

REGULAR MEETING of the PAINT CREEK TRAILWAYS COMMISSION

Held at the Trailways Commission Office, 4480 Orion Road
Rochester, Oakland County, Michigan

CALL TO ORDER: The Tuesday January 20, 2009 meeting was called to order by Chair Blanchard at 7:00 p.m.

Voting Members Present: Rock Blanchard, Maryann Whitman

Voting Alternates Present: Linda Gamage, Edward Peters, Kathy Thomas, Michael Webber

Non-Voting Alternates Present: Paul Miller (*enter 7:17 p.m.*), Martha Olijnyk

Non-Voting Members Present: Lois Golden (*enter 7:40 p.m.*)

Voting Members Absent: David Becker, Marc Edwards, Richard Schultz, Ravi Yalamanchi, Alice Young

Alternates Absent: Jeff Matis, Penny Shults

Others Present: John Makris, Attorney (*enter 7:15 p.m.*), Kristen Myers, Trail Manager

APPROVAL OF AGENDA: Item #7 – 2009 Goals and Objectives will be postponed to a future meeting, and Training for Commissioners and Staff will replace this item. The Mission Statement discussion is added as Item #5a, and Emergency Sirens map is added as Item #7a.

MOTION by Webber, supported by Thomas, ***Moved***, to approve the January 20, 2009 agenda as amended.

Ayes: All Nays: None

MOTION CARRIED.

PUBLIC COMMENT: None

CONSENT AGENDA:

- a. Minutes of December 16, 2008 Meeting, approve and file
- b. December Treasurer's Report, receive and file

MOTION by Whitman, supported by Webber, ***Moved***, to approve the consent agenda as presented.

Ayes: All Nays: None

MOTION CARRIED.

MISSION STATEMENT: Ms. Myers indicated the subcommittee met on 1/16, revised the draft Mission Statement, and included the statement in tonight's packet for discussion and possible approval. A series of goals that are needed to accomplish the mission have also been developed and are recommended by the subcommittee to supplement the actual mission statement. The goals are separate from the statement and could be updated annually. It was noted that the new statement includes the word "natural" twice, and it is suggested in the second instance, the word be changed to "ecological". After discussion, it was suggested that the beginning of the sentence about the goals be changed from "Goals include" to "Our vision includes".

MOTION by Whitman, supported by Thomas, *Moved*, to approve the Mission Statement as amended.

Ayes: All Nays: None

MOTION CARRIED.

2009-2013 RECREATION MASTER PLAN APPROVAL: Ms. Myers indicated that since the last draft she added the table of contents, appendices, acknowledgements, executive summary, the survey summary, the Polly Ann Trail gap analysis, the minutes of the public hearing, headers and footers and the map of the Capital Improvement Projects. Minor typographical errors were also corrected. A draft resolution has been provided for consideration. The Mission Statement that was just approved will be included in the Plan. Ms. Myers is also looking for approval to solicit three quotes for printing 25 hard copies. Total cost for hard copies and supplies for CD's not to exceed the \$1,000 that was budgeted for this effort. On page XI, first paragraph last sentence, it is suggested that "amount of senior citizens will increase" be changed to "the population of senior citizens will increase". The Commission expressed appreciation for Ms. Myers' time and effort on the Plan.

MOTION by Whitman, supported by Gamage

Whereas, the Paint Creek Trailways Commission has undertaken a Five Year Recreation Master Plan which describes the physical features, existing recreation facilities and the desired actions to be taken to improve and maintain Paint Creek Trail recreation facilities during the period between 2009 and 2013, and

Whereas, a Public Hearing comment session was held on October 21, 2008 at the Rochester Municipal Offices, 400 Sixth Street, Rochester, Michigan to provide an opportunity for citizens to express opinions, ask questions, and discuss all aspects of the Recreation Master Plan, and

Whereas, the Paint Creek Trailways Commission has developed the plan for the benefit of the entire community and prepared the plan as a document to assist in meeting the Paint Creek Trail recreation needs of the community, and

Whereas, after the public hearing, the Paint Creek Trailways Commission voted to adopt said Recreation Master Plan.

Now, therefore be it resolved the Paint Creek Trailways Commission hereby adopts the 2009-2013 Paint Creek Trail Recreation Master Plan as a guideline for improving Paint Creek Trail for the residents of Rochester, Rochester Hills, Oakland Township, Orion Township, the Village of Lake Orion and Southeast Michigan.

Ayes: Blanchard, Gamage, Peters, Thomas, Webber, Whitman

Nays: None

Absent: Becker, Edwards, Schultz, Yalamanchi, Young

MOTION CARRIED.

MOTION by Webber, supported by Gamage, *Moved*, to approve the Trail Manager's solicitation of three bids for printing 25 hard copies the Master Plan and supplies for the CD's, at a cost not to exceed \$1,000.

Ayes: All Nays: None

MOTION CARRIED.

ENCROACHMENT POLICY DISCUSSION: The question was asked about who bears the cost of removing the encroachments. Mr. Makris indicated that it is up to the Commission to either use its own budget or charge the community's budget within which the encroachment is located. Sometimes we may not be able to identify who actually is responsible for the encroachment. If it is solely within trail property and it is simply sitting there, then it's a matter of an in-kind service of the relevant community to remove it. Mr. Makris further explained that we need to review the nature of each encroachment, whether we can identify someone who seems to claim it, and give them the courtesy of a notice that this will be removed within x-number of days. The Commission should have a plan in place to remove these, so it is not an empty suggestion of removal. A letter or form should be developed to notify the member community of encroachment issues. At the very least, the Trail Manager should communicate what the intended communication will be to the Commission member from that community to gain input. It was suggested that this communication also be provided to the respective Park Manager. A systems approach should be adopted for how to deal with encroachments of different types. There are concrete structures encroaching on our property, and Mr. Makris stated that the specific discussion of the legal issues will be reserved for a closed session discussion at any time the Commission would like to schedule it. A suggestion was made for a certified letter sent to the property owner advising them of the encroachment on trail property, explaining we are trying to designate our property lines and indicate that it has to be removed at their expense. When nothing happens, the next step would be to tell the resident that the Commission will remove it at their expense. Once a policy or procedure is defined, each encroachment should be reviewed on a case-by-case basis. The first issue to be addressed is #4 on Mr. Makris' memo, to assess what problem or concern it raises for the PCTC, and then #6 is to address how the notice to the resident giving them the opportunity to correct the problem will be handled. Ms. Myers suggested a tiered policy depending on the type of encroachment, i.e., temporary structures, semi-permanent and permanent structures, and divide the policy according to categories. A scoring mechanism should be developed to assess each encroachment. A subcommittee should be formed to set up a procedure on how to handle each level/grade of encroachment that can be supported legally and identify and prioritize which category each encroachment falls into. Whether it's a property rights issue should also be reviewed. Once identified, these issues can be discussed in executive session. Any safety issues should be dealt with immediately. The member communities' encroachment procedures should also be reviewed. Commissioners who volunteered for the subcommittee include Ms. Olijnyk, Ms. Whitman, Ms. Gamage, Ms. Thomas, Ms. Golden and Ms. Myers. Messrs. Miller, Peters and Blanchard offered their assistance if needed.

EMERGENCY SIRENS MAP: Mr. Peters indicated he has displayed a map of the emergency siren locations along the trail for review. There are two spots on the trail where there is a void in coverage. Commissioners viewed the map and discussed the issue for a short time. Possibly when the siren test occurs on the first Saturday of the month starting in March, volunteers could be on the trail or residents in the area could be contacted to ascertain that they heard the siren.

TRAINING FOR COMMISSIONERS AND STAFF: Ms. Myers passed out information on the Michigan Conservation Stewards Program put on by the County at a cost of \$250 to be held February 21st through April 20th. A Trail Forum conference sponsored by Michigan Recreation of Parks Association will be held February 3rd at a cost of \$105, and a free Trails and Greenway summit in Genesee County on February 19th. There is \$500 budgeted for education and training. Messrs. Blanchard and Miller expressed interest in attending the Conservation Stewards Program.

MOTION by Whitman, supported by Thomas, *Moved*, to approve up to \$500 for training opportunities for Commissioners and/or staff during 2009.

Ayes: All Nays: None

MOTION CARRIED.

APPROVAL OF INVOICES: Ms. Myers presented the invoices in the amount of \$311.53, which includes phone and internet charges as well as the refreshments at the December meeting. **MOTION** by Whitman, supported by Webber, *Moved*, that the invoices presented for payment are approved in the amount of \$311.53 and orders be drawn for payment.

Ayes: All Nays: None

MOTION CARRIED.

MANAGER'S REPORT: In addition to the written report, Ms. Myers indicated a member roster was included in the packet – any corrections should be emailed to her. It is suggested the Commission think about National Trails Day activities. Ms. Golden offered her assistance to help coordinate this event.

ATTORNEY'S REPORT: No report given.

COMMISSIONER REPORTS: It was suggested that maybe a youth council representative be appointed to our Commission to help with the volunteer/friends effort. Ms. Golden reported that Lake Orion Lumber is starting discussions with the Village about at least donating the easement in the Penn Central ROW into downtown Lake Orion.

NEXT MEETING: February 17, 2009 at 7:00 p.m. at the City of Rochester offices.

ADJOURNMENT:

MOTION by Whitman, supported by Gamage, that the January 20, 2009 Regular Meeting be adjourned at 8:45 p.m.

Respectfully submitted,

KRISTEN MYERS, Trail Manager

EDWARD PETERS, Trailways Secretary