

**REGULAR MEETING of the PAINT CREEK TRAILWAYS COMMISSION**  
Held at the Rochester Municipal Building, 400 Sixth Street  
Rochester, Oakland County, Michigan

**CALL TO ORDER:** The Tuesday April 21, 2009 meeting was called to order by Chair Blanchard at 7:00 p.m.

**Voting Members Present:** David Becker, Rock Blanchard, Edward Peters, Ravi Yalamanchi  
(*enter 7:05 p.m., exit 9:10 p.m.*)

**Voting Alternates Present:** Linda Gamage, Paul Miller (*before 7:05 p.m. and after 9:10 p.m.*)  
Martha Olijnyk, Kathy Thomas

**Non-Voting Alternates Present:** None

**Non-Voting Members Present:** None

**Voting Members Absent:** Marc Edwards, Richard Schultz, Maryann Whitman, Alice Young

**Alternates Absent:** Jeff Matis, Penny Shults, Michael Webber

**Others Present:** John Makris, Attorney (*enter 7:07 p.m.*), Kristen Myers, Trail Manager

**APPROVAL OF AGENDA:**

**MOTION** by Becker, supported by Thomas, ***Moved***, to approve the April 21, 2009 agenda as presented.

Ayes: All      Nays: None

**MOTION CARRIED.**

**PUBLIC COMMENT:** None

**CONSENT AGENDA:**

- a. Minutes of March 17, 2009 Regular meeting, approve and file
- b. Minutes of March 31, 2009 Special meeting, approve and file
- c. March Treasurer's Report, receive and file

**MOTION** by Miller, supported by Gamage, ***Moved***, to approve the consent agenda as presented.

Ayes: All      Nays: None

**MOTION CARRIED.**

**APPROVAL OF INVOICES:** Ms. Myers presented the invoices in the amount of \$8,621.58.

This total includes printing the Master Plans, postage for notices to 1001 Services, Inc.

individuals, and Mr. Makris' professional services to date regarding the lawsuit. Estimated fund balance is \$64,000.

**MOTION** by Olijnyk, supported by Gamage, ***Moved***, that the invoices presented for payment are approved in the amount of \$8,621.58 and orders be drawn for payment

Ayes: All      Nays: None

**MOTION CARRIED.**

**LAKE ORION EXTENSION – Conceptual Plan:** Ms. Myers stated she received a request from Ms. Golden to review a conceptual map of a potential route extension into the Village of Lake Orion. The route would be through the Lake Orion Lumber property, bringing the

extension closer into the Village and Broadway Street. It is the consensus of the Commission that this connection is very important with benefits for trail users as well as downtown Lake Orion. It's better that the extension does not go out to Lapeer Road.

**MOTION** by Becker, supported by Yalamanchi, *Moved*, that the Commission expresses enthusiastic support of the trail extension concept plan presented this date by Ms. Golden of the Lake Orion DDA.

Ayes: All      Nays: None

**MOTION CARRIED.**

**BROCHURE & DIRECTIONAL MAP – Final Approval:** Ms. Myers is hoping for approval to print either tonight or very soon, as the brochures have been depleted and we are entering the busy season. Suggested changes to the brochure include adding the word “the” before Paint Creek Trail in the upper left side, on the map make the legend indicators singular rather than plural, have one legend for “municipal offices”, make sure all arrows are the same thickness, at the bottom – the information relative to the PCTC office, add the words “located at” to differentiate from the mailing address, any fuzziness in some of the words will be cleaned up (the brochure will be 11” x 17”), also on the upper left – PCT should be spelled out and in the second paragraph the Village of Lake Orion should be mentioned, remove the word “Westwynd” from golf course, and add a bullet for “historic sites”. Ms. Myers was directed to print the brochure before the next meeting. There is money in the budget to cover the cost. It was suggested that once the changes are completed, a copy be emailed to Commissioners for a final review prior to printing. Suggested changes on the directional map include adding the word “the” before Paint Creek Trail in the upper right corner and the lower left corner, reduce the logo about 50%, clean up the fuzziness on the wording, change the order of the list of member communities in the upper right corner so “Rochester” does not seem to be repeated as a typo, or add a bullet after “Rochester”, and remove the “s” from restaurants in the legend. Ms. Myers will make the corrections and forward an updated draft to the members. The printing job will be going out for quotes.

**NOWAK & FRAUS – Proposal for Additional Services:** Ms. Myers indicated she received a proposal for services from the consultants for their assistance with the encroachment issues. They would like official approval from the Commission for any additional work. A concern was raised about the protocol explained in the second paragraph of the proposal that the Commission will be informed of the requests received from property owners – the consultant should only do work that the Commission asks be done, not the property owner. We need to have control over how many hours the consultant spends on these issues. It is suggested if the consultant receives a request from a property owner, they forward that request to the Commission. The question was asked what additional work is expected of them, to which Ms. Myers answered they might be asked to re-stake some particular parcels involved, or appear in court if necessary. Possibly a “not to exceed” amount could be established for initial communications between property owners and the consultant to answer questions in a timely manner. Mr. Makris has indicated to property owners who have called him, that in order to coordinate what is being done and to minimize the cost to the community and to themselves, that first thing to do is to contact the Trail Manager and/or the Encroachment Committee – that is why appointments are available. The home owner needs to come into the office, look at the larger map and deal with the Encroachment Committee. If it is not resolved there, the Committee will then involve the consultants. On page 3 under General Considerations (a) – affiliated entities – we should make sure that none of the communities are considered entities. Mr. Makris suggested that the communities should be identified as a separate entity and not an affiliated entity for the purposes of this agreement. These changes will be suggested to Nowak & Fraus, and Mr. Makris will review the revised agreement prior to approval.

**ROCHESTER ART PROJECT UPDATE:** Mr. Becker reported a committee meeting occurred last Saturday – the ground is not quite ready to complete the project, but everything is on schedule for the ribbon cutting ceremony on June 6<sup>th</sup>. Upon a question about which individual display will be unveiled at the actual ceremony, Mr. Becker explained that the Rochester Avon Historical Society recommended coordinating the unveiling of the project with the painting of the Barn, and the Depot display on the Paint Creek Walkway be used for the ribbon cutting. This will be next to the Rochester Elevator, starting at 9:30 a.m.

**MANAGER'S REPORT:** The In-town Rochester magazine is out and includes an article written by Ms. Myers as well as the trail map.

**ATTORNEY'S REPORT:** Mr. Makris is still working on the ITC agreement with their attorney; at this point it is in their hands. Apparently there are additional changes necessary to the documents. Within ten days, Mr. Makris will call ITC to get an update as to the progress. The assignment date from DTE to ITC is still unresolved. The license cost is approximately \$300 per crossing, and next year there is a 30% increase in their agreement.

**COMMISSIONER REPORTS:** Mr. Miller indicated last night was the end of his Conservation Stewardship class, he received his certificate, and thanked the Commission for this opportunity. Mr. Peters stated he attended the Sky Warn presentation by the National Weather Bureau. They are looking for weather spotters; it was suggested these two hour presentations are well worth the time and Mr. Peters encouraged participation.

**ADJOURNMENT OF REGULAR MEETING TO ENTER EXECUTIVE SESSION:**

**MOTION** by Yalamanchi, supported by Peters, *Moved*, to adjourn the Regular Meeting at 7:50 p.m. and enter into Executive Session.

Ayes: All      Nays: None

**MOTION CARRIED.**

**MOTION** by Becker, supported by Olijnyk, *Moved*, to enter into Executive Session at 7:50 p.m. with the intention to return to Regular Session.

Ayes: All      Nays: None

**MOTION CARRIED.**

The Regular Meeting was called back to order at 10:25 p.m.

**MOTION** by Miller, supported by Thomas, *Moved*, that our attorney act as directed during the Executive Session.

Ayes: All      Nays: None

**MOTION CARRIED.**

**NEXT MEETING: May 19, 2009 at 7:00 p.m.**

**ADJOURNMENT:**

Upon **MOTION** by Becker, the March 17, 2009 Regular Meeting was adjourned at 10:30 p.m.

Ayes: All      Nays: None

**MOTION CARRIED.**

Respectfully submitted,

---

KRISTEN MYERS, Trail Manager

---

EDWARD PETERS, Trailways Secretary