

REGULAR MEETING of the PAINT CREEK TRAILWAYS COMMISSION

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

CALL TO ORDER: The Tuesday November 15, 2011 meeting was called to order by Chairperson Blanchard at 7:00 p.m.

Voting Members Present: Rock Blanchard, Steve Sage, Kathy Thomas, Maryann Whitman, Alice Young

Voting Alternates Present: Linda Gamage, Paul Miller (*enter 7:18 p.m.*)

Non-Voting Alternates Present: David Becker, Martha Olijnyk

Village of Lake Orion Non-Voting Member Present: None

Voting Members Absent: Edward Peters, Richard Schultz, Ravi Yalamanchi

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

Others Present: John Makris, Attorney (*enter 7:10 p.m.*), Kristen Myers, Trail Manager

APPROVAL OF AGENDA: Add the Manager's Report as #11.

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

Ayes: All Nays: None

MOTION CARRIED.

PUBLIC COMMENT: None

CONSENT AGENDA:

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

b. Treasurers Report – October 2011, receive and file

MOTION by Young, supported by Gamage, ***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 \$11,614.87. In addition to regular monthly expenses, this amount includes 4th quarter wages and FICA for the Trail Manager and 80 hours of Mounted Patrol Services. The unrestricted fund balance is estimated at \$28,300.

MOTION by Gamage, supported by Young, ***Moved***, that the invoices presented for payment are approved in the amount of \$11,614.87 and orders be drawn for payment.

Ayes: All Nays: None

MOTION CARRIED.

CITIZEN REQUEST: Paint Creek Trail Issues – Mr. Phil Miller, Oakland Township: Mr. Miller, 1004 W. Gunn Road, Oakland Township, addressed the Commission about concerns he has. Safety and health are important concerns for trail users. He indicated that a group of about 130 cyclists were recently on the trail riding 40 mph not following trail courtesy and having little

respect for the joggers, runners and walkers. This is particularly true on the weekend when the trail is crowded. He suggested that perhaps intermittent signs along the trail reminding bikers to slow down could be installed. He also indicated that the horse manure problem has escalated. He wants to force horse riders to pick up after them or not allow them on the trail. He commented an accident on the trail could be very costly and feels it is best to act before this type of event occurs. The Commission thanked Mr. Miller for his comments and indicated that these issues could be put on a future agenda for discussion.

WINTER FESTIVAL/SLEIGH RIDE DISCUSSION: Ms. Myers indicated the Friends group would like to hold a winter festival/open house on a Saturday afternoon, with a sleigh ride between Gallagher and Silver Bell roads in late January or early February and is looking for Commission input and approval. Ms. Myers introduced Mr. Richard Kreuzkamp, a member of the Board for the Friends group, who is present to explain the request and has also offered to pay the \$350+ to the company that will provide the sleigh and horses for three hours, with 4-5 people per ride, 3 rides per hour. Reservations will be taken for the rides. Ms. Myers stated we would charge for the sleigh rides, but it would not be a money making event and would be a great idea for a winter event on the trail. Mr. Kreuzkamp summarized the event and added they would like to have chili, a place to roast marshmallows and a warming area inside the Cider Mill. Depending on conditions they may have a snowman building or snow fort contest as a children's event. This event is in the early stages of development, the next step is having the sleigh provider walk the proposed route. It was suggested that if conditions are not conducive to a sleigh ride, that alternatives be available, e.g., a carriage ride or another route. The Health Department needs to be contacted for approval of food services and Oakland Township needs to approve the use of the Cider Mill for the event. A video on cross country skiing could be played in the Cider Mill, and a crafts table could be set up for the children. Mr. Kreuzkamp indicated he has access to video equipment. Whether or not this event takes place will depend on the weather, and the trail should not be used if there is any danger of damage to the surface. After discussion, the Commission thinks this is a great idea and is in favor of the concept, but the details need to be worked out with the Trail Manager over the next month and more information provided to the Commission at the December meeting. Details to be provided are how the registration will be handled and by whom, what the charges will be, and how and where the chili will be arranged. The Commission is confident that the Trail Manager and Chairman will be able to make the decision as to whether or not the event will take place given conditions.

CROSS COUNTRY SKIING: Grooming Discussion: In the past, the Commission has discussed whether to groom the trail for cross country skiers. Past concerns were potential damage to the trail surface, personnel to groom the trail and equipment availability. Ms. Myers explained if the Commission wishes to try a grooming program this year, Mr. Richard Kreuzkamp of the Friends group, has a tractor and equipment to do the work (photographs were handed out at the meeting), and has offered to groom the trail. He is only seeking reimbursement of fuel costs. Mr. Kreuzkamp stated he is assuming his equipment will be ideal for conditioning the trail explaining how it would work, but won't know until it is tested on the snow. The full weight of the equipment will not be on the trail as the yoke can be lifted up via the hydraulic lift. Mr. Kreuzkamp said he would like to groom the trail once a week for a six week period of time. In regard to insurance liability, volunteers who work for the Commission are covered, but with no workman's comp. Ms. Myers will check with risk management. It is thought that many more people would use the trail during the winter if it was groomed. It was suggested that a section of the trail be groomed as opposed to the whole length. A question came up about if the Commission would be liable or at risk if the trail was groomed on an inconsistent schedule. Mr. Makris said the Commission could be sued, but whether it would be successful is debatable. If the trail is not maintained at all, winter users are at their own risk. Mr. Makris questioned if the

trail is groomed, does it make it inviting for hikers to use the trail – does this make it a safer or less safe condition? Most cross country skiers would use the tracks made by others, and the hiker would likely also walk these tracks. What if the trail was not advertised as being a groomed trail and a volunteer did go out and groom it, would this put the Commission at a greater risk than at any other time during the winter? Mr. Makris indicated that even if the trail was not advertised as being maintained for winter sports, if it was groomed, the trail's appearance would be different and inviting to those who want to use it. With this process, the Commission would be giving Mr. Kreuzkamp a license to operate a motor vehicle in order to provide the power; the minutes reflect what the Commission's plans are, so it's not as if staff is turning their back on the issue. Mr. Makris asked what a "groomed" trail means to cross country skiers. Chairman Blanchard explained it means different things for different types of skiers – skate skiers want a large flat area, while others will use the tracks. If there are footprints in addition to the ski tracks, it makes it less safe for the skier. Maybe one side of the trail could be groomed for cross country and the other for skate skiers. Either side could be used by the walkers. It was suggested that research be done to find out how other groomed trails are being maintained, how they deal with the liability issue and if injuries have taken place on their trails. Perhaps certain sections of the trail could be designated for walkers and other sections marked for skiers. It was also suggested that Mr. Kreuzkamp's equipment be tested to see what kind of job it does before using it on the actual trail surface. Ms. Myers stated the most popular section of the trail for cross country skiing is between Gallagher and Adams Roads. After lengthy discussion it was suggested that the Commission move forward with the grooming and promote it on all the social media, even if it's only on a test portion of the trail. Chairman Blanchard likes the idea, but is still concerned about it and would rather do the research about what works and what doesn't before committing to grooming. Mr. Makris suggested that a committee of three be formed to review the test project and the actual grooming process, taking photographs and reporting on the success or failure of the experiment. The Commission thanked Mr. Kreuzkamp for volunteering his time toward this effort.

MOTION by Miller, supported by Gamage, *Moved*, that the Commission accepts Mr. Kreuzkamp's offer to experiment with grooming the trail as a trailway test project from Gallagher to Adams Roads, leaving it up to him to determine conditions, but keeping in contact with the Trail Manager before, during and after the grooming, and that a permit to operate a motorized vehicle on the trail will be issued. Testing the equipment in Mr. Kreuzkamp's back yard will occur prior to attempting to use it on the trail.

Ayes: Gamage, Miller, Sage, Thomas, Whitman, Young

Nays: Blanchard

MOTION CARRIED.

PAINT CREEK CRAWL 2012/BROOKSIE WAY MINI-GRANT APPLICATION: Ms. Myers indicated the Friends group would like to have another Paint Creek Crawl on May 12, 2012. This event was a great success earlier this year and positive feedback was received. This would be an official Commission event, with labor and event coordination coming from the Friends group. If the Commission approves this event, Ms. Myers would also like them to approve the grant application (information provided in the packet) that will be submitted to the Brooksie Way Mini-Grant program. Ms. Myers was thanked for looking into the grant opportunity.

MOTION by Miller, supported by Young, *Moved*, that the Commission approve the Paint Creek Crawl event for 2012 and that the grant application be approved for submission to the Brooksie Way Mini-Grant program.

Ayes: All Nays: None

MOTION CARRIED.

MANAGER'S REPORT: Nothing in addition to the written report.

ATTORNEY'S REPORT: The Commission thanked Mr. Makris for his report that was included in the packet. Mr. Makris updated events happening after his report was filed. He can't report any successes yet, but the judge has been in two jury trials throughout this time. He has been unsuccessful in talking to the judge's clerk about the case status – she is the only one who has a handle on what Mr. Makris is trying to accomplish. The office clerk reported that the orders are being reviewed at this time. With regard to the court's concern with non-represented defendants who have signed consent judgments – Mr. Makris wants the court to know that all consent judgments are the same, whether the defendant was represented or not. Perhaps a spreadsheet showing how many times the subcommittee has met with these defendants would be helpful. This probably would be helpful to the clerk, but can't be completed within a week's timeframe. Mr. Makris will compile a list of the 26 defendants this affects and forward it to the Trail Manager. Ms. Gamage offered her assistance in compiling the information as resolution of this case needs to be top priority. The video of the public hearing meeting is also available. No report on whether or not the Solaronics e-file documents have been located. Mr. Makris has explained the situation to Mr. Gaber and indicated the documents may need to be e-filed again. Mr. Makris indicated he will call every day to get this resolved.

COMMISSIONER REPORTS: Ms. Young reminded everyone that the Holly Jolly Folly is December 2nd, tickets are available at Golling Buick GMC, and the lighted parade is December 3rd. The next Friends group meeting is tomorrow, 6:30 p.m. at the Trailway office. Perhaps the Friends group would be interested in participating in the Rochester Christmas parade in the future. Happy Thanksgiving to all.

ADJOURNMENT:

Upon **MOTION** by Miller, supported by Young, **Moved**, the Regular Meeting was adjourned at 8:35 p.m.

Ayes: All Nays: None

MOTION CARRIED.

NEXT MEETING: December 20, 2011 at 7:00 p.m. at the Paint Creek Cider Mill

Respectfully submitted,

KRISTEN MYERS, Trail Manager

EDWARD PETERS, Trailways Secretary