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

Held at Orion Township Hall, 2525 Joslyn Road  
Lake Orion, Oakland County, Michigan 48360

**CALL TO ORDER:** The Tuesday June 16, 2015 meeting was called to order by Chairperson Becker at 7:00 p.m.

**Voting Members Present:** Rock Blanchard, Linda Gamage, Stephanie Morita, Neal Porter, Kim Russell (*enter 7:06 p.m.*), Alice Young, Andy Zale

**Voting Alternates Present:** Mike Bailey, David Becker (*voting until 7:06 p.m.*)

**Non-Voting Alternates Present:** Dale Hetrick, Martha Olijnyk, Lisa Sokol, Donni Steele

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

**Voting Members Absent:** Frank Ferriolo

**Alternates Absent:** Lynn Loebs, Steve Sage, Richard Schultz

**Village of Lake Orion Non-Voting Alternate Absent:** Doug Hobbs

**Others Present:** Kristen Myers, Trail Manager, Sandi DiSipio, Recording Secretary

**PLEDGE OF ALLEGIANCE:** All rose and recited the Pledge.

**APPROVAL OF AGENDA:**

**MOTION** by Porter seconded by Zale, ***Moved***, to approve the June 16, 2015 agenda as presented.

Ayes: All      Nays: None

**MOTION CARRIED.**

**PUBLIC COMMENT:** None

**CONSENT AGENDA:**

a. Minutes – May 19, 2015 Regular Meeting, approve and file

b. Treasurers Report – May 2015, receive and file

**MOTION** by Young, seconded by Blanchard, ***Moved***, to approve the consent agenda as presented.

Ayes: All      Nays: None

**MOTION CARRIED.**

**APPROVAL OF INVOICES:** Ms. Myers presented the invoices in the amount of \$17,747.86. In addition to the recorder's monthly fee and routine Chase Card purchases, this amount includes the restroom cleaning at Clarkston/Kern, Bike Patrol uniforms, 2<sup>nd</sup> quarter wages and FICA for the Trail Manager, Administrative Assistant and Bike Patroller, special event fee to the City of Rochester for the Labor Day Bridge Walk and payment to Ramie Phillips for the 2014 Audit. The estimated unrestricted fund balance is \$73,000.

**MOTION** by Bailey, supported by Gamage, ***Moved***, to approve the invoices presented for payment in the amount of \$17,747.86 and orders be drawn for payment.

Ayes: All      Nays: None

**MOTION CARRIED.**

**DISCUSSION: OCSO update on Clarkston/Kern Trail Head Incidents and**

**Recommendations:** Ms. Myers introduced Lt. Dan Toth from the Orion Substation of the

Oakland County Sheriff's Office, who came to talk about the enforcement success they've had with the Clarkston/Kern issue. Lt. Toth updated the Commission on the positive changes done at this location. They have stepped up enforcement action and summarized what has been found at this trailhead. It is not just Orion Township young people; they average in age of 18-19 years old, and are from all surrounding areas. The Painted Rock area vandalism has been occurring for decades. They have video of three teenagers who received court summons through the Rochester Court. He's had conversations with the parents and kids, and some of them didn't realize that this action was against the law. In the month of May, he had 13 different arrests, mostly for malicious destruction of property, where the individuals were provided a court summons and fines are levied resulting in a record. The Sheriff's office wants compliance and to protect public property. He gave the members a list of infractions. An address has been assigned to the restroom for ease of tracking incidents which has helped. He's made an arrangement with the Orion Township Operations Director to locate an additional sign nearer to the painted rocks to defer that vandalism. The High School made an educational video which has been shown to the students. His recommendation is that the Commission continue to get the word out about compliance and keep up with signage and public awareness. These issues will not be taken care of in a short time, the word must get out. A lot of the arrests involve drugs and alcohol, so it's not just vandalism. He feels there has been a good start and the work needs to continue. The proposed changes to the ordinance gives the officers the ability to prosecute. It would be good for the officers to have another tool in addition to the criminal violation, so they came up with a model for civil infractions called juvenile mischief. A short question and answer period followed the presentation, to which Lt. Toth offered response. Violators age 16 and under would go to probate court and a small number of tickets were issued to them. Most tickets are to individuals age 17 and older. He stated Ms. Myers has done a great job of getting people up to speed to call the Sheriff's Department – the third party reports are great. A great many of the tickets issued came from resident tips. The trail office is notified when cases are going to court where restitution is involved. One case last year involved restitution to Orion Township for their labor costs to remove graffiti on a sign. Orion Township has developed a bike patrol program, and will present the idea at the next Township Board meeting. There will be a deputy focusing on the parks, bike paths and trails. This deputy will not be taken off the streets, but will focus on public property. The bike has been purchased out of the police fund and the deputy will start soon, depending on staffing levels, spending a lot of his time on the Paint Creek Trail. Lt. Toth would like to look at what it would take to clean up or remove the broken concrete and clean the painted rocks on the DNR property. Enforcement of the trail area will be a continuing effort year round. Getting the word out should continue as part of the Commission's efforts. Ms. Myers reported that the mounted patrol starts in a few weeks and she will coordinate with Lt. Toth to let him know when these deputies will be out. The Commission thanked Lt. Toth for the diligent work and his informative presentation.

**APPROVAL: 2014 Financial Audit Report:** Ms. Myers reported that Mr. Phillips completed the 2014 Audit; the Commission is in great shape. The trail itself is the most valuable asset, and there is a healthy fund balance, which translates to 79% of the 2015 expenses. Most auditors consider 20-40% adequate. The auditor found that there were no expenditures over budget.

**MOTION** by Young, seconded by Morita, *Moved*, to approve the 2014 Audit as presented.

Ayes: All      Nays: None

**MOTION CARRIED.**

**APPROVAL: 2015 Financial Audit Services:** Ms. Myers asked Mr. Phillips to provide a quote for services to conduct this year's audit. The reason is the transition to Quick Books. The auditor has been helpful in getting the Manager in line on the correct way to use the program. She recommends the Commission consider extending his contract one additional year, so she can be comfortable with going out for an RFP next year.

**MOTION** by Blanchard, seconded by Young, *Moved*, to extent Mr. Phillips' contract for one more year at a cost of \$3,600 to complete the 2015 audit report.

Ayes: All      Nays: None

**MOTION CARRIED.**

**APPROVAL: Letter of Engagement: As Needed Legal Services – Foster, Swift, Collins & Smith:**

Chair Becker thought it best if the Commission review the agreement letter prior to authorizing approval. He is asking for a motion to accept Foster, Swift, Collins & Smith as the as-needed legal services firm and to authorize the Chair to sign on behalf of the Commission. The point of contact with this firm will be the Trail Manager and/or Chairperson Becker. It was suggested on the first page "General Counsel" should be changed to "Counsel" as general counsel refers to one attorney representing the Commission, not one of several. The intent is that Mr. Schroeck will still be the pro-bono attorney having a position working with the Commission.

**MOTION** by Morita, seconded by Bailey, *Moved*, to approve the Letter of Engagement with Foster, Swift, Collins & Smith as our as-needed legal services attorney, as amended defining the Trail Manager and/or Chairperson as the point of contact, and changing the words "General Counsel" to "Counsel" and to authorize the Chairman to sign on behalf of the Commission.

Ayes: All      Nays: None

**MOTION CARRIED.**

**APPROVAL: 10<sup>th</sup> Annual Labor Day Virtual Bridge Walk and Run – September 7, 2015:**

Ms. Myers indicated the event will be held at the City of Rochester Municipal Park again because of the parking considerations. The Friends Group has indicated they would like this to be the last Labor Day walk because it is difficult to find volunteers during the holiday. The Friends Group will provide the volunteer support to run the event. There is a sponsor for the fudge, and Ms. Myers is requesting approval to hold the event and pay the \$100 application fee to the City of Rochester. Because this is a great event, it was suggested that perhaps another weekend be considered. Ms. Myers will bring this suggestion to the Friends Group, but there are a lot of other events during September, specifically Art and Apples the following week and the Brooksie Way Marathon. This is a great event, and rather than not hosting the event, another weekend could be pursued. Options/alternatives should be researched rather than discontinuing it. Perhaps October would be a better month to hold an event. The Friends Group would like to start spending some of the money they've raised for improvements on the trail. The fate of this event should be placed on a future agenda for discussion.

**MOTION** by Gamage, seconded by Blanchard, *Moved*, to approve the Labor Day Bridge Walk event and to pay the \$100 special event permit.

Ayes: All      Nays: None

**MOTION CARRIED.**

**UPDATE: 5<sup>th</sup> Annual Paint Creek Crawl:** Ms. Myers reported this was the most successful year for the event; photos are included in the packet. There were 60 more participants this year and the Friends profit was \$6,500 – \$2,000 more than last year. The weather was great, people had a wonderful time, and enjoyed the poker game. Photos of the Recognition Ceremony are in the packet. She thanked CJ's Lakeside Grill in Lake Orion for donating 300 boxed lunches. It was a well planned wonderful event and everyone was thanked for their assistance.

**MANAGER'S REPORT:** In addition to the written report, Ms. Myers thanked OnTV and Orion Township for broadcasting this meeting. She posted links on the website and Facebook encouraging people to check out the meeting.

**COMMISSIONER REPORTS:** Ms. Morita commented the Festival of the Hills Fireworks event is the same night as the Friends Group meeting so there may be traffic issues. Ms. Russell reported that the Rochester comfort station in the park went over budget by \$37,000, but through negotiations, the project will continue. North Main construction from Woodward to Tienken has

been postponed until the end of August. There will be a lane closure for the next 3-4 days. This year will be the 50<sup>th</sup> anniversary of the Art and Apples Festival. 2017 will be Rochester's Golden Bicentennial – so there is a lot of planning for this event. Ms. Olijnyk reported she was present at the Rochester Police open house and they ran out of bicycle bells. Ms. Myers indicated the Friends Group is looking into purchasing more bells to give away. Ms. Myers was thanked for the display at the Rochester Hills Public Library.

**ADJOURNMENT:**

Upon motion by Young seconded by Blanchard, the Chairperson adjourned the Regular Meeting at 8:10 p.m.

Ayes: All      Nays: None

**MOTION CARRIED.**

**NEXT MEETING: July 21 2015 at 7:00 p.m. – Charter Township of Orion Offices**

Respectfully submitted,

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KRISTEN MYERS, Trail Manager

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ANDY ZALE, Trailways Secretary