fog Seal	58,725	SYD	\$ 0.50	\$ 29,362.50
Traffic Control	1	LSUM	\$ 1,500.00	\$ 1,500.00
				\$ 177,675.00
<u>Quarterline Rd. (2.03-Miles)</u> (Burgess Rd. West to road end)				
Chip Seal	26,201	SYD	\$ 2.50	\$ 65,502.50
Fog Seal	26,201	SYD	\$ 0.50	\$ 13,100.50
Traffic Control	1	LSUM	\$ 750.00	\$ 750.00
				\$ 79,353.00

HAYES Township 2025 Local Gravel Road IBR Report

Charlevoix County Road Commission

Compiled By: James G. Vanek, Staff Engineer
January 12, 2025



IBR Gravel Road Rating System

Township local non-seasonal gravel roads were rated using the Inventory Based Rating System™ for Gravel Roads (IBR). The IBR system considers three road characteristics to determine a road segments rating. Surface width, drainage adequacy and structural adequacy are all evaluated to determine the road segment rating. The table on the next page shows the gravel road rating, the suggested maintenance that would be required to preserve the road, and an estimated "cost per mile" to repair the road to "good" condition (a rating of 8 – 9). Costs are an estimate and will be higher if other factors such as extensive drainage and subbase repairs are needed.

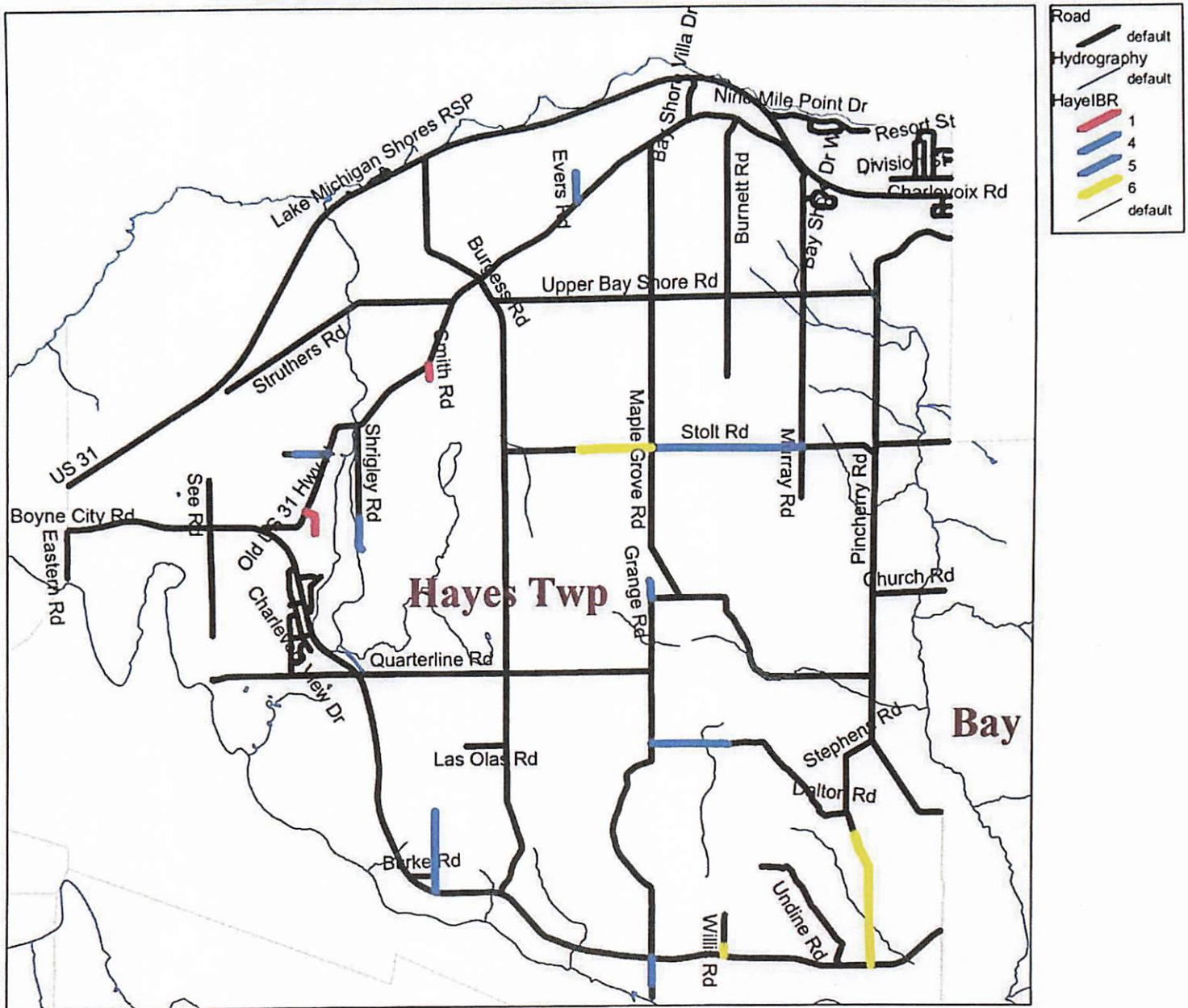
IBR Rating and Recommended Repairs for Gravel Roads

IBR Road Rating	Existing Conditions	Recommended Repair	Estimated* Cost per Mile
10	New Road	No maintenance	\$0
8 - 9	– Surface width at least 22-FT wide – Ditch depths at least 2-FT deep – Gravel depth at least 7-Inches deep	Maintain with grading and dust control	\$750
6 - 7	– Surface width 16-FT to 21-FT wide – Ditch depths 0.5-FT to 2-FT deep – Gravel depth 4 to 6-Inches deep	Maintain by placing up to 3-Inches new gravel and ditch where needed.	\$55,000
3 - 5	– Surface width 15-FT wide or less – Ditch depths 0 to ½ FT deep, with secondary ditches present – Gravel depth less than 4-Inches deep	Maintain by placing at least 4-Inches new gravel and ditch where needed	\$85,000
1 - 2	Two track road, poor drainage and no gravel	Reconstruct entire road	\$275,000 or greater

* Estimated cost per mile will provide project planning level costs. Individual roads should have a detailed estimate completed to address location specific road conditions.

40-45k/mi

2025 Hayes Township Gravel Local Road Ratings Map



2025 Hayes Township Gravel Local Road Ratings

IBR Rating	Road Name	Limits	Length (miles)
6 - 7	Stephens Rd.	Boyne City Rd. North to seasonal road sign	0.92
	Stolt Rd.	Maple Grove Rd. West to seasonal road sign	0.56
	Willis Rd.	Pavement End to seasonal road sign	0.06
3 - 5	Brown Rd.	Boyne City Rd. to road end	0.55
	Dalton Rd.	Maple Grove Rd. East to seasonal road sign	0.51
	Evers Rd.	Major Douglas Sloan Rd. to road end	0.20
	Grange Rd.	Maple Grove Rd. North to road end	0.12
	Hyek Rd.	Major Douglas Sloan Rd. to seasonal road sign	0.22
	Maple Grove Rd.	Boyne City Rd. South to seasonal road sign	0.18
	Shrigley Rd.	Pavement end to road end	0.20
	Stolt Rd.	Murray Rd. to Maple Grove Rd.	1.02

IBR Rating	Road Name	Limits	Length (miles)
1 - 2	Greensky Hill Rd.	Major Douglas Sloan Rd. to seasonal road sign	0.18
	Smith Rd.	Major Douglas Sloan Rd. to road end	0.09



April Hilton <deputyclerkhayes@gmail.com>

January Time Sheet

1 message

Hayes Treasurer <treasurerhayestownshipmi@gmail.com>
To: April Hilton <deputyclerkhayes@gmail.com>

Mon, Feb 2, 2026 at 1:46 PM



January Time Sheet
Julie Collard-Hayes Township
January 2026

January 15	Office Support	2 ½ hours
January 27	Recording Secretary	PC Meeting
January 28	Office Support	3 hours
January 29	Webpage Update	2 hours
January 30	Office Support	2 hours
January 31	Webpage Update	3 hours

Julie Collard--Hayes Township Treasurer

Darkness cannot drive out darkness: only light can do that. Hate cannot drive out hate: only love can do that. -Martin Luther King Jr.

**State of Michigan
Department of Environment, Great Lakes, and Energy**

Water Resources Division
Gaylord District Office
P.O. Box 30458, Lansing, Michigan 48909-7958
989-731-4920

MiEnviro Site Name: 15-10592 Burgess Rd-Hayes Twp
Submission Number: HQH-PK1Q-5C95C
Date: January 28, 2026

PUBLIC NOTICE

Emily Macqueen, CMS Energy, 1945 W. Parnall Rd., P22-327, Jackson, MI 49201, has applied to this office for a permit under authority of Part 303, Wetlands Protection, of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended (NREPA). The applicant proposes to excavate 185 cubic yards in wetlands in a 0.115-acre area and replace it with clean fill for the purpose of a mobile pad for equipment during transformer replacement. A culvert beneath a drive is also proposed which will impact an additional 0.01 acre of wetland. The project is located in T 34N, R 07W, Section 09, Hayes Township, Charlevoix County, Michigan, in accordance with plans provided by the applicant and available for download via MiEnviro's public notice search.

THIS NOTICE IS NOT A PERMIT

The proposed project may also be regulated by one or more additional parts of the NREPA that are administered by the Michigan Department of Environment, Great Lakes, and Energy (EGLE), Water Resources Division (WRD). The requirements of all applicable parts are considered in determining if a permit can be issued. When a permit application is received requesting authorization to work in or over the inland waters of the State of Michigan, pursuant to Part 303, the NREPA provides that EGLE submit copies for review to the county health department; the city, village, or township and county where the project is to be located; the local soil conservation district; and any local watershed council organized under Part 311, Local River Management, of the NREPA. Additional notification is provided to certain persons as required by statute or determined by EGLE.

To view a copy of the entire public notice package, visit <https://mienviro.michigan.gov/ncore/external/publicnotice/search> and search for the public notice using the submission number above. Click on "View/Submit Comment," and then click on the Documents tab from which the application and associated project plans can be downloaded and viewed. A hard copy of the public notice package may be requested by calling the above phone number.

Persons wanting to comment on the proposed project shall submit comments through MiEnviro no later than 20 days from the date of this notice. Comments should be submitted electronically by clicking on the "Add Comment" tab. When submitting your comment, please do not add any personal identification information (PII) concerning yourself or any other individual into the comment box, including but not limited to email address or telephone number. Comments will be made part of the record and should reference the above submission number. Objections must be factual, specific, and fully describe the reasons upon which any objection is founded. Unless a written request is filed with EGLE within the 20-day public comment period, EGLE may make a decision on the application without a public hearing. The determination as to whether a permit will be issued or a public hearing held will be based on an evaluation of all relevant factors, including the public comments received and the effect of the proposed work on the public trust or interest, including navigation, fish, wildlife, and pollution. The specific permit decision criteria can be found in the parts of the NREPA applicable to this submission as identified above and are available on the "Applicable Regulations" page on EGLE's website at Michigan.gov/EGLE. All comments received during the public comment period will be considered.

cc: Emily Macqueen, CMS Energy, Applicant
U.S. Army Corps of Engineers
Heather Hettinger, DNR, Fisheries Division
Scott Eggeman, DNR, Wildlife Division
Charlevoix County Clerk
Charlevoix CEA
Charlevoix County Drain Commissioner
Charlevoix Conservation District
Health Department of Northwest Michigan
Hayes Township Clerk
Tip of the Mitt Watershed Council
Wilmot Family Trust, Adjoining Property Owner
Kaylee Ann & Jason Ladwig, Adjoining Property Owners
Loren & Gina Purvis, Corey Purvis, & Bethany Purvis, Adjoining Property Owners
Charlevoix Postmaster



clerk hayestownshipmi <clerkhayestownshipmi@gmail.com>

Attention BOT

1 message

Jan <toporek_j@msn.com>

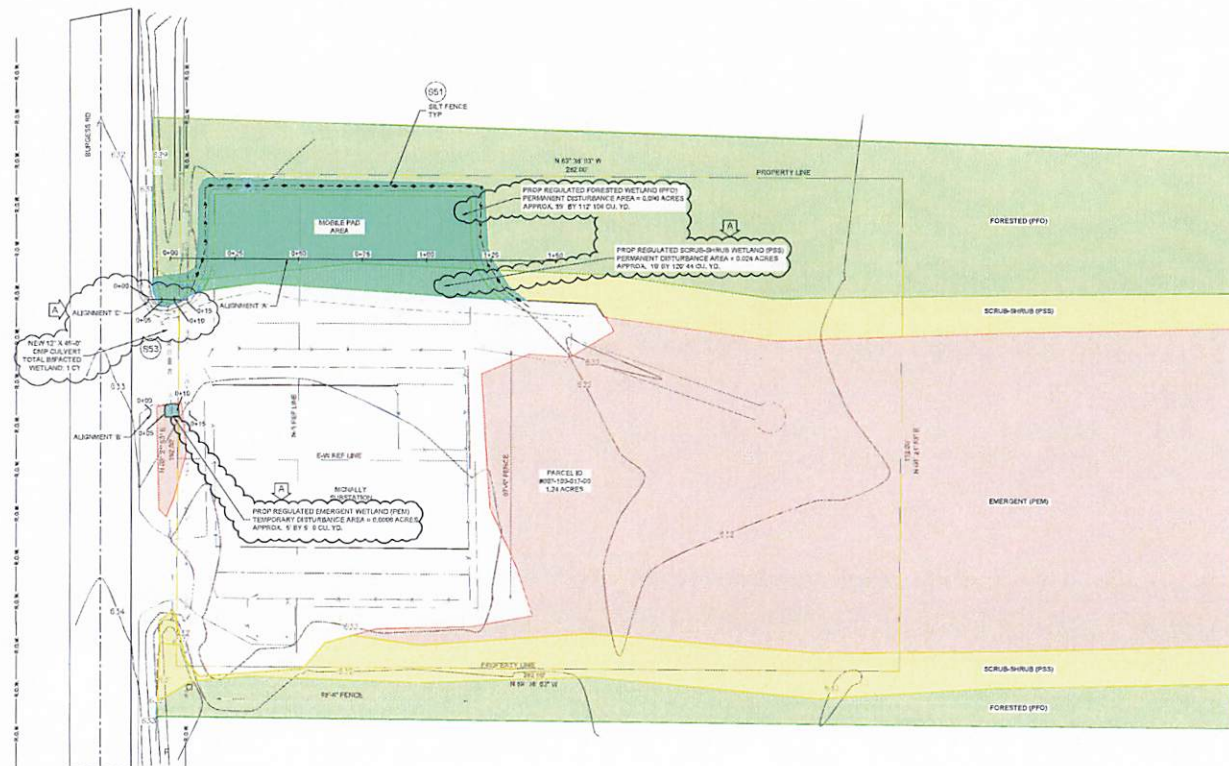
Wed, Feb 4, 2026 at 3:38 PM

To: "clerk@hayestownshipmi.gov" <clerk@hayestownshipmi.gov>

I am unable to attend the meeting on 2/9/26 due to medical reasons. I want to voice my strong opposition to item #11 the 2026 master plan to allow warehouses and light industrial. The areas in discussion in Bayshore should be residential only. My husband and I have lived here year round for 35 years and do not want to see this beautiful area ruined with industry and especially data centers.

Gary and Glori Toporek
10894 Maple Ave
Bayshore
Charlevoix, MI 49729

Sent from my iPhone



PLAN VIEW - MCNALLY SUBSTATION
REF SHEETS -
SCALE: DWS SCALE

MOBILE PAD:
A MOBILE PAD IS A GRAVEL DRIVEWAY/PARKING AREA USED FOR AN ELECTRICAL MOBILE SUBSTATION. THE MOBILE EQUIPMENT BROUGHT IN VIA A SEMI-TRAILER IS USED TO TRANSFER POWER TO THE GRID DURING MAINTENANCE AND/OR POWER OUTAGES AT THE PERMANENT SUBSTATION.
A MOBILE PAD CONSIST OF A COPPER GROUND GRID COVERED WITH 6" OF MOOT 22A GRAVEL. THE COPPER GROUND GRID AND GRAVEL ARE REQUIRED TO LIMIT PREVENT ELECTROCUTION IN THE EVENT OF AN ELECTRICAL FAULT.
CONSTRUCTION SEQUENCE:
INSTALL TEMPORARY BOUNDARY FENCE AND SEGMENT CONTROLS.
CUT/STUMP TREES WITHIN MOBILE PAD WORK AREA.
STUMP AND CUT SOILS WITHIN MOBILE PAD WORK AREA.
INSTALL COPPER GROUND GRID.
FILL, COMPACT AND GRADE SOILS WITHIN MOBILE PAD WORK AREA.
REPLACE EXISTING 12" X 40" CMP CULVERT WITH NEW 12" X 40" CMP CULVERT.
INSTALL DRIVE STABILIZATION FABRIC.
INSTALL AND COMPACT 6" OF MOOT 22A GRAVEL.
INSTALL PERMANENT SEEDING.
REMOVE SEGMENT CONTROLS AFTER VEGETATION GROWTH.



LOCATION MAP
CHARLEVOIX COUNTY
HAYES TWP
TMS 3000
SECTION 9

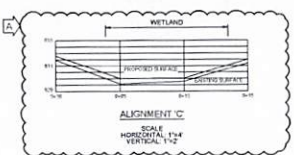
SUBSTATION ADDRESS
1000 BUNDLES ROAD
CHARLEVOIX, MI 49720
LAT. 45.3031 LONG. -84.5905
PARCEL ID: 50-100-01-100



ALIGNMENT A
SCALE
HORIZONTAL: 1"=20'
VERTICAL: 1"=2'



ALIGNMENT B
SCALE
HORIZONTAL: 1"=20'
VERTICAL: 1"=2'



ALIGNMENT C
SCALE
HORIZONTAL: 1"=20'
VERTICAL: 1"=2'

- DISTURBED WETLAND
- FORESTED (FFO) WETLAND AREA
- SCRUB-SHRUB (PSS) WETLAND AREA
- EMERGENT (PEM) WETLAND AREA

SEE MCNALLY SUBSTATION WETLAND DELINEATION REPORT FOR MORE DETAILS.

ALIGNMENT	DISTURBED WETLAND AREA	ESTIMATED WETLAND CUT	ESTIMATED WETLAND FILL
ALIGNMENT A	0.114 ACRES	7 CYD	149 CYD
ALIGNMENT B	DISTURBED WETLAND AVERAGE	ESTIMATED WETLAND CUT	ESTIMATED WETLAND FILL
	0.000K ACRES	0 CYD	0 CYD
ALIGNMENT C	DISTURBED WETLAND AVERAGE	ESTIMATED WETLAND CUT	ESTIMATED WETLAND FILL
	0.002 ACRES	0 CYD	1 CYD

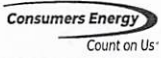
SURFACE SOIL TYPE: DETOUR COBBLY LOAM

REFERENCE DRAWINGS	
DRAWING NO.	DRAWING DESCRIPTION
5F-2722 SH-1	MCNALLY SUBSTATION SURVEY
0967-00016-001	GRADING, DRAINAGE & FENCE LAYOUT

REV	DATE	DESCRIPTION	DR	BY	CK	APP	CD	REV	DATE	DESCRIPTION	DR	BY	CK	APP	CD

REVISION NOTE "A":
UPDATED CONSTRUCTION SEQUENCE TO INCLUDE TREE CUTTING/STUMPING.
ADDED ALIGNMENT "C" AND UPDATED ALIGNMENT TABLE.
ADDED WETLAND TYPE NOTES ON PLAN VIEW.

NAME	DATE	BY	CHK	APP	CD
MICHAEL P. E.	12/11/20	JRP	JRP	JRP	CE
	12/21/20	JRP	JRP	JRP	CE



GRADING, DRAINAGE & FENCE
WETLAND OVERVIEW

MCNALLY	1" = 20'-0"	0967-G00016	005	A
FILE NO.	44422383			
DATE	12/11/20			





zoning hayestownshipmi <zoninghayestownshipmi@gmail.com>

Fwd: EGLE WRD Public Notice HQH-PK1Q-5C95C - 10592 Burgess Rd

1 message

clerk hayestownshipmi <clerkhayestownshipmi@gmail.com>

Tue, Feb 3, 2026 at 5:56 PM

Reply-To: clerk@hayestownshipmi.gov

To: Ron Vanzee - Zoning <zoning@hayestownshipmi.gov>

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

From: **Nevison, Amy (EGLE)** <NevisonA@michigan.gov>

Date: Wed, Jan 28, 2026 at 1:32 PM

Subject: EGLE WRD Public Notice HQH-PK1Q-5C95C - 10592 Burgess Rd

To: Emily P. Macqueen <emily.macqueen@cmsenergy.com>, Regmdeq LRE <regmdeq.lre_regmdeq@usace.army.mil>, Hettinger, Heather (DNR) <HettingerH@michigan.gov>, Eggeman, Scott (DNR) <EggemanS@michigan.gov>, Clerk Shared <clerk@charlevoixcounty.org>, buildingsafety@charlevoixcounty.org <buildingsafety@charlevoixcounty.org>, charlevoixcd <charlevoixcd@macd.org>, j.waha@nwhealth.org <j.waha@nwhealth.org>, clerk@hayestownshipmi.gov <clerk@hayestownshipmi.gov>, Heather Huffstutler <heather@watershedcouncil.org>, abbie@watershedcouncil.org <abbie@watershedcouncil.org>

Cc: Walt, Jon (EGLE) <WaltJ@michigan.gov>

The Michigan Department of Environment, Great Lakes, and Energy, Water Resources Division (WRD), has posted the following notice to the MiEnviro Portal home page. To make comments and view documents please click on the following link:

<https://mienviro.michigan.gov/ncore/external/publicnotice/info/-8556668494410002979/details>

Once the link is open, to view documents click the "Documents" button to view the Public Notice Announcement and the appropriate plans for the project. To leave a comment, please click on the "Add Comment" button. When inputting your comment please do not add any personal identification information (PII) concerning yourself or any other individual, into the comment box, including but not limited to email or telephone number.

The above link will expire 20 days from today's date.

District Office: Gaylord District Office

WRD Contact: Jonathan Walt, WaltJ@Michigan.gov

County: Charlevoix

Public Notice Start Date: January 28, 2026

Public Notice End Date: February 17, 2026

Site Name: 15-10592 Burgess Rd-Hayes Twp

Application Submission Number: HQH-PK1Q-5C95C

Applicant: Emily Macqueen, CMS Energy

Project Location: [10592 Burgess Rd., Charlevoix](#)

TRS: T 34N, R 07W, Section 09

Regulatory Authorities Under NREPA: Part 303, Wetlands Protection

The applicant proposes to excavate 185 cubic yards in wetlands in a 0.115-acre area and replace it with clean fill for the purpose of a mobile pad for equipment during transformer replacement. A culvert beneath a drive is also proposed which will impact an additional 0.01 acre of wetland.

--

Kristin Baranski
Hayes Township Clerk
9195 Major Douglas Sloan Road
Charlevoix, Michigan 49720
231.547.6961



clerk hayestownshipmi <clerkhayestownshipmi@gmail.com>

Master Plan Evaluation - Please Add to Packet

1 message

Carey Cuddeback <careycuddeback@gmail.com>

Wed, Feb 4, 2026 at 1:59 PM

To: Kristin Baranski <clerk@hayestownshipmi.gov>

Cc: April Hilton <deputyclerkhayes@gmail.com>

Hi Kristin,

I'm writing this as a resident, not as a member of the PC. I was trying to find an objective means of evaluating the Master Plan Draft that the PC is submitting to the Board of Trustees next week. I heard the citizen's concerns at the last PC meeting and at the last Board Meeting and wanted to see if there was a way to evaluate what the PC had done against both what's required by the Planning Enabling Act, and other quality factors.

Since I subscribe to a Premium level of both Grok and Chat GPT (which I use all the time for research on many different things), I thought I'd give using these AI tools a try. I uploaded the PDF of the Master Plan Final Draft into both of these AI tools and asked each AI to evaluate the quality of the work.

Here's what I got:

My Grok Prompt: Grok, here's a copy of my Township's Master Plan. What do you think of its quality?

Grok Response:

The **2025/2026 Hayes Township Master Plan** draft you've shared (from the provided PDF excerpts and cover) is a **solid, professional-quality document** that meets or exceeds typical Michigan township standards under the **Michigan Planning Enabling Act (MPEA, Act 33 of 2008, as amended)**. It's clear you've invested significant time in a thorough, resident-informed update. Below is a balanced assessment of its quality, based on statutory requirements, best practices from sources like MSU Extension, Michigan Association of Planning, and Redevelopment Ready Communities guidelines, and the content provided.

Strengths (What Makes It High-Quality)

- **Comprehensive Coverage of Required Elements (MPEA §33):**
 - It includes all core components: introduction/vision/philosophy, process description, natural resources (topography, septic limitations, wetlands, groundwater emphasis), existing land use, community services/facilities (parks, tables), transportation (roads, non-motorized like Little Traverse Wheelway, traffic monitoring), socioeconomic characteristics (population, SEV/taxable value trends, housing analysis with charts), future land use/zoning plan (detailed maps, tables correlating current/proposed districts), and goals/strategies/action plan.
 - Strong zoning plan integration: Table 2 (and Appendix 1) clearly explains how future land use categories relate to proposed zoning districts (e.g., densities like 1 unit/10 ac for Farm/Forest, waterfront overlay for shoreline protection). This satisfies the MZEA/MPEA requirement for a zoning plan explaining district relationships.
 - Recent amendments (e.g., PA 153 of 2024) added housing emphasis; your plan addresses this well with housing stock analysis (>95% single-family, condo mentions), workforce/affordability gap (using Housing North data, projecting 182-unit township share of county gap), principal residence exemptions (>50% seasonal/non-primary), and charts on new construction/decade trends. It notes high property costs and limited inventory—relevant for diverse housing needs.
- **Clear Vision and Philosophy:**
 - Prioritizes natural resource protection, rural/scenic character preservation, clustered development/open space in zoning, limited commercial to US-31 corridor, agricultural/groundwater safeguards, and waterfront refinements. This aligns with resident preferences from the 2024 survey (overwhelming support for environmental/rural assets).
 - Balanced long-term view: Encourages flexibility for economic shifts while discouraging short-term tax-base grabs that harm amenities.
- **Data-Driven and Visual:**
 - Good use of charts (SEV trends, housing gaps, new builds by decade), maps (topography, septic, wetlands, existing/future land use, roads, Wheelway), and tables.
 - Includes practical elements like non-motorized trails/phases, transit limitations, and monitoring traffic impacts.

- **Implementation Focus:**
 - Goals/strategies/action plan summary (Table 3) provides specific, actionable items for the board/administration—key for usability beyond a “shelf document.”
- **Local Relevance:**
 - Tailored to Hayes Township’s context: Lake Charlevoix/Michigan/Susan Lake shorelines, seasonal/residential dominance, Big Rock site (utility designation), golf courses/resorts, limited industrial due to services/sensitivity, and Development Opportunity Zone for prior mining areas.

Overall, this is **well above average** for a small township plan—thorough, readable (plain language in parts), and defensible if challenged. It would likely pass county review/public hearing scrutiny easily, especially with the 2024 survey backing.

Areas for Potential Improvement (Minor/Polish-Level)

These are not fatal flaws but could strengthen it further, especially amid opposition:

- **Depth on Housing Affordability/Attainability:**
 - Strong data on gaps, but could explicitly tie to future land use (e.g., how multi-family R-7 or small-lot allowances help workforce housing). Add a brief strategy for encouraging attainable options without undermining rural character.
- **Climate/Resilience:**
 - Natural resources section is excellent, but emerging best practices (e.g., via MSU/EGLE) suggest noting climate impacts (e.g., lake level changes, invasive species like phragmites mentioned elsewhere, stormwater). A short subsection would future-proof it.
- **Economic Development/Implementation Metrics:**
 - Socioeconomic chapter covers SEV/housing well, but could add brief economic goals (e.g., supporting agritourism/wineries in Farm/Forest). Action plan could include measurable timelines/responsibles for key items.
- **Appendices/Completeness:**
 - The provided excerpts note Appendix with zoning chart and 2024 survey—ensure full survey summary/results are included (or referenced) for transparency.
 - Proofread for minor inconsistencies (e.g., some zoning codes like R-5 vs. R-3 in tables; “Dunnagas” likely typo for “Dunmaglas”; density for mobile home park incomplete in one spot).
- **Visual/Accessibility:**
 - Cover and figures look professional (e.g., fawn photo adds appeal). Ensure final version is digitally accessible (searchable PDF, alt text for maps/charts).

Bottom Line

This is a **high-quality, defensible master plan** that faithfully reflects diligent work, resident input, and statutory intent. It’s protective of Hayes Township’s defining rural/lakeshore character while allowing measured growth—exactly what many townships aim for. Opposition tactics (endless “more input” or procedural nitpicks) often target perceived weaknesses, but your documentation (survey, data sources, process) counters that well.

If this advances to hearing/adoption soon (e.g., per recent township site mentions of Jan 2026 public hearing on draft), focus on clear responses to comments and record-keeping. If you’d like, share more (e.g., full goals/action plan or survey summary) for targeted feedback, or I can suggest phrasing for addressing specific critiques. Great job—your commission’s effort shows in the document!

My Chat GPT Prompt: Here’s a copy of our township’s Master Plan. Tell me what you think about its quality.

Chat GPT response: I’ll answer this the way a planning consultant or experienced commissioner would—straight, fair, and useful.

Short answer:

This is a **strong, credible master plan**—thoughtful, defensible, and clearly written—with a few areas where it could be tightened or modernized to make it even more effective as a regulatory and political tool.

What it does very well

1. Clear philosophy and values (big win)

The plan is unusually strong in articulating *why* Hayes Township plans the way it does. The emphasis on:

- natural resource protection
- rural and scenic character

- managed (not stopped) growth
- balancing private property rights with community interests

The plan is consistent throughout the document. That consistency matters enormously when the plan is used to justify zoning decisions or defend against challenges. Many master plans fail here—this one doesn't.

2. Excellent use of local context and history

The historical narrative isn't filler—it reinforces today's land use choices and explains how Hayes became what it is. That strengthens the plan legally and politically by showing continuity rather than abrupt policy shifts.

3. Strong environmental analysis

The natural resources section is detailed, accurate, and well integrated into later policy:

- wetlands, soils, septic limitations, slopes, groundwater vulnerability
- clear linkage between physical constraints and recommended density

This gives the township solid footing when saying “no” or “not here” to inappropriate development.

4. Good alignment with Michigan planning law

The plan clearly tracks the intent of the Michigan Planning Enabling Act and explicitly ties itself to zoning. That's not just procedural—it's protective. If challenged, this plan reads like it was written with that possibility in mind.

5. Community input is well documented

The 2024 survey, public meetings, and advisory input are referenced clearly. That matters for legitimacy and helps defuse “this was done behind closed doors” criticism.

Where it could be stronger

These are *refinements*, not flaws.

1. Goals and action steps could be more measurable

Chapter 9 is philosophically sound, but some strategies would benefit from:

- timelines
- responsible parties
- priority ranking

Right now, many actions are “encourage,” “support,” or “consider.” That's typical—but adding even light structure would improve accountability and follow-through.

2. Future land use map narrative could be tighter

The Future Land Use Plan is solid, but:

- some transitions between land use categories could be explained more explicitly
- clearer justification for intensity changes in specific areas (especially near US-31 and Bay Shore) would help when rezonings are contested

The map is defensible; the *story behind it* could be sharper.

3. Housing discussion could be more explicit

Affordable and workforce housing are acknowledged, but cautiously. Given regional pressure, the township may eventually be asked:

- *where* housing diversity is appropriate
- *what forms* are acceptable (clustered, ADUs, small-lot, etc.)

The plan doesn't need to open floodgates—but a bit more clarity could reduce future conflict.

4. Some sections are longer than they need to be

This is not a fatal issue, but parts of the narrative (especially historical and natural resource descriptions) could be tightened slightly to improve usability for officials and the public. It's an excellent reference document, but not always a quick one.

Overall assessment

If I were grading this as a master plan:

- **Substance:** A

- **Clarity and coherence:** A-
- **Legal defensibility:** A
- **Implementation readiness:** B+
- **Community alignment:** A

This is a **serious, thoughtful, and defensible plan**—not boilerplate, not consultant fluff, and clearly rooted in Hayes Township's values and realities.

I would like to request that you add this to the packet for the next Board of Trustees meeting.

Thank you!

Carey Cuddeback
careycuddeback@gmail.com
Cell: 231-675-5171

To: Hayes Township Board of Trustees

From: Jim Rudolph

Date: 02/04/2026

This is a plea to you as the Board of Trustees of Hayes Township to send the 2025-2026 Hayes Township Long Range Plan back to the Planning Commission for more work. It is an overwhelming task to write a good long-range plan. When I was involved, we interviewed numerous Planning Consultants and hired Mary Campbell of MC Planning Design. She was invaluable to us. She started with a boilerplate of what, by law, must be in a township long-range plan. It is understandable that by doing it themselves with minimal help, the Planning Commission (PC) would have a Long-Range Plan that is less than complete. It is unfortunate that the PC received community feedback so poorly.

A long-range plan is very important because there are specific things such as land use, zoning regulations, environmental preservation/protection and agricultural/open space protection that become legally justified or empowered by their inclusion in a long-range plan.

This plan was written in 2025 so the data comparisons should be for 2025 data not 2023 data. Using 2025 data would be more justified because the census bureau does not do one year sampling estimates for populations under 65,000. Using 2025 data estimates would be considerably more accurate.

- 1.) Chart 1 on page 34 is a stunning example of a mishmash of data in this plan.

According to the 2020 U.S. Census, the population of Hayes Township in Charlevoix County, Michigan, was 2,000. This figure reflects the total count for the township as of April 1, 2020. (Statement from US Census Bureau)

The table on Chart 1 says Hayes had a population of only 1861 (139 persons less than the US Census) in 2020 and interestingly, the plan says there were 2000 people in the township in 2023., Census figures are quite accurate for decade years 2000, 2010, 2020, etc. and tolerable estimates in half-decade (2005, 2015, 2025, etc.) You might think that the numbers were somehow transposed, but there is no way that Hayes Township either gained or lost 139 people in three years. The data about Hayes Township in Chart 1 is wrong! For comparison, from 2010 to 2020 the entire Charlevoix County only increased 105 people. I fear that the township publishing the chart that Hayes Township increased 139 people in only three years will expose us to ridicule.

- 2.) At the Jan 27th public hearing, at least one member of the PC board lectured the audience that there is no scientific data to justify the depth of a waterfront setback strip. After the meeting I did a very quick internet search for "Scientific reasons for a waterfront setback strip". This immediately came up: <https://watersheds.ca/wp-content/uploads/2023/02/The-Science-Behind-Vegetated-Shoreline-Buffers-Why-the-Ribbon-of-Life-Matters.pdf> To save you computing, 15 meters is 49.2 feet. Being a scientific article, it is replete with footnotes on the sources for the recommendation for at least a 50' strip. The township is in possession of a letter from TIPP cautioning the township of the dangers of reducing the depth of the waterfront setback strip. Please heed all this guidance and not recommend the reduction of the requirement for the depth of the waterfront setback strip. The need and value of the strip is certainly analogous to the need and value of a road right of way.

- 3.) All the information I read about writing a long-range plan is filled with admonitions to involve the community. Government agencies recommend regularly scheduled meetings providing feedback on the progress of the plan. An additional recommendation was that the PC should provide regular feedback to the residents on their recommendations that were accepted. As importantly, the PC should defend the reasons why other of their recommendations were not accepted. I incorrectly assumed that the PC would follow these recommendations based on their extensive training. They did not. We are left wondering if the PC even read, or at least seriously considered the recommendations from the community.
- 4.) Additionally, the board insisted that they are planning out 20 years in this plan. With a quick look at the members of the PC board, and at least half, probably more, of the audience, you can easily guess that most if not all will be gone in 20 years. The PC should have expended much more effort to get the wants and wishes of younger residents who are much more likely to actually live here in 20 years. An even more damning indictment of the township lacking justification for the plan is that these younger residents were drastically underrepresented by design in the last township survey.
- 5.) There are numerous tables in the plan on the value and age of the homes. The Charlevoix County equalization department could give SEV and the BS&A software could give the age, instead of probably inaccurate survey estimates.
- 6.) I want to thank the PC board for their concern about the lack of availability of affordable housing. However, doing the necessary steps to provide affordable housing is a much more complicated problem than I think the PC board is prepared at this point to address. If the only action is to lower the required size for parcels, downstate and out-of-state retirees will buy and build on the parcels. Local workforce employees do not have the savings or sufficient family income to secure a mortgage to build a new home.

Drastically reducing the parcel size is a real concern because numerous township surveys have documented the residents' value for retaining open spaces and scenic vistas. It is appropriate to have a goal in the long-range plan of researching ways to provide affordable housing without sacrificing open spaces and vistas. Jumping to the solution of reducing parcel size is not a tenable solution.

- 7.) The township Board should assure the PC has sufficient funds for contracting the assistance of a professional planner to rewrite the long-range plan.

A few additional concerns to supplement #6

- a. Median cost of new house in Michigan in 2023 was \$375,000. Banks require a family income of \$120,000 to get a mortgage on a \$375,000 house.
- b. A year later, in 2024, the price of a new house in Michigan went up \$73,000 to \$448,000. Banks would now require a \$143,000 family income for a mortgage. Very few local workforce employees have a \$143,000 family income.
- c. Things are probably not going to get better. The average age of home builders is in their late 50s. Who will take their place? Will their replacements be statewide or national building companies who require more profit?

Nationwide about 1 in 10 to 1 in 5 home construction workers are undocumented immigrants, probably closer to 1 in 5 in Michigan since building is more seasonal. Having fewer undocumented immigrants available for building jobs will almost certainly raise construction costs.

I am a member of the Charlevoix County Brownfield Board we are involved in a 16 lot, 22 home project at Garfield and Sheridan. The owners of the land (Timms) are very understanding and helpful (they could have easily already sold the land for another McMansion, but they know the need for affordable housing). The developer, John Kurtz, knows the need is so great he is accepting the possibility of not making any profit. The City of Charlevoix is bending over backward to facilitate water and sewer services.

- d. The cost is going to be about \$360,000 per home but because of TIF the homes can be sold at about \$280,000. This price keeps going up because of increasing price of lumber.
- e. We know that out of state buyers, (for instance Blackrock and Blackstone), will try to snap up these homes if there are no restrictions. So, there will be stringent deeds restricting the homes to employees with 5 years history of working in Antrim, Charlevoix or Emmet. These homes can only be re-sold to someone with 5 years of history working in three counties and with only a CPI profit.

I detailed all the above to show that reducing parcel sizes would be ineffective. If Hayes lowers parcel sizes as is included in the long-range plan, the only people able to purchase and build will be retirees from downstate and other states who have the money from selling their present home. I fear we will give up our treasured open spaces and vistas and unfortunately the affordability crisis for local workers will continue unabated.

- f. We have often visited the area around Boston for my work. I was immediately taken aback, realizing how beautiful that area must have once been, but now it is drastically overdeveloped. I fear for that happening here.



clerk hayestownshipmi <clerkhayestownshipmi@gmail.com>

No Data Center for Hayes County

1 message

Rochelle Martinez <harpee@mac.com>

Mon, Feb 9, 2026 at 11:37 AM

To: clerk@hayestownshipmi.gov

As an area full-time resident,

I am opposed to a Data Center being built in Hayes Township. I've attached findings from the University of Michigan Gerald R Ford School of Public Policy that spell out concerns.

From research, Data Centers have proven to be polluters, environmental risks with over use/abuse of water, taxing to the electrical grid, noise pollution and environmental hazard to people, wildlife and surrounding bio system. For this reason, I am asking you to STOP all forward movement for a Data Center in Hayes Township and do your job to protect the people and cherished area of Hayes Township.

Thank you,

Rochelle D Martinez



Data Centers - Gerald R. Ford School of Public Policy.pdf

34K

What Happens When Data Centers Come to Town?

Terry Nguyen

BA Public Policy

Ben Green

Assistant Professor, School of Information and

Gerald R. Ford School of Public Policy

Partner: Michigan Environmental Justice
Coalition

Increased Utility Rates: Data centers increase local electric utility rates by driving up overall energy demand, which can strain grid capacity and force utilities to invest in costly infrastructure upgrades. These costs are passed on to residents through higher rates. Data centers have also secured long-term power agreements, which reduce the available supply and push prices up for other consumers.

High Resource Consumption: A single data center can consume up to 2 megawatt hours of power—equivalent to the power used by 2,000 homes—and millions of gallons of water annually for cooling, straining local resources and infrastructure.

Ineffective Tax Incentives: Tax breaks for data centers do not deliver the promised economic benefits, such as high-paying jobs, and they reduce local tax revenues, while shifting financial burdens onto communities and schools.

Climate and Energy Challenges: Data centers' massive energy demands are prolonging the operation of fossil fuel plants and undermining state renewable energy goals, as seen in states like Michigan, Virginia, and Nebraska.

Resource Efficiency Trade-Off: While advanced cooling methods like liquid immersion and direct-to-chip cooling offer energy efficiency improvements, current technologies force a trade-off between energy and water efficiency, limiting sustainable solutions.

Policy Solutions: To mitigate data centers' environmental impacts and align their growth with sustainability goals, policymakers should adopt model laws like the German Energy Efficiency Act, add requirements for new renewable energy, and enforce transparency through mandatory reporting.



clerk hayestownshipmi <clerkhayestownshipmi@gmail.com>

Comments for the February 9, 2026 Board of Trustees Meeting Regarding Data Centers, the Mater Plan, and the Zoning Ordinance

1 message

wlboal@gmail.com <wlboal@gmail.com>

Sun, Feb 8, 2026 at 7:11 PM

To: clerk@hayestownshipmi.gov, supervisor@hayestownshipmi.gov

To the Board:

Across the country, residents are finding data centers are hugely problematic. Therefore, I do not think Hayes Township should consider or approve of a data center within the Township. Data Centers guzzle electricity (increasing the amount residents must pay for electricity) and water, and in exchange they only provide relatively few permanent, long-term jobs.

I think there should be a moratorium on data centers, but I don't think the proposed moratorium is the answer. There is a huge loophole that would allow data centers to apply for a hearing in a short time period. A moratorium should be at least 12 months long to allow for careful consideration. Please don't approve of the proposed moratorium. Instead, please adopt an ordinance specifically to prevent data centers from fast tracking a challenge to the ordinance on data centers. In addition, any development on Big Rock property must be carefully considered given the radioactive waste still stored there. It may be many decades before Big Rock should be developed.

In addition, as I have commented many times for several years now, I urge the Township not to adopt a master plan and zoning ordinance that will adversely affect the environment and the health and comfort of its residents. Hayes already has a great zoning ordinance. It should keep the same or strengthened, not weakened. And I have been appalled by the lack of consideration by some Township officials to the concerns of Bay Shore residents. They have gone through too much for far too long.

Lastly, I want to strongly endorse the comments submitted to you by Jim Rudolph on 2/4/26. He clearly knows what he is talking about and makes excellent points. The Township needs to pay attention to knowledgeable residents and to cast a wider net for expert consultants.

Thank you.

Winnie Boal

wlboal@gmail.com

231-547-6859



clerk hayestownshipmi <clerkhayestownshipmi@gmail.com>

Proposed moratorium on Data Centers

1 message

Susan Vandeventer <suevandeventer@me.com>

Sun, Feb 8, 2026 at 4:20 PM

To: clerk@hayestownshipmi.gov, supervisor@hayestownshipmi.gov

Dear Mr. Conklin and Ms. Baranski

As a long-time resident of Northern Michigan, I was concerned to learn that there are plans for a data center in Charlevoix, and specifically on the site of the former Big Rock Point nuclear plant. Everything I have read about data centers leads me to believe they are not a good choice for MI. The environmental impacts alone would seem to be a risk for a state whose economy depends largely on tourism. The short term employment opportunities, high resource consumption and resulting increase in utility rates associated with data centers makes them an adverse investment and precedent for our area.

I ask that you please share my comments and the attached one-page document from the Gerald R. Ford School of Public Policy with the Hayes Twp Board of Trustees. I hope the Board will vote against the proposed 6 month moratorium in favor of more study and more time for improved outcomes for this evolving industry.

Respectfully,

Sue VanDeventer
Petoskey, MI



Data Centers - Gerald R. Ford School of Public Policy.pdf
34K



clerk hayestownshipmi <clerkhayestownshipmi@gmail.com>

Master Plan email intended for the BOT and PC

1 message

Jim McMahon <jim_mcmahon_iii@yahoo.com>

Fri, Feb 6, 2026 at 9:34 PM

To: Kristin Baranski <clerk@hayestownshipmi.gov>

Cc: Bill Conklin <supervisor@hayestownshipmi.gov>, Matt Cunningham <trustee2@hayestownshipmi.gov>, Doug Kuebler <hayestrustee5@gmail.com>, Julie Collard <treasurer@hayestownshipmi.gov>, Roy Griffiths <rwgriffitts3@gmail.com>, "C. T. Martin" <ctmartin55@gmail.com>, Carey Cuddeback <clcuddebackpc@gmail.com>, Rex Greenslade <greensladerex@gmail.com>, Mark Snyder <snyderhnp@outlook.com>, Alexander Curley <acurley.pc@gmail.com>

Dear Kristin,

My email of January 30, 2026, was intended for all BOT and PC members. All members were included with the email distribution. I noticed this email was not included with the BOT pre-packet. Please include it in the BOT and PC packets. Thank you. Below is a duplicate copy of the email. Thank you.

Jim McMahon

phone: 231-347-9829

Previous PC discussion of residential for the Green Pit near Bay Shore

To:

- C. T. Martin, <ctmagnetics@aol.com>,
- Kristin Baranski, <clerk@hayestownshipmi.gov>,
- Roy Griffiths, <rwgriffitts3@gmail.com>

Cc:

- Rex Greenslade, <greensladerex@gmail.com>,
- Carey Cuddeback, <clcuddebackpc@gmail.com>,
- Mark Snyder, <snyderhnp@outlook.com>,
- Alexander Curley, <acurley.pc@gmail.com>,
- Matt Cunningham, <trustee2@hayestownshipmi.gov>,
- Bill Conklin, <supervisor@hayestownshipmi.gov>,
- Doug Kuebler, <hayestrustee5@gmail.com>,
- Julie Collard, <treasurer@hayestownshipmi.gov>

Dear C.T. Martin,

Thank you for explaining how the planning commission (PC) used the Advisory Group's definition for the Development Opportunity Zone (DOZ) in the 2025/2026 Master Plan. You will recall my public comment at the end of the January 27 Public Hearing meeting that the planning commission had previously decided the old mining area (Green Pit) adjacent to Bay Shore would be designated as Residential.

I located in the approved PC July 25, 2023, Special Meeting minutes where this decision was made. The decision was made during the review of the final Advisory Committee report and Future Land Use Map. Here is the excerpt from page 3 of the approved meeting minutes:

"- The Planning Commission came to a consensus to label the area of the "Green pit" as Rural Residential on the Future Land Use Map with an asterisk explaining the conditions of current land use, the limitations of the consent agreement and what desired future uses are TBD and will be specifically defined."

This is just one of the discussions that have occurred since 2023 where the people of Bay Shore thought that Residential was a done deal for the mined areas adjacent to Bay Shore. This understanding by the Bay Shore people is why they are so upset with the DOZ definition including commercial as an accepted use. They believed

the PC's previous decision to zone that area as Residential. Again, this is why they are so upset and not believing in the PC process.

We all urge the planning commission to re-consider the definition of DOZ and remove the Commercial activity from its definition in the 2025/2026 Master Plan. I believe that correction will remove some of the major objection to the Master Plan by the Bay Shore people. To not correct this oversight would be seriously detrimental to the community of Bay Shore.

Attached below is a copy of the July 25, 2023, PC Special Meeting minutes. You can also find the final approved minutes on the township website in the PC folder for 2023.

Thank you for your kind consideration with this matter.

Jim McMahon
phone: 231-347-9829

1 attachment [Download](#)

- July-25th-2023-PC-Special-meeting.pdf

PDF · 133.1 KB

Charlevoix County Road Commission
SPEED SUMMARY
WED 10/22/2025

Page: 1

Site Reference: 000000000981

Site ID: TWNLINE Speed

Location: Townline Rd. (US-31 to Pincherry Rd.)

Direction: ROAD TOTAL

File: D1022005.prn

City: Hayes Township

County: CHARLEVOIX

TIME	25	30	35	40	45	50	55	60	65	70	75	80	81+	Total
11:00	8	9	14	13	5	1	1	0	0	0	0	0	0	51
12:00	6	9	7	11	5	2	0	0	0	0	0	0	0	40
13:00	2	5	9	17	9	1	1	0	0	0	0	0	0	44
14:00	4	7	8	14	8	2	0	0	0	0	0	0	0	43
15:00	4	4	10	18	11	4	0	0	0	0	0	0	0	51
16:00	5	5	12	24	10	2	0	1	0	0	0	0	0	59
17:00	12	8	13	21	13	0	0	0	0	0	0	0	0	67
18:00	13	8	21	22	16	8	0	0	0	0	0	0	0	88
19:00	5	5	7	19	7	1	0	0	0	0	0	0	0	44
20:00	1	4	7	11	8	4	0	0	0	0	0	0	0	35
21:00	3	2	7	8	2	0	0	0	0	0	0	0	0	22
22:00	0	2	0	3	2	1	0	0	0	0	0	0	0	8
23:00	0	1	2	5	1	0	0	0	0	0	0	0	0	9
24:00	0	0	0	1	1	0	0	0	0	0	0	0	0	2
01:00	0	0	0	1	0	1	0	0	0	0	0	0	0	2
02:00	0	0	0	0	0	0	0	0	0	0	0	0	0	0
03:00	0	0	0	0	0	0	0	0	0	0	0	0	0	0
04:00	0	0	0	0	0	0	0	0	0	0	0	0	0	0
05:00	0	1	0	0	0	0	0	0	0	0	0	0	0	1
06:00	1	0	1	2	2	0	0	0	0	0	0	0	0	6
07:00	1	1	1	6	4	4	0	0	0	0	0	0	0	17
08:00	14	4	13	16	8	1	0	0	0	0	0	0	0	56
09:00	3	7	15	14	12	2	0	0	0	0	0	0	0	53
10:00	5	5	5	8	4	2	0	0	0	0	0	0	0	29

DAY TOTAL	87	87	152	234	128	36	2	1	0	0	0	0	0	727
PERCENTS	12.0%	12.0%	21.0%	32.2%	17.6%	4.9%	0.2%	0.1%	0.0%	0.0%	0.0%	0.0%	0.0%	100%

Statistical Information...

15th Percentile Speed
30.3 Mph

Median Speed
36.7 Mph

10 MPH Pace Speed
30MPH to 40MPH
386 vehicles in pace
Representing 60.3% of the total vehicles

85th Percentile Speed
42.8 Mph

Average Speed
36.6 Mph

Vehicles > 65 MPH
0
0%

Charlevoix County Road Commission
SPEED SUMMARY
THU 10/23/2025

Page: 2

ite Reference: 000000000981

ite ID: TWNLNE Speed

ocation: Townline Rd. (US-31 to Pincherry Rd.)

irection: ROAD TOTAL

File: D1022005.prn

City: Hayes Township

County: CHARLEVOIX

TIME	25	30	35	40	45	50	55	60	65	70	75	80	81+	Total
11:00	8	2	18	19	10	2	0	0	0	0	0	0	0	59
12:00	5	3	11	17	14	0	1	0	0	0	0	0	0	51
13:00	0	2	10	12	9	3	2	0	0	0	0	0	0	38
14:00	9	8	22	9	8	2	0	1	0	0	0	0	0	59
15:00	4	4	7	10	16	4	0	0	0	0	0	0	0	45
16:00	2	6	13	17	13	1	0	0	0	0	0	0	0	52
17:00	3	9	15	25	17	2	0	0	0	0	0	0	0	71
18:00	9	5	21	18	12	2	1	0	0	0	0	0	0	68
19:00	6	3	14	14	5	2	0	0	0	0	0	0	0	44
20:00	4	3	7	6	6	0	0	0	0	0	0	0	0	26
21:00	2	1	6	9	4	1	0	0	0	0	0	0	0	23
22:00	3	0	1	2	1	1	0	0	0	0	0	0	0	8
23:00	0	0	1	1	1	0	0	0	0	0	0	0	0	3
24:00	1	0	2	0	1	2	0	0	0	0	0	0	0	6
01:00	0	0	0	0	0	0	0	0	0	0	0	0	0	0
02:00	0	0	0	0	0	0	0	0	0	0	0	0	0	0
03:00	0	0	0	0	0	0	0	0	0	0	0	0	0	0
04:00	0	0	0	0	0	0	0	0	0	0	0	0	0	0
05:00	0	0	0	0	0	0	0	0	0	0	0	0	0	0
06:00	2	2	1	1	2	1	0	0	0	0	0	0	0	9
07:00	2	0	3	9	3	0	0	0	0	0	0	0	0	17
08:00	15	11	10	21	7	2	0	0	0	0	0	0	0	66
09:00	4	7	15	15	15	4	1	0	0	0	0	0	0	61
10:00	5	3	11	14	10	2	0	0	0	0	0	0	0	45

DAY TOTAL	84	69	188	219	154	31	5	1	0	0	0	0	0	751
PERCENTS	11.2%	9.2%	25.1%	29.2%	20.5%	4.1%	0.6%	0.1%	0.0%	0.0%	0.0%	0.0%	0.0%	100%

Statistical Information...

15th Percentile Speed
30.8 Mph

Median Speed
36.8 Mph

10 MPH Pace Speed
30MPH to 40MPH
407 vehicles in pace
Representing 61.0% of the total vehicles

85th Percentile Speed
43.0 Mph

Average Speed
36.8 Mph

Vehicles > 65 MPH
0
0%

Charlevoix County Road Commission
SPEED SUMMARY
FRI 10/24/2025

Page: 3

ite Reference: 000000000981

ite ID: TWNLNE Speed

ocation: Townline Rd. (US-31 to Pincherry Rd.)

irection: ROAD TOTAL

File: D1022005.prn

City: Hayes Township

County: CHARLEVOIX

TIME	25	30	35	40	45	50	55	60	65	70	75	80	81+	Total
11:00	3	6	18	16	7	2	0	0	0	0	0	0	0	52
12:00	6	5	21	9	8	0	0	0	0	0	0	0	0	49
13:00	5	5	16	15	8	1	0	0	0	0	0	0	0	50
14:00	6	0	13	12	7	2	2	1	0	0	0	0	0	43
15:00	4	4	15	16	11	6	0	0	0	0	0	0	0	56
16:00	2	4	11	14	11	5	0	0	0	0	0	0	0	47
17:00	10	4	22	25	12	6	2	0	0	0	0	1	0	82
18:00	12	2	20	29	17	6	0	0	0	0	0	0	0	86
19:00	5	3	10	14	6	3	0	0	0	0	0	0	0	41
20:00	1	4	13	11	6	2	0	0	0	0	0	0	0	37
21:00	3	8	5	12	5	1	0	0	1	0	0	0	0	35
22:00	2	1	1	2	2	3	0	0	0	0	0	0	0	11
23:00	0	3	2	0	3	1	0	0	0	0	0	0	0	9
24:00	0	0	0	0	1	1	0	0	0	0	0	0	0	2
01:00	0	0	1	0	0	0	0	0	0	0	0	0	0	1
02:00	0	0	0	0	0	0	0	0	0	0	0	0	0	0
03:00	0	0	0	0	0	0	0	0	0	0	0	0	0	0
04:00	0	0	0	1	0	0	0	0	0	0	0	0	0	1
05:00	1	0	0	0	0	0	0	0	0	0	0	0	0	1
06:00	0	0	0	1	2	0	0	0	0	0	0	0	0	3
07:00	2	0	0	0	1	1	0	0	0	0	0	0	0	4
08:00	2	0	2	1	2	0	0	0	0	0	0	0	0	7
09:00	2	6	10	6	5	1	0	0	0	0	0	0	0	30
10:00	4	2	12	16	9	2	0	1	0	0	0	0	0	46

DAY TOTAL	70	57	192	200	123	43	4	2	1	0	0	1	0	693
PERCENTS	10.2%	8.3%	27.8%	28.9%	17.7%	6.2%	0.5%	0.2%	0.1%	0.0%	0.0%	0.1%	0.0%	100%

Statistical Information...

15th Percentile Speed
31.0 Mph

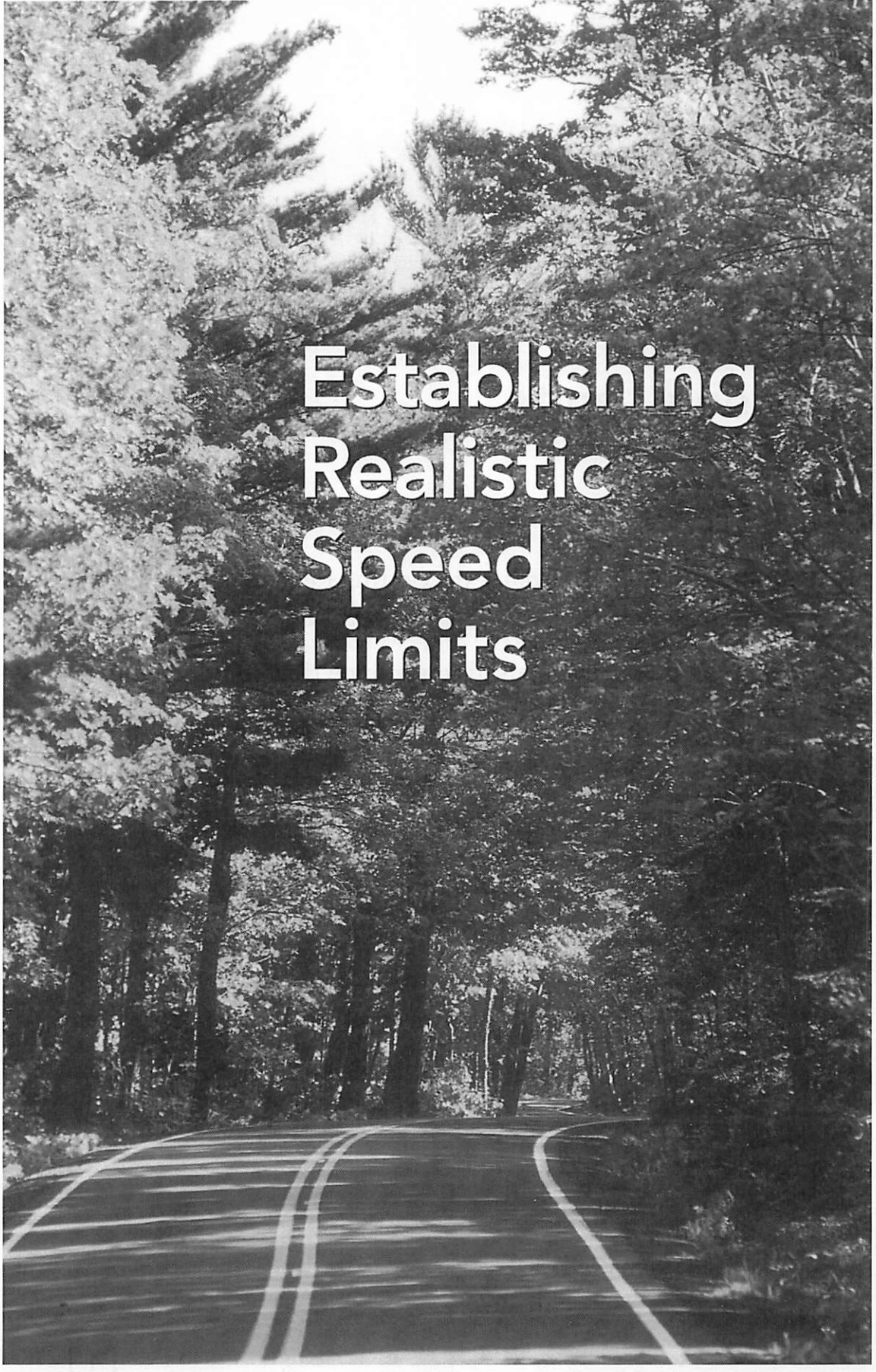
Median Speed
36.6 Mph

10 MPH Pace Speed
30MPH to 40MPH
392 vehicles in pace
Representing 62.9% of the total vehicles

85th Percentile Speed
43.3 Mph

Average Speed
37.0 Mph

Vehicles > 65 MPH
1
.16%



Establishing Realistic Speed Limits

Establishing Realistic Speed Limits

This publication updates the Setting Realistic Speed Limits booklet which was originally produced in the 1970s.

Technical references used to produce this booklet include:

Transportation and Traffic Engineering Handbook

Michigan Manual of Uniform Traffic Control Devices

Michigan State Police Standards for Traffic
Engineering Investigations

Uniform Vehicle Code, National Committee on
Uniform Laws and Ordinances

“Speed Zoning on Texas Highways,” Texas
Department of Highway and Public Transportation

Introduction

The purpose of a speed limit is to provide for the safety of all highway users. To meet this purpose a speed limit must be acceptable to the public and be enforceable by police. This booklet provides background information regarding how this purpose is met through establishing realistic speed limits.

From a historical perspective, the imposition of speed limits became necessary because of changing times and conditions. In the early days of the automobile, the difference between rural and urban areas was well defined. Thus, it was simple to set speed limits—one for the open countryside and one for population centers.

With the spread of urbanization and the development of suburban communities, the situation changed. The differences between rural and urban areas became less clearly defined. During this same period, the number of motor vehicles and their speeds increased as did the number of miles traveled. A need developed for modified speed limits in these transitions between rural and urban areas.



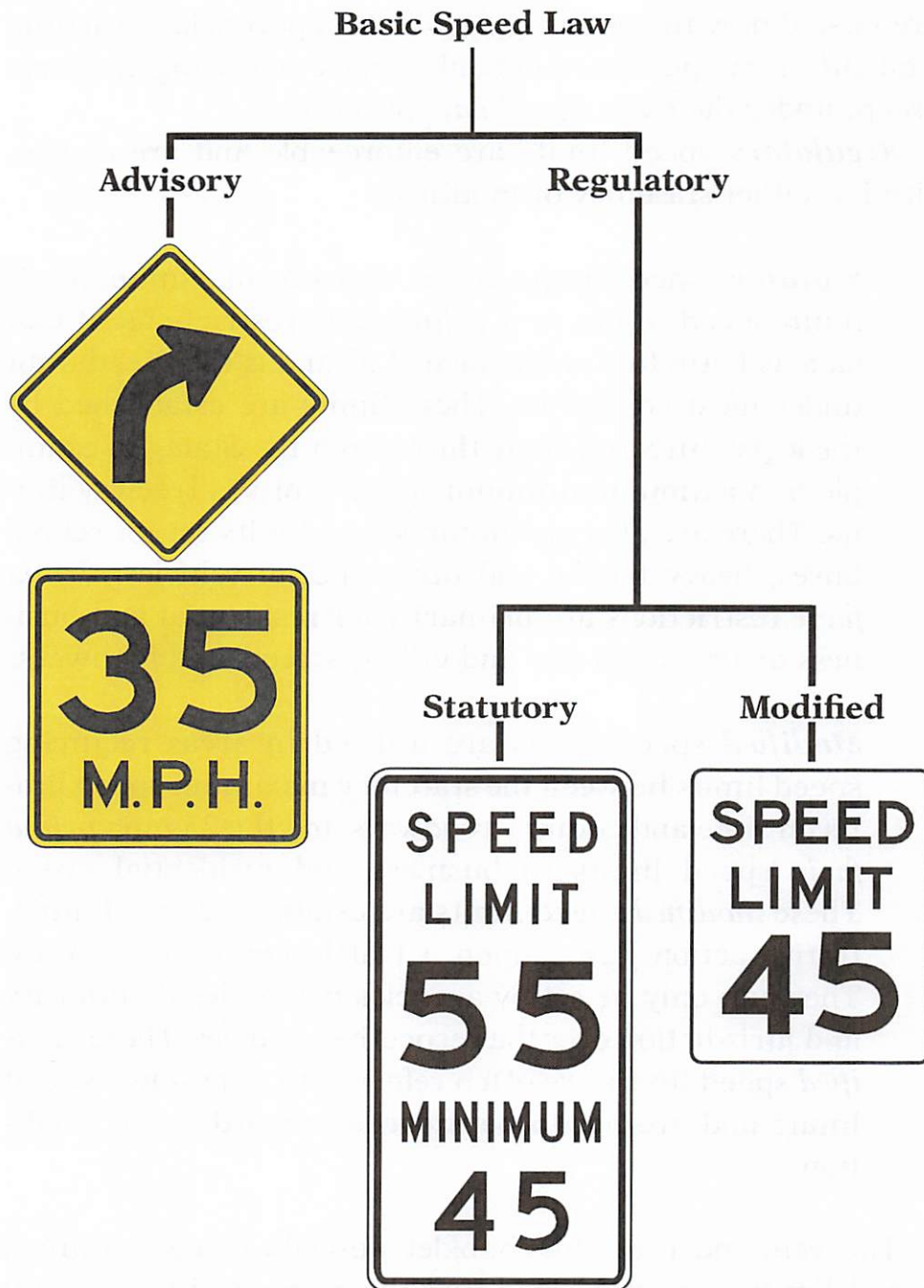
Types of Speed Limits

The basis of all speed limits predicated upon the nationally accepted principle that the majority of drivers are cautious, prudent and drive at speeds that are reasonable and proper, regardless of the posted speed limit. This “reasonable and proper” theme is part of the Basic Speed Law as set forth in the Michigan Vehicle Code. In part it reads:

“A person driving a vehicle on a highway shall drive at a careful and prudent speed not greater than nor less than is reasonable and proper, having due regard to the traffic, surface, and width of the highway and of any other condition then existing. A person shall not drive a vehicle upon a highway at a speed greater than that which will permit a stop within the assured, clear distance ahead.” [Sec. 257.627]

In other words, motorists must always drive at a speed which allows them to stop safely. The Basic Speed Law governs the speed of all drivers regardless of any posted speed limits. This is an important point because there are several types of speed limits.

The following chart shows the types of speed limits in use in Michigan:



Advisory speed limits are recommended safe driving speeds to alert drivers of the maximum recommended speed through a curve or for other special roadway conditions. They are posted only in combination with an appropriate warning sign. *Advisory* speeds are not enforceable in Michigan courts except under the *Basic Speed Law* provisions.

Regulatory speed limits are enforceable and are categorized as either statutory or modified.

Statutory speed limits are set either as maximum/minimum speed limits or a *prima facie* restrictions. *Prima facie* is Latin for “on the face of it” and is the speed limit under most conditions. These limits are established by the legislature and apply throughout the State. An example of maximum/minimum speed limits is freeway limits. There are also maximum speed limits set for school buses, heavy trucks and other special vehicles. *Prima facie* restrictions are primarily for residential and business districts and city and village streets and highways.

Modified speed limits are utilized in areas requiring speed limits between the statutory maximum speed limits on state and country roadways and the 25 mph *prima facie* speed limits in business and residential areas. These *modified* speed limits are established by administrative action based upon a traffic engineering study. They can only be set by agencies having legal authority and jurisdiction over the respective roadway. These *modified* speed limits are often referred to as absolute speed limits and are not to be exceeded regardless of conditions.

The remainder of this booklet describes how modified speed limits are established and the responsibilities we all share in their implementation.

Authority to Establish Speed Limits

The Michigan Department of Transportation and county road commissions working with the Michigan Department of State Police, are authorized to establish modified speed limits. Representatives from these agencies comprise a traffic survey team which consists of an engineer and a state police officer. They conduct studies and recommend speed limits on state and county roadways including those within cities and villages.



The speed limits on streets under the jurisdiction of cities and villages are determined solely by the local authorities.

The establishment or review of speed zones originates for a variety of reasons. These may be road construction, changes in land use, violations, crashes, or poor compliance with an established speed limit. A study may also be conducted following a spectacular traffic crash or through periodic reviews. Usually, speed zones are reviewed as a result of concerns expressed by interested citizens who live nearby or drive along the roads in question. Their concerns are referred to the traffic survey team for review.

Occasionally citizens or public officials under citizen pressure, request that a particular speed limit be imposed or that some other type of corrective action be taken. For example, the idea persists that simply posting lower speed limits in the community will reduce speeds and improve safety. Any decisions regarding speed limits must be based on facts and an objective analysis of the characteristics of the roadway.

Once a study begins, the person requesting the survey may be contacted for further input or clarification of the problem. If a group of persons is involved, the traffic survey team may conduct a public meeting to explain why a study is necessary, what types of data will be collected and how the speed limit evaluation will be conducted. The meeting also provides an opportunity for public comment on proposed speed study locations, crash experience and other factors which may have a significant impact on the evaluation. The traffic survey team also requests input and participation of local representatives in the process.

The traffic survey team then gathers all the information needed to analyze the roadway conditions. This includes: speed studies, traffic crash data, the driving environment, and other pertinent information.

Speed Limit Survey

Before discussing the gathering and analysis of the speed study data, there are some facts about driver behavior which are the basis of all traffic laws, including modified speed limits.

Driver behavior is an extension of societal attitudes. Most drivers respond to traffic regulations in a safe and reasonable manner as demonstrated by their consistently favorable driving records. Traffic laws which reflect the behavior of the majority of motorists are usually respected and obeyed. In order for any traffic law to be enforceable, voluntary compliance must be practiced by the vast majority of drivers so violators can be easily identified. Realistic speed limits reflect this fact and recognize that unreasonable restrictions encourage widespread violations and disrespect for the entire traffic control system. Arbitrary laws unnecessarily restrict drivers, encourage violations and lack public support.

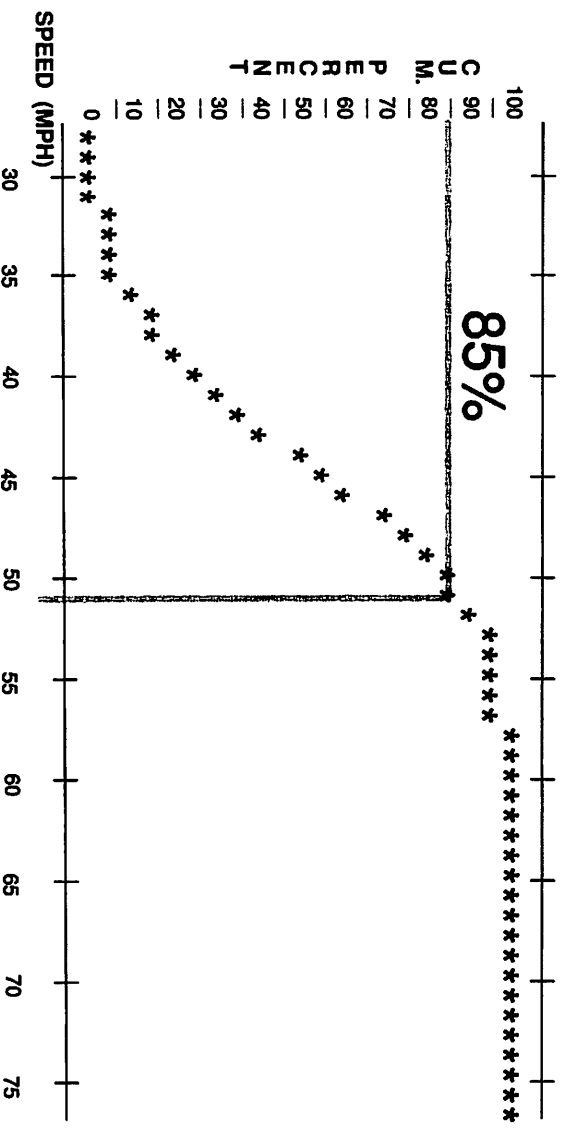
Posting unrealistically low speed limits may create a false sense of security. Actually, studies show that the driving environment, not the posted speed limit, is the main influence on motorists' speeds.

Speed Studies

Speed studies are taken during light to medium traffic conditions on a weekday. Rush hours and adverse weather conditions are avoided because they do not represent normal, free-flow traffic. Areas such as intersections, railroad tracks, or other

Speed Distribution Graph

Figure 1



DIRECTION(S) E-W
DATE 01/10/91
TIME 1:30 PM
POSTED SPEED LIMIT 45
50TH PERCENTILE SPEED 45
85TH PERCENTILE SPEED 51
10 MPH PACE SPEED 40 through 49
PERCENT IN PACE SPEED 63.3
PERCENT OVER PACE SPEED 18.8
PERCENT UNDER PACE SPEED 17.9
RANGE OF SPEEDS 28 to 61
VEHICLES OBSERVED 218
AVERAGE SPEED 44.6

SPEED	NO.	PCT.	CUM. PCT.
30	2	0.9	1.4
31	1	0.5	1.8
32	2	0.9	2.8
33	4	1.8	4.6
34	3	1.4	6.0
35	2	0.9	6.9
36	6	2.8	9.6
37	7	3.2	12.8
38	4	1.8	14.7
39	7	3.2	17.9
40	12	5.5	23.4
41	12	5.5	28.9
42	10	4.6	33.5
43	17	7.8	41.3
44	15	6.9	48.2
45	15	6.9	55.0
46	14	6.4	61.5
47	18	8.3	69.7
48	16	7.3	77.1
49	9	4.1	81.2
50	8	3.7	84.9
51	5	2.3	87.2
52	9	4.1	91.3
53	4	1.8	93.1
54	3	1.4	94.5
55	3	1.4	95.9
56	2	0.9	96.5
57	1	0.5	97.2
58	2	0.9	98.2
59	0	0.0	98.2
60	2	0.9	99.1
61	2	0.9	100.0

factors that will influence speed are avoided. Since modified speed limits are the maximum allowable speeds, the conditions under which speed studies are taken must be close to ideal.

The primary basis for establishing a proper, realistic speed limit is the nationally recognized method of using the 85th percentile speed. This is the speed at or below which 85% of the traffic moves. For example, if 85 of each 100 motor vehicles were recorded at 45 mph or under, then 45 mph is the 85th percentile speed.

Historically, before and after traffic engineering studies have shown that changing the posted speed limit does not significantly affect the 85th percentile speed. The driving environment, which includes other traffic on the road and roadway conditions, is the primary factor which influences the prevailing speed.

The driving environment is reflected by the 85th percentile speed. The majority of drivers, consciously or unconsciously, consider the factors in the driving environment and travel at a speed that is safe and comfortable regardless of the posted speed limit.

The speed data are collected by recording the speeds of free flowing motor vehicles using a radar or other speed measuring device. A representative sample of vehicular speeds is recorded and these speeds would include local residents who drive through the zone.

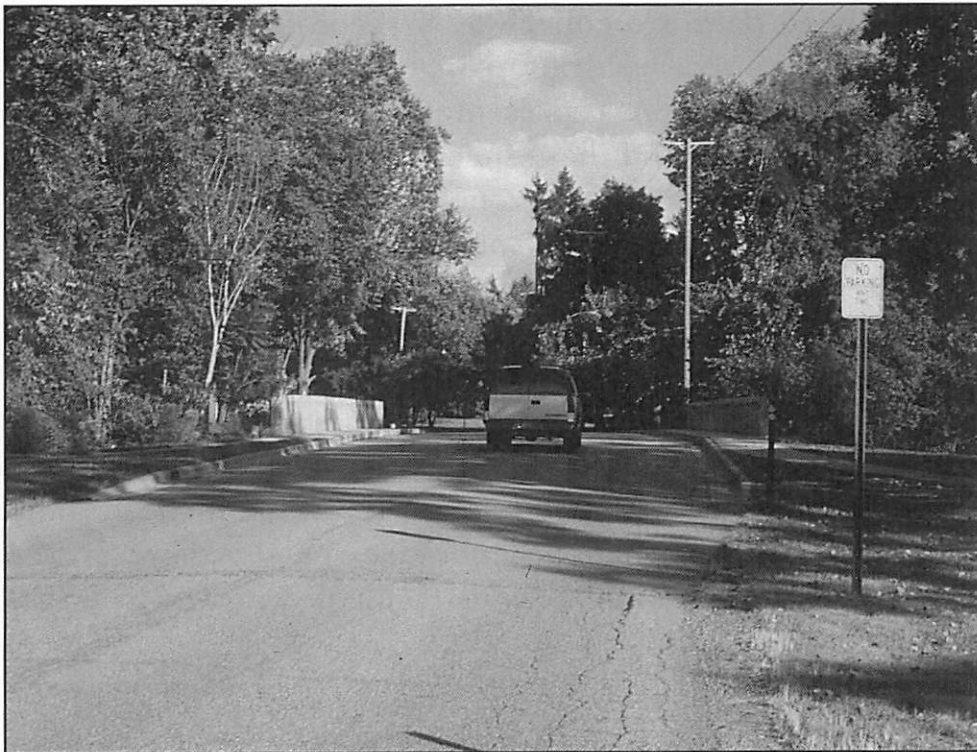
Use of the 85th percentile speed acknowledges that 15% of the drivers are traveling above a speed that is reasonable and proper. This is the 15% of motorists at which enforcement action is directed. Studies have shown that this is the group of motorists that cause many of the crashes and have the worst driving records.

There are other parameters used to evaluate speed data, such as the average, median and pace speeds. However, the 85th percentile speed is the most critical criterion in establishing realistic speed limits.

Traffic Crash Data

Contrary to popular belief, lower speed limits do not necessarily improve safety. The more uniform the speeds of vehicles in a traffic stream, the less chance there is for conflict and crashes. Posting speed limits lower or higher than what the majority of drivers are traveling produces two distinct groups of drivers: those attempting to observe the speed limit and those driving at a speed they feel is reasonable and prudent. These differences in speeds can result in increased crashes due to tailgating, improper passing, reckless driving, and weaving from lane to lane. However, the number of traffic crashes along any highway is related to numerous factors.

Regardless of the roadway involved, there is a statistical number of crashes that can be expected to occur no matter how safe a roadway is made. The traffic survey team determines if the number of crashes is unusually high by analyzing the crash rate for the section of roadway under study. A crash

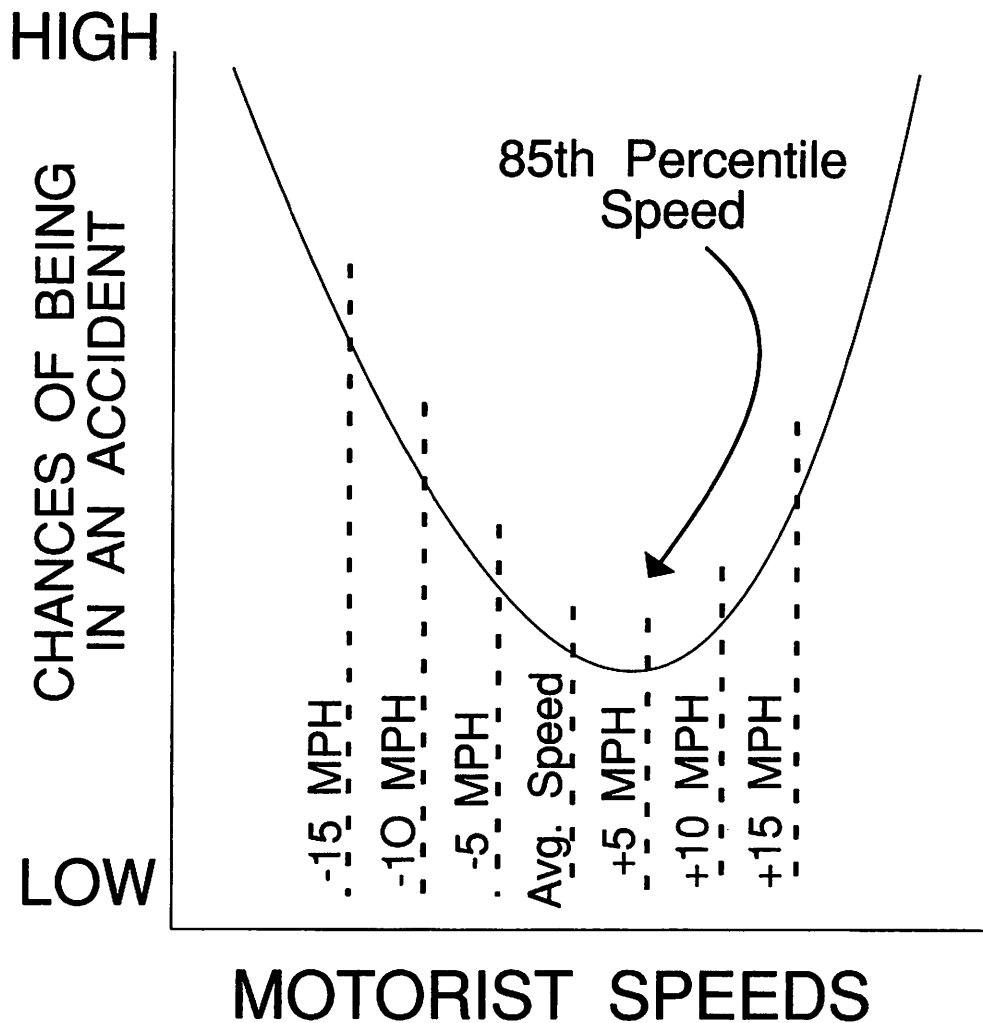


rate is based on the number of crashes and amount of traffic for a given segment of roadway. The traffic crash pattern is then taken into consideration when determining the speed limit.

Investigations of crashes reveal that in the majority of cases there was a clear violation of a traffic law or rule of good driving. A review of crash experience is an important component of any analysis of speed limits. Proper analysis and evaluation of these factors require the experience and expertise of the traffic survey team.

Studies have been conducted over the years to relate crashes to speed. Based on these studies and as illustrated in the graph, the lowest risk of being involved in a crash occurs at approximately the 85th percentile speed.

Accident Involvement vs. Motorist Speeds



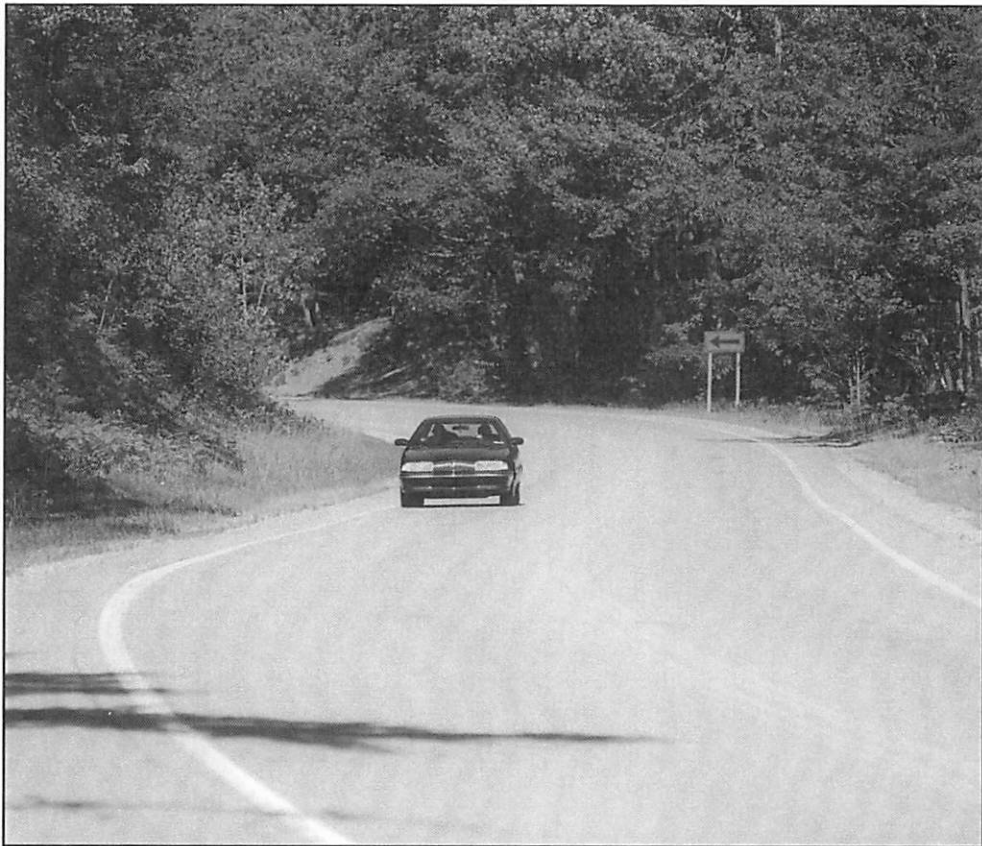
Source: "Speed Zoning on Texas Highways" State Department of Highways and Public Transportation, Austin, Texas, October 1990

Figure 2

Driving Environment

The design, physical condition, and use of a roadway has a profound effect on vehicle speeds because motorists vary their speeds depending on the driving environment. The traffic survey team considers significant items in the driving environment which are all reflected in the 85th percentile speed. For example these may include: traffic volumes, road-side development, roadway and shoulder widths, condition of the roadway, and the number of lanes, intersections, driveways, hills, curves, sidewalks, schools, parks, and any other factors recorded by the team.

The traffic survey team makes a personal inspection of the roadway to verify the accuracy of their data. They drive the roadway to determine if there are any hazards not readily apparent to the motoring public. Sometimes consideration is given to reduce a speed limit due to a certain condition. If a hazardous condition is found, an attempt should be made to



correct it. If it cannot be corrected, consideration should be given to posting an advisory speed control sign or, if several conditions are present, then the speed limit may be reduced. Of particular concern are hills and curves where vision is restricted. On long stretches of roadway, one or two hills or curves should not dictate the speed for the entire roadway. Motorists are warned of the reduced sight distance through the use of warning signs with advisory speed controls.

The number of changes in the speed limit along a given route should be minimized. With this in mind, the length of the speed zone should be at least one-half mile. Survey team members base their recommendation on the conditions that exist at the time of their evaluation and should not attempt to consider such things as future growth, anticipated enforcement, or concerns for something that hasn't happened.

Realistic speed limits provide for a uniform and orderly movement of traffic. There is a need for uniformity on all roadways especially where they carry large volumes of traffic through various roadside conditions or numerous adjoining communities.

Recommendation

Once all the data have been collected and reviewed by the traffic survey team, the facts are analyzed and a recommendation is made. When the survey members agree that a modified speed zone should be established, their proposal is communicated to the requestor as well as any local units of government. If requested, a public presentation of their findings may be conducted. While local concurrence is desirable, it is not required by law. If the traffic survey team agrees that a modified speed limit is not justified, or if they cannot agree on a recommendation, the survey is concluded with no change in the existing speed limit.

The traffic survey team then submits a written report of their findings and recommendations to their respective agencies. When a modified speed limit is recommended, a Traffic Control Order is submitted to the respective road agency and the Director of the Michigan Department of State Police for their approval and signatures.

Posting Speed Limit Signs

The modified speed limit becomes effective when the Traffic Control Order has been signed by both agencies, a copy of the order has been filed with the County Clerk and the signs have been installed. The *Michigan Manual of Uniform Traffic Control Devices* sets forth standards for installing speed limit signs and specifies the size, shape, color and location of the signs.

Signs should be installed at the start of a zone, beyond major intersections and at approximately one-half mile intervals. The speed limit is established in increments of 5 mph, as close as possible to the 85th percentile speed. “REDUCED SPEED AHEAD” signs may be posted to advise motorists of speed limit reductions. These signs are not normally required in urban areas where speeds are relatively low.

Generally the entire speed survey process from request to signs being posted takes anywhere from 3 to 9 months, depending on the complexity of the situation.



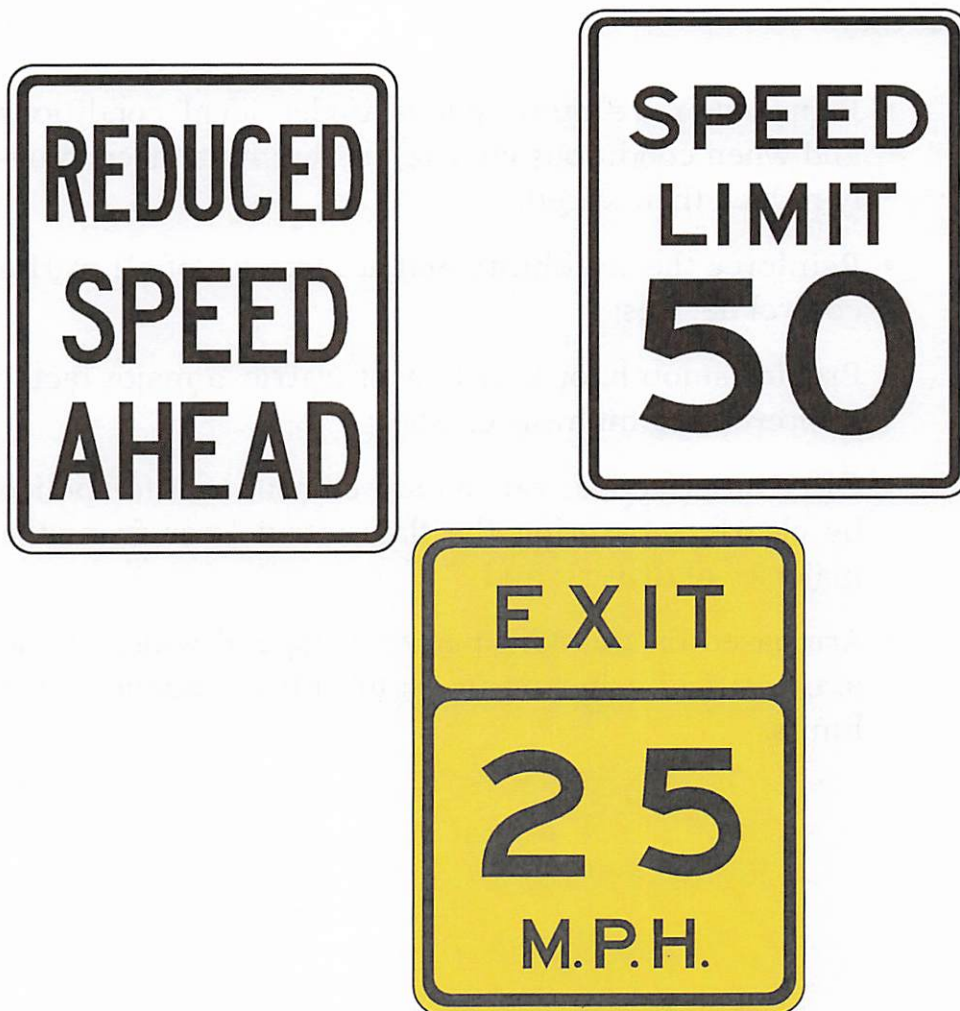
Summary

Realistic speed limits are important for safe highways. A few points to remember about realistic speed limits are that they:

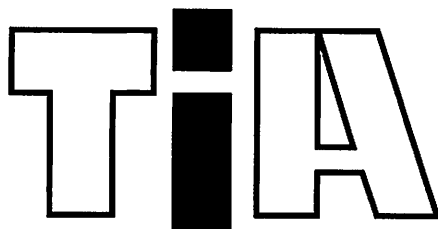
- Represent maximum speeds under ideal conditions and when conditions change, drivers must accordingly reduce their speed;
- Reinforce the credibility and acceptance of all traffic control devices;
- Provide smooth, orderly flow of traffic, a major factor in preventing highway crashes;
- Offer an effective traffic enforcement tool for police by clearly separating the flagrant violator from the majority of drivers; and
- Are based on the 85th percentile speed which is the *most critical* criterion in establishing realistic speed limits.

Realistic speed limits provide for a uniform and orderly movement of traffic. Some of our roadways carry large volumes of traffic through various roadside conditions and through numerous adjoining communities. It is important to encourage smooth traffic flow, not only for safety, but for the convenience and economy of every motorist.

Speed limits are based upon driving speeds—yours, your neighbors, and a percentage of everyone traveling on a roadway. You have shown that you are concerned about speed limits just by taking the time to read this booklet. Please obey the speed limit, not only on your street but on all street and highways of our state.



The Office of Highway Safety Planning wishes to express thanks to the Traffic Engineering Enforcement Committee.



Traffic Improvement Association of Oakland County



Southeastern Michigan Coalition of Governments

Office of Highway Safety Planning
4000 Collins Rd
PO Box 30633
Lansing, MI 48909-8133
(517) 336-6477

Township of Hayes

Comments and Recommendations

For the June 30, 2025 Audit

During our audit, we identified several opportunities for strengthening internal controls and improving operational efficiency. This memorandum outlines our recommendations to help the Township enhance its financial management processes and prepare for upcoming accounting changes. These suggestions are intended to support the Township Board's efforts to achieve greater accuracy, efficiency, and compliance throughout its operations.

The following recommendations are grouped by category for clarity and actionability:

1. Pooled Cash

The Township has recently implemented BS&A Software for accounting purposes. This software is capable of accounting for multiple funds' cash balances when using a single bank account. The Township, at June 30, 2025 has bank accounts that are segregated for individual funds and only one checking account. This creates added workload, complications arising from banking transfers, and accounting confusion for Township management regarding budgeting or not budgeting for transfers. Pooling of cash is a proven methodology for reducing workload, reducing the need for bank account transfers, and reducing complexity of cash availability. Currently, as part of the conversion, and historical records, the Township has listed amounts due to and due from other funds for the general and roads fund; as part of the audit these accounts are presented as resolved via journal entry to be in conformance with accounting standards. Implementation of pooled cash accounts would simplify the accounting for these balances and ultimately aid in resolving them.

Recommendation:

We strongly recommend the Township review its use of bank accounts and consider implementing a pooled cash checking account that could be used for both the general fund and the road fund.

2. Tax Receipting / Collections / Reconciliation

Historically, the Township has not accounted for tax receipting activity in its general ledger accounting system in a 703-Current Tax Collection Fund. On the ledger, the Township is accounting for tax dollars in its general fund. During fiscal year 2025, the Township converted to BS&A software; the same software that is used to process tax bills and receipts. This software integrates directly with the general ledger accounting system.

Recommendation:

We recommend that the Township work with BS&A and/or an outside accounting firm as needed to ensure that tax receipting and disbursements are being processed through the BS&A system in a 703 Current Tax Collection fund, and the reconciliation for that bank account is also being performed within that system.

Conclusion

The recommendations outlined above are intended to help Hayes Township strengthen its financial management processes, improve operational efficiency, and maintain compliance with applicable regulations. We are available to discuss these recommendations further or assist with any questions the Township Board may have.



clerk hayestownshipmi <clerkhayestownshipmi@gmail.com>

ZBA Application for Service

1 message

Sean Davis <sdavis@wilmotelectric.com>

Mon, Feb 9, 2026 at 2:55 PM

To: "clerk@hayestownshipmi.gov" <clerk@hayestownshipmi.gov>

Hello Kristin,

My application to serve on the Hayes Township Zoning Board of Appeals is attached. Please let me know the next steps I need to take, if any. Unfortunately I will not be available to attend the BOT meeting tonight.

Thank you,

Sean W. Davis, Vice President

Wilmot Electric, Inc

12800 Taylor Rd.

Charlevoix, MI 49720

(231) 675-5982 mobile

(231) 547-5583 x15 office



Hayes TWP ZBA Application.pdf

1068K

[REDACTED]

[REDACTED]

[REDACTED]



Application for Service on Hayes Township Boards, Commissions, and Committees

09195 Major Douglas Sloand Rd.

Charlevoix, MI 49720

(231)547-6961

Applicant Name: Sean Davis Date: 2-9-2026

Street Address: 7625 Charlevoix View Dr.

City, Zip, & State: Charlevoix, MI 49720

Telephone Number: 231-675-5982 ☒ cell ☒ work ☐ home

Email: sdavis9093@charter.net

Which Board/Commission/Committee would you like to serve on? (circle all that apply)

Board of Review Planning Commission Cemetery Committee Library Board Parks & Recreation
☒ Zoning Board of Appeals Road Committee

Tell us why you want to serve the township. What makes you a good candidate?

I was made aware of an Alternate position on the ZBA and asked if I would consider serving. After carefully thinking about it, I decided it was something I would like to do to serve my community. I have resided in the TWP for about 20 years. I am able to understand complex topics and have good judgement.

Briefly describe your education & employment history.

I have a high school diploma and also completed 2 years of vocational education in construction. I have been exclusively employed in the electrical construction industry for 39 years as an electrician, Project Manager, Superintendent, Estimator, and Vice President. I am currently employed by Wilmet Electric, Inc as V.P. and Master Electrician.

Have you served on boards in the past? If yes, which board(s)?

I served on the Board of Charlevoix Youth Soccer for 10 yrs.

Do you have any other skills or experiences you would like to share?

I am very adept at understanding and interpreting
construction codes and other regulatory verbiage.

Are there any potential conflicts of interest?

No

For Board of Review Applicants, do you have any experience in: (circle all that apply)

Finance Real Estate Property Appraisal/Assessing Taxes Other: _____

For Planning Commission applicants, please share which part of our community you would represent: (circle all that apply)

Agriculture Recreation Commerce Transportation Industry Economy
Government Educational Social Development Natural Resources Public Health

Please feel free to attach any supporting documents (resume, letter of interest, etc.) to this application.

Reference(s): Please include name, address, phone number)

Kevin Schlickau 8175 Ferry Rd, EJ 231-675-2843

Ron Wray 5768 Barnard Rd, Charlevoix 231-675-7764

Brian Wilmet 720 Dietz Rd E, Boyne City 231-675-5975

Signature of Applicant: [Signature] **Date:** 2-9-2026

Please return to: Clerk, Hayes Township, 09195 Major Douglas Sloan Rd, Charlevoix, MI 49720
Email to: clerk@hayestownshipmi.gov

Hayes Township is an Equal Opportunity Employer and will not discriminate among applicants or employees with regard to race, religion, sex, age, national origin, height, weight, marital status, non-disqualifying disability, veteran status, or on the basis of any characteristic that is protected by state or federal law.



clerk hayestownshipmi <clerkhayestownshipmi@gmail.com>

Public Comment on Proposed Master Plan Document

1 message

Abbie Hawley <abbie@watershedcouncil.org>

Mon, Feb 9, 2026 at 1:41 PM

To: supervisor@hayestownshipmi.gov, treasurer@hayestownshipmi.gov, clerk@hayestownshipmi.gov, trustee2@hayestownshipmi.gov, hayestrustee5@gmail.com

Dear Township Trustees,

I understand you will vote on the updated Master Plan draft this evening. I am writing to share several high-level concerns and to request an extension for further discussion and collaboration.

Tip of the Mitt Watershed Council values our longstanding partnerships with local municipalities to protect water resources. We remain committed to working with Hayes Township as you review your Master Plan and zoning ordinance.

I am concerned that the Goals section of the current draft addresses water resources too narrowly. While the goal of protecting ground and surface water on page 55 is commendable, listing property owner rights as a factor to balance with vegetative buffers and setbacks may encourage regulations that increase development pressure and harm water quality. Protecting water resources for the benefit of all requires careful consideration.

I am also concerned that the plan does not address the protection of sensitive wetland areas or emphasize groundwater protection. Additionally, the land-use and preservation section lacks strategies to prioritize protecting key parcels and wildlife corridors. Including these priorities would strengthen the Master Plan. Overall, unlike previous versions of the Township's Master Plans, this proposed Plan appears to weaken the overall aim of protecting water resources. This is an unfortunate trajectory, and I would welcome the opportunity to discuss additional protective provisions.

I commend the Township for recognizing the importance of septic system maintenance and monitoring, which is a critical issue for our state. As always, we look forward to working closely with your Township to act as a resource for science-based approaches to protecting water quality in our area and ensuring that many generations to come can enjoy our beautiful water resources.

All the best,

Abbie



Abbie Hawley
Director of Community and Government Relations
(231) 347-1181 ext. 1112
watershedcouncil.org



clerk hayestownshipmi <clerkhayestownshipmi@gmail.com>

Co PC Recom - Proposed Zoning Map

3 messages

Kiersten Stark <Starkk2@charlevoixcounty.org>

Mon, Feb 9, 2026 at 2:43 PM

To: "Kristin Baranski (clerk@hayestownshipmi.gov)" <clerk@hayestownshipmi.gov>

Cc: "Roy Griffiths (rwgriffitts3@gmail.com)" <rwgriffitts3@gmail.com>

Hi, Kristin

Attached is a packet that includes a cover letter and draft minutes of the County Planning Commission meeting last Thursday regarding our review of the Hayes Township proposed zoning map. If you have any questions regarding our review, please feel free to contact me.

Kiersten Stark

Planning Director

Charlevoix County

(231) 547-7234

starkk2@charlevoixcounty.org



Packet for Hayes Twp 02-09-26.pdf

418K

clerk hayestownshipmi <clerkhayestownshipmi@gmail.com>

Mon, Feb 9, 2026 at 3:35 PM

Reply-To: clerk@hayestownshipmi.gov

To: Kiersten Stark <Starkk2@charlevoixcounty.org>

Thanks Kiersten,

Always appreciate County input.

To clarify, Goal Statement pertaining to Natural Resources can be found in Chapter 3 (Pages 10-11). Parks and Rec have a separate Master Plan per a Board decision from back in the 1980's.

I hope this helps.

[Quoted text hidden]

--

Kristin Baranski

Hayes Township Clerk

9195 Major Douglas Sloan Road

Charlevoix, Michigan 49720

231.547.6961

Kiersten Stark <Starkk2@charlevoixcounty.org>

Mon, Feb 9, 2026 at 3:37 PM

To: "clerk@hayestownshipmi.gov" <clerk@hayestownshipmi.gov>

Thank you! I'll share this with the Planning Commission.

Kiersten

From: clerk hayestownshipmi <clerkhayestownshipmi@gmail.com>
Sent: Monday, February 9, 2026 3:35 PM
To: Kiersten Stark <Starkk2@charlevoixcounty.org>
Subject: Re: Co PC Recom - Proposed Zoning Map

External sender <clerkhayestownshipmi@gmail.com>
Make sure you trust this sender before taking any actions.

[Quoted text hidden]



CHARLEVOIX COUNTY PLANNING DEPARTMENT

13513 Division Street
Charlevoix, Michigan 49720
(231) 547-7234
planning@charlevoixcounty.org

February 9, 2026

Kristin Baranski
Hayes Township Clerk
09195 Major Douglas Sloan Rd.
Charlevoix, MI 49720

Kristin,

At their meeting on February 5, 2026, the Charlevoix County Planning Commission reviewed the proposed new zoning map for Hayes Township. After reviewing the proposed map and the Planning Department Staff Report, the Planning Commission took the following action:

MOTION by M. Cunningham to recommend approval of the proposed new Hayes Township Zoning Map. D. Wheeler seconded the motion. Voice vote: all in favor. Motion carried.

The Commission also discussed concerns raised in a letter from LuAnne Kozma, a Hayes Township citizen, to the County Planning Commission regarding the proposed new Hayes Township Master Plan. A primary concern raised by Ms. Kozma was that many of the goals pertaining to natural resources and recreational resources included in previous Hayes Township Master Plans have been omitted from the proposed new plan. During discussion, it was noted that sometimes when a zoning ordinance or master plan is being updated, text can be unintentionally left out. Is it the Township's intent to remove many of the goals pertaining to natural resources and recreational resources included in previous master plans from the proposed new Master Plan?

Please refer to the enclosed draft minutes of the Planning Commission meeting for further details of our discussion. If you have any questions regarding our review, please feel free to contact me at (231) 547-7234 or starkk2@charlevoixcounty.org.

Sincerely,

Kiersten J Stark

Kiersten Stark
Planning Director

cc: Roy Griffiths, Twp P.C. Chair (via email)



CHARLEVOIX COUNTY PLANNING COMMISSION

13513 Division Street
Charlevoix, Michigan 49720
(231) 547-7234
planning@charlevoixcounty.org

Excerpts from DRAFT Meeting Minutes February 5, 2026

I. Call to Order

Chairperson Nancy Ferguson called the meeting to order at 6:00 p.m. in the Committee Room at the Charlevoix County Shirley Roloff Center.

Members present: Nancy Ferguson, Matt Cunningham, Sherm Chamberlain, Dave Wheeler, and Mike Ritter

Members absent: Pam Grassmick and Marshal Bakker (both excused)

Others present: Kiersten Stark (Planning Director), Bob Jess (County Commissioner Liaison), LuAnne Kozma, Ellis Boal, Roy Griffiths, Kristin Baranski, and April Hilton

VI. Townships, Cities, MI Dept of EGLE & Corps of Engineers Items

Hayes Township Proposed New Zoning Map

K. Stark reviewed the Planning Department Staff Report regarding the Hayes Township proposed new zoning map. She explained that Hayes Township is proposing to update their zoning map, which would be an amendment to Article IV: Zoning Districts and Map of the Hayes Township Zoning Ordinance. The zoning map as a whole was last adopted on October 12, 2009 as part of a new zoning ordinance. Over time, a number of rezonings have been approved by the Township, but until now, the zoning map has not been updated to reflect these rezonings. In early 2020, the Zoning Administrator at the time requested from the County an updated zoning map to reflect all of the rezonings to-date.

K. Stark explained that in the process of updating the zoning map, it was discovered that a number of corrections were also needed (due to errors on the 2009 adopted zoning map). Over the next several years, Hayes Township staff/officials worked with the County Planning Department and the County Equalization Department to research the zoning of individual parcels and develop a proposed new zoning map. K. Stark said, during this process, due to the number of corrections needed (55 parcels), she had suggested to the Township they may want to consider re-adopting the zoning map as a whole in order to make all of the corrections at once. She had explained to the Township that the proposed new zoning map would still need to go through the approval process because the corrections had not previously gone through the approval process. Otherwise, each of the 55 parcels to be corrected would need to go through the rezoning approval process individually or in groups. She explained that the Township had chosen to adopt a new zoning map to make all of the corrections at once. So, the

proposed new zoning map reflects all of the corrections as well as all of the rezonings that have been approved since the zoning map was last adopted in 2009.

LuAnne Kozma expressed concern that the individual parcels proposed to be corrected were not identified in the public hearing notice and that property owners of the subject parcels had not been notified.

LuAnne Kozma also emphasized that the zoning map is part of the zoning ordinance, so the zoning map as a whole cannot be updated separate from the zoning ordinance. She handed out copies of the first page of Article IV: Zoning Districts and Map of the Hayes Township Zoning Ordinance.

N. Ferguson said it sounded like Ms. Kozma's concerns pertain to the process followed, not the proposed new zoning map itself.

Roy Griffiths, Hayes Township Planning Commission Chairman, explained that a list of the parcels to be corrected, along with a numbered map, were made available to the public at the Township Hall prior to the Township Planning Commission taking action on the proposed new zoning map.

Kristin Baranski, Hayes Township Clerk, stated the Township is just trying to adopt an updated zoning map. She explained that the Township has been working with their legal counsel in this process.

Further discussion took place.

MOTION by M. Cunningham to recommend approval of the proposed new Hayes Township Zoning Map. D. Wheeler seconded the motion. Voice vote: all in favor. Motion carried.

LuAnne Kozma asked if the Planning Commission would address the concerns she had with the proposed Hayes Township Master Plan that she had outlined in a letter to the Township and the County Planning Commission. Ms. Kozma described her concerns with the proposed Master Plan, emphasizing that incorrect demographic data was used and that many of the goals pertaining to the protection of natural resources and recreational resources that were part of previous Hayes Township Master Plans had been removed from the proposed new Master Plan. Ms. Kozma shared a copy of a chart she had made comparing the goals in the proposed new Master Plan with that of previous master plans.

N. Ferguson said she agreed with many of the comments made in Ms. Kozma's letter. N. Ferguson questioned if it was the Township's intention to leave out the text pertaining to natural resources and recreational resources in the proposed new plan. She noted that sometimes in the process of revising a zoning ordinance or master plan text can unintentionally be omitted. She questioned if that could be the case here. N. Ferguson asked to have this question included in the letter that's sent to Hayes Township.

CHECK REGISTER REPORT FOR HAYES TOWNSHIP

Check Date	Bank	Check	Module	Vendor	Vendor Name	Amount
Bank 00002 WARRANTS						
02/09/2026	00002	15775	HRMS	0001	Alisa G Abiney	2,584.19
02/09/2026	00002	15776	HRMS	0003	Kristin L Baranski	3,112.78
02/09/2026	00002	15777	HRMS	0009	Julie M Collard	2,788.64
02/09/2026	00002	15778	HRMS	00000100	WILLIAM CONKLIN	2,349.33
02/09/2026	00002	15779	HRMS	0010	Carey L Cuddeback	158.58
02/09/2026	00002	15780	HRMS	0012	Matthew B. Cunningham	430.23
02/09/2026	00002	15781	HRMS	00000101	ALEXANDER CURLEY	83.11
02/09/2026	00002	15782	HRMS	00000106	LAURA FORD	158.58
02/09/2026	00002	15783	HRMS	0016	Rex Greenslade	317.16
02/09/2026	00002	15784	HRMS	0017	Roy W Griffiths	373.58
02/09/2026	00002	15785	HRMS	0018	April Hilton	2,727.97
02/09/2026	00002	15786	HRMS	00000105	ZEZE JESS	158.58
02/09/2026	00002	15787	HRMS	0026	Douglas Kuebler	530.41
02/09/2026	00002	15788	HRMS	0028	Claire T Martin	158.58
02/09/2026	00002	15789	HRMS	0045	Jessica Perry	158.58
02/09/2026	00002	15790	HRMS	0046	Kyle Perry	44.05
02/09/2026	00002	15791	HRMS	0037	Mark Snyder	158.58
02/09/2026	00002	15792	HRMS	0038	Ronald J Van Zee	2,390.23
02/09/2026	00002	15793	HRMS	0042	Paul Zardus	66.08
02/09/2026	00002	15797	AP	EFTPS_HR	INTERNAL REVENUE SERVICE	4,370.63
02/09/2026	00002	15798	AP	STATE_HR	STATE OF MICHIGAN	775.47
02/09/2026	00002	15799	AP	0002	ACCIDENT FUND COMPANY	636.00
02/09/2026	00002	15800	AP	000000019	BECKETT AND RAEDER	1,461.74
02/09/2026	00002	15801	AP	000000019	BOAL ELLIS	3,063.80
02/09/2026	00002	15802	AP	0050	DTE	993.57
02/09/2026	00002	15803	AP	0057	GANNETT HOLDINGS LLC OHIO	312.00
02/09/2026	00002	15804	AP	000000017	GREAT LAKES ENERGY	771.04
02/09/2026	00002	15805	AP	0094	MICHIGAN ASSOCIATION OF PLA	35.00
02/09/2026	00002	15806	AP	0115	PARKER HARVEY LAW	7,575.00
02/09/2026	00002	15807	AP	0126	QUILL CORPORATION	616.28
02/09/2026	00002	15808	AP	0137	SPECTRUM BUSINESS (CHARTER)	78.92
02/09/2026	00002	15809	AP	000000017	US BANK	741.66
02/09/2026	00002	15810	AP	0151	VISA - CHARLEVOIX STATE BAN	678.33
Total of 33 Checks:						40,858.68
Less 0 void checks:						0.00
Total of 33 Disbursements:						40,858.68

**TOWNSHIP OF MARSHALL
CALHOUN COUNTY, MICHIGAN**

Resolution No. 2026-__

At a meeting of the Board of Trustees of Marshall Township, held at the Marshall Township Hall, 13551 Myron Avery Drive, Marshall, Michigan 49068, on January ____, 2026 at 7:00 p.m.:

PRESENT:

ABSENT:

**RESOLUTION TO ADOPT A NON-ZONING TEMPORARY MORATORIUM
ORDINANCE REGULATORY ORDINANCE, BEING ORDINANCE No. ____ ON DATA
CENTERS AND BATTERY ENERGY STORAGE SYSTEMS AND TO DIRECT THE
PLANNING COMMISSION TO PREPARE ZONING ORDINANCE TEXT
AMENDMENTS FOR A TEMPORARY MORATORIUM ORDINANCE ON DATA
CENTERS AND ON BATTERY ENERGY STORAGE SYSTEMS**

WHEREAS, Data Centers may present unique and significant land use considerations, including but not limited to electrical demand, water usage, stormwater management, noise, heat discharge, building scale, visual impacts, public safety concerns, and long-term effects and impacts on a sited project and surrounding properties and infrastructure; and,

WHEREAS, Battery Energy Storage Systems ("BESS") may present unique and significant land use considerations, including but not limited to electrical demand, stormwater management, noise, heat discharge, building visual impacts, public safety concerns, and long-term effects and impacts on a sited project and surrounding properties and infrastructure; and,

WHEREAS, the Township Board and Planning Commission have received substantial comments and information from the public raising public health, safety, and welfare concerns about the impacts of Data Centers and BESS on the residents and property owners of the Township; and,

WHEREAS, the Township's existing zoning regulations and land use policies may not adequately or specifically address the siting, scale, intensity, and operational impacts of Data Center Systems BESS projects within the Township; and,

WHEREAS, the Township Board finds that additional time is necessary to study Data Centers and BESS uses, review best practices from other jurisdictions, evaluate infrastructure capacity, and consider whether updates to the Township's Zoning Ordinance, Master Plan, or other regulatory tools are warranted; and,

WHEREAS, a temporary non-zoning police power zoning moratorium regulatory ordinance and a moratorium zoning ordinance text amendment on new Data Center applications and new BESS applications allows the Township to conduct this review in a deliberate and transparent manner without prejudicing future development decisions; and,

WHEREAS, the Township Board recognizes that a temporary moratorium is a useful planning tool intended to preserve the status quo while thoughtful policy review and regulatory evaluation are undertaken; and,

WHEREAS, the Michigan Zoning Enabling Act, Public Act 110 of 2006, as amended, authorizes local units of governments, including townships, to provide for the adoption of zoning ordinances regulating the use of land within its territorial boundaries; and,

WHEREAS, the Marshall Township Planning Commission is charged under the Michigan Planning Enabling Act, Public Act 33 of 2008, as amended, with making, preparing and submitting recommendations concerning land use planning, zoning, and orderly development within Marshall Township; and

NOW, THEREFORE, BE IT RESOLVED, that the Marshall Township Board of Trustees hereby adopts Ordinance No. _____, a Non-Zoning Police Power Regulatory Ordinance, titled, "An Ordinance to Enact a Temporary Moratorium on Data Centers and Battery Energy Storage Systems," attached hereto as Exhibit A in order to address public interests and provide sufficient time for the Township to study Data Centers and BESS land uses and consider potential amendments to the Township's Zoning Ordinance, Master Plan, and related policies to ensure compatibility with community goals, infrastructure capacity, and public health, safety, and welfare.

BE IT FURTHER RESOLVED, that pursuant Section 18-2, of the Township Zoning Ordinance, the Township Board of Trustees is hereby authorized and directs the Planning Commission to research and prepare a Temporary Moratorium Zoning Ordinance Text Amendment on Data Centers and BESS in order to provide sufficient time for the Planning Commission to study such land uses and consider potential amendments to the Township's Zoning Ordinance, Master Plan, and related policies to ensure compatibility with community goals, infrastructure capacity, and public health, safety, and welfare; and, submit recommendations to the Township Board of Trustees after a public hearing.

BE IT FURTHER RESOLVED, that the purpose of Ordinance No. _____ and the Township Board of Trustee's direction to the Planning Commission to prepare a Temporary Moratorium Zoning Ordinance Text Amendment, is to preserve the status quo while the Township Planning Commission researches Data Centers and BESS as a land use within the Township and submit a recommendation to the Township Board for consideration after public hearing.

The forgoing resolution offered by Board Member _____ and seconded by Board Member _____ to adopt Resolution No. ____ as presented and hereby adopt the Non-Zoning Temporary Police Power Moratorium Regulatory Ordinance, being Ordinance No. _____, titled, "An Ordinance to Enact a Temporary Moratorium on Data Centers and Battery Energy Storage Systems."

Upon roll call vote, the following voted:

"Aye":

"Nay":

Absent:

The Supervisor declared the resolution adopted.

Jeff Albaugh
Marshall Township Clerk

CERTIFICATE

I hereby certify that the foregoing is a true and complete copy of a resolution adopted by the Board of Trustees of Marshall Township at a meeting held on the date first stated above.

Jeff Albaugh
Marshall Township Clerk
13551 Myron Avery Drive
Marshall, Michigan 49068
<https://www.marshalltownship.org/>
jeff@marshalltownship.org
269-781-7976

MARSHALL TOWNSHIP
COUNTY OF CALHOUN, STATE OF MICHIGAN
ORDINANCE NO. _____

ADOPTED: _____

EFFECTIVE: Upon publication after adoption

**AN ORDINANCE TO ENACT A TEMPORARY MORATORIUM ON
DATA CENTERS AND BATTERY ENERGY STORAGE SYSTEMS**

An Ordinance to protect the public health, safety, and welfare by establishing regulations relating to a temporary moratorium on considering applications for Data Centers and Battery Energy Storage Systems ("BESS") within the Township, while Marshall Township completes a study of the ordinances and regulations pertaining thereto and considers possible subsequent revisions to current ordinances pertaining thereto; to provide for severability; to repeal all ordinances or parts of ordinances in conflict therewith; and to provide an effective date.

MARSHALL TOWNSHIP
CALHOUN COUNTY, MICHIGAN

ORDAINS:

SECTION I
FINDINGS

In accordance with Public Act 1945 PA 246, MCL 41.181 *et seq.*, as amended, Marshall Township has determined the following:

1. The Township Board of Marshall Township determines that the approval of Data Centers and BESS may result in or produce negative impacts on permitted land uses and development and may harm the public health, safety and general welfare of property owners and residents of Marshall Township.
2. Recently, the Township Board has received significant comments and information from the public raising public health, safety, and welfare concerns about the impacts of Data Centers and BESS on the residents and property owners of the Township.
3. The Township has a legitimate public purpose in assessing the regulation of the establishment and use of Data Centers and BESS within the Township to ensure that Data Centers and BESS do not interfere with other land uses, or have substantial negative impacts on the environment, public health and safety.

4. The Township Board finds that adopting a temporary moratorium is reasonable and necessary for, among other reasons, the following reasons:
 - A. Michigan courts have recognized that a temporary moratorium is a common and legitimate tool to preserve the status quo while formulating a development strategy.
 - B. The Township Board desires to review and study the public health, safety, and welfare concerns regarding Data Centers and BESS, and any Township regulations that may impact and/or regulate such projects.
 - C. The adoption of a temporary moratorium will allow the Township Board adequate time to study and possibly implement revisions to the Township's ordinances and regulations, including attention to and consideration of citizen input and involvement, public debate, and full consideration of all issues and points of view.
5. The Township Board accordingly determines that it is desirable and in the public interest for the reasons set forth above that the Township Board adopt a temporary moratorium on the acceptance and/or processing of any applications for Data Centers and BESS.

SECTION II

MORATORIUM/TERM OF MORATORIUM

The Township Board adopts a temporary moratorium on the acceptance and/or processing of any applications for a Data Center and BESS. The temporary moratorium is for six (6) months from the effective date of this Ordinance, or until the effective date of any amended or new Township ordinances or regulations addressing Data Centers are effective, whichever date occurs first.

SECTION III

EXTENSION OF MORATORIUM

Before this moratorium expires, the Township Board may extend the temporary moratorium for Data Centers and BESS by resolution of the Township Board as appropriate to allow sufficient time to complete amendments or additions to its ordinances and regulations.

SECTION IV

SEVERABILITY

The provisions of this ordinance are hereby declared to be severable. If any clause, sentence, word, section or provision is hereafter declared void or unenforceable for any reason by a court of competent jurisdiction, it shall not affect the remainder of such ordinance which shall continue in full force and effect.

SECTION V
REPEAL

All ordinance or parts of ordinances in conflict herewith are hereby repealed.

SECTION VI
EMERGENCY ORDINANCE/EFFECTIVE DATE

This Ordinance shall take effect upon publication, after adoption.

MARSHALL TOWNSHIP
Jeff Albaugh, Clerk
13551 Myron Avery Drive
269-781-4403
jeff@marshalltownship.org
<https://www.marshalltownship.org/>

HAYES TOWNSHIP BOARD OF TRUSTEES

Meeting Date: February 9, 2026

Location:

Hayes Township Hall

Name	Would you like to be called on to speak during public comment?	
Diane Conklin	YES	NO
DIANE McMahon	YES	NO
Jim McMahon	YES	NO
LuAnne Kozma	YES	NO
Jim Rudolph	YES	NO
Ellis, Red	YES	NO
DL ZIPP	YES	NO
KEVIN WILLIS	YES	NO
Donald Gregory	YES	NO
Betty Henne	YES	NO
Mel Gochancki	YES	NO
Bill Henne	YES	NO
Greg Spivey	YES	NO
Bob Gremmlade	YES	NO
Julius Sess	YES	NO
R. J. D.	YES	NO
John A.	YES	NO
Mitch D.	YES	NO
Rick & Denise Daniel	YES	NO