

**BURT TOWNSHIP
BOARD MINUTES
November 2, 2023**

The regular meeting of the Burt Township Board was called to order at 7:00 pm by Supervisor Harold Koviak

PRESENT: Harold Koviak, Shirley Reimann, Katie Parker, Christy Kozlowski, Gene Hodulik

ABSENT: N/A

Also Attending: Jim Larson (Zoning Administrator), Tim MacArther, township lawyer), Fred Lindroth (township assessor), David Klebba, Ann Klebba, Diane Ogden, Frank Kestler, Tom North, Marty Cheney

AGENDA - Koviak

MOTION: Moved by Parker, supported by Hodulik to approve the agenda with the addition of a Property Split

MOTION APPROVED

PUBLIC COMMENT – N/A

APPROVAL OF MINUTES – Minutes of September 11, 2023

MOTION: Moved by Kozlowski, supported by Parker to approve the minutes of September 11, 2023 meeting with the change of **Approval of Minutes – Minutes of August 3, 2023**

APPROVAL OF BILLS

- Koviak comment on Road Commission Invoice: Crump Rd - \$42K, Indian Rd - \$22K, Cedar Drive - \$20K, Road Commission chipped in \$25K. Cedar Drive cost was way below budget (may not have been billed properly) – road commission will review and get back to us on additional cost

MOTION: Moved by Hodulik, supported by Reimann to approve the bills

TREASURERS REPORT – As of October 31, 2023

Certificates of Deposit

Citizens National Bank	\$26,263.63
Citizens National Bank	\$28,337.17 (2-year bond)
PNC	<u>\$55,512.87</u>
Total CD's	\$110,113.67

Savings	\$ 523,092.88
Checking	\$ 22,048.42

Citizens: Trail Account	\$717.54
Citizens: Trail Maintenance Acct	\$78,958.74

- Kozlowski is working on the Michigan Class Registration Packet
- Registration requires board members support of participation via resolution or a copy of meeting minutes noting such support – Kozlowski did send investment policy that lists them

- **MOTION:** Moved by Koviak, supported by Parker to approve the treasurers report as presented as well as approve participation in Michigan Class and pick the account type and amount at a later date

UNFINISHED BUSINESS

1. Burt Township Flag

- Denise Rhadigan (Deputy Clerk) researched three vendors for embroidering:
 - Gettysburg Flag Works – cannot embroider but can provide a center applique to be affixed - \$806.77
 - Flagusa.com - \$2,360 single side
 - Flag for Veterans - \$1,760 single side (4-6 weeks)
- A flag design was picked – color background, one-sided, embroidered
- Kozlowski will have Rhadigan get a formal quote from Flag for Veterans with the intent to have it approved and put into motion at the December Board meeting

2. EGLE - Property at Corner of Crump Rd/Mullett-Burt Rd

- Per Koviak, revisit writing a letter and submit a FOIA instead
- Per MacArthur – need to determine a specific FOIA request with the following being discussed:
 - Property description update
 - Map of location of wells
 - Most recent testing results
 - Current status of negotiation/purchase of the store, written proposal, etc.
 - Copy of the current remediation plan
- Parker and Hodulik to write the FOIA and MacArthur will review
- Koviak did talk to Cheboygan Emergency Manager, Jeremy Runstrom and let him know of the situation. Runstrom was not aware and will be making calls to EGLE in Gaylord

MOTION: Moved by Hodulik, supported by Parker to create a FOIA request with EGLE on the Crump/Mullett-Burt Rd property to be reviewed by MacArthur (township attorney)

NEW BUSINESS

1. Fee for Zoning Permits

- Per last meeting, Larson asking to consider updating current zoning permit fee @ \$.05 per square foot – will talk to Ken Lane (Planning Consultant, Beckett & Raeder) at the next planning meeting
- Suggesting a minimum of \$75 or \$.10 per square foot, whichever is higher

MOTION: Moved by Hodulik, supported by Parker to revise the fee for zoning permits to a minimum of \$75 or \$.10 per square foot, whichever is higher

2. DNR Property West Burt Lake Rd

- Koviak spoke to Matt Lincoln (DNR Real Estate) – they have talked to UM Biological Station regarding doing a transfer of land between the DNR and UM but it is currently in limbo
- Rumor is that if this were to take place, they would transfer the land to the Burt Lake Band of Indians and the concern is they may not follow or may challenge local zoning
- Frank Kestler and Tom North provided history on that property and the DNR court case that was won by the Township
- The issue is not with the Indian Tribe taking ownership of the land, the issue is the use of the property be consistent with local zoning
- Kestler is asking the Township to get involved. Per Koviak, the township is interested in taking an active role in this issue. BLPA is discussing the issue and Kestler will be asking for their endorsement

- MacArthur to investigate the law as it pertains to State recognized tribes (Federally recognized tribes are not subject to local zoning laws). Burt Lake Band of Indians is not currently recognized by the Federal government

3. Mullet Fire Department Payment

- Mullet Fire Department has been paid \$37,130 x 2 and was based on the 1/25/2023 taxable values (2022 values) of \$74,258,517
- The original contract did not specify if amount should be based on 2022 or 2023 valuations but per MacArthur it would be assumed that we pay on the 2023 taxable values
- Next year, will need to wait to pay until 2024 taxable values are confirmed

MOTION: Moved by Koviak, supported by Hodulik to pay Mullett Fire Department an additional \$6,304 for Fire Protection to comply with the 2023 taxable value

Roll Call – Hodulik – Y, Parker – Y, Reimann – Y, Kozlowski – Y, Koviak - Y

4. Property Tax Newsletter

- Big Dump Day - Saturday, June 15 (Father's Day weekend 2024) at the East Side Transfer Station on Crump Rd., Hodulik to update trail and roads content

5. Property Split

- James "Randy" Parker, Nipissing Trail

MOTION: Moved by Kozlowski, supported by Reimann to approve the Parker property split

REPORTS

Burt Lake Trail Committee – Hodulik

- Trail maintenance in progress
- Grant Status – Spark grant was denied, DNR Passport Grant (\$150k w/ \$50K match)– will know sometime in December, MDOT Grant – pending
- Potential corner lot swap for trail head
- Planning for next year – improvement to gorge

Planning Commission – Hodulik

- Next planning meeting will be discussing:
 - Master Plan review – must be updated/re-written in 2024
 - Update on business on South Extension
- Emmet County will be paving Brutus Road – 2-year project. Brutus Road from 31 to the county line will be done in 2025

Zoning Board of Appeals – Koviak

- 2 appeals for meeting on the 17th

Zoning Administrator's Report – Larson

- Provided copy of permit report YTD

Supervisor's Report – Koviak

- Dennis Slasor has retired from the West side Transfer Station; Koviak expressed the board's appreciation for his many years of service to the township

County Commissioner – Jeff Ostman

- Not in attendance

PUBLIC COMMENT

- N/A

Next meeting December 7, 2023 at 2pm

MOTION: Moved by Parker, supported by Reimann to adjourn. The meeting adjourned at 8:27 pm.

MOTION APPROVED

Respectfully submitted, Christy Kozlowski, Clerk