

**HAYES TOWNSHIP BOARD  
MINUTES  
January 8, 2018**

The regular meeting of the Hayes Township Board was called to order by Supervisor Ron VanZee at 7:00 p.m. at the Hayes Township Hall, 09195 Old US 31 N., Charlevoix

Supervisor VanZee asked to be joined in the pledge of allegiance.

Board members present were Marlene Golovich, Paul Hoadley, Matt Cunningham, Ron VanZee and Robbin Kraft. Audience members signed in were Robert Parmelee, Dee & Gary Janz, Grant Ohlson, Julie Collard, Doug Kuebler, Ed Bajos, Jim & Diane McMahon, Carl VanWagner, Kurt Betker, Kim Carless, Warren Nugent, Roy Griffiths, Omar Feliciano, David Stepanovich, Laurie Abr-Saab, Carl Harmon, Frank Shepherd, George Lasater, Anne Kantola, David Zipp and Rebecca Berg.

**REVIEWED AGENDA** – Added March Board meeting, Jim Malewitz presentation, Road Commission meeting and motion for boat launch financial documents. Matt Cunningham made a motion, supported by Marlene Golovich to approve the agenda as amended. Motion Carried.

**PUBLIC COMMENTS** – Public comment was taken on 2017 park usage.

**MARCH MEETING DATE** – The March Board of Review meets the same day as the Board of Trustees regular meeting. Marlene Golovich made a motion, supported by Matt Cunningham to schedule the March Board of Trustee March regular meeting for March 19, 2018 at 7:00 p.m. Motion carried.

**ROAD COMMISSION ANNUAL MEETING** – Board consensus is to schedule the annual Road Commission meeting for January 18 at 5:00 or 6:00 p.m. Clerk Golovich will confirm the time with the Road Commission, post the hall for the meeting and notify BOT members.

**PLANNING COMMISSION RE-APPOINTMENT** – Supervisor VanZee re-appointed Cliff Biddick to the Planning Commission. Paul Hoadley made a motion, supported by Matt Cunningham to re-appoint Cliff Biddick to the Planning Commission. Cliffs term will expire January 2021. Motion carried.

**ZONING BOARD OF APPEALS RE-APPOINTMENT** – Paul Hoadley made a motion, supported by Marlene Golovich to re-appoint Bill Henne to the Zoning Board of Appeals. Bill's term will expire January 2021. Motion carried.  
Marlene Golovich made a motion, supported by Paul Hoadley to re-appoint Jim Rudolph to the Zoning Board of Appeals. Jim's term will expire January 2021. Motion carried.

**PLANNING COMMISSION VACANCIES** – Supervisor VanZee appointed Doug Kuebler to fill a vacancy on the Planning Commission. Ron VanZee made a motion, supported by Matt Cunningham to appoint Doug Kuebler to the Planning Commission. Doug's term will expire January 2019.

Yays: Matt Cunningham, Ron VanZee  
Nays: Paul Hoadley, Robbin Kraft, Marlene Golovich  
Motion failed

Supervisor VanZee appointed Roy Griffitts to fill a vacancy on the Planning Commission. Ron VanZee made a motion, supported by Matt Cunningham to appoint Roy Griffitts to the Planning Commission. Roy's term will expire January 2019.

Yays: Matt Cunningham, Ron VanZee, Paul Hoadley, Robbin Kraft, Marlene Golovich  
Nays:  
Motion carried.

Supervisor VanZee appointed Omar Feliciano to fill a vacancy on the Planning Commission. Ron VanZee made a motion, supported by Marlene Golovich to appoint Omar Feliciano to the Planning Commission. Omar's term will expire January 2019.

Yays: Matt Cunningham, Ron VanZee, Paul Hoadley, Robbin Kraft, Marlene Golovich  
Nays:  
Motion carried.

**BOARD OF REVIEW VACANCY** -Marlene Golovich made a motion, supported by Robbin Kraft to advertise for the open position on the Board of Review.

Yays: Matt Cunningham, Ron VanZee, Paul Hoadley, Robbin Kraft, Marlene Golovich  
Nays:  
Motion carried

**ZONING ORDINANCE AMENDMENT** – The current proposed zoning ordinance amendment is being reviewed by the County Planning Commission. The Clerk was asked to email the current version to the Board members and have it put on the web page.

**MONTHLY FINANCIALS** – The Clerk will continue to email the balance sheet and invoices/warrants list to the Board members the day of the regular meeting. Supervisor VanZee will review the invoices to checks prior to approval to pay bills.

**COUNTY MILLAGE APPROPRIATIONS** – Paul Hoadley made a motion, supported by Matt Cunningham to adopt the following resolution;

WHEREAS, the Township of Hayes has the authority to construct, operate, and maintain the Hayes Township Park, Camp Sea-Gull boat launch and fishing pier; and

WHEREAS, the Township of Hayes is requesting a \$10,000.00 appropriation from the Charlevoix County Board of Commissioners; and

WHEREAS, the Township of Hayes desires to construct pedestrian walkways for the Hayes Township Park, Camp Sea-Gull boat launch and fishing pier to meet the needs of users in Charlevoix County;

THEREFORE BE IT RESOLVED by the Hayes Township Board of Trustees that, pursuant and subject to all of the terms and provisions of the Charlevoix County Parks millage, application be made to the Charlevoix County Board of Commissioners for funding; and

BE IT FURTHER RESOLVED that Anne Kantola, Park & Recreation Advisory Committee Member of said Hayes Township is hereby authorized and directed to cause the necessary data to be prepared and application to be signed and filed with the County of Charlevoix;

Yays: Matt Cunningham, Paul Hoadley, Ron VanZee, Robbin Kraft, Marlene Golovich  
Nays:

RESOLUTION DECLARED ADOPTED

Paul Hoadley made a motion, supported by Matt Cunningham to adopt the following resolution;

WHEREAS, the Township of Hayes has the authority to operate, and maintain the Hayes Township Park, Camp Sea-Gull; and

WHEREAS, the Township of Hayes is requesting a \$6,630.85 appropriation from the Charlevoix County Board of Commissioners; and

WHEREAS, the Township of Hayes desires to purchase an event tent for the Hayes Township Park, Camp Sea-Gull to meet the needs of users in Charlevoix County;

THEREFORE BE IT RESOLVED by the Hayes Township Board of Trustees that, pursuant and subject to all of the terms and provisions of the Charlevoix County Parks millage, application be made to the Charlevoix County Board of Commissioners for funding; and

BE IT FURTHER RESOLVED that Tom Darnton, Park & Recreation Advisory Committee Member of said Hayes Township is hereby authorized and directed to cause the necessary data to be prepared and application to be signed and filed with the County of Charlevoix;

Yays: Matt Cunningham, Paul Hoadley, Ron VanZee, Robbin Kraft, Marlene Golovich  
Nays:

RESOLUTION DECLARED ADOPTED

**MARCH BOARD OF REVIEW** – The Board of Review will meet Monday March 12, 9:00 a.m. – 12:00 noon and 1:30 p.m. – 4:30 p.m. and Tuesday March 13, 1:00 p.m. – 4:00 p.m. and 6:00 p.m. – 9:00 p.m. The Board of Review organizational meeting will be March 6, 6:00 p.m.

**POVERTY GUIDELINES** – Marlene Golovich made a motion supported by Robbin Kraft to adopt the following resolution;

WHEREAS, the adoption of guideline for poverty exemptions is required of the Hayes Township Board; and

WHEREAS, the principal residence of persons, who the Supervisor/Assessor and Board of Review determines by reason of poverty to be unable to contribute to the public charge is eligible

for exemption in whole or in part from taxation under Public Act 390 of 1994 (MCL 211.7u);  
and

WHEAREAS, pursuant to PA 390 of 1994, the Township of Hayes, Charlevoix County adopts the following guidelines for the Board of Review to implement. The guidelines shall include but not be limited to the specific income and asset levels of the claimant and all persons residing 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:

- 1) Be an owner of and occupy as a principal residence the property for which an exemption is requested.
- 2) File a claim with the supervisor/assessor or Board of Review, accompanied by federal and state income tax returns for all persons residing in the principal residence, including any property tax credit returns filed in the immediately preceding year or in the current year or a signed State Tax Commission Form 4988, Poverty Exemption Affidavit.
- 3) File a claim reporting that the combined assets of all persons do not exceed the current guidelines. Assets include but are not limited to, real estate other than the principal residence, personal property, motor vehicles, recreational vehicles and equipment, certificates of deposit, savings accounts, checking accounts, stocks, bonds, life insurance, retirement funds, etc.
- 4) Produce a valid driver's license or other form of identification if requested.
- 5) Produce, if requested, a deed, land contract, or other evidence of ownership of the property for which an exemption is requested.
- 6) Meet the federal poverty income guidelines as defined and determined annually by the United States Department of Health and Human Services or alternative guidelines adopted by the governing body providing the alternative guidelines do not provide eligibility requirements less than the federal guidelines.
- 7) The application for an exemption shall be filed after January 1, but one day prior to the last day of the December Board of Review. The filing of this claim constitutes an appearance before the Board of Review for the purpose of preserving the right of appeal to the Michigan Tax Tribunal.

The following are the 2018 federal poverty income guidelines which are updated annually by the United States Department of Health and Human Services. The annual allowable income includes income for all persons residing in the principal residence.

Size of Family Unit	Poverty Guidelines
1	\$12,060
2	\$16,240
3	\$20,420
4	\$24,600
5	\$28,780
6	\$32,960
7	\$37,140
8	\$41,320
For each additional person, add	\$ 4,180

NOW, THEREFORE, BE IT HEREBY RESOLVED that the supervisor/assessor and Board of Review shall follow the above stated policy and federal guidelines in granting or denying an exemption, unless the Board of Review determines there are substantial and compelling reasons why there should be a deviation from the policy and federal guidelines and these reasons are communicated in writing to the claimant.

Resolution adopted.

Paul Hoadley made a motion, supported by Robbin Kraft to allow the Supervisor and the Board of Review to adjust the dollar amounts in the 2018 Federal Poverty income guidelines by increasing the amount by up to 20% as the Board of Review and Supervisor deem necessary.

Yays: Matt Cunningham, Paul Hoadley, Ron VanZee, Robbin Kraft, Marlene Golovich

Nays:

Motion carried.

**EASTERN AVENUE BEACH RESTROOMS** – Marlene Golovich made a motion, supported by Paul Hoadley to adopt the following resolution;

**Recitals**

- A. Hayes Township owns a beach area known as Eastern Avenue Beach;
- B. Hayes Township wishes to provide public parking and restrooms for those individuals who use Eastern Avenue Beach;

- C. The Charlevoix County Road Commission owns property adjacent to Eastern Avenue Beach with public water and sewer access; and
- D. The Charlevoix County Road Commission property is located in Charlevoix Township.

### **Resolution**

NOW, THEREFORE, BE IT RESOLVED that:

1. The Hayes Township Board of Trustees, the Charlevoix Township Board of Trustees and the Charlevoix County Road Commission will work together to construct public parking and restrooms on the property owned by the Charlevoix County Road Commission located in Charlevoix Township and adjacent to the Eastern Avenue Beach located in Hayes Township.
2. The Hayes Township Clerk is hereby directed to provide a copy of this Resolution to the Charlevoix Township Board of Trustees and the Charlevoix County Road Commission.

YES: Matt Cunningham, Paul Hoadley, Ron VanZee, Robbin Kraft, Marlene Golovich

NO:

### **RESOLUTION DECLARED ADOPTED.**

**JIM MALEWITZ PRESENTATION** – Jim stated that he has been working on an alternative boat launch plan based on the public outcry for less parking and asphalt near the lake. His firm has been working on the plan since early December. He would like to present his compromise plan at a special meeting of the Board. The alternative plan will require additional funding to prepare and will need to be discussed by the Board.

Marlene Golovich made a motion, supported by Paul Hoadley to schedule a Special Meeting of the Board of Trustee for Monday, January 22, 2018 at 7:00 p.m.. The purpose of this meeting is to see a presentation by Performance Engineers of an alternative boat launch plan for the Hayes Township Park Camp Sea-Gull. The Board of Trustee will be discussing this plan. Motion carried.

**BOAT LAUNCH FINANCIALS** – Clerk Golovich prepared the following motion for the Board to discuss and adopt regarding the preparation of financial documents relating to the construction of the proposed road, boat launch, fishing pier and restrooms at Hayes Township Park Camp Sea-Gull.

*Motion to direct the Township Supervisor and Clerk to work together per Township Policy “The supervisor and clerk shall be the township budget officers and shall be responsible for the development and administration of the township budget” to develop a construction budget and timeline for Phase I construction at Hayes Township Park Camp Sea-Gull. The Supervisor & Clerk may seek an independent accountant and/or Performance Engineers, Inc. for assistance with this project with a cost not to exceed ??????. The purpose of the budget and construction timeline is to provide financial transparency for residents during the construction of the proposed road, boat launch, fishing pier and restrooms.*

Board Discussion. The motion needs details and should state that we “must” use independent accountant. This is the 1<sup>st</sup> step not the only step. It would be easier if you had actual figures from bids to use. The engineer’s estimates can be used to make a plan. We will need the assistance of the engineers and an accountant. We need a timeframe to know how long the project will last. Will we need start up money? Where do the grants come in? Ron will make a great project leader. He has the background to understand the bid documents. This project is all about financial transparency. In reality all we want to do is make sure the money is available. We will need timeframes from the engineers. Hire an account that does not have skin in the game.

Public Comment. The plan should not constrict the contractors to tight timelines or the bid prices will go up. Is the dollar amount for both the engineer and accountant? Should stick to the motion made last month. Final plan should be put on the web page.

Marlene Golovich made a motion, supported by Paul Hoadley to direct the Township Supervisor and Clerk to work together per Township Policy “The supervisor and clerk shall be the township budget officers and shall be responsible for the development and administration of the township budget” to develop a construction budget and timeline for Phase I construction at Hayes Township Park Camp Sea-Gull. The Supervisor & Clerk shall seek an independent accountant and/or Performance Engineers, Inc. for assistance with this project with a cost not to exceed \$10,000.00 without further approval from the Board. The purpose of the budget and construction timeline is to provide financial transparency for residents during the construction of the proposed road, boat launch, fishing pier and restrooms. The Clerk and the Supervisor ~~must~~ **shall** complete this project ~~in time to sign the contracts before the contracts are signed.~~

Yays: Matt Cunningham, Paul Hoadley, Ron VanZee, Robbin Kraft, Marlene Golovich  
Nays:

### **CLERK PRESENTS**

**MINUTES** – Paul Hoadley made a motion, supported by Matt Cunningham to approve the December 11, 2017 regular meeting minutes as corrected. Motion carried.

**INVOICES/WARRANTS** –Paul Hoadley made a motion, supported by Robbin Kraft to approve invoices totaling \$13,654.57.

Yays: Matt Cunningham, Paul Hoadley, Ron VanZee, Robbin Kraft, Marlene Golovich  
Nays:  
Motion carried

**CORRESPONDENCE** - Any correspondence received by the Clerk was provided to the Board Members for their review and comment.

**COUNTY COMMISSIONER REPORT** -George Lasater stated he didn’t have a report. Supervisor VanZee stated that George just finished a new book. George said the book was about his time as County Sheriff.

**ZONING ADMINISTRATOR REPORTS** – Larry Sullivan presented a written report with an oral overview.

**CEMETERY REPORT** – No Report

**PARKS & RECREATION ADVISORY COMMITTEE** – The committee meeting was held on January 3. The committee would like the Board to authorize the P&R Advisory Committee to work on getting cost estimates for the repair of the lower beach cabins. The upper cabin can not be repaired with the Recreation Passport grant and alternative funding will be sought. The committee discussed seeking grants from the Charlevoix Community Foundation and Great Lakes Energy for annual clean up at Eastern Ave. Beach (EAB). If the Board wishing to apply for DNR grant funding for the EAB restrooms they need to act fast, grants are due April 1. The committee is also looking at DNR grant funding for a pickleball court. The approximate cost for the renovation of the existing tennis court to a pickleball court is \$79,000.00.

Board consensus was to allow the P&R Advisory Committee to move forward on getting renovation cost estimates on the cabins.

Matt asked if the recreation hall was still scheduled to be removed. Ron replied that it is.

Warren stated that it was his opinion that the first thing the park needs is bathrooms.

**PLANNING COMMISSION (PC) REPORT** – Matt reported that the PC met December 19 with planner Claire Karner in attendance. The PC approved some minor changes to the proposed ordinance amendment and moved the ordinance on to the County Planning Commission for review. The PC would like to have plaques made for individuals from the PC and can the Township pay for them.

Board discussed the plaques and consensus was that one plaque with all planning commission members should be considered and hung at the hall. That would be the only way the Township could pay for it. The PC developed a year end report and elected Bob Jess as chair and Marilyn Morehead as vice chair/secretary. The PC would like their packets on the web page and Omar agreed to take a look at doing it. The PC received their packets via email. Keys will be provided to Board Representative Matt Cunningham to let the PC members into the hall for meetings. Clerk will make new name plaques for the newly appointed members.

**TREASURERS REPORT** – Robbin Kraft provided a written report.

**TRUSTEE REPORT** – Matt asked if the #4 rule for public comments on the agenda could be removed.

**SUPERVISOR REPORT** – Ron stated there is a lot going on and encouraged everyone that is interested in participating in the Township fill out applications and send them to him.

**PUBLIC COMMENT** – Public comment was taken on need for microphones, divided township, putting the boat launch on the ballot, working together for peaceful solution to the boat launch, money offered to build a non-motorized boat launch, the need for a practical boat launch plan, lack of nearby boat launches, the not in my back yard syndrome, sell the park because of costs, poor condition of the stairs, define large vs small boat launch, prefer kayak launch, problems resulting in restricting launch size, launch designed for all time high and low water levels, proposed new design not creative, different plan submitted to DNR, cafeteria building, get boat launch done, board elected to make decisions.



Paul Hoadley made a motion, supported by Marlene Golovich to adjourn at 9:47 p.m.  
Motion carried.

Respectively submitted

Marlene Golovich  
Hayes Township Clerk

Minutes approved as corrected February 12, 2018