

PAINT CREEK TRAILWAYS COMMISSION

DRAFT

October 17, 2023



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Paintcreektrail.org

**REGULAR MEETING of the PAINT CREEK TRAILWAYS COMMISSION
Paint Creek Cider Mill
4480 Orion Road, Rochester, MI 48306**

The October 17, 2023, regular meeting of the Paint Creek Trailways Commission was called to order at 7:00 p.m. in the main conference room of the Paint Creek Cider Mill.

Voting Members Present: Brian Blust, Robin Buxar, Julia Dalrymple, Ken Elwert, Conner Reiter, Steve Sage, David Walker

Voting Alternates Present: David Becker

Non-Voting Alternates Present: Carol Morlan, Martha Olijnyk

Voting Members Absent: Linda Gamage

Alternates Absent: Russell George, Dave Mabry, Ann Peterson, Matt Pfeiffer, Aaron Whatley

Village Non-Voting Member Absent: Jason Peltier

Village Non-Voting Alternate Present: Stanley Ford

Others Present: Tom Correll, Trail Manager; Eryn Grupido, Administrative Assistant; Louis Carrio, Chairman, Friends of the Paint Creek Trail; Michael Jahn, Vice-President, Friends of the Paint Creek Trail; Ingrid Kliffel, Recording Secretary; Joe Bruce, Trout Unlimited; Shelley Donoughe, Oakland Township resident

A quorum was present.

PLEDGE OF ALLEGIANCE

Chairperson Olijnyk led the Commissioners, staff and those present in the Pledge of Allegiance to the flag of the United States of America.

AMENDMENTS TO AND APPROVAL OF AGENDA

MOVED BY BUXAR, SECONDED BY DALRYMPLE, to approve this evening's agenda as presented.

MOTION CARRIED.

GENERAL PUBLIC COMMENT

Shelley Donoughe: Trees Hanging Over Trail

Oakland Township resident Shelley Donoughe was present. She lives along the Trailways between the Dutton Road and Silver Bell Road crossings. Ms. Donoughe explained that there are a couple of large trees either on her property or on the easement adjacent to her property that hang over the trail. She is concerned that branches may fall and injure someone. Manager Correll will look into this.

Joe Bruce: Trout Unlimited Improvements to Paint Creek

Joe Bruce was present on behalf of Trout Unlimited. Last year, the Trailways Commission authorized the group to access the trail in order to make improvements to the trout habitat in Paint Creek. This past July, Trout Unlimited volunteers installed 60 structures in the creek between the Dutton Road and Tienken Road crossings. This length of the trail is very straight, but Mr. Bruce was pleased to report that the structures have modified the flow of the water to cause the center of the creek to get deeper, and the banks to start building up. The group hopes to be able to make more improvements in the future, and Trout Unlimited will continue to monitor the trout population to assess the benefits of this project.

Mr. Bruce shared that as the work was taking place in the creek, one of their volunteers sat alongside the trail and explained the habitat improvement project to interested people as they passed by. This was so well received by the public that Trout Unlimited will continue to use this educational opportunity for future projects.

CONSENT AGENDA

This evening's Consent Agenda consists of the following: (a) minutes of the September 19, 2023, meeting of the Paint Creek Trailways Commission, and (b) Treasurer's Report for September 2023.

Commissioner Sage asked that the minutes be corrected to reflect that he was in attendance at the September meeting.

MOVED BY BECKER, SECONDED BY ELWERT, to approve the Consent Agenda as presented, specifically to approve and file the amended minutes of the September 19, 2023, meeting of the Paint Creek Trailways Commission, and to receive and file the Treasurer's Report for September 2023.

MOTION CARRIED.

APPROVAL OF INVOICES

Trail Manager Correll and the Commissioners reviewed the list of invoices dated October 17, 2023.

MOVED BY BECKER, SECONDED BY DALRYMPLE, to approve payment of the invoices as presented.

AYES: Becker, Blust, Buxar, Dalrymple, Elwert, Reiter, Sage, Walker

NAYS: None

MOTION CARRIED.

LICENSE AGREEMENTS

The Trailways Commission’s attorney updated the license agreements for Consumers Energy, DTE Energy, International Transmission Company, Michigan Consolidated Gas Company, Solaronics, Inc., and Upton Leasing. The Commission budgeted \$2,000 for legal fees for this work, and we have spent \$1,525 to date.

The Commissioners reviewed the draft documents. They noted that not all of the proposed agreements are for the same length of time. Mr. Correll said this is an error as they should all be for five year terms as previously indicated by the Commission. Several Commissioners shared concerns about the status of one licensee, Solaronics, Inc., and said they would be more comfortable entering into a one or two year license agreement with this business instead of a five year agreement. The Commissioners also discussed the use of the word “abandon;” Commissioner Becker and Chairperson Olijnyk suggested that the license agreement should either define this word, or we should use a different term.

Chairperson Olijnyk pointed out a typographical error at section 10.2. The fourth line should be revised to read, “...and structures, arising ~~form~~ from or as a result of...”

Commissioner Becker observed that it requires a significant amount of administrative work to collect the license fees each year, and suggested the possibility of having these businesses pay for all five years at one time, perhaps with a small discount. Chairperson Olijnyk noted the changing membership of the Commission, and was concerned that if we do this, in five years the new Commissioners may not be familiar with the process of obtaining updated license agreements. For that reason, she would prefer to keep payments on a yearly basis.

Commissioner Walker asked about consumer price index adjustments, adding that they should be made annually. He also noted a discrepancy in the amounts reflected on the various license agreements.

After further discussion, the Commissioners agreed that the License Committee should take a closer look at these proposed license agreements, and bring them back to the Commission once they are ready to recommend approval.

DUTTON ROAD BRIDGE CONSTRUCTION PROJECT

Trail Manager Correll met with the project engineer last week. The Road Commission for Oakland County needs to close the Trailway to the public in order to complete their work in this area. The agreement allows them to close the trail for three non-consecutive days. However, the Road Commission is asking for the Trailways Commission's approval to instead close the Trail for either three or five consecutive days.

The Commissioners discussed that it would be less disruptive to close the trail for a number of consecutive as opposed to non-consecutive days. Further, they would prefer to have the closure take place during the week, when the trail will likely be used less heavily than it is on the weekend.

The Road Commission would give the Trailways Commission as much notice as possible of when the closure would occur, and the Road Commission would put up signage to alert trail users of the upcoming closure. Trail Manager Correll added that when the Road Commission closes the trail, they will install barricades. Commissioner Becker wondered if there is a way to keep people from trying to go around the barricades, as he does not want to see anyone injured. Trail Manager Correll said he does not know if there is a way to keep people from doing this, and said one of our best approaches is to try to let trail users know of the upcoming closure. The closure is tentatively scheduled for next week.

MOVED BY BUXAR, SECONDED BY DALRYMPLE, to authorize the Road Commission for Oakland County to close the Paint Creek Trailways for three consecutive days for the purpose of completing their work in this area.

MOTION CARRIED.

ADMINISTRATIVE ASSISTANT

Administrative Assistant Eryn Grupido will be leaving at the end of this month. Trail Manager Correll recommended that the Commission hire Nicole Sands to fill this vacancy.

MOVED BY BUXAR, SECONDED BY BECKER, to authorize Trail Manager Correll to present the offer of employment for the position of Administrative Assistant to Nicole Sands, at a rate of compensation of \$15 per hour, and for a period of 12 hours per week.

AYES: Becker, Blust, Buxar, Dalrymple, Elwert, Reiter, Sage, Walker

NAYS: None

MOTION CARRIED.

PAINT CREEK TRAILWAYS FISCAL YEAR 2024 BUDGET

The Commissioners reviewed the draft budget for the 2024 fiscal year. They noted a number of areas where the amounts listed need to be corrected; Trail Manager Correll explained that he was having difficulties manipulating the document. He will review this and return to the Commission with a revised draft budget. In the meantime, he welcomed input from the Commissioners.

Mr. Correll reviewed proposed changes from the 2023 fiscal year budget. These include an increase in the Recorder's Fee; and an additional 3 percent for member unit contributions for Commission and office operations and staff, as well as for the patrol program.

There is a second line item under "Revenue" labeled for "Member Unit Contribution for Commission and Office Operations and Staff" (page 3, line 11). Trail Manager Correll explained that he is working with Oakland Township Parks and Recreation Director Milos-Dale on a bid for a new website. While we received these monies in 2023, he does not expect that any payment will be made until 2024, so he will need to revise the budget to reflect this.

Commissioner Elwert noted that, as a Commission, we have not discussed how we want to use monies in the Community Fund for Greater Rochester that are designated for the Paint Creek Trailways. However, he also noted that we need to maintain a minimum of \$10,000 in this fund. Trail Manager Correll said our current balance is \$10,237.

The budget needs to include monies for printing brochures.

Under the "Legal Services" cost center, the Commissioners suggested including \$1,000 or \$1,500 under the "License Preparation Fees" line item for any negotiations, etc. that may need to be done.

Trail Manager Correll will work on revising the budget for the Commission's further review at the November meeting.

40th ANNIVERSARY CELEBRATION

The 40th Anniversary celebration, which was to include a 5K race, was scheduled to take place on November 18th. However, the company that coordinates the race was not booked for the event and is no longer available. Therefore, the Commissioners explored other ways to celebrate this milestone anniversary.

As an alternative, the race company is available to manage the event on December 16th. This is getting late in the season, and some Commissioners felt it would not be good timing so close to Christmas. However, Commissioner Buxar shared a comment from Alternate Commissioner Mabry, who is a member of the 40th Anniversary Committee, that there are some diehard runners who would likely participate. Commissioner Reiter added that Orion Township hosts a "Snow Dash" 5K run on the Polly Ann Trail, which typically has good

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turnout. Commissioner Dalrymple pointed out that the Snow Dash will take place on December 17th this year, so that would be a conflict.

Commissioner Blust asked for input as to booths, activities, etc. that the Commission would want to see alongside a 5K event.

The Commissioners then discussed the idea of hosting an event at another time of the year. Commissioner Buxar wondered what the exact date of the 40th anniversary is. Documentation found this evening lists 1983 as the year, but gives nothing more detailed. Trail Manager Correll will look into this further.

The Trailways Commission already hosts the Labor Day Bridge Walk in the fall. While the Commissioners were in favor of a spring event, we do need to consider when other events are offered in the community so that there is not a conflict. Additionally, we need to minimize use of the trail when the surfacing is thawing.

Administrative Assistant Grupido suggested a winter snowshoe lantern walk instead of a 5K, an idea originally proposed by former Trail Manager Melissa Ford. The walk could take place during the dusk hours, we could line the trail with paper lanterns, and participants could enjoy a peaceful walk with or without snowshoes.

After further discussion, the Commission agreed to refer this matter back to the 40th Anniversary Committee for review and to develop a recommendation for the Commission's consideration.

BALD MOUNTAIN CONNECTOR PROJECT

Trail Manager Correll will be meeting with the Bald Mountain project managers soon. They are still hoping for a spring start.

Commissioner Elwert noted that the construction notes do not call out the Paint Creek Trail and do not call out that it will be restored. He asked Mr. Correll to confirm that the trail and the right-of-way will be restored.

Chairperson Olijnyk said the notes also do not include bollards. Trail Manager Correll said the DNR has agreed to this, but agreed that the plans have not yet been updated to reflect this.

The Commissioners also asked about maintenance.

Commissioner Buxar recalled that the Commission just discussed the possibility of holding a 40th Anniversary event along the Paint Creek Trail this spring and wondered if there would be a conflict/problem with the Bald Mountain Connector project. Mr. Correll did not feel there would be a conflict, but he will look into this.

BRIDGE 31.7 RENOVATION

The Paint Creek Trailways Commission applied for a Michigan Natural Resources Trust Fund grant for this project. Preliminary scores were announced, and Trail Manager Correll submitted additional information by the October 1st deadline. We will find out in December if this project is recommended for a grant.

The project has already been recommended for a Transportation Alternatives Program (“TAP”) grant, but this grant is contingent upon receipt of the MNRTF grant for the matching funds.

Finally, the Commission also applied for a Michigan Spark Grant for this project. However, our project was not selected.

MANAGER’S REPORTS

Recognition Committee

The Recognition Committee met and discussed recognition guidelines.

Complaints, Vandalism, Feedback

Complaint of Human Waste Along Trail: A Trail user has complained multiple times about finding what they believe to be human waste along the Paint Creek Trail just south of the Adams Road crossing. Oakland Township staff has investigated, and they believe this to be animal waste. This complaint was forwarded to the Oakland County Sheriff’s Department. Commissioner Ford suggested that this might be a good location for doggie waste bags.

E-Bikes: A Trailway user complained of e-bikes going too quickly along the Trail.

Medical Emergencies, Police, Fire Calls on Trail

There were no medical emergencies reported on the Trail.

Follow Up

Encroachment: Trail Manager Correll has not heard back from the property owners regarding the path and staircase that were constructed on Trailways property. Chairperson Olijnyk recalled that we have an encroachment policy; Mr. Correll will forward a copy of the policy to the Commissioners.

THANK YOU TO ADMINISTRATIVE ASSISTANT GRUPIDO

The Commissioners thanked Ms. Grupido for her dedication to the Paint Creek Trailways Commission, and wished her the best in her new endeavors.

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ADJOURNMENT

MOVED BY BUXAR, SECONDED BY ELWERT, there being no further business before the Commission, to adjourn the meeting at 8:15 p.m.

MOTION CARRIED.

Respectfully submitted,

Ingrid R. Kliffel
Recording Secretary

Approved,

David Becker
Secretary

Approved,

Tom Correll
Trail Manager