

**Minutes  
Huron-Clinton Metropolitan Authority  
Board of Commissioners  
Thursday, January 11, 2018**

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A regular meeting of the Huron-Clinton Metropolitan Authority's Board of Commissioners was on Thursday, January 11, 2018 at 10:30 a.m. at the Administrative Office.

Commissioners Present: Timothy J. McCarthy  
Robert W. Marans  
Jaye Quadrozzi  
Bernard Parker  
Kurt L. Heise  
Steve Williams  
John Paul Rea

Staff Officers:  
Acting Director/Chief of Police Michael Reese  
Deputy Director David Kirbach

Other Attendees:  
Steve Mann Miller, Canfield, Paddock and Stone, PLC

Chairman McCarthy called the Jan. 11, 2018 meeting to order at 10:30 a.m.

**1. Chairman's Statement**

Commissioner McCarthy said he had heart bypass surgery on Dec. 15, 2017; that he is doing well and said he was happy to be at the meeting.

**2. Public Participation**

None.

**3. Approval – December 14, 2017 Budget Hearing and Regular Meeting Minutes**

Motion by Commissioner Rea, support from Commissioner Parker that the Board of Commissioners' approve the Dec. 14, 2017 Budget Hearing and regular meeting minutes as presented.

Motion carried unanimously.

**4. Approval – January 11, 2018 Agenda**

Motion by Commissioner Marans, support from Commissioner Williams that the Board of Commissioners' approve the amended Jan. 11, 2018 agenda as presented.

Motion carried unanimously.

**5. Approval – January 11, 2018 Consent Agenda**

Motion by Commissioner Rea, support from Commissioner Williams that the Board of Commissioners' approve the consent agenda consisting of the following:

- a. Purchases
  1. Vehicles, Various Locations
- b. Report – Purchases over \$10,000
- c. Bids – Sanitary Pump Replacement, Stony Creek Metropark

Motion carried unanimously.

**6. Presentation – Huron River Watershed Council**

Motion by Commissioner Heise, support from Commissioner Quadrozzi that the Board of Commissioners' receive and file the report given by Elizabeth Riggs with the Huron River Watershed Council.

Discussion: Nina Kelly, manager of planning, introduced Elizabeth Riggs, deputy director of the Huron River Watershed Council.

Ms. Riggs said the Huron River Watershed Council recently completed an economic impact study of the Huron River and wanted to share the results with the Metroparks. She briefly reviewed *River Up!* – a river revitalization initiative with the goal of making the river the new main street where residents and tourists recreation, live, gather, commute and do business. Ms. Riggs reviewed the timeline of the project, the recreation value of rivers and the results of the survey.

Ms. Riggs said the survey results showed that visitor use of the Huron River was on average 21 times per year, 57 percent of users were very satisfied with their recreational experience, 90 percent of users were at least satisfied and more than half of the river users have an annual income between \$25,000 - \$80,000.

Commissioner McCarthy asked if there have been any ecology changes in the past 18 years. Ms. Riggs said the health of the river has been holding steady for the past several years although the water temperatures on the river have been increasing, which is a concern and will be monitored. She also said stewardship on the rivers has increased.

Commissioner Marans asked if it was possible to pull out the more detailed demographic data Grand Valley State University used for the areas surrounding the Metroparks. Ms. Riggs said the study was done on six sites known as trail towns where they knew a high percentage of people were accessing the rivers and the trails next to the rivers. She said HRWC would like to work with Metroparks staff on the next study to expand the interaction sites in order to collect more data.

Commissioner Marans asked if there were similar studies going on in Macomb County. Commissioner Rea said Macomb County has put together an economic model for the Blue Economy initiative to look at the economic impact on tourism, destination and recreation. He said Macomb County may want to use the model HRWC and staff would be in touch.

Commissioner Quadrozzi asked if Macomb County has done a lot on paddling access on the rivers and if studies have been done regarding that aspect (paddling access). Commissioner Rea said the county tracks visitors at each access site to help decide where to put additional sites. He said they are also looking at property valuations and included congressional districts in the first study Macomb County completed.

Commissioner Heise said the statistic that 57 percent of people using the resources were satisfied seemed high and asked what was elements of dissatisfaction – pollution, overcrowding? He also asked if there was additional data on what made people dissatisfied. Ms. Riggs replied that 57 percent were very satisfied, and other levels indicated 90 percent were satisfied with less than 10 percent not satisfied. HRWC used a multi-page survey that asked a number of questions, but did not ask specific questions on what was not satisfying.

Commissioner Williams asked what the five trail towns were. Ms. Riggs said Milford, Dexter, Ann Arbor, Ypsilanti and Flat Rock.

Motion carried unanimously.

## 7. Reports

### A. Administrative Department

#### 1. Report – Michigan Electric Bicycle Legislation

Motion by Commissioner Williams, support from Commissioner Rea that the Board of Commissioners' (1) receive and file the report on the Michigan Electric Bicycle Legislation; and (2) accept the legislation regarding e-bike usage on Metroparks hike/bike trails as recommended by Deputy Director David Kirbach and staff.

Discussion: Deputy Director Dave Kirbach updated the Board and said that in October 2017, Gov. Snyder signed into law House Bill 4781, 4782 and 4783, now Public Acts 138,139 and 140 declassifying electric bikes as motorized vehicles and allowing them to be operated with certain restrictions on improved (i.e. paved) trails. He said staff recommends accepting the legislation as written with no restrictions and revisit the issue if it becomes a problem.

Commissioner Quadrozzi asked if there was a speed limit on the hike-bike trails. Mr. Kirbach said yes, there is a 10-mph recommended speed limit on hike-bike trails.

Commissioner Quadrozzi said certain bikers should use the roadways and not hike-bike trails. She asked if there were any thoughts on monitoring the trails and if there would be policy/suggestions to move the bikers moving really fast off the trails. Mr. Kirbach said he has had discussions with Chief Reese on monitoring the trails.

Commissioner McCarthy asked if anyone had an idea on what the e-bikes cost. Mr. Kirbach said the bikes started at approximately \$1,000.

Commissioner Marans said these types of bikes are becoming more prevalent and if staff was considering a way to monitor the amount of these bikes on the trails. Mr. Kirbach said the Police Department has public service attendants that are on the bike trails daily. Chief Reese said officers would also monitor the trails and usage.

Commissioner Parker asked if the 10 mph was recommended or if it was the speed limit. Mr. Kirbach said the parks had a recommended 10 mph speed limit for a long time and that recently the insurance company recommended posting the speed limit as 10 mph.

Commissioner Parker asked what the rationale was for the insurance company to suggest the change to "recommended." Mr. Kirbach said because it is difficult to enforce.

Commissioner Marans asked if there was currently a posted speed. Mr. Kirbach said the parks have a rules and regulations for the bike trails that says there is a 10-mph recommended speed.

Commissioner Parker said 10 mph is probably too slow for some bikers. Mr. Kirbach said the top speed for the class 1 bikes is 20 mph.

Commissioner Quadrozzi said that people on road bikes generally go 20 mph, that parents and kids are the ones who should be on the trails and that if someone is using a road bike, they shouldn't be on the trails.

Commissioner Parker asked if the intent was to monitor and revisit the issue if there are problems. Mr. Kirbach said yes.

Motion carried unanimously.

## 7. Reports

### B. Planning Department

#### 1. Approval – Master Plan, Indian Springs Metropark

Motion by Commissioner Marans, support from Commissioner Rea that the Board of Commissioners' approve Indian Springs Master Plan as presented by Manager of Planning Nina Kelly and staff.

Discussion: Manager of Planning Nina Kelly said there were a couple of minor corrections made to the plan as well as the suggestions given by the Board at the December 2017 meeting.

Motion carried unanimously.

## 7. Reports

### B. Planning Department

#### 2. Report – Draft Lake Erie Master Plan

Discussion: Ms. Kelly updated the Board on master planning process, reviewed existing conditions and what Lake Erie looks like today; biodiversity areas covers a good portion of the park (59 percent coverage), with a good portion of developed areas; the park does not have as much infrastructure as some of the other parks and that many of the buildings are not very old. She said golf is the top revenue generator for the park with tolling second. Ms. Kelly reviewed community influences, demographics and said were two public meetings were held – one on a Saturday morning and one on a weekday evening. She said most of the people that completed the questionnaire lived near the park and that staff reached out to

visitors at two separate events held at the park. Ms. Kelly then reviewed action plan projects (boat launch redevelopment, Marshland museum redevelopment, creating a loop on the hike-bike trail and a possible study for kayak/canoe access.

Commissioner Marans asked if there is any sense of the shift in demographics in users over time. Ms. Kelly said she doesn't have hard numbers on demographics; however, according to park staff observations, many visitors come from the Dearborn area and tend to be of Middle Eastern descent.

Commissioner Marans suggested staff reach out to these areas to see what the recreation needs are.

Commissioner McCarthy asked if there were any issues with the water levels. Ms. Kelly said water levels have not been an issue this year; however, dredging has been needed in the past.

Commissioner Parker asked if there was a plan to increase revenue since the park operated on 47 percent of budgeted funds and 53 percent of tax revenue. Ms. Kelly said staff is working on in-park events and also to make enhancements at the wave pool and marina to increase revenue.

Commissioner Rea said with biodiversity and natural resources management highlighted in the report and since the park is situated along Lake Erie, it gives staff the opportunity to partner with the DEQ, DNR and other agencies regarding environmental concerns and to also find funding opportunities on special projects.

Commissioner Williams asked if there were water monitoring facilities at Lake Erie. Ms. Kelly said she didn't think there was. Tyler Mitchell with the Natural Resources department confirmed there were no additional monitoring sites at Lake Erie.

No action taken.

## **C. Engineering Department**

### **1. Bids – Drywall Installation, Oakwoods Nature Center**

Motion by Commissioner Marans, support from Commissioner Rea that the Board of Commissioners' (1) award contract 711-17-043 to the second responsible bidder Design and Construction Consulting the in the amount of \$50,925; and (2) approve the transfer \$50,925 from Fund Balance to the Oakwoods Unallocated Major Maintenance account as recommended by Manager of Engineering Mike Brahm-Henkel and staff.

*Discussion:* Manger of Engineering Mike Brahm-Henkel updated the Board and said the Oakwoods Nature Center needed upgrades to modernize the interior of the building. The project initiative and scope was formulated by the Interpretive department working with staff and the Engineering department. He said drywall is to be installed over some of the existing block walls to provide more interior options for wall enhancements as well as adding a different feel to the building. Based on previous experience with other vendors, staff recommends awarding the contract to the second bidder.

Commissioner McCarthy asked why staff was suggesting the second bidder. Mr. Brahm-Henkel said staff has used the low bidder in the past; however, there have been issues that needed clarification last year and they are still are ongoing.

Commissioner Williams asked if staff expected savings on lighting. Mr. Brahm-Henkel said yes.

Commissioner Parker asked if the funding would come out of the Fund Balance. Ms. Franchock replied yes as the project was not included in the 2018 budget as the project was anticipated to be completed in 2017. Because the project was not completed and the funds were not spent, the funds were returned to the Fund Balance and will be taken out of the Fund Balance to cover the project cost.

Motion carried unanimously.

## **8. Other Business**

Mr. Brahm-Henkel updated the Board on the status of the Stony Creek Landing project. Working with Miller Canfield, a letter was sent to the contractor describing all the sections in which they are in breach of the contract. The response period to correct the breach of contract is 10 days and staff is currently in the 10-day timeframe. Once the 10-day period passes, staff will revisit with a second action. The surety has been put on notice and staff has received notices from subcontractors seeking payment.

Commissioner McCarthy asked if it looked like staff would need to replace the contractor. Mr. Brahm-Henkel said yes.

Commissioner Parker asked if there was an update on the search for a director.

Commissioner McCarthy said he has not spoken to Mr. Laycock; however, Commissioner Marans has spoken to him a couple of times. He said there have been quite a few responses he is narrowing down the list of candidates and that he may be in a position to present a number of candidates to the Board soon. Mr. McCarthy said he would like to have a special meeting prior to the Feb. 8, 2018 meeting. He said he plans to speak to Mr. Laycock soon regarding a special meeting.

Commissioner Marans said the idea was to have a special meeting before the end of January to identify candidates that Mr. Laycock would bring to the Board and then we (commissioners) can decide on a number to interview.

Commissioner McCarthy said he would like a special meeting soon and he will then let the Board know what days' work best.

Commissioner McCarthy let everyone know Interim Director Michael Reese would be out on medical leave for a few weeks and that Deputy Director Kirbach would handle the day-to-day operations until Mr. Reese returned.

## **9. Staff Leadership Update**

None.

## **10. Commissioner Comments**

Commissioner Parker thanked commissioners and staff for the give-a-gift project for the children at Timbuktu Academy. He said the families and children were happy to receive gifts. He also said he recently read the NRPA magazine and was impressed with a couple of the things parks across the country were doing. One was music festivals in the parks and the other was STEM programs for children. He said staff should consider these types of programs, which might help generate more revenue.

Commissioner Heise said he would like to have discussions on capital improvement projects as well as the Five-Year-Planning process.

Commissioner McCarthy said these discussions need to take place; however, he would like to wait until a director is in place so he/she can be involved in the process.

Commissioner Williams said he received good feedback regarding the groomed ski trails at Huron Meadows and thanked staff for their hard work.

Commissioner Marans said he also received good feedback on the groomed ski trails at Huron Meadows as well. He also said he wanted to add the bylaws and Board responsibility to the February meeting agenda as there have been a lot of significant changes to the bylaws in the last several years that need to be addressed.

Commissioner Quadrozzi said she would like to discuss remote access to board meetings and the legality involved with commissioners participating by phone. Legal counsel for the Metroparks, Steve Mann, said there has been proposed legislation on this issue that hasn't moved forward. The Open Meetings Act (OMA) doesn't permit members to appear at the meeting electronically. OMA says you

have to have a quorum present, and that present doesn't say you can be present electronically or via telephone. It represents problems if the Metroparks does want to do this as there is no direction from the legislature or the courts.

Commissioner Quadrozzi said she understands the precedent for voting issues; however, having meeting access for the public to call in would benefit everyone. She said it is something the Board should think about as it gives commissioners additional accessibility but would also give more access to the public to keep them informed.

Commissioner McCarthy said there are two issues: (1) Board and the Open Meetings Act; and (2) access for the public. He said prior to the current IT manager there were discussions regarding streaming meetings for the public. Metroparks IT Manager Robert Rudolph said staff has proactively made changes since the December 2017 meeting by adding conference call capabilities at the board table as well as researching video conferencing for the meetings.

Commissioner McCarthy asked if the video conferencing was different than streaming meetings. Mr. Rudolph replied yes.

Commissioner Marans said he remembers the conversations with staff regarding streaming meetings. He said one of the issues staff brought up was because the meetings are held at various locations and not just at the administrative office.

Commissioner Heise said he was in the legislature when this topic was discussed. He said some people participated via Skype etc. and that the legislature was not fond of people participating in meetings remotely. Mr. Heise said it is a problem for voting purposes as members do need to be present.

Commissioner Williams said Livingston County recently began broadcasting meetings and that 600 people watched the last meeting. He also said that he was a Livingston County Commissioner during his last deployment with the Army in 2010/2011 and a policy was approved allowing him to call into meetings for seven months while he was in overseas. Mr. Williams said he was not counted as present for a quorum, but he was able to participate and his vote did count.

Commissioner Heise said the rules may be different for military personnel.

Commissioner McCarthy requested staff give a report at the Feb. 8, 2018 meeting regarding livestreaming meetings or use Facebook Live both at the administrative office and in the parks.

Commissioner Rea wished everyone a happy new year.

#### **11. Motion to Adjourn**

Motion by Commissioner Parker, support from Commissioner Rea that the Board of Commissioners' adjourn the regular meeting.

The meeting adjourned at 11:46 a.m.

Respectfully submitted,



Shawn M. Athayde  
Recording Secretary