

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 February 15, 2011 meeting was called to order by Chairperson Blanchard at 7:00 p.m.

Voting Members Present: Rock Blanchard, Ben Giovanelli, Edward Peters, Kathy Thomas, Maryann Whitman, Ravi Yalamanchi (*enter 7:08 p.m.*), Alice Young

Voting Alternates Present: Linda Gamage

Non-Voting Alternates Present: Paul Miller (*enter 7:13 p.m.*), Martha Olijnyk

Village of Lake Orion Non-Voting Member Present: None

Voting Members Absent: Richard Schultz

Alternates Absent: David Becker, Mark Crane, Marc Edwards, Nathan Klomp, Jeff Phillips

Others Present: John Makris, Attorney (*enter 7:23 p.m.*), Kristen Myers, Trail Manager

APPROVAL OF AGENDA: The Temporary Permit Requests for the Deaf Arts Festival and the Six Rivers Land Conservancy Outreach events are removed from the agenda as the requests have been withdrawn.

MOTION by Young, supported by Whitman, ***Moved***, to approve the February 15, 2011 agenda as amended.

Ayes: All Nays: None

MOTION CARRIED.

PUBLIC COMMENT: None

CONSENT AGENDA:

a. Minutes – January 18, 2011 Regular Meeting, approve and file

b. Treasurers Report – January 2011, receive and file

c. Temporary Permit Request: Hometown Hustle, Rochester Schools, May 7, 2011

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

Ayes: All Nays: None

MOTION CARRIED.

APPROVAL OF INVOICES: Ms. Myers presented the invoices in the amount of \$11,184.05.

This amount includes the Manager's 1st quarter wages and FICA and Mr. Makris' \$905.25 invoice for litigation professional services. Fund balance is estimated at \$23,000. Approval of Mr. Makris' invoice is tabled until the Commission has received and reviewed the bill.

MOTION by Giovanelli, supported by Whitman, ***Moved***, that the invoices presented for payment are approved in the amount of \$10,278.80 and orders be drawn for payment.

Ayes: All Nays: None

MOTION CARRIED.

KOLLIN WOODS ENCROACHMENT UPDATE: Ms. Olijnyk reported that the subdivision has agreed to the subcommittee's proposal and will create the erosion control measures, enter into a license agreement, and take on the cost of these improvements. Ms. Olijnyk is preparing the license agreement paperwork which will be forwarded to Mr. Makris for review.

PAINT CREEK TRAIL COMMUNITY PRESENTATIONS: Ms. Myers showed the PowerPoint presentation she has prepared and will be presented at each community's council/board meetings. Each presentation will be tweaked for the corresponding community. The presentation lasts about 15 minutes and has already been presented to Oakland Township. Presentations to the other communities are scheduled in the near future. The Commission recognized and thanked Ms. Myers for her work on a great and informative presentation.

PERSONNEL SUBCOMMITTEE REPORT: Ms. Gamage reported the subcommittee (Ms. Gamage, Ms. Olijnyk and Mr. Blanchard, minus Ms. Young who was not aware of the first meeting) has met twice so far and is in the process of putting together and finalizing evaluation forms. The subcommittee will meet again after tonight's PCTC meeting to finalize the process. The evaluation forms will be sent to the members a week before next month's meeting and should be returned to Mr. Blanchard by the next meeting. The subcommittee will compile the results and present the results at the April meeting. It is also suggested that a "staff appreciation" day be held in conjunction with a possible pot-luck food/field trip during the May meeting. Depending on the weather, there is a grill and tables at the Cider Mill for possible use. If anyone has ideas or opinions about this, please let the subcommittee know.

OCSO MOUNTED PATROL CONTRACT APPROVAL: Ms. Myers indicated there were minor changes to the contract language. Mr. Makris has reviewed the contract and has some comments. The drafter of the contract has included language where the Commission is not responsible for any of the sheriff's deputy's work – we are not indemnifying them and they are not indemnifying us. Neither party is relinquishing or waiving any governmental immunity. It is also very clear in the contract that the Commission is not to direct them in their work, only to make suggestions. The deputy's direction is to come from their supervisors. Otherwise, the contract covers the Commission. Ms. Myers added that the hourly rate has dropped from \$16.16 an hour to \$15.93 an hour. There is \$6,915 budgeted in the program which allows for 434 hours of patrol.

MOTION by Whitman, supported by Young, *Moved*, that the Commission approves the OSCO Mounted Patrol Contract for a total of 434 patrol hours at a cost not to exceed \$6,915.

Ayes: All Nays: None

MOTION CARRIED.

MANAGER'S REPORT: In addition to the written report, Ms. Myers added the annual contribution has been received from Orion Township. Ms. Myers asked that commission representatives attend their community presentations if at all possible. The Rochester Rotary event scheduled for May 22nd may be postponed until August, Karen Lewis is helping with this effort. Ms. Myers reported that Mr. Becker was appointed as alternate commissioner for the City of Rochester, and that she will not be at the next meeting due to vacation plans, but will be available by cell phone.

ATTORNEY'S REPORT: Mr. Makris spent time today with Mr. Gaber to resolve the Solaronics issue. They went over all the documents, and he has a fully signed license agreement with all exhibits. They will be e-filed with the court and true copies of the recorded documents and consent judgments will be submitted to the Trailways office. Mr. Makris will let Ms. Myers know when everything is complete. Chairman Blanchard asked that the Commission approve Mr. Makris' last month's invoice for litigation services.

MOTION by Whitman, supported by Young, *Moved*, that the Commission approves payment of Mr. Makris' invoice for professional services for litigation in the amount of \$905.25.

Ayes: All Nays: None

MOTION CARRIED.

COMMISSIONER REPORTS: Mr. Giovanelli reported on the horse/carriage incident at the Fire and Ice Festival in Rochester, that Bruce Austin is retiring, and updated the Commission on the community organic garden project planned on park land behind the car wash on Woodward. Mr. Peters reported that March 5th begins the annual emergency siren testing.

ADJOURNMENT:

MOTION by Whitman, supported by Yalamanchi, *Moved*, that the February 15, 2011 Regular Meeting be adjourned at 8:05 p.m.

Ayes: All Nays: None

MOTION CARRIED.

NEXT MEETING: March 15, 2011 at 7:00 p.m.

Respectfully submitted,

KRISTEN MYERS, Trail Manager

EDWARD PETERS, Trailways Secretary