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

**CALL TO ORDER:** The Tuesday, November 19, 2019 meeting was called to order by Chairperson Becker at 7:00 p.m.

**Voting Members Present:** Rock Blanchard, Susan Bowyer, Frank Ferriolo, Linda Gamage, Donni Steele, Jeff Stout

**Voting Alternates Present:** David Becker, Martha Olijnyk

**Non-Voting Alternates Present:** Clara Pinkham

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

**Voting Members Absent:** Kim Russell, Hank Van Agen

**Alternates Absent:** Chris Barnett, Robin Buxar, Ben Giovanelli, Chris Hagen, Dave Walker

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

**Village of Lake Orion Non-Voting Alternate Absent:** Vacant

**Others Present:** Melissa Ford, Trail Manager, 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 Bowyer, ***Moved***, to approve the November 19, 2019 agenda as presented.

Ayes: All      Nays: None

**MOTION CARRIED.**

**PUBLIC COMMENT:** None

**CONSENT AGENDA:**

a. Minutes – October 15, 2019, Regular Meeting, approve and file

b. Treasurers Report – October 2019, receive and file

Ms. Pinkham removed the Minutes from the consent agenda.

**MOTION** by Bowyer, seconded by Blanchard, ***Moved***, to approve the Consent Agenda as amended.

Ayes: All      Nays: None

**MOTION CARRIED.**

**Correction to Minutes:** Page 5, the vote on Trail Manager Maternity Leave Compensation – Ms. Pinkham's vote should be recorded as an Aye, rather than a Nay.

**MOTION** by Ferriolo, seconded by Steele, ***Moved***, to approve the October 15, 2019 Regular Meeting Minutes as amended.

Ayes: All      Nays: None

**MOTION CARRIED.**

**APPROVAL OF INVOICES:** Ms. Ford presented the list of invoices totaling \$238,627.70. In addition to the recorder's fee, this amount includes LAP's invoice for the signage design development, MMRMA insurance premium, Oakland County Mounted Patrol for September and October, 2019, Vista Group International's deposit invoice for the solar powered audio sign at Bridge 33.7, WCI billing for resurfacing construction administration, and credit card charges for replacement of pump nozzles, the Moutrie Garden temporary sign, and SITESCAPE's deposit for the Moutrie Garden hardscape. Estimated unrestricted fund balance is \$53,136.

**MOTION** by Gamage, seconded by Stout, *Moved*, that the invoices presented for payment are approved in the amount of \$238,627.70 and orders be drawn for payment.

Ayes: All      Nays: None

**MOTION CARRIED.**

**DISCUSSION AND APPROVAL: Revised Signage Design Concepts:** Ms. Ford indicated the revised designs based on Commission input last month, an updated location map, and estimated sign costs quoted by Rochester Sign Shop are included in the packet. Ms. Ford also provided a memo relative to the project tonight. We have a grant from the DNR, an Iron Belle Trail mini-grant of \$25,000 to do the signage project. There is also a \$5,000 cash/in-kind services match required. The quote from Mr. Ford greatly exceeds this amount of money. It exceeds what the Commission had put in the proposal, which is included in the memo. She has spoken to Mr. Ford about this and what the next steps are. He recommends we amend the existing contract with them and hire them to prepare the bid documents for the project. They would put together the specifications for the bidders, review shop drawings, help the Commission analyze the bids, check their qualifications and make a recommendation as to who would be the most qualified and responsive bidder. They would also provide site observation, pre-construction meetings on site, a punch-list meeting with the contractor, a field report monitoring the work, and answering questions related to field adjustments. Their fee for this would be \$6,500. Mr. Ford indicated if someone on the Commission or staff has this experience and can monitor the work, he can reduce this fee by \$2,550. Ms. Ford stated the Commission needs to determine how to move forward with the project once the designs are discussed. She asked the DNR if it was possible to phase the project, and in the following years apply for another mini-grant. They said at this point the DNR is not planning to do another round of grants in the spring. She shared the cost estimate received as well as other information about Mr. Ford's services, and the DNR is having an internal conversation about whether they could support the project with additional funding and if they would be willing to fund the project oversight – if the grant could be used for this. She is waiting to hear back from them. LAP said if we decide to phase the project, that they would also oversee that process. If the Commission decides to phase the project, Mr. Ford suggested the first thing is to start with the smaller gateway sign at the south end and possibly a sign at the north end and to prioritize the signs in between. The regulatory signs would be a high priority. In response to a question as to when the Iron Belle grant must be spent, Ms. Ford indicated she has already asked for an extension on the project – it is supposed to be completed by April 30<sup>th</sup>. We could ask for another extension if necessary.

**Commission Discussion:** Ms. Olijnyk said if we have the \$30,000 and spend it on the first portion, does this satisfy the grant, and then phase the rest with different grant money later. Ms. Ford is not sure, because the application stated so many signs were slated to be done. So if we only did five, it seems we are not fulfilling what we were supposed to do. She needs to talk to the DNR about this. They have to also approve the design, and may have a preference about what will be done. Ms. Bowyer commented Rochester Hills makes signs, and suggested we talk to them about the project. Mr. Ferriolo asked if the Commission owns the sign design. Ms. Ford said yes. He said Oakland Township Parks Commission is in this same position with sign design. He suggested talking to the Parks Commission to see if there's anything we can do in terms of cost savings if we combine our efforts with theirs, at least to get a cost estimate through their

supplier. Ms. Gamage agreed with getting prices from other sources, and feels we should take a little time to review the designs, and suggested the Branding Subcommittee meet again and review the information and come back to the Commission with recommendations after we review different pricing options. The locations are not completely worked out and the design needs to be discussed. Mr. Stout wants to make sure we own the design, as we don't want to go to someone else for sign manufacturing and run into problems with the grant being denied. This would go against us for future grants. Mr. Blanchard asked if we did fewer signs based on the price we're getting, will it make a difference with the grant. If we spend \$30,000 regardless of how it's spent, will it matter? Ms. Ford needs to discuss reducing the scope of the project with the DNR. Mr. Blanchard suggested going back to the Wilson Foundation for additional funding for the signage project to see if they would be willing to help. Ms. Ford indicated this would have to be a new grant application. Ms. Bowyer said LAP's quote probably includes installation, and suggested that each member community could do this. She definitely feels quotes should be requested from Rochester Hills and Oakland Township Park's Commission, and then ask what the member communities would do as in-kind service. Mr. Ferriolo feels we should not move forward on this project until we have the other cost estimates, and then we could discuss the phasing concept. As far as sign design goes – Mr. Becker asked if there was a requirement for the color scheme of the Iron Belle symbol, as it is blue. Ms. Ford responded no, but they do need to approve the design. He asked if a gateway sign is necessary at the Gallagher Road trailhead. Ms. Ford said the idea was that each community would have a sign. Ms. Olijnyk likes concept sign design #1 as it incorporates all uses and keeps it clean. Mr. Ferriolo agrees as what you see is Paint Creek Trail and then the uses on the trail. He asked the subcommittee to continue to pursue simplicity as opposed to complexity on the signs. Ms. Bowyer also likes sign design #1 with the Iron Belle symbol at the bottom, staying with the green color. Mr. Becker agrees. Ms. Ford will also check with the Clinton River Trail to see what their process was in their signage installation. Ms. Steele also likes the sign design #1. Ms. Gamage commented there were other logos previously discussed for the gateway signs, e.g., the Millennium or the DNR symbols – the subcommittee can discuss options and come back with recommendations for signage as well as locations. Mr. Ferriolo agrees. Ms. Steele asked how long it will take to build and install the signs. Ms. Ford will research sign production and installation time with the vendors.

**MOTION** by Steele, seconded by Gamage, *Moved*, to approve the sign design as presented tonight and move forward with researching additional pricing estimates in conjunction with the Ad Hoc Committee getting together to work on the details. By the next meeting the subcommittee will have met and we will have some other bids, and the Commission can vote on this.

Ayes: All      Nays: None

**MOTION CARRIED.**

It was suggested that cost estimates be requested for per sign and per installation.

**DISCUSSION: 2019-2021 Mounted Police Contract:** In response to Ms. Gamage's request of mounted patrol costs relative to the overall budget, Ms. Gray provided the minutes from the presentation a year ago, as well as how many deputies were on the trail, the days and length of time. Ms. Gamage asked how often the patrol reports back to staff with incidents they encounter. Her feeling is that it is a substantial portion of the budget and we are doing it for the safety of trail users. A lot of people are petting the horses and talking with the deputies, but is it effective as a safety measure as this is the reason the expense is justified. She's not sure how to determine this, but feels we need to look at that and consider it when budgeting for this expense. Mr. Becker commented we wouldn't know what safety would be without the patrol, but perception of safety is very important. Mr. Stout spoke with the Lt. Toth of the Orion substation about the mounted patrol – the current price they charge is comparable with what the marine division does on the lakes in Orion all summer. On the lakes they are a deterrent. He does not know how you

measure horses with uniformed officers as a deterrent. At the least, any contact must be logged in, and that is information staff should be requesting on a monthly basis. The mounted division are not complete certified sheriff's deputies – they can't make misdemeanor arrests, they will call for a certified officer. As a deterrent, he doesn't know how this can be measured. Mr. Becker indicated in the Master Plan, it is suggested that monthly reports be requested from the patrol. Ms. Steele suggested taking a break for one year and put the money towards signage. Ms. Bowyer feels the mounted patrol is great and is a deterrent and everyone appreciates seeing them on the trail. Mr. Blanchard thinks the mounted patrol is a good thing, but is concerned if we drop the program for a year, will we be able to reinstate the program. Ms. Gamage indicated her other concern is when they patrol especially if we consider them to be a deterrent. Does vandalism occur when mounted patrol is on the trail? They tend to be on the trail during the day on weekends, and these are not the hours when there are issues. We need to examine why we have the patrol and how we justify and quantify the cost. They are great PR, but is it serving the purpose for the amount of money that is budgeted? Mr. Ferriolo said we're talking about what a visual deterrent the patrol is, but feels it's just as important from a marketing perspective – the fact that kids see these horses. If they just patrol on the weekends, he would be happy with that. This is a bonus for the impression of the trail. Ms. Olijnyk suggested switching the money up between the bike and mounted patrols. She said we asked the patrol last year about reporting to us, and suggested we follow up with them. Ms. Pinkham pointed out that in last year's minutes it states the deputies can make arrests. Mr. Stout explained they can make felony arrests, but not misdemeanor arrests. Mr. Becker feels the perception of safety on the trail is the number one goal and is happy with the mounted patrol. If we would cancel the patrol, the Commission would not have any extra money, as this money is separated in the budget from the member communities. If we cancel the patrol and increase the operating budget for members, it would not be looked at favorably. He would hate to do anything that jeopardizes the safety perception of the trail. It is the consensus of the Commission to ask that staff follow up requesting monthly reports before we sign the next contract. It was suggested a question about mounted patrol deterring criminal activity be included on the next public survey.

**DISCUSSION AND APPROVAL Purchase Authorization Request: Computer and Software:**

A memo explaining this request is in the packet. Ms. Ford explained Oakland Township's technology vendor informed staff that the computers running Windows 7 operating system will not be supported starting in January. There will be no security patches, making the computers vulnerable to threats. The hardware would be underpowered for upgrades. That is the reason Oakland Township Parks & Rec is requesting new computers for their staff. Her computer runs Windows 8 and is about 6 years old. She planned on eventually getting a new computer, but hoped hers would last another year. Because Oakland Township is doing this, if staff goes in with them for this purchase, a cost savings would be realized by ordering the computer now. She is proposing purchasing a laptop computer for \$885, along with the new software for \$439. The memo outlines where the money is available in the current budget to finance this purchase. Mr. Ferriolo asked if it's worth replacing the software at this time if the old software is protected from viruses. Ms. Bowyer explained Windows 10 operating system makes it difficult to use older software. Ms. Gray's desktop computer was replaced last year, so she's fine.

**MOTION** by Blanchard, seconded by Bowyer, *Moved*, to approve the purchase of the new computer and software.

Ayes: All      Nays: None

**MOTION CARRIED.**

**REPORT: Trail Manager Evaluation:** Mr. Becker handled this item for the Personnel Committee and Commission. He apologized for not forwarding the evaluation to the members as it's not totally completed, but orally reported the average score from the 8 people who filled out the evaluation (one more needs to be entered) was 4.69 out of the maximum of 5.

Congratulations to Ms. Ford for a great job being new and under all the circumstances. Mr. Becker will forward information to the Commission as soon as he finishes the evaluation and this can be talked about at the next meeting.

**UPDATE/DISCUSSION AND APPROVAL: Bridge 33.7:** A memo was included in the packet relative to this project. Ms. Ford indicated the final inspection took place on October 11<sup>th</sup>, there are some minor punch-list items to be completed, including restoration work and plantings which will occur in early December. Additional issues are outlined in the memo. As part of the trust fund grant, some environmental things must be added. One is the audio sign that will be adjacent to the bridge. A concrete pad will be installed by the Township along with a bench and recycling bin. The audio sign messages and text can be changed out, but for now it will be a message about the creek being a cold water stream with the trout. The cost for the sign is \$4,610, including the additional cost for the solar panel, pole and batteries. She is asking for approval to proceed with this sign. The invoice requires a 60% down -\$2,636 - which we will be paying at this time. The next issue is the railings; she has two quotes for this work. The first is for \$7,351.04 from C.A. Hull's subcontractor, which includes a \$2,000 mobilization fee. They can not do the work until the first of the year due to scheduling issues. A quote of \$12,000 was received from WCI, the resurfacing contractor. The third issue is the bridge surface itself. Included in the memo was an email from Deputy Byrd about the bridge's slippery surface when wet. Ms. Ford has talked to Mannik Smith about this and they recommend a surface treatment be applied to create better traction. They are researching what the best product would be for the type of wood on the bridge deck. We are approaching winter, and these treatments would require that the surface temperature be at 50 degrees for several days in order for it to adhere properly. Ms. Ford does not have a cost for the treatment at this time. Overall, the project as a whole is approximately \$4,000 over the initial contract award. There is still one item that Mannik Smith is discussing, but that item is included in the \$4,000 amount. Adding the fence would keep the project under a 2% cost overrun, and the deck coating will be another issue that would have to be reviewed by the Road Commission and MDOT if we are going to proceed.

Commission Discussion: Mr. Ferriolo said Mannik Smith should have been on top of the surface issue as the project contractor. He suggested they need to find out not only what the cost is for the one application, but if additional applications will be required in the future that will cost the Commission. If we were told about additional applications when in discussions, he would be looking for another type of decking that wouldn't cause this problem. As far as he is concerned, this is a Mannik Smith problem, and another example of a bad job. Ms. Ford explained that over time the bridge would wear out and the surface wouldn't be an issue. She spoke with Ms. Milos-Dale - we want to have the contractor put the product down the first time, and Oakland Township Parks staff would observe it and hopefully do it going forward. Ms. Olijnyk referred to minutes from a joint meeting in December 2017, where this question was asked and Mr. Mikolajczyk said the surface should not be too slippery as it must meet certain standards. In this meeting, we asked if he could look at coatings or other ways to reduce the slipperiness. Ms. Olijnyk is a little upset with the contractor as well. Mr. Becker feels Mannik Smith should be responsible for fixing the problem. Ms. Steele agrees and also feels the railings should be part of the finished product as well. She suggested getting a third quote on the railings or asking Parks & Rec if they could do it. Ms. Ford explained the Parks Commission looked at the railing issue and they don't want to do it because of the liability issue. Mr. Blanchard suggested asking a few fence companies for a quote on the railings, especially as the C.A. Hull can't do it until January. He is also upset with the contractor about the surface, and said if we can't do anything about it now, we could put up a sign warning of slippery conditions. Mr. Becker asked Ms. Ford to explore putting sand down on the surface until we can fix the problem properly. Ms. Pinkham wants to make sure whatever is used is not toxic to the water. Ms. Ford explained that because this is a bridge project, Oakland

Township Parks has to approve any changes – and they did approve the proposal from C.A. Hull for \$7,351.04 at their last meeting. This approval is dependent on the Commission’s approval. She also provided a breakout of where the funding for this project is coming from. She has added in the cost overruns to show where we stand with the balance of the grant money. Mr. Stout asked if any of the grant providers came out to inspect the project, and if they found any issues. Ms. Ford indicated MDOT was present at the final inspection and agreed the railings were an issue. Mr. Stout commented that all of our issues are safety issues, and they all have a common denominator, the engineering contractor. Ms. Steele indicated the Polly Ann Trail had the same railing issues, and it was fixed by the WHAM crew and Oxford Township. Mr. Ferriolo asked if a motion needs to be made for the audio sign, and a motion to not approve the railings. Mr. Becker doesn’t feel the second motion is necessary if we decide not to move forward with the railings. We do need a motion for the \$4,610 cost of the required audio sign. This cost comes out of the Wilson grant. Ms. Pinkham commented the deposit of \$2,636 for the sign was included in the invoices the Commission approved earlier tonight.

**MOTION** by Blanchard, seconded by Gamage, *Moved*, to approve payment of the balance due for the Bridge 33.7 audio sign.

Ayes: All      Nays: None

**MOTION CARRIED.**

**DISCUSSION AND APPROVAL: 2020 Draft Budget:** Mr. Becker commented the members discussed and made some recommendations for changes last month. Ms. Ford indicated these changes are included in the draft included in the packet. The only other addition is a recommendation of a \$5 per meeting rate increase for the recorder’s fee as it’s been four years since the last increase. The Commission thanked staff for their work on the budget.

**MOTION** by Steele, seconded by Blanchard, *Moved*, to approve the proposed 2020 budget as presented.

Ayes: All      Nays: None

**MOTION CARRIED.**

**DISCUSSION AND APPROVAL: Master Plan Update:**

**Goals & Objectives, Action Program and Capital Improvement Schedule:** Mr. Becker indicated the committee working on this chapter had a couple of meetings and made modifications to Ms. Ford’s original chapter. An updated chapter was given to the members tonight. Mr. Becker asked Commissioners to review the information as soon as possible and email Ms. Ford and him with any comments or changes before the committee’s meeting next Thursday. There is an opportunity to make changes to the entire plan after the public hearing.

**Master Plan Ad Hoc Committee to review draft Master Plan:** Ms. Ford doesn’t know if a committee is necessary to review the whole draft, or if this is a Commission responsibility. Mr. Becker suggested review of the entire document should be the responsibility of the Commission and an Ad Hoc Committee is not needed. Once Ms. Ford receives the updated Chapter 6, she will send out the draft Master Plan to everyone, prior to next month’s packet. She will try and give the members as much time as possible to review it.

**Master Plan Public Hearing date:** Ms. Ford stated a public hearing needs to be held. The draft plan has to be available for review 30 days prior to the hearing. She is looking at early January for the public hearing, and final approval of the plan would be at the regular January meeting, as the Master Plan needs to be submitted to DNR by February 1<sup>st</sup>. The question was asked if the public hearing can occur at the regular January 21<sup>st</sup> meeting with approval of the plan at the end of the meeting. Ms. Ford prefers otherwise - the public hearing needs to occur prior to final approval, as she will need time to make any necessary changes brought up at the public hearing. The plan is to have the draft plan available to the public December 6<sup>th</sup>, the public hearing scheduled for January 7<sup>th</sup>, and final approval on January 21<sup>st</sup>. A short discussion ensued about

what time and how long the public hearing should be scheduled for. The consensus was to review the last time the Commission held the Master Plan meeting, and schedule it for the same time. It will probably be 7:00 p.m. at the Cider Mill – Ms. Gray will check availability of this room for the 7<sup>th</sup>. Last year, the Commission voted not to have a January meeting, but it's necessary this year. Perhaps the February meeting can be cancelled. Ms. Gamage commented she would prefer to schedule a meeting every month, as the agendas keep getting longer. Mr. Becker agreed. Meetings can be cancelled at any time with notice.

**MANAGER'S REPORT:** In addition to the written report, Ms. Ford commented WCI finished resurfacing the last two sections of the trail on the 13<sup>th</sup>, is finishing the stairs at Dinosaur Hill today, and the Clarkston/Kern parking lot, the restoration of the Silverbell parking lot and any landscape restoration work will be completed when the snow melts. The hardscaping and pathway are in place at the Moutrie Garden; planting will happen in the spring. The Friends Group was awarded a \$2,200 grant they applied for from the Community Foundation of Greater Rochester – Congratulations!! Another \$100 donation was received by the Foundation. It was suggested the Goals be updated to remove anything that has been completed. Ms. Olijnyk recommended the Recognition Committee meet soon because there are people to recognize next year. Ms. Bowyer volunteered to serve on the committee with Ms. Olijnyk and Ms. Gamage, as Ms. Russell will be gone after this year.

**COMMISSIONERS REPORTS:** Ms. Steele is in favor of less meetings per year. Ms. Pinkham commented the communities are supposed to complete regular bridge inspections, and asked that these reports be given to the Commission. Ms. Ford reported she just received Orion Township's report. Mr. Stout reported there are no issues on any bridges in Orion. Mr. Ferriolo agrees a February meeting may not be needed. Mr. Blanchard congratulated Mr. Carrio for securing the grant. Ms. Bowyer agreed with less annual meetings, and feels that the Commission should reach out to each community about bringing in student council members to attend our meeting – they are a good source of volunteers. Ms. Ford will follow up. Ms. Gamage commented the Adopt A Trail group found the Dinosaur Hill bridge has quite a bit of debris against the pilings - Ms. Ford will follow up, and Mr. Becker said a comment about this bridge is included in the Master Plan but a date needs to be inserted when this issue was first brought forward. Ms. Gamage said a lot of positive comments were received about the resurfacing effort, particularly in southern Rochester. She feels the edges of the trail restoration are still a hazard as experienced by the Adopt A Trail clean-up group. Ms. Ford will ride the whole trail once the snow melts as she will report these problem areas. Happy Thanksgiving to everyone!!

**ADJOURNMENT OF REGULAR MEETING:**

**MOTION** by Gamage, seconded by Bowyer, *Moved*, to adjourn the Regular Meeting at 9:00 p.m.

Ayes: All      Nays: None

**MOTION CARRIED.**

**NEXT MEETING: December 17, 2019 at 7:00 p.m. – Paint Creek Cider Mill**

Respectfully submitted,

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MELISSA FORD, Trail Manager

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HANK VAN AGEN, Secretary