

PAINT CREEK TRAILWAYS COMMISSION

\*\*\*APPROVED\*\*\*

January 16, 2024

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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 January 16, 2024, 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.

**ATTENDANCE**

**PRESENT**

Voting Members:

Steve Sage (R), Chairperson  
David Walker (RH), Vice-Chairperson  
Brian Blust (Oakland), Treasurer  
Robin Buxar (Oakland)  
Conner Reiter (Orion)  
Linda Gamage (R)  
Ken Elwert (RH)

Voting Alternates: None

A QUORUM WAS PRESENT.

Non-Voting Alternates: David Becker (R)

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

PAINT CREEK TRAILWAYS COMMISSION

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January 16, 2024

---

**ABSENT**

Voting Members: Julia Dalrymple (Orion), Secretary

Alternates: David Mabry (Oakland), Martha Olijnyk (Oakland), Matt Pfeiffer (Orion), Aaron Whatley (Orion), Ann Peterson (R), Russell George (RH), Carol Morlan (RH)

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

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

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

**PLEDGE OF ALLEGIANCE**

Chairperson Sage 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 BLUST, SECONDED BY BUXAR, 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 December 19, 2023, meeting of the Paint Creek Trailways Commission, and (b) Treasurer's Report for December 2023.

Vice-Chairperson Walker pointed out that in the minutes, the attendance does not reflect that Alternate Carol Morlan was absent.

MOVED BY WALKER, SECONDED BY BUXAR, to approve the Consent Agenda as presented, specifically to approve and file the minutes of the December 19, 2023, meeting of the Paint Creek Trailways Commission with the correction that the attendance should reflect that Alternate Carol Morlan was absent, and to receive and file the Treasurer's Report for December 2023.

MOTION CARRIED.

**APPROVAL OF INVOICES**

Trail Manager Correll and the Commissioners reviewed the list of invoices dated January 16, 2024.

MOVED BY ELWERT, SECONDED BY BUXAR, to approve payment of the invoices as presented.

AYES: Blust, Buxar, Reiter, Gamage, Sage, Elwert, Walker

NAYS: None

MOTION CARRIED.

**LICENSE AGREEMENTS, 2024**

The attorney has forwarded a number of draft license agreements for the Licensing Committee’s review, including agreements for Upton Licensing LLC, DTE Energy, Michigan Consolidated Gas Company, International Transmission Company, and Solaronics.

**Solaronics**

Trial Manager Correll said the attorney would like a better status of the current use of this property. Further, the attorney would like to know what the Commission’s longterm goal is with respect to this license agreement, and how we would like to proceed.

Commissioner Gamage said she feels it is in the best interest of the Paint Creek Trail to discontinue license agreements as time and circumstances allow in order to regain the Trailways property for Trailways purposes. The Commissioners considered the current license agreements and the proposed license agreements. They also discussed how we can discontinue them. After further discussion, the informal consensus was that the Commission would like to see these areas returned to park use.

Commissioner Elwert inquired about the revenue that the Trailways Commission receives from the license agreements, which varies.

The conversation returned to Solaronics, and the Commissioners agreed that we need to obtain a better understanding of how the property is currently being used by the licensee. Given that the Commissioners would ultimately like to discontinue license agreements, Chairperson Sage suggested that the attorney should advise us of what our options are and what potential outcomes might be.

Vice-Chairperson Walker asked that Alternate Commissioner Olijnyk be copied on all correspondence regarding license agreements as she has been involved with these matters in the past.

**Sunoco/Sunpipe**

Trail Manager Correll said an invoice was sent to Sunoco/Sunpipe, but there does not appear to be a license agreement in place. Commissioners Buxar, Gamage and Walker, all of whom are members of the Licensing Committee, asked that our attorney draft an agreement in this regard.

Vice-Chairperson Walker again asked that Alternate Commissioner Olijnyk be copied on this correspondence.

**BALD MOUNTAIN RECREATION AREA BRIDGE TO TRAILWAY**

Manager Correll reported that the MDNR is currently updating plans for this project to include in their bid packet. They anticipate construction to begin either in late 2024 or early 2025.

The MDNR has confirmed that bollards will be included in the construction documents.

They have completed some clearing of trees across the creek, on Bald Mountain State Recreation Area property, which is visible from the Paint Creek Trailway.

Finally, Manager Correll reported that he was in touch with the new MDNR contract, Ms. Sage Hegdal, who will be assisting with the agreement. The MDNR will obtain an easement for constructing and maintaining the bridge within the Paint Creek Trail right-of-way. Ms. Hegdal asked if the Trailways Commission needs any additional agreement with them; the Commissioners discussed that we should have an agreement that addresses concerns items such as maintenance, restoration of any damage from construction, and restoration of any erosion.

Commissioner Becker shared thoughts on bollards. He recalled that years ago the Trailways had bollards at all road crossings to help prevent unauthorized access by motorized vehicles. However, the bollards were later removed because there were concerns that inattentive bicyclists might hit the bollards. The Commissioners discussed the pros and cons of bollards, specifically for the proposed application where people will be going from the connector bridge to the Trailway. They felt that this is a tight area, and we want to encourage trail users to get off their bicycles and not simply ride into a traffic pattern.

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

Manager Correll will meet next week with a representative from the engineering firm Anderson, Eckstein and Westrick to go over the next steps for this project, which includes the grading inspection. He also hopes to obtain an updated cost estimate. The current projected cost estimate is \$980,000 (\$910,000 for the bridge, and \$79,000 for engineering and

PAINT CREEK TRAILWAYS COMMISSION

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January 16, 2024

---

contingency costs). We have been successful in obtaining recommendations for grants for this project in the amount of just over one million dollars.

**PAINT CREEK TRAILWAYS COMMISSION FUND: INVESTMENT OPTIONS**

Manager Correll met with a representative from Flagstar Bank’s governmental banking department. He shared information on three options for managing Paint Creek Trailways monies. Treasurer Blust said he would like to work with Manager Correll to look into this matter further, and he will return to the Commission at the February meeting with a recommendation.

In the meantime, Treasurer Blust suggested that we place a certain sum of money in a checking account, and place the remainder in a Government Premier Savings Account, which will pay a higher interest rate.

MOVED BY ELWERT, SECONDED BY GAMAGE, to place \$50,000 in a checking account, and the remainder in a Government Premier Savings Account, with the understanding that the Commission will revisit this matter at the February 2024 meeting.

AYES: Blust, Buxar, Reiter, Gamage, Sage, Elwert, Walker

NAYS: None

MOTION CARRIED.

**PAINT CREEK TRAILWAYS FISCAL YEAR 2023 FINAL AMENDED BUDGET**

Manager Correll reviewed the final figures for the 2023 actual budget, as had been discussed at the December meeting. The Commissioners accepted the actual 2023 final budget as presented this evening.

He also shared a spreadsheet showing actual expenses, month by month. Manager Correll said he plans to keep this updated, which will help keep the Commission apprised of year-to-date expenditures relative to budgeted amounts.

The Commissioners again thanked Manager Correll for all he has done to provide greater detail with the budget.

**AD HOC COMMITTEES, 2024**

The Commissioners reviewed the list of committees for 2024. They concurred that at this time there is no need to delete any committee, but agreed that they should add a Bridge 31.7 Renovation Committee.

PAINT CREEK TRAILWAYS COMMISSION

\*\*\*APPROVED\*\*\*

January 16, 2024

---

MOVED BY ELWERT, SECONDED BY GAMAGE, to create a new Bridge 31.7 Renovation Committee.

MOTION CARRIED.

The Commissioners then discussed membership on the various committees. Commissioner Sage will step down from the Recognition Committee, and Commissioners Buxar and Reiter will join this committee.

The Paint Creek Trailways Commission Personnel Committee has traditionally had the Commission's officers as its members. Therefore, the new members of this committee should be Commissioners Sage, Walker, Blust and Dalrymple.

Regarding the Trail Branding and Signage Committee, the Commissioners agreed to ask Commissioner Olijnyk whether or not she wishes to remain on this committee.

The Commissioners would like to add Commissioner Olijnyk to the Licensing Committee if she is willing, and Commissioner Buxar asked to step down from this committee.

Finally, Commissioners Elwert and Sage agreed to serve on the Bridge 31.7 Renovation Committee.

MOVED BY BUXAR, SECONDED BY GAMAGE, to continue with the following committees and membership for 2024:

Recognition Committee – Robin Buxar, Linda Gamage, David Mabry, Conner Reiter.

Personnel Committee – Brian Blust, Julia Dalrymple, Steve Sage, David Walker.

Development of Property in Southeast Rochester Committee – David Becker, Ken Elwert, Linda Gamage, Steve Sage.

Labor Day Bridge Walk Committee – Robin Buxar, Julia Dalrymple, Ken Elwert, Martha Olijnyk, David Walker.

Trail Branding and Signage Committee – Linda Gamage, Martha Olijnyk (if she is willing to continue in this capacity), Steve Sage.

Trail Improvements/Resurfacing Committee – David Becker, Brian Blust, Steve Sage, David Walker.

Licensing Committee – Linda Gamage, Martha Olijnyk (If she is willing to serve in this capacity), Matt Pfeiffer, David Walker.

PAINT CREEK TRAILWAYS COMMISSION

\*\*\*APPROVED\*\*\*

January 16, 2024

---

Paint Creek Trail 40<sup>th</sup> Anniversary Celebration Committee – Brian Blust, Stanley Ford, Dave Mabry, and either Aaron Whatley or Conner Reiter.

Friends of the Paint Creek Trail Committee – Robin Buxar, Linda Gamage, Dave Mabry.

Bridge 31.7 Renovation Committee – Ken Elwert, Steve Sage.

MOTION CARRIED.

**PAINT CREEK TRAILWAYS COMMISSION: 2024 GOALS**

The Commissioners briefly reviewed the list of goals that they adopted for 2023. Manager Correll added notes to this list, providing detail on the priority listed for each goal, the status of the goals, whether each is a longterm goal or ongoing project, etc.

Manager Correll asked the Commissioners to consider the list prior to the February meeting and email him with their prioritized ranking of the goals, as well as any comments. He will then compile this input. At the February meeting, the Commissioners will then review these results, determine if any goals should be added or eliminated, decide on their priority, etc.

Commissioner Gamage asked Trail Manager Correll for his input. Manager Correll responded that he expects the majority of his time will be spent working on the project to develop property in Southeast Rochester, the Bridge 31.7 Renovation project, and the 40<sup>th</sup> Anniversary celebration. As his background is in event planning and education, he would like to incorporate some goals in these areas. Manager Correll said he will share more with the Commission at the February meeting.

**MANAGER’S REPORTS**

Manager Correll reviewed his memorandum of January 10<sup>th</sup>.

**Complaints, Vandalism, Feedback**

**Complaint of “Human Waste” Along Trail**

There has been an additional complaint of “human waste” along the Trail, this time from a different person. That person provided Manager Correll with a detailed timeline, including photographs. Given the availability of this new information, and that the person expressed safety concerns, Manager Correll reported this incident to the Oakland County Sheriff’s Department.

Commissioner Becker suggested that a laboratory should be able to examine the feces and determine whether or not this is in fact human waste (as opposed to waste from an animal such as a dog or racoon). Manager Correll said the most recent report included images of

## PAINT CREEK TRAILWAYS COMMISSION

\*\*\*APPROVED\*\*\*

January 16, 2024

---

human footprints in the snow leading to and at the site, so it would appear that this is in fact human waste.

Staff will install trail cameras in an attempt to learn more.

### **Repairs and Maintenance**

#### Flooding Across Trail

As the snow has been melting from our recent storms, there has been flooding across the Trail near the Rochester river walk connector.

#### Trail Cleanup After Recent Storm

There is a lot of debris that has fallen along the Trail following the recent winter storm. Manager Correll will inquire with the local municipalities to learn their anticipated schedule for Trail cleanup.

Commissioner Reiter acknowledged that there are many branches, etc. down across the Trail in Orion Township, and their maintenance department will be working to clean this up.

### **Follow Up**

#### Encroachments

There is a new encroachment along the Trail, again in Oakland Township. Just south of the Adams Road crossing, a homeowner has constructed a stairway leading to the Trail. Manager Correll sent the homeowner a letter via certified mail in this regard.

Manager Correll said he also sent letters via certified mail to the two homeowners regarding the encroachment that has been of concern for several months now.

Commissioner Buxar suggested that, in the spirit of educating our Trail neighbors, we might consider putting something on our website about encroachments. Along these lines, Commissioner Gamage added that we might create a "Frequently Asked Questions" article that could educate regarding Trail etiquette, encroachments, what the Paint Creek Trailways Commission does, etc.

#### Website Design

Manager Correll met with Julie Schoenherr, the person with Oakland Township who is managing their website design project. The Trailways Commission's Request for Proposal is currently in a draft form. Commissioner Buxar invited Manager Correll to again speak with Ms. Schoenherr, as Oakland Township has its Request for Proposal out to solicit quotes.



**TREASURER BLUST'S REPORT**

**40<sup>th</sup> Anniversary Celebration**

Treasurer Blust said our 40<sup>th</sup> Anniversary Celebration event is only a few months away, so this committee will be hard at work finalizing plans. He thanked Alternate Stanley Ford from the Village of Lake Orion for being very helpful with planning.

Commissioner Blust will be contacting the various member municipalities to obtain information, photographs, maps, etc. regarding the history of what is now the Paint Creek Trail. He would like to prepare informational materials that we can place on display at this and future events.

**ADJOURNMENT**

MOVED BY BUXAR, SECONDED BY GAMAGE, there being no further business before the Commission, to adjourn the meeting at 8:18 p.m.

MOTION CARRIED.

Respectfully submitted,

Ingrid R. Kliffel  
Recording Secretary

Approved,

Julia Dalrymple  
Secretary

Approved,

Tom Correll  
Trail Manager