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REGULAR MEETING of the PAINT CREEK TRAILWAYS COMMISSION
City of Rochester Municipal Offices
400 Sixth Street, Rochester, Michigan 48307

CALL TO ORDER: The Tuesday, September 18, 2018 meeting was called to order by Chairperson Becker at 7:00 p.m.

Voting Members Present: Rock Blanchard, Susan Bowyer (*enter 7:25 p.m.*), Frank Ferriolo, Linda Gamage, Kim Russell (*enter 7:10 p.m.*), Donni Steele, Jeff Stout

Voting Alternates Present: Robin Buxar

Non-Voting Alternates Present: David Becker

Village of Lake Orion Non-Voting Member Present: None

Voting Members Absent: Van Agen

Alternates Absent: Chris Barnett, Ben Giovanelli, Chris Hagen, Lynn Loeb, Jenny McCardell, Martha Olijnyk

Village of Lake Orion Non-Voting Member Absent: Brad Mathisen

Village of Lake Orion Non-Voting Alternate Absent: Vacant

Others Present: Chris Gray, Assistant Trail Manager, Sandi DiSipio, Recording Secretary

PLEDGE OF ALLEGIANCE: All rose and recited the Pledge.

APPROVAL OF AGENDA:

MOTION by Blanchard, seconded by Stout, ***Moved***, to approve the September 18, 2018 agenda as presented.

Ayes: All Nays: None

MOTION CARRIED.

PUBLIC COMMENT: None

CONSENT AGENDA:

a. Minutes – August 21, 2018 Regular Meeting, approve and file

b. Treasurers Report – August 2018, receive and file

MOTION by Gamage, seconded by Buxar, ***Moved***, to approve the Consent Agenda as presented.

Ayes: All Nays: None

MOTION CARRIED.

APPROVAL OF INVOICES: Ms. Gray presented the invoices in the amount of \$18,673.56. In addition to the recorder's monthly fee, this amount includes 3rd Quarter wages for the Manager, Assistant Manager and Bike Patroller positions, Oakland County Mounted Patrol services for September, MML costs for the Trail Manager classified ad, Sir Speedy for the reprint of trail brochures, stamps and the gift card for the LDBW raffle. Estimated unrestricted fund balance is approximately \$100,000.

MOTION by Blanchard, supported by Buxar, *Moved*, that the invoices presented for payment are approved in the amount of \$18,673.56 and orders be drawn for payment.

Ayes: All Nays: None

MOTION CARRIED.

UPDATE & DISCUSSION: Paint Creek Trail Resurfacing – Mannik Smith Group: Mr. Matt Mikolajczyk introduced himself and Mr. Cody Jones who are both with Mannik Smith Group. He will be only talking about the resurfacing project and not the bridge project at this point. This update covers the resurfacing of the trail outside the limits of the bridge, as well as the observation side paths and the deck. They conducted a site visit with Ms. Myers, and plans are being prepared. They have been holding off on the plans for the trail resurfacing because they knew that was going to go out to bid after the bridge is put out to bid. Now that they know the plans for the bridge will be ready after tonight, they will finalize the plans for the resurfacing. The design and layout of the deck is ready to be finalized and put out to bid shortly after the bridge goes out to bid. He is not sure at this time where the costs will come in at, but should have a report by the next meeting. They might bid this project with the resurfacing of Bear Creek Park to keep quantities higher to bring the aggregate unit prices down. The Commission thanked Mr. Mikolajczyk for the update.

UPDATE: Personnel Ad Hoc Committee: Trail Manager position: Mr. Becker said he has been keeping the Commission informed, and commented the Committee consists of himself, Ms. Steele, and Messrs. Blanchard and Van Agen. They received about 80 applications; Ms. Myers and Ms. Gray went through them and eliminated all but 10 people. The Personnel Committee did a ranking system of the 10, and narrowed it down to the top five. They interviewed all five, and four emerged very high. The top four were very close in ranking for different reasons, and it was clear the Committee couldn't come up with one to recommend to the Commission. The Committee members came up with one follow-up question each and they were forwarded to the four candidates Monday with a deadline to answer Thursday at 12 p.m. The Committee is hoping to reconvene and decide on a person to recommend to the Commission. Mr. Becker would like to call a special meeting within 10-14 days from now to bring forward the Committee's one recommendation for consideration. This is only a recommendation and there will be no hire until the Commission approves. Hopefully, a new Trail Manager will be approved in a week or two, assuming the candidate accepts. It was suggested that a few dates be offered for the special meeting, so as many Commissioners as possible can attend. Ms. Russell asked if it is possible if it's so close, to have maybe the top two come and be interviewed at the special meeting. Mr. Becker said the Committee will talk about this, but if there is a clear winner, he will suggest the Committee let the Commission work it out. Ms. Russell added that every Board she's been on, there's a subcommittee to narrow it down to two or three, then the whole Commission asks one question each, and they go from there. This way, there's buy-in from each community. Mr. Becker said if the Committee sees a clear top candidate, they will introduce that one – and if the Commission doesn't approve, then they'll go to the next one down. Ms. Russell said it's hard if you don't have a comparison. Mr. Becker indicated everyone is welcome to review the resumes. The Committee would like to send out the 70 rejection letters if the Commission approves that. Mr. Ferriolo agrees with Ms. Russell and goes a step further. He respects the job the Committee has done thus far, but would like to bring the four candidates together for a general review. There's something about the personal view – when we've interviewed people in the past, we've had them in front of us. He feels that makes a difference for his vote on the issue. Although he respects the Committee, if there was a significant difference between the top person and the other three, he might have a different perspective. But it seems the Committee is not so sure themselves, and are throwing up a coin. The whole Commission should jump in. This should be done rapidly. He realizes this might add another step in between where the Committee wants to go with this, but he feels this is where Ms. Russell is coming from, and where he'd like to be. He'd like to see people and hopefully everyone agrees. Mr. Becker would like to get the answers

to the follow-up questions back; and the Committee has heard what the Commission is saying. They will do what the Commission wants. In the past, he believes they have brought one candidate forward. Ms. Gamage also agrees with maybe seeing the top four or the top couple candidates. She's not interested in the 70 resumes that were put on the side, she's interested in the four that are remaining, so she would like to see those candidates. Ms. Gray was asked to provide the resumes of the four candidates to the Commission, as well as their answers to the questions, and the Commission was asked to keep this information confidential. Ms. Steele added that the Ad Hoc Committee is made up of each municipality, so all the communities have an input by having a representative from their community on the Committee. This has been considered and covered. The amount of time and effort and hours spent with the last five candidates has been a lot, and the discussion has been a lot, and there might be a lot that's missed by having them come in and interview, by only seeing that small portion of it at the very end and trying to make a decision on that much information. That's her trepidation with having the interviews being done, because the Commission is only seeing a small picture, where the Committee has seen the whole process. Mr. Blanchard agrees with that, as the Committee has worked really hard and it's been difficult for them to agree, and now we're bringing more people into the mix. He feels this will make it more difficult instead of a better decision. The Committee knows, based on the interviews they've done and meeting those people – the Commission will only be able to see them the one time. Ms. Steele said the questions were based on the interviews themselves, so they answer more than the specific questions themselves, because the Committee based the questions on the candidates and every question that was asked prior to that. For the Commission just to see the five questions, they won't realize that the Committee started with 80 questions to get down to the five questions. She feels it would be very nerve-wracking on the interviewee's part to come before the Board – we might lose some of their enthusiasm to want to be the Trail Manager. This concerns her. Mr. Ferriolo said we're dealing with a job application, and people that are going for jobs today know they are in competition with other people. The person the Commission does choose, when they know they're up against four or five other people, savor the win even more so than someone being picked out and not knowing they were in a great competition. The whole idea of the candidates coming in and making a presentation of themselves is part of what is required of the Trail Manager's position – they need to get up in front of people and make a presentation. The Committee did an excellent job of getting to a point, but if there is no real leader of the pack, that's where the Commission needs to weight in and make a judgment call to support the Committee, but to give a little more flavor in terms of their impression of what the candidates give off. He would feel better having witnessed this and then making a decision. Mr. Blanchard said if this is what the Commission is going to do and bring the candidates in, we need to design a list of questions. Mr. Becker said again, let the Committee get the answers to the questions and see if that does any more segregating the pack. It's a Commission decision on how they want to handle the hiring, the Committee can't hire the person. After we go through the next step, let's decide where to go from there. We have to find out according to the Open Meetings Act, whether this decision can be made through email or a special meeting to decide what to do, and then another special meeting. Ms. Russell feels the Commission is being steered in a direction that is not typical of how you hire any Board. She's been on several Commissions and it's always been very helpful and appreciative to any Board that has a subcommittee, to narrow it down, and then you review the resumes. According to MML and HR, you must have every question exactly the same for every candidate. She doesn't want anyone to feel unappreciative of the subcommittee, because each representative from the community is here, but there are several Commissioners that have a different point of view. She doesn't want the Committee to feel insulted, but she just to give it the best process that it can be. She feels the last four resumes should be given to the Commission. She has a feeling that this is trying to be one way instead of listening to what the Commission is saying. Mr. Becker doesn't think he said it was one way, he said let's see what happens and he will keep the Commission

informed. The Commission will decide the process. If the Commission wants to interview, then the Commission has to make up the questions and make sure everyone is treated fairly. Ms. Gray was also asked to send out the answers to the original questions to the Commission. Ms. Steele doesn't want to drag this out because Ms. Myers will be gone, and we'll lose the overlap. Any four of the top candidates would be fantastic. To take it through a long process would be to the Commission's disadvantage. It's not trying to hold back information, it's trying to move things along faster. Mr. Blanchard is also concerned that Ms. Myers is going to run out of time to assist the new person – if we're going to do this, we're going to have to have two very quick meetings scheduled in time so that Ms. Myers is able to have some overlap. Ms. Buxar suggested bringing in the top two contenders that the Ad Hoc Committee chooses to bring forward, but if we get the resumes, once everyone reviews them, you'd have an idea of who the four are, and narrow it down. She does think they have to be able to talk to and in front of the Commission, that ability is a foregone conclusion. If it could be narrowed down to two, we set a meeting and have five questions that are quite simple and ask the two candidates and make a decision of the two. This needs to be done quickly. Mr. Ferriolo still thinks bringing in the four candidates is still on the table as a possibility; that's his sense. Unless there is something startling that comes out of the questions, he's assuming we're talking about four and not two candidates. Asking the same questions of the candidates is not so bad. What he's looking for is the presentation of the individual; how that person is going to handle questions coming from a Committee or anyone else. It's not necessary to come up with new questions – it's how will they handle the same questions in front of the whole Commission. Mr. Becker asked that we wait until the end of the week to get the answers, send everyone the information, and if we are committed to make a decision about the hiring process through email to decide to do that, and if not, we'll have a special meeting to decide on how to handle it. Instead of arguing about the hypothetical, why don't we wait to see what shakes out after we get the responses to the questions. Ms. Gamage indicated there are four people who have expressed the opinion that they would like the candidates brought to them. She expressed her appreciation for all the hard work the Committee has done; it's difficult to eliminate people down to a certain number. The Commission does the hiring, but if the Committee only brings one person to the Commission, that's a predetermined result. She feels the Commission has spoken and unless any of the members have changed their opinions, this is important to the Commission. Mr. Blanchard asked if there is agreement that they want to see four candidates, or two. He personally doesn't feel we should bring four candidates to a meeting. The Commission needs to decide on what they want and vote on it. Dr. Bowyer said we need to expedite this, and she'd rather see four people and meet them herself. Ms. Gray pointed that not only would an additional meeting require availability of the Commission, but also of the candidates. Mr. Blanchard feels that the Commission has written answers coming back from four people, so if the subcommittee even meets to go over those, it's a waste of time. He'd rather say OK – get the answers, give them to the Commission and have the four people come together for a meeting, otherwise he's going to meet on two or three nights to go over the answers – why?

MOTION by Steele, seconded by Blanchard, *Moved*, to allow the Ad Hoc Committee to review the answers to the questions delivered to the remaining candidates, and report via email to the Commission their recommendation based on their top two candidates.

Ms. Russell asked if we can legally do that by email. It's not sure this can be done.

Ms. Steele changed her motion to three candidates. Ms. Gamage asked if the Committee would report back to the Commission and recommend two candidates? Ms. Steele said if we get the answers back and it's obvious that two of them are off the table, why go through the process? Let the Committee see how the answers come back, you might have a candidate that chooses not to

answer any more. If you just allow the Ad Hoc Committee to go through the process – the next step that is lined up, and then report back to the Commission – that’s what she is motioning to do. Mr. Blanchard is not sure, as he thought Ms. Steele indicated so many were coming to the Commission – two or three. Ms. Steele indicated she said two, and then changed her mind to three, and then back to two. Mr. Blanchard agrees to bring two candidates, not four, back to the Commission, based on the next step.

Mr. Ferriolo is against two candidates, however if the motion was compromised to three, he would accept. He wanted four, but if there is resistance on the part of the Committee, and this gets them into gear to go with three rather than two, he would accept this. Dr. Bowyer asked if there is a time limit on the motion – Ms. Steele said Thursday at 5:00 p.m. we’ll have the answers to the questions. Dr. Bowyer said if two filter to the top and two go down, or if the Committee finds all four are the same, would they bring the four or would the Committee make an arbitrary decision to narrow it down further themselves. Dr. Bowyer asked if all four were really exceptional, could they be brought forward? Mr. Blanchard agreed to that – if the Committee can’t make a decision based on those answers, they will bring all four forward. Ms. Russell suggested the motion be changed to bring two to four candidates to the Commission so there is that option. Ms. Gray will forward the resumes, the original questions and answers, and the answers to the final questions to the Commission, the Committee will meet soon, and make a recommendation to the Commission based on the results. The Commission will make the decision. Ms. Steele agreed to amend her motion to recommend two to four finalists. Mr. Blanchard agreed. If the Commissioners have a question they want to see that has not been asked, it should be forwarded to Mr. Becker and Ms. Gray.

Amended Motion as voted on:

MOTION by Steele, seconded by Blanchard, *Moved*, to allow the Ad Hoc Committee to review the answers to questions delivered to the remaining candidates, and report via email to the Commission recommending their top two to four finalists to appear before the Commission.

Mr. Blanchard called the question. There was no objection.

Vote on the Motion:

Ayes: All Nays: None

MOTION CARRIED.

UPDATE: Village of Lake Orion discussions: Ms. Gray reported the attorneys, Ms. Hamameh and Ms. Kucharek, are still working on the language of the agreement. Ms. Steele asked if Mr. Dan Kelly has been involved. Ms. Gray reported not to her knowledge – the particular language they were working on was just between the two.

REPORT: Labor Day Bridge Walk: Ms. Gray reported it was a great event. Approximately 400 attendees participated, 157 pre-registered. We raised \$1,500 towards the bridge replacement project expenses. She thanked Mr. Ferriolo, Ms. Gamage, Dr. Bowyer and Mr. Van Agen for all the work they did on the event – it was very helpful. Photos have been posted on the website and Facebook. Dr. Bowyer told people that the pictures would be on Facebook, so maybe something could be put out there that if someone doesn’t see their picture, email the trail office. The Commission thanked Ms. Myers and Ms. Gray and everyone that volunteered – it was a great event with a wonderful turnout. Nice work on the event!!!

MANAGER’S REPORT: Ms. Gray had nothing to add to the written report.

COMMISSIONER REPORTS: Ms. Russell reminded everyone that the Brooksie Way event is this weekend. The Commissioners all thanked staff for their work on the LDBW event.

ADJOURNMENT OF REGULAR MEETING:

MOTION by Ferriolo, seconded by Gamage, *Moved*, to adjourn the Regular Meeting at 7:55 p.m.

Ayes: All Nays: None

MOTION CARRIED.

NEXT MEETING: October 16, 2018 at 7:00 p.m. – Paint Creek Cider Mill

Respectfully submitted,

CHRIS GRAY, Assistant Trail Manager

HANK VAN AGEN, Secretary

DRAFT