

**BURT TOWNSHIP
BOARD MINUTES
October 1, 2020**

The Regular meeting of the Burt Township Board was called to order by Supervisor Harold Koviak on October 1, 2020 at 7:00 pm at the Burt Township Hall, 7029 Birchwood Road, Cheboygan, MI 49721.

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

Also Attending: Carolyn Hodulik, Russ Elmhirst, Jim Lozier, Tim MacArthur, Jim Larson

AGENDA - Koviak

MOTION: Moved by Parker, supported by Hodulik to approve the Agenda with the following addition to New Business: Merit membership agreement from the Planning Commission

MOTION APPROVED

PUBLIC COMMENT – Russ Elmhirst asked who handles the absentee ballots sent to the Alanson Post Office. The Clerk, Christy Kozlowski, picks up ballots from the Alanson PO box.

CONSENT AGENDA – Minutes of September 3, 2020 and Payment of the Bills

MOTION: Moved by Hodulik, supported by Parker to approve the minutes of September 3, 2020 with the following adjustments to the minutes: spelling adjustments (Mullett and Merit), correct spelling of “Karie Slavik”, Dave Hutto comment change “form” to “plan”, Maple Bay cost estimate from \$250K to \$147.4K, and Jim Hutto comment change “Dave” to “Jim”, and payment of the bills.

MOTION APPROVED

UNFINISHED BUSINESS

Fire Agreement with Mullett Township - Koviak

Koviak reviewed the draft several times with no suggested updates. Hodulik suggested updating the dates in Section 5 (2020 and 2022). Per MacArthur, dates will change based on final adoption.

- Question raised by Larson about a possible conflict of interest since MacArthur is also the attorney for Mullett Township. MacArthur’s reply: It could be a conflict, but not in terms of the agreement itself. To date, there has not been a disagreement between the Townships that wasn’t resolved in an amical manner. Question remains if MacArthur will continue to be Mullett Townships attorney after November 20th.
- Funding concern raised by Hodulik and per MacArthur there are a few issues:
 1. **Funding** - Taxable valuation is preferred, not SEV. Koviak’s issue with taxable valuation is that Burt’s 1.5 mill will be larger than Mullett’s 1.5 mill. Hodulik pointed out that Mullett’s 1.5 mill is for both sides of Mullett, and it is estimated that 2/3 of the budget (for the West side) would likely be allocated but the budget allocation has yet to be disclosed. Koviak has seen the overall budget but it is not split out. Set fee basis (like a contract) is also a funding option. Could be done on a half and half, or 2/3 and 1/3, where part is set fee and other part is taxable value.

2. **Need to establish the service area** - Mullett will need to decide how far it will go since the East Mullett Fire Department (separate Fire Chief and firefighters) handles the East side of Mullett.
 3. **Equipment** - If equipment is included, it is MacArthur's opinion that it should not be on the market value of the equipment but the depreciated value of that equipment.
- Current status
 - Still no communication with the new supervisor. Will try again in a few days.
 - Koviak was invited to a Mullett Fire meeting next week but will not be attending as there will be no opportunity to resolve existing concerns.
 - Per Larson, since the contract will be expiring in 6 months, should we consider issuing a letter that states the current contract will be extended until a new agreement is made?
 - New Mullett fire hall discussion - Per MacArthur, there are different ways to build it
 - Do a special assessment district and define an area in Mullett Township that would be assessed or do a millage (with way, they would still need to issue bonds)
 - Hodulik commented on presentation that he and Parker attended: referenced payments to Cignet Capital for 10 years (\$1.5M building, \$220K from millage from year one operating budget) and it was agreed at the time of the meeting that that was the way to go. Larson: What happens after 10 years when the building is paid off with regard to our agreement and the 1.5mill? Would they still want us to continue paying the 1.5 mill?

Township Hall Remodel - Hodulik

Builder will be laying the cement blocks tomorrow (Friday, Oct 2) and start on the carpentry on Monday. Builder committed to being done before election day with the possible exception of small details.

Tree Removal - Koviak

Tree removal has been completed.

NEW BUSINESS

1. Planning Commission-Amendment to Zoning Ordinance

- Non-conforming building ordinance from the planning commission to be reviewed. Hodulik had a copy of the ordinance but the rest of the board did not. There was a question as to the wording of the ordinance: "non-conforming **lots**" versus "non-conforming **buildings**."
- Motion requested to table the ordinance until an updated ordinance could be supplied.

MOTION TO TABLE: Moved by Parker, supported by Hodulik to table until new language is provided and clarification of "lots" versus "buildings."

MOTION TO TABLE APPROVED

2. Planning Commission Request - Broadband Feasibility Study RFP

Per Hodulik, Ben Fineman produced an RFP that has been used previously and we just need to change a few words to customize to Burt. Board reviewed document and agreed that it was ready to go.

MOTION: Moved by Hodulik, supported by Parker support the release of the RFP. No voice vote needed as there is no money involved at this point. Kozlowski to notify Allen K. to proceed with RFP.

MOTION APPROVED

3. Merit membership agreement from Planning Commission

- Membership is needed to do business with Merit and to access their internet.
- Board agreed to move forward with the one year free year membership with changes: organization name change to “Burt Township Board” and update the dates (it refers to May 2020). Koviak or Kozlowski (Clerk) can sign the agreement with one year option checked.
- Must submit a certified letter 30 days before renewal of the one year agreement if we decide to terminate the agreement. Clerk will manage agreement terms and termination if so decided.

MOTION: Moved by Parker, supported by Kozlowski to sign the agreement for one year once updated agreement is presented.

MOTION APPROVED

REPORTS

Burt Lake Trail Committee – Hodulik

The Committee has been working on the following:

- **Raising money through social media** - Margie Reh is working on a method of crowd-funding called Patronicity in conjunction with a MEDC (Michigan Economic Development Corporation) that will match up to \$30K to raise dollars over a 60 day time-frame. They need about \$75k to complete phase III of the project at which time everything will be connected.
- Need to tie up loose ends with OHM and the trust fund. Six items that we are unsure of if they are done. We are responsible for two but they all need to be entered into the Michigan Grants database. We have asked OHM if their parts are done but waiting on response from them.
- Making a payment of approximately \$74K to the road commission tomorrow. There could be one more cycle of payment but unsure of exact amount. Expecting one more invoice from road commission that will close the project.

Planning Commission - Hodulik

Accessory buildings and lot size being discussed. Currently the language requires 2 acres and they are considering taking it down to 1 acre but it was tabled at the last meeting.

- Koviak brought up the public hearing and asked what, if any, public comment was made
 - There were comments made regarding possibility of zoning language for 4 acres or less and limiting buildings to 1,200 square feet for example.
 - Larson – suggesting designating a size and not offer variances to alleviate the abundance of requests coming in for oversized buildings on 1 acre lots. It was discussed that designating a size with no variances allowed is likely not possible without the proper wording or agreement.

Zoning Board of Appeals – Koviak

Next meeting is in November, four will be discussed, two are currently published. Last day for submission is October 20th.

Zoning Administrator’s Report - Larson

Going to ask planning commission to clarify on how to measure a lot. The surveyor from Indian River is still planning to submit everything to the waters edge instead of the high-water mark. This issue came up in the VanSchoick project. The problem is using the ordinary (OHW) high-water mark to measure the length which is different from using it to measuring the width (which is how the high-water mark is typically used).

Supervisor's Report – Koviak

- Road plan will be ready for the board next month, Koviak and Hodulik met with Brent Shank yesterday and he will tweak it.
- October 9 at 2pm, the MTA Executive Director, Neil Sheridan, will be here at the hall. Koviak invited Emmet county and is waiting on a count.
- State requirement coming - the county is working to get a designated assessor established before December 31, 2020 so they can put the agreement in place and submit to the state tax commission. Anticipating another meeting for all the supervisors. Purpose: in case the township does not pass the AMAR, the designated assessor would step in to take care of the township role. All the townships have to approve this agreement. When they hire this level 3 or 4 assessor, (possibly two in the county – Liz, level 3, and Clayton, level 3 or 4). Needs to be approved by the townships, the county boards, the state tax commission and completed by December 31. Koviak talked to Fred Lindroth and our audit isn't until next year for the AMAR.

PUBLIC COMMENT

Next meeting November 5, 2020 at 7:00 pm.

MOTION: Moved by Parker, supported by Hodulik to adjourn.

MOTION APPROVED

Respectfully submitted,

Christy Kozlowski, Clerk