

TOWN OF FAYAL
4375 SHADY LANE, EVELETH, MN 55734

Judy M. Sersha, Clerk/Treasurer

Steven J. Kniefel, Chairman

Supervisors: Tony Tammaro, James Pernu, Lee Branville, Mike Erjavec

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REGULAR MEETING OF THE FAYAL TOWN BOARD

OCTOBER 4, 2011

The Regular Meeting of the Fayal Board of Supervisors was called to order at 7:00 PM by Chairman Kniefel. Present were: Chairman Kniefel, Supervisor Erjavec, Supervisor Branville, Supervisor Pernu, Supervisor Tammaro and Clerk Sersha.

Audience members in attendance were: Jim Johnson of SEH, Jerry Ulman, Steve Shykes, Mark Johnson, Mike Johnson, Ejay Dawson, Linda Dawson, Adam Dawson, Sara Drobnick, DeLyle Pankratz, Albert Jurenic, Bob Manzoline, Keith Nelson and several members of the Trailhawks Snowmobile Club. Later in the meeting, Attorney Bruce Williams arrived.

Motion to approve the minutes of the September 20, 2011 Regular Meeting, made by Supervisor Branville, support from Supervisor Tammaro. Motion carried unanimously.

REPORTS

Clerk/Treasurer's Report- Bank statements for the month of September 2011 have not been received yet, so this report is tentative. There were revenues of \$45,436.22 and expenditures of \$91,560.77 leaving balances of:

Miners Bank- \$40,275.71
Assessment Savings- \$341,456.39
Mt. Iron Checking- \$744,417.80

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

Motion to accept the September 2011 Police Report, made by Chairman Kniefel, support from Supervisor Tammaro. Motion carried unanimously.

Supervisor Tammaro asked that the 2012 EFGSD Joint rec budget be moved to New Business.

CORRESPONDENCE

City of Gilbert- Winter disconnect rules. Placed on file.

Minnesota Energy- A gas leak has been detected but service will continue as the situation does not pose immediate danger to your safety. Corrective action may be required by us, the gas leak detected is recognized as being non-hazardous and can reasonably be expected to remain non-hazardous. Our farm tap will be re-inspected within the next 15 months to monitor the condition of the gas leak. Placed on file.

SLCATO- Regular meeting minutes of June 22, 2011. Next meeting is Oct. 26, Cotton Township. Placed on file.

MN State Auditor- Investment Report Card for Fayal Firefighters Relief Association. Placed on file.

MN Twins Community Fund, Stephanie Johnson- We have been awarded at 2011 Twins Fields for Kids matching grant of \$10,000.

Chairman Kniefel, on behalf of the town board, expressed thanks and appreciation to Mr. Mark Forte for all the work he did in procuring the grant. The Mesabi Daily News will be doing a story on the grant and there will be a photo op on Thursday at 6:30 at the Fayal ballfield.

LMC- There is a sanitary sewer incentive program but in order to qualify there are a number of things we must have. Referred to PUC.

OLD BUSINESS

Supervisor Erjavec-

Gilbert Wastewater Contract - Nothing at this time.

Supervisor Branville-

Fire Hall Project- Supervisor Branville wanted to know, for the record, if the fire hall project is dead—are we going to do nothing? Chairman Kniefel stated the same problem exists that has existed for 20 years—lack of space. Supervisor Tammaro stated he would talk to Ryan Turner of DSGW about incorporating some of the information gathered from the Architectural Resources study.

Winter Use Designation, Mesabi Trail- Supervisor Branville asked Chairman Kniefel to explain the issue. Chairman Kniefel stated we received a letter from Bob Manzoline of the Regional Railroad Authority regarding the designation of the Fayal portion of the Mesabi Trail as either motorized or non-motorized, motorized meaning snowmobile use only. Mr. Manzoline asked in the letter that the town board make a recommendation to the Rail Authority as to the use of the Mesabi Trail from State Hwy. 53 to the Fayal Rec area. Kniefel stated there had been past board discussion on whether the trail should be motorized or non-motorized and if a town ordinance should be enacted. Authorizing the Mesabi Trail portion in Fayal as motorized would mean winter use only, and snowmobiles only. No other motorized vehicles, such as ATV's or other recreational motorized vehicles would be allowed to use the trail at any time, in accordance with the county ordinance. Kniefel stated that along with the letter from Mr. Manzoline, a current county ordinance that regulates the motorized use of the trail was included. Chairman Kniefel then asked Mr. Manzoline for his input. Supervisor Branville asked that before Mr. Manzoline speaks, he be allowed to give a brief history of snowmobile use on the trail.

Supervisor Branville stated that the trail has been used for snowmobiles, whether it was designated or not, for the past 25 years he has lived here. Branville stated he attended the public hearings on the Fayal portion of the Mesabi trail and he had the understanding it was going to include snowmobile use, and the town board has been supportive of getting the spur from Hwy. 53 to access the trail and Fayal township and the many residents that do snowmobile. Supervisor Branville stated snowmobiles are allowed on wide expanses of the Mesabi Trail across the Range.

Mr. Manzoline stated the Mesabi Trail is a non-motorized trail, except for where snowmobile designation is allowed by the St. Louis and Lake County Rail Authority. Different parts of the trail are designated for snowmobile use, and the Authority works in cooperation with local communities that want that designation, along with a snowmobile club, in this case, the Trailhawks. The Trailhawks will take over the grooming and maintenance of the trail. The Authority needs to work with a club in case there are problems that arise on the designated section of the trail. The club will take care of the grooming after there is a good snow base. The trail will be closed if there is no snow—the state startup date for snowmobile use is December 1—but if there is no snow, or only a couple of inches, the trail is kept closed until there is a good six inch base to protect the bituminous. Supervisor Tammaro asked if the gates are locked when the trail is closed? Mr. Manzoline stated the gates are locked, and the Authority works with the clubs when there is no snowmobiling at this point in time, it works out quite well. Mr. Manzoline went on to explain that the St. Louis/Lake County Rail Authority would have to designate this as motorized or non-motorized trail in agreement with the ordinance that has been passed by St. Louis and Itasca county.

Chairman Kniefel asked if the trail is monitored in the springtime as well, so when there is meltdown you close the trail again? Mr. Manzoline answered they have a trail maintenance person who is out there monitoring the trail, and the club members who also monitor the trail.

Supervisor Branville questioned if Mr. Manzoline has experienced any severe damage to any parts of the Mesabi Trail designated for snowmobiles? Mr. Manzoline explained the longest section is between Hibbing and Chisholm, and it became operational in 1998, and it was just re-surfaced this year. There had been some damage from studs, especially in the corners, but it was not severe and nothing that could not be handled with a thin re-surfacing. Supervisor Branville added that in this day and age, there is a lot less studding, the rubberized tracks are a lot more aggressive so trail-wide you will see a lot less damage. Supervisor Tammaro asked about the ski damage?

Supervisor Branville explained the surface has to be bare for the carbide on the skis to do damage, since they are only about 1/8 of an inch and you want to avoid driving on bare pavement because you do not want to have to replace the carbides. Mr. Manzoline stated that they are looking at preserving the pavement, and to scar up the pavement with a ski is just cosmetic. Supervisor Tammaro asked if it affects the rollerbladers, and Mr. Manzoline stated it does not really.

Chairman Kniefel asked how much of the trail really needs to be used as a designated snowmobile trail? Mr. Manzoline stated it would really only be from Hwy 132 to the town hall area. There was then discussion regarding the overpass and the Shutte trail. Supervisor Pernu stated he has had numerous calls from people on both sides of this issue, but his concern is safety in the recreational areas near the town hall, mainly the skating rink area. There was then much more discussion over various portions of the trail from Hwy. 53, the Shutte trail and to the town hall and what portions would be designated, and what portions would be non-designated.

Motion to allow snowmobile usage from Shady Lane, along Ely Lake Drive, up along Miller Trunk Road, to the Shutte crossing, and keep it on an ungroomed basis. Motion dies for lack of second.

Motion to designate the same route, only extend the route to the intersection of Hwy. 132 and Hwy. 53-the entire section as snowmobile use, and groom able as according to Mesabi Trail recommendations. Supervisor Tammaro seconded the motion. Chairman Kniefel called for discussion. Supervisor Tammaro stated he was not going to until he heard some of the discussion tonight, and all of his questions were answered. Supervisor Pernu stated if the area from the Shortstop to Shady Lane is included, we have had problems in the past with snowmobiles in the parking lot when there are activities going on at the town hall or kids skating at the rink, it is a serious safety issue. Pernu stated we have signs up stating no motorized vehicles, including cars, 4-wheelers, any type of motorized vehicle, because we have had some very serious near-misses down there, so he would like the motion to reflect that snowmobiles are not allowed in the parking lot. DeLyle Pankratz suggested using the area outside the ditch by the pine trees where you see the ATV trail could be used and agreed there is no reason for the snowmobile trail to come down the bike trail from the Shortstop. Supervisor Tammaro stated we do not want snowmobiles coming into the town hall parking lot and rec areas and asked that the word be passed to the club. Mr. Pankratz agreed and stated the club could put up signs along there.

Supervisor Branville amended his motion to designate the motorized portion of the Mesabi Trail from the intersection fo Hwy 132 and Hwy. 53 to Ely Lake Drive. Supervisor Tammaro supported the amended motion. Branville, Tammaro, Pernu and Kniefel voted yes. Erjavec voted no. Motion carried.

Supervisor Tammaro-

Solar Grant- All paperwork has been submitted to the IRRRB.

Chairman Kniefel-

Korpela Plat- Nothing at this time.

NEW BUSINESS

Supervisor Erjavec reported he spoke with Commissioner Nelson regarding the drainage problem on the corner of Shady Lane and Ely Lake Drive. Nelson has advised we request wider shoulders in that area when the road is re-done.

Supervisor Pernu reminded everyone that the yardwaste site will be open the last three weekends in October, Friday, Saturday and Sunday, noon to 5 pm.

Chairman Kniefel stated the Fayal Fire Department will be holding their 25th Anniversary event on October 12, 5-7 pm. Fire Chief Shykes reported there will be a life flight helicopter, first responders and fire equipment available for people to see. Free hot dogs and polish will also be offered. Shykes requested funding to purchase the food and prizes for the event.

Motion to authorize up to \$500 for the 25th Anniversary event, made by Supervisor Tammaro, support from Supervisor Branville. Motion carried unanimously.

Chairman Kniefel reported he received an email from Eveleth clerk Jackie-Junek Monahan requesting Fayal's support on a collaborative grant. The grant would be for reconstruction and storm sewer replacement on Station 44 Road from Hwy. 37 to Mesabi Station Road. This request would qualify as a collaborative grant because the Mesabi Station is a regional asset. By collaborating on this grant with Eveleth, it would not interfere with Fayal requesting their own grant.

Motion to cooperate with Eveleth on a collaborative grant application to the IRRRB, made by Supervisor Tamaro, support from Supervisor Branville. Motion carried unanimously.

The board reviewed the EFGSD Joint Rec budget. The budget remains unchanged from previous years.

Motion to approve the 2012 EFGSD Joint Rec budget, made by Chairman Kniefel, support from Supervisor Pernu. Motion carried unanimously.

CITIZEN CONCERNS AND COMMENTS

Jim Johnson, Jerry Ulman and Albert Jurenic had no comment.

Steve Shykes reported a blighted property to the board. Referred to Supervisor Branville.

Motion to close the meeting to discuss a pending court case with Attorney Bruce Williams, made by Supervisor Branville, support from Supervisor Pernu. Motion carried unanimously.

Regular Meeting closed at 8:10 PM, and re-opened at 8:53 PM.

Dave Hartman arrived and submitted a recommendation from the Fayal Fire Department Membership Committee.

Motion to hire Nick Preiner as a probationary firefighter for the Town of Fayal, contingent on favorable results from an exam by a physician and a background investigation, made by Chairman Kniefel, support from Supervisor Pernu. Motion carried unanimously.

Motion to adjourn by Supervisor Tamaro.

Chairman Kniefel adjourned the Regular Meeting at 8:54 PM.

Respectfully submitted,

Judy M. Sersha
Clerk of Fayal

Approved: _____
Chair

Date: _____

Attest: _____
Clerk