

**TOWN OF FAYAL**  
**4375 SHADY LANE, EVELETH, MN 55734**

*Heidi M. Coldagelli, Clerk/Treasurer*

*Anthony Tammaro, Chairman*

*Supervisors: Lee Branville, Dave Ochis, Richard Sather, Patrick Ziegler*

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**REGULAR MEETING OF THE FAYAL TOWN BOARD**

**NOVEMBER 21, 2017**

The Regular Meeting of the Fayal Town Board of Supervisors was called to order at 7:00 PM by Chairman Tammaro. Present were: Chairman Tammaro, Supervisor Branville, Supervisor Ochis, Supervisor Sather, Supervisor Ziegler and Clerk/Treasurer Coldagelli.

Audience members in attendance were Kevin Bird, Keith Maloney, Scott Smith, Trevor Thompson, John West and Jerry Ulman.

***Motion to approve the minutes of the Regular Town Board Meeting of November 7<sup>th</sup>, 2017, made by Supervisor Branville, support from Supervisor Sather. Supervisor Ochis and Supervisor Ziegler abstained. Motion carried.***

**SCHEDULED GUESTS-** None at this time.

**AUDIENCE CONCERNS-** None at this time. Chairman Tammaro congratulated Scott Smith and his daughter for the race they participated in.

**REPORTS-**

**Clerk/Treasurer's Report-**

Revenues for the month of November to date are \$28,134.82 and expenditures are \$170,108.63. Current balances for the month of November are:

Miners Checking- \$956,340.03

Assessment Savings- \$335,310.21

CD Savings- \$535,423.48

***Motion to approve the Clerk/Treasurer's Report, made by Supervisor Branville, support from Supervisor Ochis. Motion carried unanimously.***

**Other Reports-**

***Motion to accept the Joint Rec Meeting Minutes from November 8<sup>th</sup>, made by Supervisor Sather, support from Supervisor Branville. Motion carried unanimously.***

***Motion to accept the November 13<sup>th</sup> and November 20<sup>th</sup> Employee Meeting Minutes, made by Supervisor Sather, support from Supervisor Branville. Motion carried unanimously.***

***Motion to accept the Planning Committee Meeting Minutes of October 18<sup>th</sup>, made by Supervisor Ziegler, support from Supervisor Branville. Motion carried unanimously.***

***Motion to accept the Public Utility Commission Meeting Minutes from October 10<sup>th</sup>, Delinquency Report and October Wastewater Operator's Report, made by Supervisor Ziegler, support from Supervisor Sather. Motion carried unanimously.***

**CORRESPONDENCE**

November 6<sup>th</sup>- Email from TruGreen for services for 2018. Quote for grounds is \$1,335.72, including a \$333.93 credit balance. Quote for ballfield is \$927.45, including a \$128.68 credit balance. By paying and renewing 2018 contract before 12/31/2017 year end, receive a \$121.75 discount. Send to Building and Grounds.

November 7<sup>th</sup>- Letter from St. Louis County Land and Minerals Department. Received list of tax forfeited parcels in Fayal Township. Two of these affected parcels 340-0025-00410 & 340-0087-00460, Diane Dickson is working with the County to ensure that the 2017 outstanding sewer balances are paid since Fayal is

unable to certify to the taxes. The County stated this is the time that Fayal can make the County aware of any outstanding issues or violations with the property as conditions of repurchase. Clerk Coldagelli spoke with the owner of parcel ending in 00410 and he will be working out an agreement with St. Louis County. The other parcel ending in 00460 has received complaints regarding the lawn not mowed all summer. Discussion regarding blight and how to stay on top of the issue.

November 8<sup>th</sup> - Email from Dustin Miller from Tech Bytes. Mr. Miller formally worked for Cold Snap, our website hosting company. Tech Bytes is offering to cover the remainder of our 2017 contract with no additional costs and honor our current hosting contract with no money due until renewal. The rates will be the same or better than what we were paying. Hosting services currently are \$180/year and website maintenance is \$80/hour. Currently have not received a response from Cold Snap regarding a website issue. Moved to New Business.

November 15<sup>th</sup> - Email from RAMS accepting nominations for 2018-2019 Board of Directors. Nominations must be submitted by December 21<sup>st</sup>, 2017. Chairman Tammaro added that maybe at the Reorganization meeting someone should be appointed to attend the meetings. Placed on file.

November 17<sup>th</sup> - Email from Jeri Venne, IRRRB. Notification that the IRRR Residential Redevelopment Grant Program still has funding available. Placed on file.

### **OLD BUSINESS**

#### **Supervisor Sather-**

**Fire Department Co-op-** Assistant Chief Smith updated that they met with two representatives from the Fire Marshall's office with Eveleth and a representative from Gilbert. Made a list of objectives that will be presented to both the City and the Township for review and approval. Next step would be submit for the grant. If Gilbert decides in the future they would like to participate that is a possibility.

**Humane Society Contract Renewal-** Contented Critters was preparing a quote for Clerk Coldagelli.

#### **Supervisor Branville-**

**Generators-** Will need a new pad for the generator and can be installed in the spring. Supervisor Ziegler questioned if it would work because of three-phase. Chairman Tammaro stated that was already checked.

#### **Supervisor Ochis-**

**2017 Road Project-** Change order with final completion date of June 15<sup>th</sup>, 2018. All caught up with payment after pay application #2. Some restoration, shouldering and some small items is all that is left.

**Motion to approve Change Order #3 and Application for Payment #2 for \$65,986.04, made by Chairman Tammaro, support from Supervisor Ochis.** No other pay requests until the remaining work is complete in the spring. **Motion carried unanimously.**

#### **Supervisor Ziegler-**

**Old Bullfrogs Building-** Error in paperwork. Supervisor Ziegler had to resend.

**Emergency Operations Procedures-** Will begin in January for a joint plan with Eveleth. Supervisor Branville questioned as to how to pay for the plan, which can come from possibly General or Mining Effects Funds.

**Speed Study Pine Drive/Ely Lake Drive/Miller Trunk-** Would anticipate the County will address in the spring.

**2019 Levy-** Chairman Tammaro added \$10,000 to Capital Equipment Fund to be split \$5,000 towards the Water Tender and \$5,000 towards Road & Bridge. Suggested adding more every year to help with future items. Supervisor Ziegler questioned adding to the Police Fund. Will continue to work on.

**Eveleth/Fayal Development Project-** Chairman Tammaro informed the Board there was a round table discussion with Eveleth and the engineers. Trevor Thompson added that the engineers met and are still working towards an agreement and future meetings. Original discussion was water, then added sewer and the restoration of the water tower for the bonding bill. Eveleth is looking at many possibilities.

**Pine Drive Sewer Extension-** Developer was looking at changing his plans towards office space, like a strip mall and leasing office space. Was still looking at a liquor store and told Billing Clerk Dickson possibly a Jimmy Johns or something of the sort. Trevor Thompson felt that the whole project could fall within the \$200,000 grant amount. Chairman Tammaro didn't think a change in business plans would change the IRRRB grant status.

**NEW BUSINESS-**

**Pine Drive Water Line-** Supervisor Ziegler brought forward that the PUC made a motion to refund Keith Maloney and John West their water access charges because the PUC felt line ownership was a gray area and when in a gray area should side with the homeowner.

**Motion to support PUC motion, made by Supervisor Ziegler, support from Supervisor Ochis.** Supervisor Branville was unclear why it was passed when some PUC members agreed that it was Fayal's line? The Ordinance allows the right to charge the access. Chairman Tammaro fears that giving the money back will cause other residents to request their money back. There was no dispute that the line was Fayal's. He expressed that Fayal owned the line, doesn't matter who supplied and billed for the water, but going against the Ordinance is creating our own worst enemy. Chairman Tammaro asked what if a meter is installed and Fayal retains ownership of the line again? Can Fayal charge the \$3,500 again after its been refunded? Supervisor Ziegler stated that would be the Township's decision. He also added that the PUC discussed that the line that runs down Pine Drive was Fayal's because it was put in through a grant. The grant applied for states the line starts down Cedar Island Drive and continues down Pine Drive. Supervisor Ziegler continued that the line actually runs at the corner of Golf Course Road and then down Pine Drive. The line is still tied into Eveleth's line and Supervisor Ziegler feels the residents should be refunded. Chairman Tammaro stated that Fayal is going against its own Ordinance if the Board approves this. Supervisor Ziegler added that the PUC wanted to look at the Ordinance and change the language for Water Access Charge to reflect the verbiage as service provided. Chairman Tammaro had said he wasn't going vote against the PUC, but he cannot agree because of how the Ordinances are written. Supervisor Branville could also not see how there was any gray area. Supervisor Branville states its very clear the line ownership and how the Ordinance reads. ***Supervisor Ochis and Supervisor Ziegler voted aye. Supervisor Sather, Supervisor Branville and Chairman Tammaro voted no. Motion fails 2-3.*** Chairman Tammaro stated that if the PUC rewrites the Ordinance properly, the Board can revisit it.

**Aquatic Invasive Species Grant Resolution-** Planning Committee would like to apply for a grant that was approved earlier in the year. Need supporting resolution from Gilbert and letter of support from DNR to apply for grant for funding of boat washes and inspections on the weekends at the Ely Lake Boat Landing.

**Motion to adopt 2017-16 A Resolution Authorizing the Town of Fayal to Make Application to and Accept Funding from the Aquatic Invasive Species Prevention Plan, made by Chairman Tammaro, support from Supervisor Ochis. Motion carried unanimously.**

**Casual Employee M.O.U.-** Union wanted on file regarding the use of casual labor during emergencies.

**Motion to approve Casual Employee M.O.U, made by Supervisor Branville, support from Supervisor Ochis. Motion carried unanimously.**

**Community Winter Activity-** Planning Committee would like to hold a winter activity, such as a skating party, at a later date with possibly a bonfire, smores, hot chocolate or something of the sort.

**Motion not to exceed \$400 for a winter activity to be paid from the Recreation Department, made by Supervisor Ziegler, support from Supervisor Sather. Motion carried unanimously.**

**Resolution 2017-17 Sewer Rates-** Sewer rate increases for both residential and commercial increased \$5.00. Chairman Tammaro thought Clerk Coldagelli should add another debt service line just for the increase. Supervisor Ziegler believed the PUC decreased the monthly rate and increased the debt service.

**Motion to adopt 2017-17 A Resolution to Amend Residential and Commercial Sewer Use Fees in Accordance With the Town of Fayal Sewer Service Charge Ordinance 98-2, made by Chairman Tammaro, support from Supervisor Branville.** Chairman Tammaro asked if the PUC had plans to increase the monthly service charge? Supervisor Ziegler stated that no they had not and the PUC was still waiting to see if Gilbert would be changing their debt service charge. ***Motion carried unanimously.***

**Tech Bytes Proposal-** Tech Bytes owner was the former partner of Cold Snap. Clerk Coldagelli is having an issue with the website and Cold Snap is not responding back to the Clerk.

**Motion to cancel Cold Snap and award to Tech Bytes, made by Chairman Tammaro, support from Supervisor Branville.** Supervisor Ziegler questioned what will happen if Tech Bytes is unable to access the webpage and then what is it going to cost Fayal? If it comes to that, will have to address. ***Motion carried unanimously.***

Chairman Tammaro brought forward that casual labor employee, Mr. Brakke, is coming close to exceeding the PERA threshold. In order for him to continue working, he would need to be enrolled in PERA. Supervisor

Branville praised his work done on the front of the Town Hall. Clerk Coldagelli added that he has done a very nice job with all the work he has been assigned at the Town Hall.

**Motion to enroll casual labor employee, Dan Brakke, in PERA, made by Supervisor Sather, support from Supervisor Branville. Motion carried unanimously.**

**Motion to pay the claims, made by Supervisor Branville, support from Supervisor Sather. Motion carried unanimously.**

**Motion to adjourn, made by Supervisor Ziegler.**

Chairman Tammaro adjourned the Regular Meeting at 7:55 PM.

Respectfully submitted,

*Heidi M. Coldagelli*

Heidi M. Coldagelli  
Clerk/Treasurer Town of Fayal

Approved:

*Andy Z. Ramo*  
Chair

Date:

*12-5-17*

Attest:

*Heidi M. Coldagelli*  
Clerk