

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

The March 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, Diane Conklin, Diane McMahon, Jim McMahon, Darcy Phelps, Catherine Phelps, Katherine Simon, David Zipp, LuAnne Kozma, Ellis Boal, Jim Rudolph, Rex Greenslade, David Kemme, Betty Henne, Carol Umlor, Sherry Baker – McCary, Donald Gregory, Barb Wilson, Mel Czechowski, Shelly VanWart, Ruth Augustine, Sheri McWhirter (MI Live), CT Martin, Laura Ford, Tim Boyko, Debbie Luhrs, and Ford Luhrs.

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

DECLARATION OF CONFLICT OF INTEREST: NONE.

REVIEWED & APPROVED AGENDA

Add item #16 ZBA Recording Secretary for Appeal Cases Scheduled for March 18th 2026

Add Item #17 Township Attorney Possible Conflict with ZBA

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

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

Nays: None Motion Carried

PUBLIC COMMENTS:

Public comment opened at 7:03 pm.

- Drainage issues in Michigan Shores, concern for using chip and seal on the roads at Nine Mile Point, Township Attorney potential conflict of interest with ZBA Cases Scheduled for March 18th 2026, Township Attorney cost in recent lawsuit regarding ZBA Appeal Cases, Proposed Resolution to amend the previous resolution for the Data Center Moratorium, Holtec International, Data Center Work Group Planning Commission Representative potential Conflict of Interest, and 2026 Hayes Township Road Projects.

Closed at 7:23 pm

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APPROVAL OF FEBRUARY 9TH 2026 BOT REGULAR MEETING MINUTES:

Mr. Cunningham made a motion, supported by Ms. Collard to approve the February 9th, 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.

CLERKS REPORT: APPROVAL OF WARRANTS

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

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

Nays: None **Motion Carried**

Clerk, Kristin Baranski, presented the warrants in the amount of \$37,224.75

Ms. Baranski made a motion, supported by Ms. Collard to approve Township warrants out of the General Fund in the amount of \$37,224.75. 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**

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 April 6th, 2026 at 4:00pm at Hayes Township Hall.

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PLANNING COMMISSION

Mr. Cunningham presented the Planning Commission Report. The next regular Planning Commission meeting is March 17th, 2026, at 7:00 pm.

ZONING BOARD OF APPEALS

ZBA will hold a public hearing meeting at 6pm on March 18th, 2026 for a public hearing to hear two appeal cases.

ZONING ADMINISTRATOR REPORT

April Hilton presented a Zoning Administrator report.

SUPERVISOR REPORT:

William Conklin presented a supervisor report.

Mr. Conklin made a motion, supported by Ms. Baranski to allow the Short Term Rental Work group up to seven members.

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

Nays: None **Motion Carried**

NEW BUSINESS

COUNTY EQUALIZATION RESOLUTION 03092026A:

**RESOLUTION TO SHARE ASSESSING AND TAX INFORMATION WITH THE
COUNTY TO BE USED IN NEW PROPERTY INFORMATION AND PARCEL MAP
WEBSITE**

WHEREAS, On October 8, 2025, the Charlevoix County Board of Commissions accepted an agreement submitted by Pivot Point Partners, LLC, to create a parcel information

and mapping website (the "database") for the County, in an effort for the County to provide additional transparency and access to public information; and,

WHEREAS, the database will include an online GIS property viewer, and provide public access to information concerning a property including, but not limited to, the property's real estate information, sales history, property taxes, and include a GIS property viewer; and,

WHEREAS, the County desires for the software to be as comprehensive as possible to

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provide the public the most complete and up-to-date records possible; and,
WHEREAS, the County has requested that the Township, through the Township Assessor and Township Treasurer, share relevant assessing and tax information to be compiled into the database; and,

WHEREAS, the Township recognizes that in order for the County's software to have accurate information concerning Township properties the County requires property assessment and tax information from the Township; and,

WHEREAS, the Township finds it in the best interest of its residents to share assessing and tax information with the County for use in the database.

NOW, THEREFORE, BE IT HEREBY RESOLVED AS FOLLOWS:

- The Township hereby directs the Township Assessor and Township Treasurer to work with the Charlevoix County Equalization Department and Charlevoix County Treasurer Department to provide assessment and tax information for properties in Hayes Township.

- All resolutions or parts of resolutions in conflict with this Resolution are hereby repealed.

- The Township shall, to the fullest extent permitted by law, fully indemnify and hold the County, and its officials, officers, boards, committees, commissions, agents and employees harmless from and against any and all expenses, losses, claims, demands, lawsuits, actions, liability and judgments for damages arising out or related to data sharing permitted by this Resolution.

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Motion was made by Ms. Baranski, seconded by Mr. Conklin,
to adopt the foregoing Resolution.

Upon roll call vote the following voted "aye": Matt Cunningham, Julie Collard,
William Conklin, and Kristin Baranski.

Upon roll call vote the following voted "nay":

The Supervisor declared the motion carried and the resolution duly adopted.

**RESOLUTION 03092026B TO AMEND RESOLUTION 20920226A (EXTEND DATA CENTER
MORATORIUM TO 12 MONTHS:**

**RESOLUTION 03092026B, TO AMEND RESOLUTION 2092026A, IMPOSING A TEMPORARY
MORATORIUM ON APPROVAL OF DATA CENTERS**

WHEREAS, on February 9, 2026, the Hayes Township Board of Trustees approved Resolution 2092026A, titled "RESOLUTION 2092026A, TO IMPOSE A TEMPORARY MORATORIUM ON APPROVAL OF DATA CENTERS"; and

WHEREAS, said Resolution imposed a 180-day moratorium on the acceptance of any application or consideration or approval by the Township Board, Planning Commission, or other Township entity, official, or agent, for data centers under the Zoning Ordinance or any other applicable section of the Hayes Township ordinances; and

WHEREAS, the Township Board of Trustees has determined that the Township will likely need more than 180 days to consider appropriate changes to the ordinances of the Township; and

WHEREAS, the Township Board of Trustees would like to change the title of the resolution to make it clear that the resolution pertains to more than just the approval of any applications; and

WHEREAS, to date, there has been and is no application for a data center in Hayes Township; and

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WHEREAS, the Township Board of Trustees would like to add a provision allowing a property owner to present to the Township Board of Trustees an argument that the moratorium has deprived their property of all viable economic use and seek relief from the moratorium,

NOW, THEREFORE, BE IT RESOLVED as follows:

- The title of Resolution 2092026A shall be amended to "RESOLUTION 2092026A, TO IMPOSE A TEMPORARY MORATORIUM ON THE ACCEPTANCE AND/OR CONSIDERATION OF ANY APPLICATION FOR DATA CENTERS".
- Paragraph 1 of the resolution shall be amended to read:

For a period commencing on the date of this resolution and terminating three hundred sixty (360) 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. •

- The following provision shall be added as Paragraph 5 to the Resolution:

During the effective period of the moratorium, a property owner shall entitled to a hearing for the purpose of attempting to demonstrate to the Township Board that the temporary moratorium 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. The hearing 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 owner has demonstrated that all viable economic use of the property has been precluded by the temporary moratorium adopted in this

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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 moratorium has the effect of precluding all viable economic use of the property, or that it violates state or federal law, the Township Board shall grant relief from the moratorium to the degree necessary to cure the contravention.

- All other provisions of Resolution 2092026A remain unchanged.

Motion was made by Mr. Conklin, seconded by Ms. Baranski,

to adopt the foregoing Resolution.

Upon roll call vote the following voted "aye": Matt Cunningham, Julie Collard,

William Conklin, and Kristin Baranski.

Upon roll call vote the following voted "nay": NONE

The Supervisor declared the motion carried and the resolution duly adopted.

LCEMS AMENDED BY-LAWS:

Mr. Conklin made a motion, supported by Ms. Collard to adopt the amended LCEMS By-Laws as well as allow Norwood Township to join as an Incorporated Member of the Authority. A roll call was taken.

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

Nays: None Motion Carried

**SET HAYES TOWNSHIP ELECTION COMMISSION MEETING (APRIL 8TH 2026 AT 9:30AM)
AND PUBLIC ACCURACY TEST (APRIL 8TH 2026 AT 10:30AM) FOR MAY 5TH 2026 SPECIAL
ELECTION:**

Ms. Baranski made a motion, supported by Ms. Collard to set the Election Commission Meeting for April 8th 2026 at 9:30 am followed by the Public Accuracy test at 10:30 am.

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

Nays: None Motion Carried

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2026 SPRING CLEAN UP:

Ms. Baranski made a motion, supported by Mr. Conklin to accept the bid from GFL in the amount of \$44950.00 for the 2026 Curd Side Spring Clean Up which will take place on June 27th 2026 at 6am. A roll call was taken.

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

Nays: None Motion Carried

HAYES TOWNSHIP HALL RENTAL REFUND REQUEST:

Ms. Baranski made a motion, supported by Mr. Cunningham to allow Hayes Township hosted events and Resident Funeral services free of the \$100 hall rental charge. Any other events not hosted by the Township will be charged the \$100 Hall Rental Fee.

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

Nays: None Motion Carried

With the previous motion the Board of Trustee denies the Hayes Township Hall Rental Refund Request from Jim Rudolph for \$100 rental fee.

ZBA RECORDING SECRETARY FOR APPEAL CASES SCHEDULED FOR MARCH 18th 2026:

Mr. Cunningham made a motion, supported by Ms. Collard to hire Jennifer Eads as the ZBA Recording Secretary for the two Appeal Cases Scheduled for March 18th 2026.

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

Nays: None Motion Carried

TOWNSHIP ATTORNEY POSSIBLE CONFLICT WITH ZBA:

Mr. Conklin made a motion, supported by Ms. Baranski based on rule 1.7a and 1.7b of the Attorney rules and conducts procedures there is not a conflict of interest for Todd Millar the Township Attorney for the two Appeal Cases Scheduled for March 18th 2026.

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

Nays: None **Motion Carried**

OLD BUSINESS

2026 HAYES TOWNSHIP ROAD PROJECTS:

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Ms. Baranski made a motion, supported by Ms. Collard to table this agenda item until the April 13th 2026 Board of Trustees meeting when Trustee Doug Kuebler is present.

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

Nays: None **Motion Carried**

ROBERTS RULES AND PROCEDURE:

Mr. Conklin made a motion, supported by Mr. Cunningham to table this agenda item.

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

Nays: None **Motion Carried**

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

Comments included:

- Concerns using Chip and Seal for roads, Avoiding Conflicts of Interest, Appeal Cases scheduled for March 18th 2026, Training to the ZBA from Todd Millar in January 2026, Work Group for Data Center ordinance, Roberts rules of Order as a guide, and Drain problems on Nine Mile Point.

Public comments closed at 9:34 pm.

BOARD OF TRUSTEE COMMENT:

Reminder Board of Review will be meeting Tuesday March 10th 3pm to 9 pm and Wednesday March 11th 9am to 3pm.

ADJOURNMENT: Mr. Cunningham made a motion, supported by Mr. Conklin, to adjourn at 9:24 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