

**NOTICE  
THESE ARE THE UNAPPROVED**

**BURT TOWNSHIP  
BOARD MINUTES  
May 6, 2021**

The regular meeting of the Burt Township Board was called to order by Supervisor Harold Koviak on May 6, 2021 at 7:00 pm.

**PRESENT:** Harold Koviak, Shirley Reimann, Katie Parker, Gene Hodulik, Christy Kozlowski  
**Absent:** None

**Also Attending:** Tim McArthur, Matt Petcoff, Brian Kinney, Renee Kinney, Jim Larson, Meg Sheehan, Melissa Kendzierksi, Kevin Sagasser, Randolph Brickerst, Jeff Mallory, Isabelle Joslin, Jim Bricker, Dwayne Smith

**AGENDA - Koviak**

**MOTION:** Moved by Parker, supported by Hodulik to approve the Agenda with the addition of the property splits.

**MOTION APPROVED**

**PUBLIC COMMENT – N/A**

**CONSENT AGENDA – Minutes of April 1, 2021 and Payment of the Bills**

**MOTION:** Moved by Hodulik, supported by Parker to approve payment of bills and the minutes of the March 4<sup>th</sup> meeting with the verbiage change of ‘mask’ to ‘mast’ under the electrical discussion.

**MOTION APPROVED**

**UNFINISHED BUSINESS**

1. Corner Property at Crump/Burt-Mullett Road

- Melissa Kendzierksi from **EGLE** and Kevin Sagasser (Sagasser & Associates, Environmental Consultant)
  - Appraisal expected mid-May – appraiser Dan Benjamin (Alpena)
- Burt Township appraisal completed by Sherwood Appraisal Services) Cheboygan – the 4.86 acres appraised at \$22,500
- **EGLE** provided presentation, including maps:
  - Gasoline is the main contaminant
  - Became involved in 2004 and removed 3 underground storage tanks
  - **EGLE** came back in 2011 and did additional investigation due to concerns over residential wells and found contamination in the onsite well. That well, along with a neighbor well was replaced with a new shared well on the neighbor’s property. Significant contamination – ground surface to approximately 35 feet below grade and ground water is at 25 feet below grade

- Contamination flows to the northwest and is approximately 1,200 feet long and 70 feet deep. **EGLE** has installed 56 monitor wells in the area and investigation is ongoing
- Spring of 2022 (4-month project) – plan is to demolish existing home due to contamination directly below house and begin cleanup. Crump Road will need to be re-routed if possible. Property owner will be relocated and one option is the land swap with Burt Township with Burt Township possibly using the land (after cleanup) for a trail head
- Cleanup will be extensive due to the dense soil (clay/sand). **EGLE** will be excavating the site down into ground water, approximately 5-8 feet past the ground water line, with retention walls to avoid collapsing. Ground water will need to be removed, cleaned, and discharged in a site to be determined (possibly Black Hawk Farms drain swell and into the swamp or possibly into the creek on Crump Road). They will acquire necessary permissions and permits
- Koviak asked if the wells on the properties to the west and north of the Kinney property have been tested. **EGLE** collected samples from the Peacock's, the Hall's and the western adjacent property and the health department took over sampling of those wells twice a year. The contamination does go to the west, but current wells are below the water table and are not affected.
- Hodulik asked about ongoing testing after the proposed clean up. They will still need to address the downgrading contamination plume but follow up cleanup will be easier once the proposed cleanup is done and numbers go down. **EGLE** will need limited access to the site for ongoing testing. No other permanent remediation equipment will be needed on the site at this point. Most of the monitoring wells will remain. If the Township takes ownership, **EGLE** will work with the Township and ultimately can refuse any structures for cleanup or monitoring.
- A drinking well on the property is a possibility. The current well on the adjacent property would still be accessible with the transfer of ownership
- Site will be filled and compacted above the MDOT standards
- MacArthur questions
  - Asked about transfer of ownership – per **EGLE**, it is preferred if the title swap was between owners versus the State being an intermediary but that likely a lengthier option. **EGLE** will confirm that the land swap between owners is ok from a compliance standpoint
  - Will there be a 'hold harmless' for the future? The Township would need to provide a baseline environmental assessment to **EGLE** and **EGLE** and/or the State can assist with that given their data they have acquired to date
- **EGLE** compliance asked if the Township parcel could be divided. The Township and Kinney would not like to split it but a division would require an easement and would need to be reviewed

## 2. Fire Agreement with Mullett Township – Koviak

- MacArthur provided fire protection amounts for Koehler - \$52,896, paid once a year to Tuscarora and they are a double township (72 sections). Fee is based on a contract but not based on SEV and may be based on number of residents – MacArthur to follow up
- Letter from Laz Surabian was forward to the board
  - Hodulik – what does “actual rate assessed” equate to? To Burt Township it is ½ mills, to Mullett it is 1.5 mills. The 2019 2-year contract between Burt and Mullett set a flat fee for service and the board did not recall any mention of “actual rate assessed” for future agreements
  - The current Mullet Fire budget provided is \$386,000 but \$196,000 of the budget is equipment, trucks, paying down debt, etc. Burt Township based its original offer of \$45,000 based on a \$200,000 cost basis (not including equipment, etc.) which is what the board feels is appropriate

- Options:
  - Pellston could build their substation on the corner of West Burt Lake and Brutus to service the whole township
  - Burt Township could make a counteroffer to Mullett but we need to look at what other townships are being charged.
    - Burt Township could bring in a third-party mediator (suggested MTA as they have done this before). Koviak to talk with MTA in Lansing to see if they have a suggestion
    - Other mediator option is Community Mediation Services in Gaylord but they are not specialists in fire
    - Hodulik – based on conversations with Mullett board trustees, they would like to see a 10-year contract, starting at a specific amount and increasing by a percentage every year
  - Go to the public and survey them on what more they are willing to contribute. The contribution ask needs to be based on what other townships typically pay for fire protection

### 3. Electricity at Hall

- Koviak paid fee to consumers Energy and they hope to get with Stan’s Electric and have it completed by Memorial Day
- Once electricity issue is complete, we can request updated bids

## NEW BUSINESS

### 1. Pellston Fire Chief – Randy Bricker

- Randy Bricker, Pellston Fire Chief, introduced first responders Jeff Mallory and Isabelle Joslin and Jeff provided and update:
  - 37 runs for Burt Township (West side) out of 287 total. 54% of the Burt runs were medical runs (traumas, medical emergencies, falls, etc.).
  - Cheboygan Life support is approx. 20 miles to get to Burt Township, the Pellston first responder program was created to help assist with that time, getting to a scene before Cheboygan to begin treatment/intervention if necessary until Cheboygan gets there. Pellston first responders do not transport patients
  - 100% volunteer basis but they do get a \$10 stipend per 12-hour shift. Volunteers are Medical First Responders but some are EMT’s as well
- Service 5 townships and each is asked to contribute \$2,500 for emergency support that will assist with supplies, volunteers, etc.

**MOTION:** Moved by Parker, supported by Hodulik to approve payment of \$2,500 to Pellston Fire and Rescue for First Responders with Tim MacArthur drawing up a short contract.

### 2. Property Splits – Lindroth

- Mills split – signed by board
- Budzinski split – signed by board

## REPORTS

### Burt Lake Trail Committee – Hodulik

- No word from DALMAC on grant
- MDOT to release bids on May 14, awarding on June 4

**Planning Commission** - Hodulik

- Jake Meyers is replacing Ruben Shell and will be at the May 10th meeting
- Items under discussion: size of pole barns, fire pits, residing in pole barns, internet

**Zoning Board of Appeals** – Koviak

- Meet Friday of Memorial weekend
- Currently three requests

**Zoning Administrator's Report** – Larson

- West Burt Lake Rd – permit for fire pit but they have several sidewalks that were not submitted for the variance. Resident said they did not see anything in the current ordinance about a fire pit having to be 25 feet away from the high-water mark
- Koviak had a call from a resident at Chickagami and Nash – remodeling and new roof – and directed them to Larson

**Supervisor's Report** – Koviak

- West Numbers Rd – paving estimate came in \$7,300 over cost (within 10%) due to rising cost of asphalt and was approved and will be paved

**County Commissioner** – Mary Ellen Tryban

Not present

**PUBLIC COMMENT** – Concern over litter in the township. Suggested positive signage to discourage littering, for the board to consider a local ordinance with a fine for littering, and launch a program/task force to address the litter issue.

- Parker offered to research signage
- MacArthur to look into littering ordinance

Next meeting June 3, 2021 at 7:00 pm

**MOTION:** Moved by Hodulik, supported by Reimann to adjourn.

**MOTION APPROVED**

Respectfully submitted,  
Christy Kozlowski, Clerk