



# Hayes Township SENTINEL

*Keeping Watch and Shining Light on the Politicians and Political News of Hayes Township*

Published Monthly and Mailed Free to all Residences of Hayes Township, Charlevoix County

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OCTOBER 2025

## Boal Blusters, Bumbles and Fails Again

On September 17, 2025, Ellis Boal, represented a small group of residents against Jim Marriott (Pickleball LLC) regarding a private pole barn building under construction in Hayes Township.

Boal failed to follow court procedures requested by the Honorable Judge Joe Hayes in the Charlevoix's 33rd District Court to combine his original

lawsuit with his supplemental brief. Judge Hayes asked Boal what new material or information he had to present to the court to warrant the supplemental filing, but Boal failed to name any to satisfy the Court.

It was reported to The Sentinel that Boal told the court that playing pickleball inside an accessory building would constitute a nuisance, and

prompted Judge Hayes to ask incredulously "So if I have a pole barn and want to play ping pong in it, I can't? And that constitutes a nuisance?"

"Yes," Boal blustered. "If it's in an agricultural zone."

Judge Hayes patiently dismissed the case, denying without prejudice both declaratory and injunctive relief. Hayes emphasized that if Boal was to

file a new complaint, it would need to have new and relevant material facts.

This was the third lawsuit Boal has brought before the courts against Hayes property owners with Hayes Township as an additional defendant. As reported exclusively in The Sentinel's September 2025 issue, Boal's lawsuits have cost the Township more than \$100,000. Every one has failed.

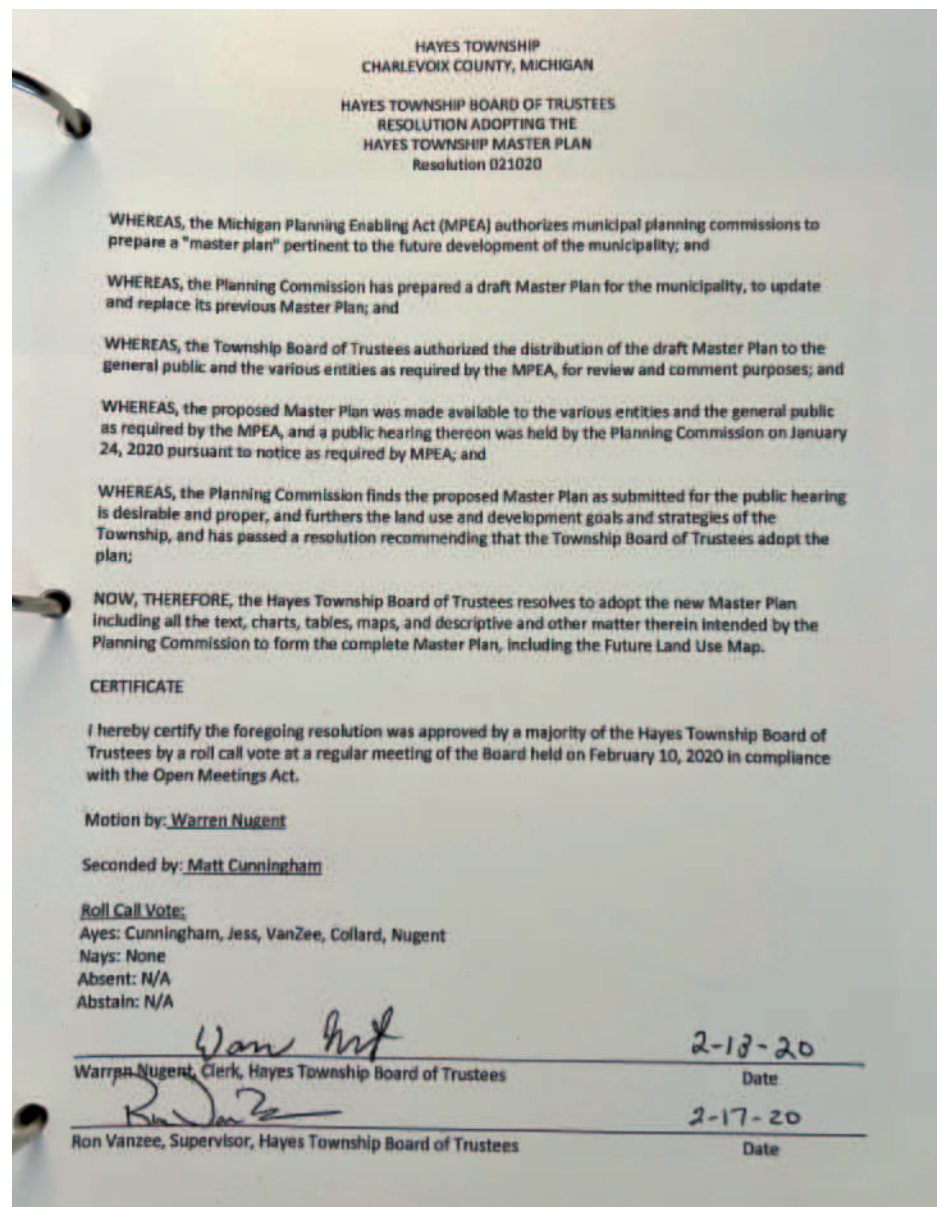
## "Negligence and Incompetence?" Not So Fast

Citing serious "errors", "violations", "negligence" and "incompetence," frequent commenter LuAnn Kozma claimed that the 2019 Hayes Township Master Plan was not validly approved at the September 8, 2025 Township Board of Trustees meeting. She said she could not find any evidence that it had been properly adopted or distributed, that there was not a copy of the signed resolution contained in the final plan nor was it sent to adjoining townships and the County, as required by her reading of the Michigan Planning Enabling Act, MCL 125.3843(5).

In response, Roy Griffiths, Chair of the Planning Commission (PC), clarified that the plan had in fact been properly adopted by both the PC and the Board of Trustees in January and February 2020. At the subsequent September

16 PC meeting, the Sentinel checked with PC members who showed copies of the signed and approved Master Plan in their documents. Moreover the official bound copy of the 2019 Master Plan Adopted in 2020 containing the signed resolution of adoption has been available and on display in the township hall since February of 2020. Hayes staff checked with neighboring townships and the County and found that the neighboring jurisdictions recall receiving the plan. Most have long since discarded the plan (they are not required to retain it) after review.

"There is no evidence to suggest that our 2019 Master Plan was not legally approved and adopted," said Griffiths. "To suggest otherwise is completely untrue."



2019 Hayes Township approval page as photographed by The Sentinel from a PC member's reference file



View from Eastern Avenue Beach

# Eastern Avenue Beach Inflames Passions

At the Board's September 8 meeting, Andy Balderson presented a fact-checked impassioned presentation regarding the public boundaries of Eastern Avenue Beach, including maps, surveys, written statements and copies of legal documents.

He called out Corrine Vita, a California resident and summer Hayes resident who "has misunderstood the legal boundaries of the beach for years." He claimed that she has written letters of complaint and gone around the Pine Point community spreading her false beliefs and accusing neighbors of en-

croaching on public land. Neighbors claim Vita is very confrontational when she visits each summer, bothering guests on the beach, taking pictures and video, and breaking beach rules herself by having her dog off leash and storing her sailboat on road commission property for weeks. "She has perpetuated discord within the community and we have a lot of people to testify to that fact," Balderson shared.

Balderson's comments were supported by Robert Fowler who owns the land closest to the beach.

Vita commented via Zoom. "I'm re-

ally nobody...I request Hayes Township protect me and my family from being attacked...I don't live in Michigan, I don't know these people...I'm nobody, I'm just a little person, and all I've done is try to stand up for a public park that is a public beach. The neighbors continue to violate zoning agreements...I educated Bill Conklin and Laura Ford at the beach...I'm a nobody...I need protection...Who am I? I'm just a little person."

The Sentinel has been advised that since the BOT meeting the land has been re-staked so that the public land is clearly identified.

## What Can Be Said in Public Comments?

There is often confusion in the public's mind about their rights to speak at township meetings. And what can be said. After all, the First Amendment to the US Constitution guarantees free speech, doesn't it?

Actually, the right to speak at our public meetings is authorized by the State of Michigan Open Meetings Act (OMA) not the First Amendment.

The OMA restricts public bodies to only making decisions and conducting its business during open meetings, but the OMA allows public bodies to adopt rules to minimize disruption of its ability to do business. While the public has a right to address a meeting of a public body and the public must have at least one opportunity to

speak publicly (the "public comment period") at an open meeting, there is no right to speak outside of the public comment period or to participate in the decision-making process.

The public right to comment on topics of their own choosing is also allowed by the OMA. There are few limitations on the public's right to speak other than time, place and manner. However, a public body may adopt a rule which "prohibits a person from using the board's and the public's time to make personal attacks upon an individual" which is different from the right to comment on how the officials perform their duties. Hayes Township has established rules governing Public Comment and these are published

with the Agenda and Information Packet for every meeting.

People wishing to speak at Hayes public meetings have the right to do so for the time allowed. The content of their public comment is up to them as long as it does not involve a personal attack on a public official or employee. Public comment does not require a response from the public body nor does it invite public participation in the decision-making process.

Keeping these rules in mind will facilitate effective meetings for all who attend.

*Source: Michigan Townships Association's Township Focus August 2025 edition.*

## Sheriff Vondra Responds

As a follow up on "Muddy Waters and Mixed Messages" article in The Sentinel's September issue, regarding donations taken by Bill Conklin during the ice storm debris clean up, The Sentinel has acquired a letter directly from Sheriff Vondra. In his letter, Vondra states that the office "was contacted from multiple sources asking us to look into the collection of money for the project. There were concerns that the money was being collected for the Township and there was no formal process as there should be..."

As well as saying that he found that no laws had been broken by Bill Conklin, Vondra said "Ms. Collard's participation along with other concerned citizens was appropriate. Especially appropriate because of Ms. Collard's position as Treasurer, she would have an obligation to assure it was handled correctly."

The Sentinel understands that the Township office has completed a report to document all findings and it has been filed appropriately

## Sergeant At Arms Needed?

A township supervisor is the chairperson of township meetings and has the responsibility to control them. According to the Michigan Township Association Authorities & Responsibilities book, 'A meeting chairperson... conducts an orderly and business-like meeting...The Supervisor is the chairperson of all township board meetings...any disorderly conduct or heated emotional outbursts should be stopped immediately by appropriate objection by the chair or board members to the chair.'

Yet Hayes Township Supervisor Bill Conklin continues to allow audience members to interrupt and challenge Board of Trustees members. Resident Stan Boris, who was in attendance during the wild August board meeting, demanded at the recent September meeting that the Township hires a Sergeant of Arms to escort unruly residents from meetings. "Some of our meetings are getting a little bit wild to say the least...it is time that we have a little bit more control of our meetings."

## EDITORIAL OPINION

# Why So Many Lawsuits?

By Publisher & Editor  
DAVID L. ZIPP  
davidzipp1@yahoo.com

There is no such thing as a perfect set of policies and ordinances. They are always being edited and updated to meet the current needs of the residents and the township. It is a massive undertaking, with many moving parts and details. They are also not something everyone will 100 percent agree with: there are always going to be different opinions. The Planning Commission does its best to put the proper ordinances in place for the betterment of the township. No one can demand an ordinance be changed to satisfy their individual specific demands.

Some residents go directly to their neighbor to calmly resolve issues. Some come to the township for assistance and information: are they violating any rules? How can you help me resolve this problem? In most cases, the township is able to provide the necessary information to assist in most issues. However, in some cases, the complaint is a civil matter, taking the township's involvement out of

the issue, leaving the neighbors to resolve their disputes civilly.

Sadly, this has been the case in Hayes Township. When resident LuAnne Kozma was advised to resolve a neighbor dispute civilly, she responded that she would do everything she could to prove the township wrong. Now, four years later, after non-stop personal attacks on individuals, several lawsuits against

tens of thousands of dollars wasted to defend her rhetoric. Just this month, their latest lawsuit—against Pickleball LLC and the Township—was dismissed.

Meanwhile, Supervisor Bill Conklin, who Kozma and Boal vehemently support, continues his lawsuit against the Township he claims to represent at huge cost to every Hayes taxpayer.

It's become clear that none of this has anything to do with what the Township has done, or what they are doing, what they have issued or agreed to, but instead built-up animosity for Township officials, the Planning Commission and most of the Board of Trustee members.

This should not be tolerated or allowed to continue. It is a waste of your money, an attack on private homeowners and an outright misuse of the court system.

**If you agree, come to Township meetings and speak up. The Hayes Board of Trustees meets every second Monday of the month at 7 pm.**

**No one can demand an ordinance be changed to satisfy their individual specific demands.**

or involving the Township, protests against our Planning Commissioners, three lawsuits against personal property owners, it can be validly argued that no-one in the Township is better off. Every lawsuit (all but one involving and led by Kozma and her husband, attorney Ellis Boal) has been dismissed by the courts and

## Short-term Rental Ordinance Discussed

Hayes Township's Planning Commission held a wide-ranging discussion on the possibility of reintroducing a Short-term Rental Ordinance at its September 16 meeting. The Board of Trustees (BOT) rescinded the prior Hayes ordinance on this issue because of concerns on the Township's ability to monitor, control and enforce the ordinance.

Many townships in Charlevoix County have or have recently introduced short-term rental ordinances. They vary in their content considerably.

Resident Dave Kemme gave a detailed background on problems short-term rentals have created in his association on Nine Mile Point Drive. In contrast, the Charlevoix County Sheriff's office reports that it has had no complaints regarding short term

rental issues in the last 12 months, illustrating that this subject is complex at the very least.

Any short-term rental ordinance will need to include definitions of inspection, involvement of the local health authority, monitoring and enforcement. The ordinance would be separate from the Zoning Ordinance and would need to be approved by the Board of Trustees. It was unclear whether the

Board, having rescinded the prior version, would wish there to be a new one.

Matt Cunningham (BOT Member of the Planning Commission) was asked to clarify with the BOT whether a new short-term rental ordinance was desired.

In a separate Public Hearing, rezoning of 7977 Pincherry Road from Agricultural to Rural Residential was approved.

## Upcoming Township Meetings

Wednesday, October 8 ..... Zoning Board of Appeals  
Monday, October 13 ..... Board of Trustees  
Tuesday, October 21 ..... Planning Commission

## Vacancy on the ZBA

An opening for a Hayes Township resident to serve as an Alternate on the Zoning Board of Appeals has been announced.

Applications are being accepted to fill this vacancy. If you are interested, go to <https://www.hayestownshipmi.gov/zoning-board-of-appeals-alternate-opening/>.

The next ZBA meeting will be at 7 pm on October 8, 2025 to hear a requested setback variance at 7125 Nine Mile Point Dr. Charlevoix MI 49720.

## Call For Veteran Information

Hayes Residents: Have you or a loved one served our great country? Hayes Township has a Veteran Plaque that honors residents that have served. To ensure that you or your loved one is included, please provide the Veteran's name, branch, and years of service to [clerk@hayestownshipmi.gov](mailto:clerk@hayestownshipmi.gov).

## EMS Annual Awards

The Lake Charlevoix EMS Authority holds an annual awards ceremony each year to recognize exemplary actions of staff in saving lives and helping people. The 2025 awards will be presented on October 22, 2025 in a special session of the Authority being held at 4:30 pm at the Hayes Township Hall. Public are welcome to attend and offer thanks to those who serve.

### CONTACT YOUR OFFICIALS:

**SUPERVISOR Bill Conklin**  
231-373-0059

**CLERK Kristin Baranski**  
231-547-6961

**TREASURER Julie Collard**  
231-547-6961

**TRUSTEE Doug Kuebler**  
906-298-1416

**TRUSTEE Matt Cunningham**  
231-881-1533



"DEMOCRACY DIES IN DARKNESS"

# OPINIONS

Shining Light on Political News

David K. Zipp, *Publisher & Editor*  
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Published by:  
Hayes Township Sentinel,  
A Non-Profit Corporation  
P.O. Box 581 • Charlevoix, Mi. 49720

## The Sentinel is by the people for the people!

Your Hayes Township Board of Trustees members are NOT responsible for the publication of this paper. This publication is put together by residents who are determined to honor, support and pay for this publication and its mission—to share TRUTH in our community.

The Sentinel's articles are based on FACTS: recordings, documents, and past minutes are a wealth of details we rely on to correct and shut down the lies and misinformation that others have attempted to spread around our Township. We pay attention to what is happening, decisions that are being made, and of course, work through meticulous fact-checking to correct the sometimes spiteful, indignant and mis-informed rhetoric that disruptive individuals use. Want to check yourself? Everything we report is verifiable. The videos, recordings and minutes we use as sources are available at the Township Hall and/or [www.hayestownshipmi.gov](http://www.hayestownshipmi.gov).

They play the victim at meetings, but the victim in this situation is YOU: the Hayes Township taxpayer, trying to

live your own life, while your tax dollars are being swallowed up by frivolous lawsuits, including the one perpetrated by your Supervisor, Bill Conklin.

Taxpayers deserve to know about what has been described many times as 'the elephant in the room': the Conklin lawsuit against Hayes Township. When challenged at a Trustees meeting about the cost of this lawsuit, Conklin, a lawyer as well as Supervisor of the Township, ironically stated: "That is not my concern." As he is your Township Supervisor, shouldn't it be his concern? Costs you have had to bear as a Hayes taxpayer already exceed \$31,000 and are certain to soar as Conklin, after losing in court locally, has appealed to Lansing.

State of Michigan  
Charlevoix County Circuit Court

H & D Inc and its successor Rieth-Riley  
Construction Co Inc

v

Charlevoix Circuit Case # 87-335-11-CE  
Hon Roy C. Hayes III  
Complaint: 2-12-87  
First Amended Complaint: 3-18-88

Hayes Township, a municipal corporation,  
and  
JoEllen Rudolph, et al Intervenor

Appearance

Ellis Boal enters his Appearance for Intervenor JoEllen Rudolph, Kathy  
Martinechek, Victor Martinechek, Kevin Willis, and Clydell Willis.

Respectfully submitted,  
  
Ellis Boal  
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231-547-2626  
ellisboal@voyager.net

Dated: April 17, 2023

Charlevoix County  
Clerk

TRUE COPY  
of a document on file  
in the office of the  
Charlevoix County Clerk

Cover sheet of Boal's gravel pit lawsuit, showing Hayes Township as a defendant.

At the Board of Trustees September 8 meeting there were public comments both supporting and decrying the

Sentinel. "I agree with the Sentinel's assessment of the situation in this Township" was one constructive comment. Others showed anger, "Disgusting... filled with lies, lie, after lie, after lie... And this township is sick of it...we are not a small group of fanatical idiots." Ellis Boal claimed that The Sentinel had made a "terrible error" by including, in its analysis of lawsuit costs, the \$34,107 cost of defending Hayes Township in the Gravel Pit lawsuit. Despite Boal's assertion otherwise, Hayes Township was a defendant in that lawsuit (see photo). Yet no-one, not one single person, presented evidence to prove that anything printed in The Sentinel was incorrect or untrue.

Once again, false information was shared as truth during public comment by all the usual suspects. Our mission is to share the TRUTH with our community, and to counter the attacks, misinformation and lies.

Editorials or Opinions? Well, those are opinions of respected individuals who have decided they would like to reach out to our community via The Sentinel.



## Frankly Frank

by Frank Shepherd

Imagine my surprise (shock!) when I opened my mailbox a few weeks ago and found a new copy of the Hayes Township Sentinel. As one of the founders and first publisher, I took pride in producing it for three years and thoroughly enjoyed writing my Frankly Frank monthly column.

When we began publishing in 2017/18, we started covering the political news of the various boards and committees of Hayes Township.

I personally covered the Board of Trustees and Planning Commission and remember well the former board members who have since passed away, as well as my friend Bob Jess, who led the Planning Commission for a long time and is now a Charlevoix County Commissioner. I also remember how prepared and helpful Marilyn Moorhead and Ron VanZee were for all meetings. In many ways, they were anchors of the Township for many years.

Today, I understand the local political climate has changed. The BOT and other Township committees have to deal with what I call 'negative persons'! They primarily sit in the audience and have negative comments to share, and lack the self-control to be respectful and quiet during the business part of meetings. Some of these individuals have cost the hard-working tax-paying citizens of Hayes Township many

thousands of dollars in unnecessary lawsuits and legal fees. Sadly, the beat goes on, and on, and on! In addition, it appears to me that the current township supervisor is in way over his head, a poor leader, who goes out of his way to attempt to disparage his fellow board members. Bad karma for operating any organization, business or otherwise.

Incidentally, I am not involved in the latest version of 'The Sentinel'. In three months, I will turn 84. I have been recovering from a bad fall that required an operation and a 7 months recovery. I wish I had the energy I had before, so I don't mind taking a backseat and wait for my monthly edition like the rest of my community.

As the founding publisher, I wrote in my very first column in November of 2017: "Our mission is to cover, document, and report all the political

news in the Township that affects you, making sure you have all the information you need to make intelligent and informed decisions when you go to the polls! It's impossible to have an informed opinion about roads and parks if you do not have all the facts. Our goal is to make sure you have those facts!"

I closed my column with the following: "If we are successful in our mission of demanding transparency and openness from our political leaders; if we report the facts of each meeting including public comments, then our township residents will be better informed to make important decisions..."

I trust the current residents managing 'The Sentinel' will do just that: report the FACTS. I wish Dave Zipp, Publisher, the board of directors and writers all the best.

Now, where is my October edition?!?