

PAINT CREEK TRAILWAYS COMMISSION

APPROVED

December 19, 2023



4393 Collins Road
Rochester, MI 48306
(248) 651-9260
Paintcreektrail.org

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

The December 19, 2023, meeting of the Paint Creek Trailways Commission was called to order at 7:02 p.m. in the main conference room of the Paint Creek Cider Mill.

ATTENDANCE

PRESENT

Voting Members:

Julia Dalrymple (Orion)
Conner Reiter (Orion)
Steve Sage (R)
Ken Elwert (RH)
David Walker (RH)

Voting Alternates:

Martha Olijnyk (Oakland), Chairperson
Dave Mabry (Oakland)

A QUORUM WAS PRESENT.

Staff: Tom Correll, Trail Manager
Nicole Sands, Administrative Assistant

Non-Voting Alternates: None

Village Non-Voting Alternate: Stanley Ford (Village of Lake Orion)

Friends of the Paint Creek Trail: Louis Carrio, Michael Jahn

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ABSENT

Voting Members: Brian Blust (Oakland), Robin Buxar (Oakland), Linda Gamage (R)

Alternates: Matt Pfeiffer (Orion), Aaron Whatley (Orion), David Becker (R), Ann Peterson (R), Carol Morlan (RH)

Village Non-Voting Member: Jason Peltier (Village of Lake Orion)

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

MOTION CARRIED.

GENERAL PUBLIC COMMENT

There was no one present who wished to comment on an item not already on this evening's agenda.

CONSENT AGENDA

This evening's Consent Agenda consists of the following: (a) minutes of the November 21, 2023, meeting of the Paint Creek Trailways Commission, and (b) Treasurer's Report for November 2023.

MOVED BY SAGE, SECONDED BY DALRYMPLE, to approve the Consent Agenda as presented, specifically to approve and file the minutes of the November 21, 2023, meeting of the Paint Creek Trailways Commission, and to receive and file the Treasurer's Report for November 2023.

MOTION CARRIED.

APPROVAL OF INVOICES

Trail Manager Correll and the Commissioners reviewed the list of invoices dated December 19, 2023. The per diem amounts are not included in this list of invoices and will be considered by the Commission later this evening.

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Mr. Correll explained that the list of invoices also does not include fourth quarter wages. He estimates this will be \$11,879.29, but he will not know this number for certain until payroll is completed on Thursday. Therefore, he asked that the Commission approve an amount not to exceed \$12,500.

MOVED BY ELWERT, SECONDED BY MABRY, to approve payment of the invoices as presented in the amount of \$9,524.82, and to also approve fourth quarter wages in an amount not to exceed \$12,500.

AYES: Dalrymple, Elwert, Mabry, Olijnyk, Reiter, Sage, Walker

NAYS: None

MOTION CARRIED.

PER DIEM REPORT, 2023

The Commissioners reviewed the attendance record. The Commission budgeted \$5,500 for per diems, and Trail Manager Correll said the actual amount is \$4,025 including per diem payments for this evening's meeting. He thanked the Commissioners and Alternates for attending these meetings.

MOVED BY OLIJNYK, SECONDED BY MABRY, to accept the 2023 Paint Creek Trailways Commission Per Diem attendance record and approve payment of the per diems for 2023 in the amount of \$4,025, which includes per diem payments for this evening's meeting.

AYES: Dalrymple, Elwert, Mabry, Olijnyk, Reiter, Sage, Walker

NAYS: None

MOTION CARRIED.

ELECTION OF OFFICERS FOR 2024

Chairperson Olijnyk thanked all current officers for serving this year and for helping her in her role as chairperson.

Chairperson

Commissioner Olijnyk nominated Commissioner Sage to serve as Chairperson for 2024. Commissioner Sage accepted the nomination. All Commissioners were in favor of this appointment.

Vice-Chairperson

Commissioner Olijnyk nominated Commissioner Walker to serve as Vice-Chairman for 2024. Commissioner Walker accepted the nomination. All Commissioners were in favor of this appointment.

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Treasurer

Commissioner Olijnyk nominated Commissioner Blust to serve as Treasurer for 2024. At the November meeting, Commissioner Blust indicated that he would accept the nomination, and Commissioner Olijnyk said she spoke with him outside of the meeting and he confirmed this to her. All Commissioners were in favor of this appointment.

Secretary

Commissioner Olijnyk nominated Commissioner Dalrymple to serve as Secretary for 2024. Commissioner Dalrymple accepted the nomination. All Commissioners were in favor of this appointment.

MOVED BY OLIJNYK, SECONDED BY ELWERT, to confirm the appointment of the following officers for 2024: Commissioner Sage shall serve as Chairperson, Commissioner Walker shall serve as Vice-Chairperson, Commissioner Blust shall serve as Treasurer, and Commissioner Dalrymple shall serve as Secretary.

MOTION CARRIED.

The terms of office for the new officers shall become effective on January 1, 2024.

LICENSE AGREEMENTS, PAR PHARMACEUTICAL

Manager Correll informed our attorney that the Trailways Commission would like to send out license agreements and invoices in February for the 2024 year. The attorney said she would have the license agreements ready to meet that timeline goal.

Par Pharmaceutical, one of the 2023 licensees, went through bankruptcy during 2023. That location is now being occupied by JHP Pharmaceuticals. The Trailways Commission invoiced Par Pharmaceutical \$69 for their 2023 license agreement. Par Pharmaceutical pro-rated this amount for the time that they were in bankruptcy, and submitted a payment in the amount of \$25.81. After a brief discussion, the Commissioners agreed that they will not try to collect the \$43.19 deducted, and that this amount should not be added to the 2024 invoice.

BRIDGE 37.1 RENOVATION PROJECT: Michigan Natural Resources Trust Fund Grant Application Update

Commissioner Elwert attended the Board meeting of the Michigan Natural Resources Trust Fund (“MNRTF”) on December 13th, and was pleased to report back that our project has been recommended for a \$300,000 grant. This will help fund the renovation of the bridge at mile marker 31.7 along the Paint Creek Trailway. The Commissioners were very pleased at this good news. Trail Manager Correll recalled that the Trailways Commission was also recommended for an approximately \$700,000 Transportation Alternatives Program (“TAP”)

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grant, which was contingent upon receiving the MNRTF grant to provide the required matching funds.

The State legislature will need to appropriate funds for this project, and our receipt of the MNRTF grant Project Agreement will depend on their timing. In the meantime, the Commission may begin to incur certain due diligence costs.

Commissioner Elwert pointed out that the MNRTF grant works on a reimbursement basis, so the Commission will need to make sure we manage payments to contractors and reimbursements from the State appropriately.

Chairperson Olijnyk thanked the Commissioners and staff for working as a team to successfully receive this grant.

40TH ANNIVERSARY CELEBRATION

5K Event

The 5K event to commemorate the 40th Anniversary of the Paint Creek Trail will take place on April 21, 2024. Trail Manager Correll said that, while he would have liked this event to take place on the 2024 National Rails-to-Trails Day, April 27th, the event coordinator was not available that day. However, looking to the future, the goal will be to hold an annual event on the last weekend of April, which will coincide with National Rails-to-Trails Day.

Commissioner Elwert reiterated his concerns about the Trail's surfacing in the spring, and suggested that the Commission develop a backup plan in the event that we cannot hold it on the Trail. The Commissioners discussed various options. They felt that having an alternate date would not be feasible. Another suggestion was to consider the route and possible modifications to that route. One idea is to have participants start in the Village of Lake Orion, run/walk on the Trail in one direction, and then use the connector path on the way back. This would lessen the impact on the Trail. Representative Ford suggested that if there are areas of concern along the Trail, we can announce them to participants in advance, mark them, and have volunteers stationed near the areas to direct participants. Friends of the Paint Creek Trail President Louis Carrio shared that the connector path runs on an incline, and suggested that participants may be less likely to slip if they were to travel uphill (as opposed to downhill) along this section.

Manager Correll asked if the Commission is concerned about potentially causing permanent damage to the Trail surfacing, and they indicated that they do not feel this would be a problem.

Sponsorship Form

The Commissioners reviewed the draft Sponsorship Form, which Trail Manager Correll revised as directed by the Commissioners at the last meeting.

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They then discussed sponsors. Manager Correll pointed out that for the Labor Day Bridge Walk, which is held in the Rochester area, we have solicited sponsors from that area. As this event will start in Lake Orion, he proposed that we seek sponsors from this area.

Chairperson Olijnyk said that if the Commission feels we should form an ad hoc committee for this purpose, we can do so.

SUMMARY OF EVENTS AND ACCOMPLISHMENTS, 2023

Trail Manager Correll and Administrative Assistant Sands reviewed the 2023 Summary of Events and Accomplishments.

Chairperson Olijnyk added several items. In April we applied for and later received the Pure Michigan Award. In September we responded to a FOIA request. Also in September, we elected (as opposed to “appointed”) a new Treasurer.

Ms. Sands shared social media updates. We currently have 9,326 Facebook followers and 2,123 Instagram followers. Our Facebook posts reach increased 3.6 percent in the last 90 day period over the previous 90 day period. We currently reach 14,500 users. Staff aims to implement strategies to increase our social media reach and user awareness of goings on with the Paint Creek Trailways.

Chairperson Olijnyk called for a brief recess at this time, 7:51 p.m. The regular meeting resumed at 8:15 p.m.

Trail Manager Correll thanked the Commissioners for the opportunity to work with them and for their support.

PAINT CREEK TRAILWAYS FISCAL YEAR 2023 FINAL AMENDED BUDGET

Manager Correll and the Commissioners reviewed the 2023 final amended budget. The final amount for per diems (line item P3230) is \$4,025. Two items that are not yet finalized for 2023 are the Recorder’s Fee for this evening’s meeting (line item P3340), and staff wages for the fourth quarter (the Expenses – Administrative Personnel cost center).

Manager Correll said the Commission’s expenses are projected to be \$29,741.37 less than revenue, so this amount can be placed in the fund balance. Treasurer Blust will look at higher yield options for managing funds in the fund balance. There is a government representative at Flagstar Bank who may be able to offer some guidance.

Manager Correll reported that he contacted a representative who handles the Community Foundation of Greater Rochester, and shared details on earnings of this fund, as well as the administrative fee that they charge.

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As Mr. Correll recently joined the Trailways Commission staff, he said he hopes to make some changes in tracking revenues and expenditures starting in 2024, and shared a sample spreadsheet that shows each month. In January, he would like to explore the possibility of creating an ad hoc Finance Committee to work with him in this regard.

MOVED BY ELWERT, SECONDED BY OLIJNYK, to approve the final amended budget for the Paint Creek Trailways for fiscal year 2023 as presented.

AYES: Dalrymple, Elwert, Mabry, Olijnyk, Reiter, Sage, Walker

NAYS: None

MOTION CARRIED.

PAINT CREEK TRAILWAYS FISCAL YEAR 2024 BUDGET

The Commissioners reviewed the proposed budget for fiscal year 2024, which includes revisions discussed at the November meeting. Manager Correll also added notes for both the 2024 and 2025 fiscal years.

Regarding expenditures, the Commissioners agreed to increase Legal Fees (line item P3350) for both 2024 and 2025 to \$3,500 as we may need legal review of contracts, etc. for the Bridge 37.1 renovation project.

The line item called “40th Anniversary Celebration/PCT 5K” (line item P3470) should be renamed something along the lines of “Rails-to-Trails 5K” in the future.

MOVED BY SAGE, SECONDED BY MABRY, to approve the budget (version 3.0) for the Paint Creek Trailways for fiscal year 2024 as presented and amended this evening.

AYES: Dalrymple, Elwert, Mabry, Olijnyk, Reiter, Sage, Walker

NAYS: None

MOTION CARRIED.

MANAGER’S REPORTS

Manager Correll reviewed his memorandum of December 14th.

Complaints, Vandalism, Feedback

Complaint of Human Waste Along Trail:

There has been yet another complaint from the same person regarding what they believe to be human waste on the trail.

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Trees that Overhang Trail:

Trail Manager Correll was in contact with Oakland Township Parks and Recreation. They will evaluate one of the trees and determine whether or not it should be removed.

Repairs and Maintenance

Vegetation Removal Along Shoulders of Trail

Oakland Township Parks and Recreation had a contractor cut back vegetation along the shoulders of the Trail in Oakland Township.

Representative Ford noted that the Trail surfacing is now rough in areas as a result. Manager Correll will contact Oakland Township and ask if they have plans to touch up the grade.

Follow Up

Encroachment:

Our attorney is drafting a letter to send to the homeowners. Commissioner Dalrymple suggested that we send a letter that we draft, via certified mail or Federal Express, to see if we get a response from the homeowner before we involve the attorney. Manager Correll will do this.

The Commission discussed that we do not have a detailed written procedure regarding how to deal with encroachments. Manager Correll will draft a proposed procedure, including a timeframe for response from the homeowner, for the Commission's review.

TREASURER DALRYMPLE'S REPORT

Commissioner Dalrymple said she will not be able to attend the January meeting.

VICE-CHAIRPERSON WALKER'S REPORT

Vice-Chairperson Walker thanked Commissioner Olijnyk for serving as Chairperson, and he thanked Commissioner Sage for taking over this position for 2024.

VILLAGE OF LAKE ORION REPRESENTATIVE FORD'S REPORT

Alternate Stanley Ford thanked the Trailways Commission for allowing the Village of Lake Orion to attend these meetings.

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ADJOURNMENT

MOVED BY MABRY, SECONDED BY DALRYMPLE, there being no further business before the Commission, to adjourn the meeting at 8:51 p.m.

MOTION CARRIED.

Respectfully submitted,

Ingrid R. Kliffel
Recording Secretary

Approved,

David Becker
Secretary

Approved,

Tom Correll
Trail Manager