

At 7:00 p.m. October 11, 2005 at the Middlebury Township hall, a public hearing and special meeting regarding the Rails to Trails Proposal was called to order by Clerk Audrey Sovis. Present were Sovis, Treasurer Carolyn Stevens, Trustees Charles Simpson and Paul Dutton. Supervisor Anthony Sinicropi was absent.

Guests included: Shiawassee County rail trail study Representatives Avery Weaver, Terry McLeod, and Rick Morris. Also Carolyn Kane, Chairman of the Rails to Trails green space committee was present. At approximately 7:45 p.m. Sheriff Jon Wilson entered the meeting.

A motion was made by Sovis, seconded by Stevens to appoint Charles Simpson as president pro tem. All ayes, no nays, carried. Simpson explained to the audience that he would give them approximately 3 minutes to speak until all have been heard. At that time, anyone who wanted to speak again, may do so.

Mr. Weaver started out by giving an overview of the rail trail study. He pointed out that Ionia and Clinton Counties have both passed the proposed resolution.

Public concerns included:

1. A farmer's liability if a trespasser is injured or killed on his land
2. The increase of taxes if property values go up due to the trail
3. Trespassing
4. Long term maintenance and the taxation of property owners to maintain the trail if or when the endowment monies run out.

It was discussed that rural people like the solitude they have and don't want to have other people around their land. There was also the concern that if illegal activity took place, Middlebury is so far from town that criminals could be gone before law enforcement could get there.

At 8:46 p.m. the hearing was closed. At 8:47 p.m. Simpson called the special meeting to order with the pledge to the flag. Dutton made the motion to approve the Rails to Trails project as long as Middlebury does not need to put any current money towards building or maintaining it. There was no second to the motion.

Sovis made the motion that Middlebury not participate in the Rails to Trails project. Stevens seconded. Roll call vote: Sinicropi absent, Sovis aye, Simpson aye, Stevens aye, Dutton nay. Motion carried.

At 8:55 motion was made by Sovis, seconded by Dutton to adjourn. All ayes, no nays, carried.