

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

Voting Members Present: Rock Blanchard, Ravi Yalamanchi (*exit 8:55 p.m.*)

Voting Alternates Present: Linda Gamage (*enter 7:18 p.m.*), Paul Miller (*voting after 8:55 p.m.*), Martha Olijnyk, Jeff Phillips, Kathy Thomas

Non-Voting Alternates Present: None

Non-Voting Members Present: None

Voting Members Absent: Ben Giovanelli, Marc Edwards, Edward Peters, Richard Schultz, Maryann Whitman, Alice Young

Alternates Absent: Nathan Klomp, Jeff Matis, Penny Shults

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

APPROVAL OF AGENDA:

MOTION by Thomas, supported by Phillips, *Moved*, to approve the February 16, 2010 agenda as presented.

Ayes: All Nays: None

MOTION CARRIED.

PUBLIC COMMENT: None

CONSENT AGENDA:

- a. Minutes of January 19, 2010 Regular meeting, approve and file
- b. January Treasurer's Report, receive and file

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

Ayes: All Nays: None

MOTION CARRIED.

TEMPORARY PERMIT REQUEST – 5K and 10K run/walk for Make-a-Wish Foundation

– May 8, 2010: Ms. Amanda Jacobsen, an Oakland University student, is requesting the use of the trail for a fund-raising event May 8th at 9:00 a.m. benefiting the Michigan Chapter of Make-A-Wish for her senior culminating experience requirement. The walk/run of approximately 100 participants is proposed from Rochester Municipal Park to Gunn Road and back. She has approval from the Make-a-Wish Foundation as well as Oakland University. She has spoken with the City of Rochester relative to parking requirements, but has not yet received approval and is working on obtaining the insurance requirements through Make-a-Wish. It was suggested that Ms. Jacobsen contact Marc Edwards for help and suggestions, as he has organized the Curamus Terram race in Oakland Township.

MOTION by Yalamanchi, supported by Olijnyk, *Moved*, that the temporary permit for the Make-a-Wish Foundation's May 8, 2010 event be approved pending receipt of insurance information, approval from the City of Rochester, permit fee and clarification of who is sponsoring the event.

Ayes: All Nays: None

MOTION CARRIED.

APPROVAL OF INVOICES: Ms. Myers presented the invoices in the amount of \$5,413.73. This amount includes payment for professional services to Mr. Makris relative to litigation and payment for approved office partitions, a file cabinet and shelving units. Fund balance is estimated at \$43,243.

MOTION by Yalamanchi, supported by Thomas, *Moved*, that the invoices presented for payment are approved in the amount of \$5,413.73 and orders be drawn for payment.

Ayes: All Nays: None

MOTION CARRIED.

2010 GOALS AND OBJECTIVES: Ms. Myers provided the two documents she revised based on last month's discussion; one listing the projects by goal and the other by priority objective. The lists are prioritized based on the amount of time and money it would take to complete each item and is presented for Commission discussion. Discussion ensued and comments made include: the encroachment policy objective should reflect an end date of mid-year; the Friends Group development should be listed as an "on-going" goal, but there should be a deadline to have it up and running by the end of this fall, and the objectives under Friends Group should be 1) promote and organize Friends group, 2) stewardship program, and then 3) fundraising for projects; and marketing the trail and public relations go hand-in-hand with recruiting the Friends Group to make projects and fundraising more successful. The comment was made that maybe this is too much to accomplish in one year, but all should be listed in case an unexpected opportunity arises to fund a project. This list could be viewed like a Capital Improvement Project list – where the goals may not be achieved this year, but will stay on the list for next year and possibly rise in priority. The goals also need to be listed because of possible grant opportunities. A short discussion ensued regarding a possible recycling program. It's a great idea and should be an easy project, but will take a lot of effort to accomplish. Maybe the 2010 goal should be to research and explore the possibility of a recycling program along the trail. The first seven goals listed by priority should be attainable this year. The determination of uses for trail property in Southeast Rochester can be a Friends project. It was suggested to pursue an historic status for sections of the trail, possibly for landscape identification. This could be an objective under the 3rd priority goal. Ms. Myers reiterated this list is only a guideline, and the goals and objectives can be moved around whenever the opportunity arises.

COMMERCIAL ADVERTISING USE POLICY – 3rd Draft: Ms. Myers revised the policy with last month's suggestions and asked if there were any other concerns or questions.

MOTION by Yalamanchi, supported by Thomas, *Moved*, that the Commission approves the Commercial Advertising Use Policy as presented.

Ayes: All Nays: None

MOTION CARRIED.

CABLECASTING/COMPUTER STREAMING OF MEETINGS: Ms. Myers received information that the cost to cablecast our meetings is \$100 per hour with a 2-hour minimum through City of Rochester. It is not stated if this price is guaranteed for future years. An alternative may be not to cablecast every meeting. After a brief discussion, it is the consensus of the Commission that this amenity is not necessary at this time. The meeting packets and minutes are available on line for those interested. Other resources for taping the meetings in the future can possibly be researched.

FRIENDS GROUP FORMATION: Ms. Myers has been speaking with Ms. Young about setting up the 501(c)(3) and the group itself. The Commission had concerns last month about Ms. Myers' time on this effort, but Ms. Young indicated this was only transitional and should not pose a conflict. The paperwork shows Mr. Miller as President of the Friends Group, there is no Vice President, Ms. Myers as the Secretary and Ms. Young as the Treasurer until the group gets going. This is just to get the group running, and the first order of business after that will be to select officers. Ms. Young has forwarded draft by-laws for the Friends of Paint Creek Trail and a draft conflict of interest statement, which is required as part of the paperwork process. A copy has been forwarded to Mr. Makris to see how this affects the Commission as we will be two separate entities. He will also review the indemnification clause. The Friends Group purpose as listed in the paperwork is "to support the Paint Creek Trailways Commission by developing policies (Ms. Myers recommends this be changed to supporting or recommending policies), plans and activities to promote the usage, maintenance and the promotion of the Paint Creek Trail. The non-motorized trail provides a means to promote the health and well being of thousands of citizens of southeast Michigan and beyond". After a brief discussion, the Friends Group purpose should be "to promote the usage, improvement and promotion of the Paint Creek Trail". It was suggested to contact the Clinton River Trail for assistance in this effort as they have a successful friends group. Ms. Myers added there is also the question of the \$400 application fee as Ms. Young does not think it is appropriate that we use Commission funds to cover this fee. There is about \$150 in the cash donation jar, a \$100 donation received in 2009 and a \$150 donation has been received this year. Mr. Makris indicated this is undesignated money that came from the public and is appropriate to use as seed money for the Friends Group to be returned once a fund-raiser has been completed.

MOTION by Olijnyk, supported by Thomas, *Moved*, that the Commission lend \$400 to the Friends Group as seed money to cover the 501(c)(3) application fee, with the understanding that this money be repaid back to the Commission within four years from the inception of the Friends of the Paint Creek Trail Group.

Ayes: All Nays: None

MOTION CARRIED.

UNIFORM TRAILWAYS ORDINANCES – Review: Ms. Myers was alerted to some issues with loose dogs attacking trail users. In checking into how to enforce the leash law, Ms. Myers spoke with the sheriff's department – they indicated they could enforce the State law, but couldn't enforce the local ordinance because there isn't one in Oakland Township. Ms. Myers reviewed the uniform trailways regulations and compiled a spreadsheet that indicates which ordinances have been adopted by each community. There are few holes – Oakland and Orion Townships do not have a leash ordinance for dogs. As long as we are considering asking the townships to amend the ordinance relative to dogs, there might be other ordinances missing that need to be considered. A subcommittee was suggested to review the uniform ordinances – Ms. Olijnyk and Messrs. Phillips and Blanchard offered to assist Ms. Myers on a subcommittee.

MANAGER'S REPORT: In addition to the written report, Ms. Myers commented she had been contacted about a plaque or spike for Mr. Becker for all his years of service, possibly at a Rochester Council meeting or at one of our Trail meetings. The Recognition Committee will consider this request as well as reviewing other possible recipients. Ms. Myers also reported she was asked by the City of Rochester if the Commission would like to participate in the Amazing Michigan Race event scheduled for late October and will attend the kick-off meeting to get more information. Ms. Myers indicated Ms. Thomas attended a meeting relative to the Michigan Festivals and Events Association put on by the Michigan Townships Association's conference, and passed around informational brochures for the members review. They assist with processes to enhance events to increase revenue. Ms. Myers said she received an

email asking if horse-drawn carriages are allowed on the trail. According to Mr. Makris, possible issues include: they may damage trail surfaces depending on the weight, might be a danger to other trail users, clean-up issues assurance, season limits, number of units, driver training, etc. This is something the ordinance committee can look into.

ATTORNEY'S REPORT: Mr. Makris worked on the Friends Group by-laws and litigation.

COMMISSIONER REPORTS: A cell tower is proposed near the Onyx Rink off the Clinton River Trail, and their friends group was not notified. Ms. Janet Haering, representing the sheriff's mounted patrol, stated there is nowhere to water the horses on the north end of the trail. As a child, she remembers artesian water springs near Clarkston Road, is interested in getting a flowing well in this area, but needs to know who the property owners are. Mr. Miller offered his assistance.

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

MOTION by Miller, supported by Gamage, *Moved*, to adjourn the Regular Meeting at 9:08 p.m. and enter into Executive Session without coming back into open session.

Ayes: Blanchard, Gamage, Miller, Olijnyk, Phillips, Thomas

Nays: None

MOTION CARRIED.

NEXT MEETING: March 16, 2010 at 7:00 p.m.

Respectfully submitted,

KRISTEN MYERS, Trail Manager

EDWARD PETERS, Trailways Secretary