

**REGULAR MEETING of the PAINT CREEK TRAILWAYS COMMISSION**

Held at the Paint Creek Cider Mill Building, 4480 Orion Road  
Oakland Township, Oakland County, Michigan

**CALL TO ORDER:** The Tuesday December 21, 2010 meeting was called to order by Chairperson Blanchard at 7:00 p.m.

**Voting Members Present:** Rock Blanchard, Edward Peters, Kathy Thomas, Ravi Yalamanchi, Alice Young

**Voting Alternates Present:** Linda Gamage (*enter 7:45 p.m.*), Martha Olijnyk

**Non-Voting Alternates Present:** Nathan Klomp, Paul Miller

**Village of Lake Orion Non-Voting Member Present:** None

**Voting Members Absent:** Ben Giovanelli, Richard Schultz, Maryann Whitman

**Alternates Absent:** Marc Edwards, Jeff Matis, Jeff Phillips

**Others Present:** John Makris, Attorney (*enter 7:30 p.m.*), Kristen Myers, Trail Manager

**APPROVAL OF AGENDA:** A Friends Group update was added after the Per Diem Report. **MOTION** by Thomas, supported by Yalamanchi, *Moved*, to approve the December 21, 2010 agenda as amended.

Ayes: All      Nays: None

**MOTION CARRIED.**

**PUBLIC COMMENT:** None

**CONSENT AGENDA:**

- a. Minutes – November 16, 2010 Regular Meeting, approve and file
- b. Treasurers Report – November 2010, receive and file
- c. 2011 Meeting Schedule Resolution

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

Ayes: All      Nays: None

**MOTION CARRIED.**

**TEMPORARY PERMIT REQUEST – Rochester Rotary 5k Run/Walk – May 22, 2011:**

Mr. Jeff Williams representing the Rochester Rotary Club explained the request benefiting the Rochester Community House. The 5k walk/run of approximately 200-500 participants is proposed for May 22, 2011 beginning at 6:00 a.m. and ending at 12:00 noon, utilizing the portion of the trail from Rochester Municipal Park past Tienken Road and return. A map of the route was included in the packet. This is the same route the Advo-Kate event uses. Approval from the City of Rochester has been already received. Ms. Myers reported no other events are scheduled for this day, has no issues with the permit application and is just awaiting the required insurance paperwork and associated fee.

**MOTION** by Yalamanchi, supported by Olijnyk, *Moved*, that the temporary permit for Rochester Rotary's May 22, 2011 event be approved, pending receipt of insurance paperwork and \$10 non-profit permit fee.

Ayes: All      Nays: None

**MOTION CARRIED.**

**KOLLIN WOODS ENCROACHMENT UPDATE:** Ms. Olijnyk reported the subcommittee met with Messrs. Russell and Carollo of the homeowners association on December 6<sup>th</sup>, and summarized what the Commission had approved – leaving the path in place, building erosion control, making the path less conspicuous, issuing a license to use the path over Trailways property, obtaining insurance and/or indemnification for the path and erosion control, and maintenance by the homeowners. Completion date for the work is the end of May 2011. Both gentlemen were receptive, but wanted to take the issue back to the homeowners for approval. They had some suggestions for a different type of erosion control material (permeable), which the subcommittee is open to as long the material performs well. It was suggested that Rochester Hills Engineering and/or Parks Departments informally take a look at the material. The Trailways Commission will approve the proposed work/material prior to the start of the project. The subcommittee will follow up in January to see if there is an agreement.

**2010 SUMMARY OF EVENTS & ACCOMPLISHMENTS:** Ms. Myers compiled a summary of 2010 events and accomplishments for the Commission's review and is looking for acceptance of the report to be sent to the member communities. When forwarding the report to the member communities, Ms. Myers will also be requesting time on future agendas for a presentation to explain the Commission's past accomplishments and future plans. It was suggested we try to find out the economic impact various fund raisers have had for their respective groups and include it in the report and presentation to the communities. This type of feedback could be requested on a separate form as part of the permitting process – this could be a good way of showing the value and benefit of the trail to the communities in order to keep revenue at least status quo, if not increased. Include the adoption of the encroachment policy in the list of accomplishments. Suggestions of items to include in a possible PowerPoint photo presentation include a short history of the trail, connectivity visions, and the development of the Friends Group. Property values of homes adjacent to the trails could also be researched. When these presentations are scheduled, Ms. Myers suggested the citizen representatives for each community attend if possible. Any other corrections or additions to the list of events/accomplishments can be emailed to the Trail Manager.

**OFFICER ELECTIONS:** Chairperson Blanchard opened the floor for nominations.

**MOTION** by Young, supported by Thomas, *Moved*, to nominate the existing slate for Chair (Mr. Blanchard), Vice-Chair (Ms. Gamage), Treasurer (Ms. Whitman), and Secretary (Mr. Peters). No other nominations were presented. Ms. Myers indicated that Ms. Whitman has mentioned she may step off the Commission. If this happens, Ms. Thomas will consider replacing her.

Ayes: All      Nays: None

**MOTION CARRIED.**

**MOTION** by Olijnyk supported by Young, *Moved*, to close nominations, and to elect the 2011 officers by acclamation.

Ayes:              Nays: None

**MOTION CARRIED.**

Mr. Miller expressed frustration that alternates can not make or second a motion or vote on procedural items when the other member representatives are present. Mr. Makris will review the charter and the original act to see if there is guidance to allow alternate members a vote on procedural issues. Absent something in the statute or the charter, it would be up to the member community as to how they want their representatives to carry the vote.

**2010 PER DIEM REPORT:** Ms. Myers reported the 2010 per diems at a total of \$3,710.00. Thanks to everyone for their continued support and dedication to this Commission and to Mr. Miller for 100% participation during 2010 and the many other Commissioners for their high attendance.

**MOTION** by Yalamanchi, supported by Gamage, *Moved*, to approve the per diem amount at \$3,710.00

Ayes: All      Nays: None

**MOTION CARRIED.**

**FRIENDS GROUP UPDATE:** Ms. Myers reported the Group is working on a first annual Paint Creek Crawl cycling event on May 21<sup>st</sup>. The fundraising concept is to encourage cyclists to bike from Rochester to Lake Orion, visiting certain businesses to receive stamps – 5 stamps will entitle the participant to be entered in a drawing for a donated bicycle. Flagstar Bank is interested in being involved and to help sponsor every event on the trail. Also, they are working on a Friends of the Paint Creek Trail Meet and Greet event at the Cider Mill on February 5<sup>th</sup> from noon until 5:00 p.m. This event would include free (or suggested donation) 20-minute sleigh rides from Gallagher to Silverbell and back. A business in Ortonville has a sleigh and is willing to donate his services for the first year. If the weather is not appropriate, wheels can be placed on the sleigh to prevent damage to the trail surface or an alternate route could be utilized. There will be a reservation process for the rides. Flagstar Bank will give out hot chocolate, heating stations/roasting pits for marshmallows could be available outside as well as things to do inside the Cider Mill. Ms. Myers asked if the PCTC insurance could add this event as additional insured on their policy for that day, the same as for a Trails Day event. It is the consensus of the Commission that this is a great winter idea and to support the Friends Group in their efforts toward this event - weather conditions permitting. The event will be publicized in January. It was suggested that specific volunteer opportunity sign-up sheets be available that day for future trail events. Ms. Myers will check with the insurance carrier about adding this event.

(Recess 8:10 p.m. – 8:25 p.m.)

**APPROVAL OF INVOICES:** Ms. Myers presented the invoices in the amount of \$19,702.00. This amount includes the per diem amount of \$3,710.00, 4<sup>th</sup> quarter wages and FICA to Oakland Township, 4<sup>th</sup> quarter staff and shared costs with Oakland Township Parks, Mr. Makris' 1<sup>st</sup> quarter 2011 legal retainer fee, December professional services for the lawsuit, and Ms. Myers' 4<sup>th</sup> quarter mileage reimbursement. Fund balance is estimated at \$23,590.

**MOTION** by Yalamanchi, supported by Thomas, *Moved*, that the invoices presented for payment are approved in the amount of \$19,702.00 and orders be drawn for payment.

Ayes: All      Nays: None

**MOTION CARRIED.**

**2010 FINAL AMENDED BUDGET:** Ms. Myers prepared and distributed the final amended 2009 budget for the Commission's approval. Under revenue, the litigation expenses of \$25,653 are transferred from fund balance. \$250 was added into the postage account for anticipated mailing fees through the end of the year related to the lawsuit and \$800 was added for anticipated filing fees. It was suggested that the restricted funds of \$2,465 be removed from expenses and added as its own line item allocation separate from the budget, but included as a separate item in the fund balance. Therefore the total amount transferred from fund balance will be \$23,188 rather than \$25,653. Total 2010 amended budget balance is \$116,458.

**MOTION** by Young, supported by Thomas, *Moved*, to approve the amendments to the 2010 budget as presented, for a final budget amount of \$116,458.

Ayes: All      Nays: None

**MOTION CARRIED.**

**MANAGER'S REPORT:** Ms. Myers reported nothing in addition to her written report.

**ATTORNEY'S REPORT:** Mr. Makris updated the Commission on the lawsuit – he finalized the license, exhibits and documents related to Solaronics with Mr. Gaber. The recording of the license will be completed by the end of the year. Copies of the consent judgments will be sent to all defendants who signed them. Default judgments will be sent to all those defendants who were defaulted, and copies of the recorded documents will be sent to each of the homeowners. There was an issue with e-filing of the default judgments today. Mr. Makris will send an email to Ms. Myers when everything is completed. The Trailways office will be receiving a complete copy of all the judgments and recordings. Except for the recording of some of the documents, all the court filings and everything else related to the lawsuit should be completed by the end of the year.

**COMMISSIONER REPORTS:** Merry Christmas, Happy Holidays and a Prosperous New Year's to everyone.

**ADJOURNMENT:**

**MOTION** by Olijnyk, supported by Gamage, *Moved*, that the December 21, 2010 Regular Meeting be adjourned at 8:50 p.m.

Ayes: All      Nays: None

**MOTION CARRIED.**

**NEXT MEETING: January 18, 2011 at 7:00 p.m.**

Respectfully submitted,

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KRISTEN MYERS, Trail Manager

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EDWARD PETERS, Trailways Secretary