

REGULAR MEETING of the PAINT CREEK TRAILWAYS COMMISSION

Held at the Rochester Municipal Offices, 400 Sixth Street
Rochester, Oakland County, Michigan

CALL TO ORDER: The Tuesday June 15, 2010 meeting was called to order by Vice-Chair Gamage at 7:00 p.m.

Voting Members Present: Edward Peters, Kathy Thomas (*exit 8:32 p.m.*), Maryann Whitman, Ravi Yalamanchi

Voting Alternates Present: Linda Gamage, Paul Miller

Non-Voting Alternates Present: Martha Olijnyk (*exit 8:00 p.m.*)

Village of Lake Orion Non-Voting Member Present: Douglas Hobbs

Voting Members Absent: Rock Blanchard, Ben Giovanelli, Richard Schultz, Alice Young

Alternates Absent: Marc Edwards, Nathan Klomp, Jeff Matis, Jeff Phillips, Penny Shults

Others Present: John Makris, Attorney, Kristen Myers, Trail Manager

APPROVAL OF AGENDA:

MOTION by Yalamanchi, supported by Whitman, ***Moved***, to approve the June 15, 2010 agenda as presented.

Ayes: All Nays: None

MOTION CARRIED.

PUBLIC COMMENT: None

CONSENT AGENDA:

- a. Minutes – May 18, 2010 Regular Meeting, approve and file
- b. Treasurers Report – April 2010, receive and file
- c. Treasurers Report – May 2010, receive and file
- d. Temporary Permit Approval: Rural Pearl of a Ride – July 24, 2010, approve

Item d – temporary permit – was removed from the consent agenda for discussion.

MOTION by Yalamanchi, supported by Miller, ***Moved***, that the consent agenda be approved as amended.

Ayes: All Nays: None

MOTION CARRIED.

Temporary Permit Approval – the question was asked about waiving the fee. If a non-profit, fund-raising group is aligned with the trail mission, the fee could be waived. Other groups with their own missions and causes that host an event should be charged the permit fee. After a short discussion, it was suggested that a fee range be developed for different situations. Ms. Myers will look into this possibility and work up a fee schedule.

MOTION by Miller, supported by Thomas, ***Moved***, to approve the temporary permit for the Rural Pearl of a Ride July 24, 2010 event waiving the permit fee. Insurance paperwork has been received.

Ayes: All Nays: None

MOTION CARRIED.

APPROVAL OF INVOICES: Ms. Myers presented the invoices in the amount of \$18,752.55. This amount includes the Manager's 2nd quarter wages/FICA, Bike Patrol annual wages/FICA, Mr. Makris' 3rd quarter retainer and monthly fees associated with litigation (which is less than originally projected). The \$935 invoice for the tote bags will be split between Oakland Township Parks and Rec, the Six Rivers Regional Land Conservancy and the Commission. Fund balance is estimated at \$43,243.

MOTION by Yalamanchi, supported by Whitman, *Moved*, that the invoices presented for payment are approved in the amount of \$18,752.55 and orders be drawn for payment.

Ayes: All Nays: None

MOTION CARRIED.

PEDESTRIAN BRIDGE GRANT PROJECT WITH OAKLAND TOWNSHIP: Ms. Myers indicated that Ms. Mindy Milos-Dale, Oakland Township Parks, is here to talk about a federal grant she is applying for. The focus of the grant has changed since the agenda came out; originally the grant was for a pedestrian bridge connecting the trail to the Cider Mill, but further studies have shown that this project would not be eligible for the grant. Different grant funding sources will be researched for the pedestrian bridge project in the future. Information, including a proposed resolution for consideration, was passed out to the Commissioners. Ms. Milos-Dale explained this grant is connected to the economic recovery work that the President is trying to implement. A portion of the total grant is for rural areas – Oakland Township has part of their area designated as rural. A lot of people may not be applying for this portion of the grant funds. The grant is intended for different types of transportation projects, with emphasis on pedestrian and bicycle type transportation. Oakland Township will make application for the grant as a rural community, proposing to complete a path connection located on the west side of Adams Road between Gunn Road and the PCT. She has been talking with Orion Township about being co-applicants on the grant application for another connection on Silverbell through their safety path system. This will make a greater connection for both communities and provide a greater chance for funding. This proposal will be brought before Orion Township at their June 21st meeting. No financial support is being asked from the Commission - Oakland Township will provide the matching funds for the grant. The pre-application is due July 16th, this is where the applications are weeded out, and the final application is due August 23rd. Ms. Milos-Dale is asking for Commission support for this grant application. The Commission is very appreciative of Ms. Milos-Dale's efforts toward this application.

MOTION by Yalamanchi, supported by Whitman,

Be It Resolved, that the Paint Creek Trailways Commission in the County of Oakland takes the following action:

Supports the Charter Township of Oakland's submission of an application titled "Oakland – Orion Rural Bicycle and Pedestrian Connection" to the Department of Transportation, for assistance in the completion of a rural multi-use path connection along the west side of Adams Road between Gunn Road and the Paint Creek Trail in Section 19 of Oakland Township. This connection would provide non-motorized transportation alternatives between densely populated residential areas within Oakland Township and Orion Township; the Paint Creek Trail and Polly Ann Trail; commercial areas located in Oakland Township, Orion Township, Village of Lake Orion and the Cities of Rochester and Rochester Hills; public and private schools; trail systems in Bald Mountain State Recreation Area; and state recognized historic districts including Decker Settlement and the Lake Orion Historic District.

Acknowledges that a portion of this proposed path connection will be constructed on property owned by the Paint Creek Trailways Commission;

Commits to cooperating with the Charter Township of Oakland to carry out the activities that will be supported by this Tiger II Discretionary Grant;

Ayes: Gamage, Miller, Peters, Thomas, Whitman, Yalamanchi

Nays: None

MOTION CARRIED.

ORION TOWNSHIP SAETY PATH PROJECT: Ms. Myers introduced Mr. Dave Schroeder, from OHM providing engineering services for Orion Township and Mr. Allan Feys, Operations Manager for Orion Township. The Orion Township Safety Path Committee has been looking at ways to connect the Paint Creek Ridge subdivision (near Orion and Kern Roads) to the trail. A path down Kern is not advisable because of the elevation, so they are looking to improve a mountain bike path constructed by Eastern Mountain Sports 10 years ago starting at the end of an asphalt path on the west side of Kern, continuing down Bald Mountain Rec area property, and connecting to the trail north of Clarkston/Kern. They would like to clear, grade and widen the path to eight feet and surface it with crushed limestone. The project has not progressed enough for a specific design, but because it's an existing pathway, there is thought that ADA access may not be an issue. There are no steps required to access the path. Mr. Schroeder indicated they would have to access the construction site via Clarkston Road over the trail and there is a need to stage the construction equipment. Equipment consists of loaders, back-hoes and bulldozers. The state land and right-of-way may be used for four weeks as the temporary staging area, not on the trail. The Clarkston parking lot could also be used as the staging area. Ms. Myers cautioned Mr. Schroeder about leaving equipment on site due to vandalism problems in the area. The project is scheduled for this summer and will be added to other projects that contractors are completing for Orion Township during this time. The question was asked if this path will be considered as a safety path or an access trail, because there are ordinances governing the construction of safety paths. Mr. Schroeder indicated it will probably be considered an access path, but he will review the ordinance in detail as this is something that was not discussed. Precaution will be taken with erosion control and appropriate crowning of the trail. Signage will be posted and flagmen will be on site alerting users to the construction zone. It was suggested photographs be taken prior to the work being done so that any damage to the trail can be restored to what existed prior to the work. There is a bench located near the access point, and Ms. Myers asked to be notified if it needs to be moved during the construction period.

MOTION by Yalamanchi, supported by Thomas, **Moved**, that the Commission approves permission to access the trail to complete the proposed work. A permit/license will be drafted by Mr. Makris by July 1st (to present to Orion Township) for the work, and the contractors and Orion Township will work with Ms. Myers during the length of the project.

Ayes: All Nays: None

MOTION CARRIED.

2011 DRAFT BUDGET FOR APPROVAL: Ms. Myers indicated that after speaking with Mr. Makris regarding legal fees, it is unlikely that litigation costs will continue into 2011, therefore it is suggested we transfer \$5245 back to operations. This will ease the burden of cuts, including the Manager's hours. It was suggested that the Phase 3 Art Project (in Rochester Hills) budget of \$1500 be deferred to 2012 and the amount be put back into the fund balance or into a designated fund line item. This project could be something for the Friends Group to accomplish. Additional funding could be researched for this project, as happened with the City of Rochester Art Project. In operating expenses – Oakland Township has requested the Commission contribute towards utilities because of the larger office, cleaning expenses and the common areas of the building. The cost is estimated at \$5000 and the Township is asking for \$2500 towards the utilities. Rent at another location would be a lot more. Ms. Myers was asked to provide the Commission with more details on the utility cost split between all the tenants of the Cider Mill. The mounted patrol

is recommended for a decrease to 415 hours from 500 hours and the contract be changed to June 30th to October 31st – this will allow for 25 patrol hours a week. Patrol would still be available for Trails Day events. According to Officer Haering – the mounted patrol hours can be worked out however the Commission wants.

MOTION by Yalamanchi, supported by Whitman, that the 2011 budget be adopted as amended, moving the Art Project budget of \$1500 into the 2012 budget.

Ayes: All Nays: None

MOTION CARRIED.

The Compensation Committee needs to meet. Last year's members include Mr. Blanchard, Mr. Giovanelli agreed to replace Mr. Becker, Ms. Young was on the committee and should be back next month.

NATIONAL TRAILS DAY REPORT: Ms. Myers thanked everyone for their assistance on this event. The garlic mustard pull was a success with 43 bags pulled. People stopped along the trail asking what was going on and if any future work days/events were planned. A nice turnout was experienced, even though participation was down possibly due to the event occurring on a Saturday rather than a Sunday and other events being held the same day. Press coverage was great. Ms. Whitman offered a \$50 donation on behalf of the Wild Ones. Ten – twelve new individuals signed up for the Friends Group, and an individual offered to be Treasurer of the group. The second Thursday of the month could be scheduled as meeting night for the Friends Group – this could be posted on the kiosks, etc. The shuttle was not used, and the contracted deputy on site for pedestrian crossings was not needed. The subcommittee suggested if event is planned next year, the date be moved before Memorial Day and held on a Sunday. Next year the tentative date for the plant sale is May 22nd. There is nothing that indicates National Trails Day can't be held on this date. A scavenger hunt and better signage for the Dinosaur Hill area events will be pursued next year. Thanks to all the volunteers for this event. The Commission thanked Ms. Myers for all her work to make this event successful.

MANAGER'S REPORT: Ms. Myers indicated she has nothing to add to the written report.

ATTORNEY'S REPORT: Mr. Makris indicated he worked on the horse watering station permit process this month. A final version has been drafted that should be accepted within the next couple of weeks. The rest of the report will be in executive session.

COMMISSIONER REPORTS: It was once again suggested that our meetings be held at the Cider Mill or to rotate meetings among the member communities. This issue will be placed on a future agenda for discussion. Ms. Gamage indicated there was an excellent article in the Oakland Press about trail connectivity and the Rochester Art Project, and will forward the link to Ms. Myers.

(Commissioner Thomas exits at 8:32 p.m.)

ADJOURNMENT OF REGULAR MEETING TO ENTER INTO EXECUTIVE SESSION TO DISCUSS LITIGATION:

MOTION by Yalamanchi, supported by Peters, *Moved*, to adjourn the Regular Meeting at 8:32 p.m. and enter into Executive Session.

Ayes: Gamage, Miller, Peters, Whitman, Yalamanchi
Nays: None

MOTION CARRIED.

NEXT MEETING: July 20, 2010 at 7:00 p.m.

Respectfully submitted,

KRISTEN MYERS, Trail Manager

EDWARD PETERS, Trailways Secretary