

HAYES TOWNSHIP
BOARD OF TRUSTEES REGULAR MEETING
February 9th 2026 7:00 PM
HAYES TOWNSHIP HALL
09195 MAJOR DOUGLAS SLOAN RD
CHARLEVOIX, MICHIGAN 49720

The February 9th, 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), William Conklin (Supervisor), and Kristin Baranski (Clerk)

Excused: Doug Kuebler (Trustee)

Audience Members signed in: Roy Griffiths, Matt Berg, Katherine Simon, Carey Cuddeback, Diane Conklin, Mary Mills, Diane McMahon, Jerry Mills, Jim McMahon, Kate Haushalter, LuAnne Kozma, Ellis Boal, Jim Rudolph, David Zipp, Kevin Willis, Donald Gregory, Steve Hassell, Linda Balderson, Betty Henne, Bill Henne, Mel Czechowski, Bob Jess, Winnie Boal, Laura Ford, Tim Boyko, Joellen Rudolph, Wendy Albers, Karen Verkerke, Rick Daniels, Denise Daniels, Rex Greenslade, Julius Jess, Claire Keenan-Kurgan, CT Martin, Carol Umlor, Darcy Phelps, Sheri McWhirter, Tammie Domas, Omar Feliciano, Mark Snyder, and Jerry Simpson.

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

DECLARATION OF CONFLICT OF INTEREST: NONE.

REVIEWED & APPROVED AGENDA

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

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

Nays: None Motion Carried

PUBLIC COMMENTS:

Public comment opened at 7:04 pm.

- Hayes Township history as they remember it, Current Master Plan, Proposed Master Plan Draft, Data Center Moratorium, Township Hall Rentals fees, Zoning Laws, Data Centers, Ordinance versus Resolution, Township Hall Rental Fairness, Hayes Township Zoning Ordinance, Hayes Township Planning Commission Meeting Discussion, Maple Grove Road End plantings, Importance of Science, Roberts Rules of Order, Unity of the Board, Public Health, Environmental Protection, Township of Marshall Moratorium Resolution, Bay Shore Area Future Zoning, Communication and Transparency, Zoning Map, Master Plan process, Development Opportunity Zone, Chapter 3 of the Proposed

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Master Plan, Style versus substance in the Master Plan Draft, County Planning Commission supports Zoning Map, Natural Resources Protections, Current Data Center development issues and concerns in other Townships in the State of Michigan, and avoid loop holes for developers.

Closed at 8:05 pm

APPROVAL OF JANUARY 12TH 2026 BOT REGULAR MEETING MINUTES:

Ms. Baranski made a motion, supported by Ms. Collard to approve the January 12th, 2026, Board of Trustees regular meeting minutes as corrected.

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

Nays: None **Motion Carried**

TREASURERS REPORT

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

Ms. Collard made a motion, Supported by Mr. Cunningham to consolidate and close both the ARPA and Pantry Bank Accounts.

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

Nays: None **Motion Carried**

CLERKS REPORT: APPROVAL OF WARRANTS

Clerk, Kristin Baranski, presented the warrants in the amount of \$40,858.68 with addition of payment to Gabridge & Company PLC in the amount of \$10,800 for June 30, 2025 Financial Statement Audit Report.

Ms. Baranski made a motion, supported by Ms. Collard to approve Township warrants out of the General Fund in the amount of \$51,658.68. A roll call was taken.

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

Nays: None **Motion Carried**

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

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

Nays: None **Motion Carried**

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COUNTY COMMISSIONER REPORT

Bob Jess presented the County Commissioner report.

PARKS AND REC. REPORT

Ms. Collard presented the Parks and Rec. report.

The next regular Parks and Rec meeting is scheduled for March 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 February 17th, 2026, at 7:00 pm.

ZONING BOARD OF APPEALS

ZBA held an administrative and training meeting at 1pm on January 14th, 2026 and a public hearing where the variance request on Spring Street was approved on January 14th, 2025 at 7:00 pm.

ZBA will hold an administrative and training meeting at 7pm on February 18th, 2026 to set a new public hearing date to hear two appeal cases.

ZBA ask the board to consider hiring a different Recording Secretary for the Upcoming Appeal Cases, per a request from the applicants.

ZONING ADMINISTRATOR REPORT

April Hilton presented a Zoning Administrator report.

TRUSTEES REPORT:

Mr. Cunningham stated he attended the Road Commission Meeting.

SUPERVISOR REPORT:

William Conklin presented a supervisor report.

NEW BUSINESS

HAYES TOWNSHIP ZONING UPDATED AND CORRECTED MAP ORDINANCE TO ADOPT:

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**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.

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Ms. Baranski made a motion, supported by Mr. Cunningham to approve Ordinance NO. 2092026 an ordinance to amend the Hayes Township Zoning Map.

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

Nays: None **Motion Carried**

2026 MASTER PLAN RESOLUTION TO ADOPT:

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:

- 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.

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- Distribution to Notice Group. The Township Board approves distribution of the adopted plan to the Notice Group.
- 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.
- Effective Date. The Master Plan shall be effective as of the date of adoption of this resolution.

The foregoing resolution offered by Board Member Mr. Baranski Second offered by Board Member Mr. Cunningham Upon roll call vote the following voted:

"Aye": Matt Cunningham, Julie Collard, William Conklin, and Kristin Baranski

"Nay": None

The Supervisor declared the resolution adopted.

2026 HAYES TOWNSHIP ROAD PROJECTS:

The Hayes Township Board came to a consensus to table this agenda item until the March 9th 2026 Board of Trustees meeting when Trustee Doug Kuebler is present.

MORATORIUM DATA CENTERS RESOLUTION TO ADOPT:

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

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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

NOW, THEREFORE, BE IT RESOLVED as follows:.

- 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.
- No data centers shall be accepted for review, consideration, approval, or otherwise allowed during the moratorium period.
- 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

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any combination thereof, with respect to applicants for data centers, as deemed appropriate.

- 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.

Ms. Baranski made a motion, supported by Mr. Cunningham to approve a Resolution 2092026A to impose a temporary Moratorium on Approval of Data Centers with the 8th and 9th Where As is removed, item #4 removed and “new” removed under item#2. A roll call was taken.

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

Nays: None Motion Carried

LCEMS ANNUAL REPORT – ROY GRIFFITTS LCEMS AUTHORITY PRESIDENT:

Mr. Griffiths presented the 2025 year end Lake Charlevoix EMS Report.

This report included:

- Responded to 3058 calls for service, which is over double in the last 4 years.
- 23 staff members and 5 ambulances (3 box truck and 2 vans).
- Recruiting difficulties due to housing shortage.
- 150,000- 200,000 miles on the vehicles propose high cost for repairs and replacement of emergency vehicles.
- Mileage support has been a huge benefit with helping with cost.

ROBERTS RULES OF ORDER DISCUSSION:

The Hayes Township Board came to a consensus to table this agenda item until the March 9th 2026 Board of Trustees meeting.

2025 AUDIT REPORT: The Hayes Township Board reviewed the 2025 Audit Report.

ZBA RECORDING SECRETARY FOR CURRENTLY ACTIVE APPEAL:

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The Board came to a consensus to hire a ZBA Recording Secretary for the two active Appeal cases at the rate of \$200 per hearing day, to manage zoom and produce meeting minutes.

EGLE PROPOSED PROJECT 15-10592 BURGESS ROAD (CMS ENERGY):

The Board reviewed the EGLE proposed Project 15-10592 Burgess Road (CMS Energy) public notice.

TOWNLINER ROAD SPEED LIMIT:

Mr. Conklin made a motion, supported by Ms. Baranski to approve Bill to send a letter to request Townline Road and Shrigley road Speed Limit be reduced to 25mph.

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

Nays: None **Motion Carried**

OLD BUSINESS

SHORT TERM RENTAL ADVISORY COMMITTEE RESOLUTION:

Mr. Conklin made a motion, supported by Ms. Baranski to approve the appointment of a Short Term Rental Advisory Committee under the Hayes Township Planning Commission. The open positions for the Short Term Rental Advisory Committee will be posted on the Website.

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

Nays: None **Motion Carried**

ZONING BOARD OF APPEALS ALTERNATE OPEN POSITION:

Mr. Conklin made a motion, supported by Ms. Baranski to appoint Sean Davis to the Zoning Board of Appeals as an alternate.

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

Nays: None **Motion Carried**

PUBLIC COMMENTS: Public comments opened at 10:00 pm.

Comments included:

- Correspondence referenced, Affordable Housing, Short Term Rentals Advisory Committee, Recording Secretary through the court, Zoning Map, Master Plan, Data Center Moratorium, Data Center Ordinance, Townline Road Traffic increase, Habitat for humanity housing project in Resort Township, Sentinel Newsletter, Township

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Board members are leaders of the Community, Conflicting goals was a challenge for the Planning Commission, Development Opportunity Zone, Townline Road Speed Limit, Job Crisis in the area, and proposed housing developments in the area.
Public comments closed at 10:20 pm.

BOARD OF TRUSTEE COMMENT:

Mr. Conklin stated the Shanks Rezone publication in the Petoskey News Review was correct. Ms. Collard stated in 2017 she was requested to become part of the sentinel to become more aware of what was happening in the community. She is a mother and the treasurer of Hayes Township and that is what she spends her time doing. Ms. Cunningham stated all the votes tonight were unanimous and the board worked very well together tonight. A committee for Short Term Rentals should be well diversified.

ADJOURNMENT: Ms. Baranski made a motion, supported by Mr. Conklin, to adjourn at 10:24 p.m.

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

Nays: None **Motion Carried**

Respectfully Submitted,
April Hilton
Hayes Township Deputy Clerk/Recording Secretary