

**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 December 15, 2009 meeting was called to order by Chairman Blanchard at 7:00 p.m.

**Voting Members Present:** Rock Blanchard, Edward Peters, Maryann Whitman (*enter 7:05 p.m.*), Ravi Yalamanchi, Alice Young

**Voting Alternates Present:** Linda Gamage (*enter 7.07 p.m.*), Martha Olijnyk (*voting until 7:05 p.m.*), Kathy Thomas

**Non-Voting Alternates Present:** Paul Miller (*enter 7:05 p.m.*)

**Non-Voting Members Present:** None

**Voting Members Absent:** Marc Edwards, Ben Giovanelli, Richard Schultz

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

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

**APPROVAL OF AGENDA:**

**MOTION** by Young, supported by Olijnyk, *Moved*, to approve the December 15, 2009 agenda as presented.

Ayes: All      Nays: None

**MOTION CARRIED.**

**PUBLIC COMMENT:** Mr. Dave Becker addressed the Commission, explaining he was not reappointed to the PCTC for the next term and indicated it was a great pleasure to serve with everyone on this Commission. He wished everybody the best in the future. The Commission stated they will miss Mr. Becker as he has been a valuable asset to them.

**CONSENT AGENDA:**

- a. Minutes of November 17, 2009 Regular meeting, approve and file
- b. November Treasurer's Report, receive and file
- c. 2010 Meeting Schedule Resolution, approve

**MOTION** by Young, supported by Yalamanchi, *Moved*, that the consent agenda be approved as presented.

Ayes: All      Nays: None

**MOTION CARRIED.**

**2009 SUMMARY OF EVENTS/ACCOMPLISHMENTS:** Ms. Myers has compiled a list of 2009 accomplishments. In response to the question of mentioning the lawsuit in this document, it is the consensus of the Commission to leave the lawsuit verbiage included in the text. If anyone remembers other events/accomplishments that were not included in this summary, please email Ms. Myers. It was suggested to add the actual date events took place if relevant, and also put the summary on the website.

**WEBCASTING/COMPUTER STREAMING OF MEETINGS:** Ms. Myers explained that Mr. Becker wanted a discussion on this topic and has spoken with her relative to it. The City of Rochester provides meeting space as an in-kind service to the Commission and he wanted a discussion on whether or not we want to consider having the meetings computer-streamed and if so, inquire of Rochester the cost and what it would take to accomplish. The comment was made - nothing against computer-streaming our meetings, but a request had previously been made to hold our meetings someplace more centrally located, i.e., the trail offices or at take turns at each of the member community's offices. After a brief discussion, Ms. Myers indicated she would check with Oakland Township relative to the cost, if any, of holding our meetings at the trail office and she will also check with Rochester about the cost of computer-streaming the meetings.

**OFFICER ELECTIONS:** Ms. Myers indicated we typically have a representative from each community acting as an officer. With Mr. Becker gone and a new Council member appointed in his place who is not yet familiar with this Board, a Council alternate who has attended two meetings this year, and Mr. Schultz who is not present for the entire year, this leaves a Rochester alternate, who is present at the majority of our meetings, available to fill this seat. A short discussion ensued about alternates being voted in as officers of the Commission – the end result is that there is nothing that says alternates can not act as officers. The floor was opened for nominations for the 2010 calendar year.

**MOTION** by Young, supported by Peters, *Moved*, to nominate the existing slate for Chair (Mr. Blanchard), Treasurer (Ms. Whitman), and Secretary (Mr. Peters), with the inclusion of Ms. Gamage as Vice-Chair.

Ayes: All      Nays: None

**MOTION CARRIED.**

No other nominations were presented.

**MOTION** by Thomas, supported by Young, *Moved*, to close nominations, and to elect the 2010 officers by acclamation.

Ayes: Blanchard, Gamage, Peters, Thomas, Whitman, Yalamanchi, Young

Nays: None

**MOTION CARRIED.**

**2009 PER DIEM REPORT:** Ms. Myers reported the 2009 per diems at a total of \$4,165.00. Thanks to everyone for their continued support and dedication to this Commission and to Mr. Miller and Ms. Olijnyk for 100% participation during 2009 and many others for high attendance.

**MOTION** by Young, supported by Peters, *Moved*, to approve the per diem amount at \$4,165.00

Ayes: All      Nays: None

**MOTION CARRIED.**

**MOTION** by Young, supported by Peters, *Moved*, to recess the meeting at 7:40 p.m.

Ayes: All      Nays: None

**MOTION CARRIED.**

**MOTION** by Young, supported by Whitman, *Moved*, to reconvene the meeting at 7:50 p.m.

Ayes: All      Nays: None

**MOTION CARRIED.**

**APPROVAL OF INVOICES:** Ms. Myers presented the invoices in the amount of \$27,491.18. This amount includes the per diem amount of \$4,165.00, 4<sup>th</sup> quarter wages and FICA to Oakland Township, 4<sup>th</sup> quarter shared costs with Oakland Township Parks, fabrication and installation of the 11 new trail signs to Rochester Hills, Mr. Makris' 1<sup>st</sup> quarter 2010 retainer fee and professional services for the lawsuit and Nowak & Fraus' professional services for the lawsuit. Estimated fund balance is \$49,243.

**MOTION** by Young, supported by Peters, *Moved*, that the invoices presented for payment are approved in the amount of \$27,491.18 and orders be drawn for payment.

Ayes: All      Nays: None

**MOTION CARRIED.**

**2009 FINAL AMENDED BUDGET:** Ms. Myers prepared and distributed the final amended 2009 budget for the Commission's approval. This budget has changed from the one included in the packet because of the unexpected bills from the Township and Nowak and Fraus. Changes are highlighted in column E; a total of \$3,507 (an increase of \$1,507 over the budgeted amount) under office operating expenses and a total \$9,209 (an increase of \$7,209 over the budgeted amount) under legal expenses for encroachment enforcement. Transfer from fund balance is now \$19,420 to balance the 2009 final budget of \$136,115. The designated funds on page 3 will be moved to the 2010 budget. These are funds for specific purposes and should be labeled as "restricted funds" rather than "designated funds".

**MOTION** by Whitman, supported by Young, *Moved*, to approve the amendments to the 2009 budget as presented, for a final budget amount of \$136,115.

Ayes: All      Nays: None

**MOTION CARRIED.**

**MANAGER'S REPORT:** In addition to the written report, Ms. Myers stated the Board has two new Commissioners – Messrs. Ben Giovanelli (Rochester) and Nathan Klomp (Rochester Hills). A "new member" packet will be provided to them.

**ATTORNEY'S REPORT:** No report was given.

**COMMISSIONER REPORTS:** Commissioners indicated that Mr. Becker's contribution to the Board has been invaluable, and are looking forward to working with Rochester's new Commission designee. Happy Holidays to all.

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

**MOTION** by Young, supported by Yalamanchi, *Moved*, to adjourn the Regular Meeting at 8:17 p.m. to enter into Executive session for discussion of litigation.

Ayes: Blanchard, Gamage, Peters, Thomas, Whitman, Yalamanchi, Young

Nays: None

**MOTION CARRIED.**

**NEXT MEETING: January 19, 2010 at 7:00 p.m.**

Respectfully submitted,

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KRISTEN MYERS, Trail Manager

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EDWARD PETERS, Trailways Secretary