

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

*Judy M. Sersha, Clerk/Treasurer*

*Anthony Tamaro, Chair*

*Supervisors: James Pernu, Lee Branville, Mike Erjavec, Heidi Coldagelli*

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**REGULAR MEETING OF THE FAYAL TOWN BOARD**

**JANUARY 8, 2013**

The Regular Meeting of the Fayal Board of Supervisors was called to order at 7:17 PM, following the Reorganization Meeting. Present were: Chairman Tamaro, Supervisor Erjavec, Supervisor Branville, Supervisor Pernu, Supervisor Coldagelli and Clerk Sersha.

Audience members in attendance were Scott Smith, Jerry Ulman and Harvey Thompson.

***Motion to approve the minutes of the December 18, 2012 Regular Meeting, made by Supervisor Pernu, support from Supervisor Branville. Motion carried unanimously.***

***Motion to approve the minutes of the Special January 3, 2013 Meeting, made by Supervisor Pernu, support from Supervisor Erjavec. Motion carried unanimously.***

**SCHEDULED GUESTS**

Police Chief Harvey Thompson was in attendance to inform the board he spoke with SLC Attorney Mark Rubin, and St. Louis County will no longer prosecute the town's ordinances. Chief Thompson reported he obtained quotes from two area law firms for the prosecution of our ordinances. Cope & Peterson- \$110.00 per hour, and Mike Kearney of the Colosimo Law Office- \$90.00 per hour.

***Motion to utilize Mike Kearney to prosecute Fayal ordinances, made by Supervisor Branville, support from Supervisor Pernu. Motion carried unanimously.***

Discussion between the board and Chief Thompson concerning changes to the animal ordinance. Thompson is recommending that certain portions of the animal ordinance be petty misdemeanors, instead of misdemeanors. Thompson is also recommending a leash law. Discussion. Supervisor Branville stated he would like more time to consider the leash law issue. Supervisor Coldagelli suggested the animal only be leashed if it is not on the owner's property. The board agreed that Coldagelli's suggestion was a good one, and requested Chief Thompson to obtain the proper language for a change to the ordinance. The leash issue was then tabled.

***Motion to change the penalties in the Fayal Animal Ordinance from a misdemeanor to a petty misdemeanor, except under Article IV, 5, 6 and 7, which will remain as a misdemeanor, made by Supervisor Branville, support from Supervisor Coldagelli. Motion carried unanimously.***

Clerk Sersha stated the changes to the ordinance must be published in order to be in effect. Chairman Tamaro stated we can wait until we receive the language for the leash law from Chief Thompson, and at that time, publish both changes in summary.

**CITIZEN CONCERNS AND COMMENTS**

Scott Smith was in attendance with requests from the fire department. Mr. Smith requested approval for expenses for four firefighters to attend firefighter training in Indianapolis at the National Fire Academy. Training is April 25-27, and Steve Shykes, Nick Preiner, Matt Hoffman and Therese Elverum would like to attend. Cost for training is \$550 each, plus travel costs. Supervisor Branville stated he believes the event is good for retention and training of firefighters. Supervisor Erjavec questioned if the costs would be from the fire budget? Mr. Smith stated they would be paid from the fire department training budget.

***Motion to authorize the four firefighters to attend the training in Indianapolis and use the staff car for transportation, made by Supervisor Branville, support from Supervisor Erjavec. Branville, Erjavec, Coldagelli and Pernu voted yes. Tamaro voted no. Motion carried.***

Mr. Smith informed the board the SCBA's need to be float tested, at a cost of \$1,600. This has to be done annually.

***Motion to approve the expenditure to have the SCBA's float tested, made by Supervisor Pernu, support from Supervisor Branville. Motion carried unanimously.***

Mr. Smith stated the need for additional signage at the intersection of Highway 37 and Miller Trunk Road. There has been 3 or 4 accidents there lately, with the most recent one being quite bad. Smith stated he contacted Keith Nelson on the issue, but he would also like to have a letter from the town board regarding the intersection.

Chairman Tamaro stated that Chief Shykes is gone a lot, but is still being paid as chief. Mr. Smith stated their by-laws provide for training to be made up within 30 days. Tamaro stated he just brought up the issue because he had been asked by other people. Tamaro also asked that Chief Shykes stop sending up sheets with lists of things needed to be fixed in the fire department. Supervisor Pernu stated those concerns are being addressed.

Jerry Ulman was in attendance, but had no comment.

### **REPORTS**

***Clerk/Treasurer's Report-*** Tentatively, for the month of December 2012, revenues were \$374,129.97 and expenditures were \$97,224.84. There was a transfer of \$126,607.08 from Mt. Iron Checking to Miners Assessment Savings, for funds received from the St. Louis County December apportionment. Ending balance are:

Mt. Iron Checking-	\$250,734.90
Miners Checking-	\$568,718.62
Assessment Savings-	\$471,564.46
CD Savings-	\$430,027.72

The 2012 audit will begin on January 22, 2013 with Walker, Giroux & Hahne.

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

***Motion to accept the December 2012 Police Report, made by Supervisor Tamaro, support from Supervisor Pernu. Motion carried unanimously.***

***Motion to accept the November 13, 2012 PUC Regular Meeting minutes and the Wastewater Operator Report, made by Supervisor Erjavec, support from Supervisor Tamaro. Motion carried unanimously.***

***Motion to accept the November 14, 2012 Fire Department Regular Business Meeting minutes, made by Supervisor Branville, support from Supervisor Pernu. Motion carried unanimously.***

***Motion to accept the December 5, 2012 E-F Joint Cable TV minutes, made by Supervisor Tamaro, support from Supervisor Pernu. Motion carried unanimously.***

### **CORRESPONDENCE**

Iron Range Youth In Action- Request for donation. Referred to New Business.

Danielle Zebro- Corrected contract from Mesabi Humane Society for animal services for the ensuing year. Accepted, and signed by Chairman Tamaro.

### **OLD BUSINESS**

**Supervisor Erjavec-**

**Fayal v Gilbert-** Mediation is set for January 17, Noon- 4 PM.

**Supervisor Branville-**

**Equipment Operator Vacancy-** The hiring committee will be meeting again tomorrow at 8 AM. Progress is good, and we should be advertizing soon.

**Building Addition-** The boilers have been installed. A new regulator needs to be put in for the gas line. The fire department side needs insulation before heat can be installed on that side.

**Supervisor Pernu-**

**Rink-** Everything is going well and a good job is being done. Pernu will contact Craig Homola and ask if hours can be extended.

**Chairman Tammaro-**

**Detachment Hearings-** Former Chair Steve Kniefel has volunteered to attend and report to us.

**NEW BUSINESS**

***Motion to authorize the Water/Wastewater Operator and the PUC Coordinator/Billing Clerk to attend the Rural Water Convention March 5-7, and use the staff car for transportation, made by Supervisor Erjavec, support from Supervisor Branville. Motion carried unanimously.***

The board reviewed the Public Works Mutual Aid Agreement between Town of Biwabik and Town of Fayal. The agreement allows for mutual aid between the towns for use of town equipment and operator at a cost of \$125 per hour.

***Motion to adopt the Public Works Mutual Aid Agreement between the Town of Biwabik and Town of Fayal, and authorize the Chair to sign, made by Supervisor Branville, support from Supervisor Pernu. Motion carried unanimously.***

***Motion to donate \$100 to the Iron Range Youth in Action, made by Supervisor Pernu, support from Supervisor Coldagelli. Motion carried unanimously.***

***Motion to pay the bills, made by Supervisor Erjavec, support from Supervisor Pernu. Clerk Sersha stated she is going to pay the PFA payment from the Miners checking instead of the Mt. Iron checking account. Motion carried unanimously.***

***Motion to adjourn by Supervisor Pernu, support from Supervisor Erjavec. Motion carried unanimously.***

Regular Meeting adjourned at 8:09 PM.

Respectfully submitted,

Judy M. Sersha  
Clerk of Fayal

**Approved:** \_\_\_\_\_  
**Chair**

**Date:** \_\_\_\_\_

**Attest:** \_\_\_\_\_  
**Clerk**