

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 March 16, 2010 meeting was called to order by Chairman Blanchard at 7:00 p.m.

Voting Members Present: Rock Blanchard, Ben Giovanelli, Maryann Whitman, Ravi Yalamanchi

Voting Alternates Present: Linda Gamage, Kathy Thomas

Non-Voting Alternates Present: Paul Miller (*enter 7:04 p.m.*), Martha Olijnyk

Non-Voting Members Present: None

Voting Members Absent: Marc Edwards, Edward Peters, Richard Schultz, Alice Young

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

Others Present: John Makris, Attorney (*enter 7:26 p.m.*), Kristen Myers, Trail Manager

APPROVAL OF AGENDA: Item #7 – Friends Group Formation Update is removed.

MOTION by Whitman, supported by Thomas, ***Moved***, to approve the March 16, 2010 agenda as amended.

Ayes: All Nays: None

MOTION CARRIED

PUBLIC COMMENT: None

CONSENT AGENDA:

- a. Minutes of February 16, 2010 Regular Meeting, approve and file
- b. February Treasurer's Report, receive and file

The February 16, 2010 minutes were removed from the consent agenda for discussion.

MOTION by Whitman, supported by Giovanelli, ***Moved***, that the consent agenda be approved as amended.

Ayes: All Nays: None

MOTION CARRIED

Correction to Minutes: Under Commissioners Reports, remove the sentence "They are opposed to the cell tower."

MOTION by Thomas, supported by Gamage, ***Moved***, that the Minutes of the February 16, 2010 regular meeting be approved as amended.

Ayes: All Nays: None

MOTION CARRIED

APPROVAL OF INVOICES: Ms. Myers commented there is no Orion Township representation tonight, but all items presented for payment are budgeted items, so they can be approved for payment. Ms. Myers presented the invoices in the amount of \$13,417.51. This amount includes 1st quarter wages and FICA payment to Oakland Township, Mr. Makris' 2nd quarter retainer and professional services relative to litigation. Fund balance is estimated at

\$43,243. Mr. Giovanelli asked how Mr. Makris' fees are charged – litigation fees applied toward retainer first? Ms. Myers will look into this.

MOTION by Yalamanchi, supported by Whitman, *Moved*, that the invoices presented for payment are approved in the amount of \$13,417.51 and orders be drawn for payment.

Ayes: All Nays: None

MOTION CARRIED

MEETING REQUEST: Property Owners Kelly and Carter: Chairperson Blanchard reminded the Commission they can listen to the property owner's proposal and ask questions, but can't engage in dialog in open session. Brian and Kim Kelly, 461 Parkview Ct. and Jeff and Caryn Carter, 473 Parkview Ct., property owners along the trail in Lake Orion involved in the lawsuit, came forward and indicated they would like to try to resolve their issues without having to go to court. They indicated they did not knowingly build on or use any land that does not belong to them, nor sue to gain any extra land. They provided Commissioners with a letter explaining that both their surveyor and attorney believe the property owners have a case that can be supported, and that there are a number of resolution options available that would be acceptable to both parties, including a conservation easement. They are asking for a meeting to discuss differences of opinions and mutually agreeable solutions. The members expressed appreciation for the property owners coming before the Commission and indicated they are in favor of meeting to discuss resolution.

AMAZING MICHIGAN RACE – October 17, 2010: Ms. Myers stated she attended the kick-off meeting regarding the physical challenge race to be held in the Rochester area benefiting the Special Olympics of Michigan, with one challenge proposed to be held on the trail. The race will consist of 200 four-person teams who follow clues to get from one destination to the next, modeled after the "Amazing Race" TV show. In order to participate, a team must pledge at least \$500. Ms. Myers will attend the planning and committee meetings over the next few months to gain further information. This item will be on a future agenda for approval of a temporary permit.

MOTION by Yalamanchi, supported by Giovanelli, *Moved*, that the Commission approves participation in the October 17, 2010 Amazing Race event.

Ayes: All Nays: None

MOTION CARRIED

CITY OF ROCHESTER BRIDGE REPLACEMENT PROJECT: Even though this project has been scrapped due to grant application deadlines, Mr. Giovanelli provided a brief update. The City of Rochester has put aside \$100,000 as match money. Through the Rebuilding Main Street Project, Rochester is trying to make bridges more pedestrian friendly. Ms. Myers added that Mr. Austin is looking for possible private grants and donations to help this project along. The bridge is not in imminent danger of collapsing at this time. Emergency vehicles can still access the bridge.

REQUEST TO FUND BIKE RACK – Paint Creek Cider Mill: Ms. Myers commented she was asked by Oakland Township's Park Director whether the Commission has a donation program for bike racks. There used to be wooden racks in front of the Cider Mill, but were removed as part of construction. A lot of requests have been received for bike racks. The Parks Department felt it is a good idea to consider placing some racks in front of the building that could be used by trail users. Recycled plastic racks are being considered at a cost of \$420 plus shipping and Ms. Myers is asking the Commission to consider funding bike racks at the Trail Office for up to \$500. Mr. Giovanelli indicated the Rochester DDA is also considering the purchase of bike racks and ordering together could be an opportunity to save cost. The suggestion was made to consider placing a rack in a location that would accommodate a bike with a child trailer. Bike racks could be added to the bench donation policy. Mr. Makris added that if a bike rack donation

policy is considered, locations could be identified ahead of time. A plaque could possibly be attached to the rack in front of the Trail Office indicating “provided or donated by the PCTC”. **MOTION** by Whitman, supported by Thomas, *Moved*, that the Commission approve the purchase of a bike rack at a cost not to exceed \$500 using funds from the trail office equipment budget.

Ayes: All Nays: None

MOTION CARRIED

MANAGER’S REPORT: In addition to the written report, Ms. Myers indicated a trail Facebook Fan Page has been created and a link is available on the website. Events and announcements can be posted there. Ms. Myers nominated the Trailways Commission for a Michigan’s Green Leaders award/recognition through the Detroit Free Press. The ITC license fee was received yesterday. The Earthday festival in downtown Rochester will be held April 23-25, and Ms. Myers will look into having a booth there. National Trails Day plans are continuing, and Ms. Myers will attend a training seminar through Oakland County explaining garlic mustard pulling logistics.

ATTORNEY’S REPORT: No report given in open session.

COMMISSIONER REPORTS: Mr. Miller offered to hold a garlic mustard pulling informational session for anyone who can’t attend the county’s seminar.

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

MOTION by Whitman, supported by Gamage, *Moved*, to adjourn the Regular Meeting at 8:05 p.m. and enter into Executive Session.

Ayes: Blanchard, Gamage, Giovanelli, Thomas, Whitman, Yalamanchi

Nays: None

MOTION CARRIED

The Regular Meeting was called back to order at 9:03 p.m.

MOTION by Gamage, supported by Yalamanchi, *Moved*, that our Attorney, Trail Manager and Encroachment Subcommittee Chair proceed as directed during Executive Session.

Ayes: All Nays: None

MOTION CARRIED

ADJOURNMENT:

Upon **MOTION** by Whitman, the Regular Meeting was adjourned at 9:05 p.m.

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

Respectfully submitted,

KRISTEN MYERS, Trail Manager

EDWARD PETERS, Trailways Secretary