

TOWN OF FAYAL
4375 SHADY LANE, EVELETH, MN 55734

Judy M. Sersha, Clerk/Treasurer

Steven J. Kniefel, Chairman

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

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REGULAR MEETING OF THE FAYAL TOWN BOARD

NOVEMBER 20, 2012

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 Tamaro and Clerk Sersha.

Audience members in attendance were: Heidi Coldagelli, Jerry Ulman, Jim Johnson and Steve Shykes.

Motion to approve the minutes of the October 16, 2012 Regular Meeting made by Supervisor Branville, support from Supervisor Pernu. Motion carried unanimously.

Motion to approve the minutes of the November 8, 2012 Special Meeting, made by Supervisor Pernu, support from Supervisor Branville. Chairman Kniefel abstained, due to his absence from the meeting. Motion carried.

Motion to approve the minutes of the November 15, 2012 Board of Canvass, made by Supervisor Pernu, support from Chairman Kniefel. Supervisor Branville abstained due to his absence from the meeting, and Supervisor Tamaro abstained due to the fact he was on the ballot. Motion carried.

REPORTS

Clerk/Treasurer's Report- For the month of October 2012, there were a total of \$61,131.96 in revenues and \$111,233.92 in expenditures. Two new savings accounts were opened at Miners Bank and two accounts were closed at Mt. Iron bank. Ending balances are as follows:

Miners Bank:

Checking- \$674,143.97

Assessment Savings- \$341,476.58

CD Savings- \$429,820.46

American Bank, Mt. Iron-

Checking- \$97,740.37

For the month of November 2012 to date, there have been revenues of \$22,264.82 and expenditures of \$101,391.48. A transfer of \$190,000.00 was made from Miners Checking to American Bank Checking.

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

Motion to accept the minutes of the October 9, 2012 PUC Variance hearing for Jeff Jola, made by Supervisor Erjavec, support from Supervisor Tamaro. Motion carried unanimously.

Motion to accept the minutes of the October 9, 2012 PUC Regular Meeting, made by Supervisor Erjavec, support from Supervisor Tamaro. Motion carried unanimously.

Motion to accept the October 2012 Police Report, made by Chairman Kniefel, support from Supervisor Branville. Motion carried unanimously.

Motion to accept the minutes of the Fayal Fire Department Regular Business Meeting, made by Chairman Kniefel, support from Supervisor Branville. Motion carried unanimously.

Motion to accept the October 2012 Road & Bridge Report, made by Supervisor Tamaro, support from Supervisor Pernu. Motion carried unanimously.

Motion to accept the November 14, 2012 EFGSD Joint Rec Regular Meeting minutes, made by Supervisor Tamaro, support from Supervisor Pernu. Motion carried unanimously.

CORRESPONDENCE

SLCATO- Regular Meeting minutes of June 27, 2012. Next meeting Dec. 5, 7 pm, Cotton. Placed on file.

MN Office of Administrative Hearings- An extension of the local discussion period has been granted. The parties are required to report back no later than Friday, Dec. 21, 2012. Placed on file.

AFSCME- Intent to negotiate has been filed with the State Bureau of Mediation services. The union will contact us in the near future to schedule a date and time to begin the process. Placed on file.

MN Dept. Of Health- The results of the drinking water tests have exceeded the maximum contaminant level. Refer to PUC.

SLC Auditor- Parcel 340-10-1847 has returned to forfeited status due to default to the land department contract. Referred to New Business.

OLD BUSINESS

Supervisor Erjavec-

Bike Trail Plowing- Supervisor Erjavec reported he spoke with Bob Manzoline of the Mesabi Trail regarding plowing the Fayal portion of the bike trail. Supervisor Erjavec stated that Mr. Manzoline said the trail can be plowed, and Biwabik and Aurora regularly plow their trails in winter. However, the board should address the action took last year that allowed snowmobiling on the trail, if there is six or more inches of snow. Erjavec stated that action was supposed to be reviewed in March with the TrailHawks. Supervisor Branville stated he is vehemently opposed to plowing the trail, and it was his understanding that the trail could be used for snowmobile use in and out of the township when there is adequate snow. Branville stated if you start plowing it, you will never build up a base. The trail can still be used for walking when it is snowmobiled upon, it gets packed down. Branville advised that the gates should be closed now until we get enough snow, to avoid any damage to the trail. Erjavec stated it got damaged last winter, and the gates were closed. Branville stated we had a public meeting last year with Bob Manzoline and it was stated there that it can be used for snowmobiles, and the Mesabi Trail is widely used for snowmobiles in winter. Supervisor Pernu stated he thinks we should invite Mr. Manzoline to a meeting, along with the snowmobilers, and have a discussion on it. Supervisor Branville stated it is pretty apparent through the years that snowmobilers do use it and do want it. Branville stated he would welcome a public meeting and Supervisor Erjavec could present his case for anti-snowmobiling at that meeting. Erjavec stated he is not anti-snowmobile, he voted yes to spend \$7,000 of township money for the underpass and across Shutte's. Discussion on setting up a meeting with Mr. Manzoline. Chairman Kniefel questioned the value of such a meeting and stated the decision is ultimately up to the board as to whether or not to plow the trail or not. More to plow, or not to plow, discussion. Supervisor Branville stated it really is a question of snowmobile or no snowmobile, because if you plow it, it cannot be used for snowmobiling. Branville stated that if that is the decision, we are really outlawing snowmobile use and there should be a public meeting that should be posted as Fayal Township is discussing whether the Mesabi Trail section in Fayal is banning snowmobiles. Supervisor Erjavec stated the walkers need a trail too. More discussion.

Supervisor Branville stated he would like to decide this issue right now. Supervisor Erjavec stated there was already a vote 3-1 to plow it. More discussion. Supervisor Pernu stated this all stems from the damage done to the trail last winter. Branville reiterated he would like a decision as to whether the trail is going to be multi-use, because everyone in this town pays taxes and everyone should have access to it, and there was public meetings and it was stated it could be used for snowmobile use. Supervisor Erjavec stated he had no more Old Business.

Supervisor Branville-

Equipment Operator Hiring- The committee, consisting of Supervisors Branville and Erjavec, Al Jurenic and Judy Sersha has been meeting weekly. The meetings have been very productive and the application package should be done by the end of December, so we can start advertizing after the first of the year. Supervisor Branville stressed that the committee is dedicated to getting it right and the package will be sent to an attorney before being given out.

Chairman Kniefel states the township, in the last 30 years, has been very fortunate to have the two employees we have had in the Road & Bridge department. They have saved this township a lot of money and a lot of headaches by being the individuals they are, and it is going to be tough to fill those shoes.

Supervisor Tammaro-

Building Project- Supervisor Tammaro states we are wrapping up the new part, and we did overspend by a hair, due to the architectural costs. Tammaro states the bill for the electrical is still coming and there is one thing we still need to do. We should get a price and have the boilers installed so we can turn the new side on, and next year figure out what we are going to do with the other side. Supervisor Tammaro stated the architects estimate was \$260,000, and we got a 40% bigger building for a lot less money. Discussion on quote from Kohler's for installation.

Motion to authorize up to \$13,000 to install the heat and insulation in the addition, made by Supervisor Tammaro, support from Supervisor Branville. Chairman Kniefel stated he had some questions and concerns, and he had asked Clerk Sersha to prepare a spreadsheet on the project. Kniefel stated that Supervisor Tammaro has taken on the role as a project manager, and has awarded all the bid items. Kniefel stated the board has allocated dollars for the project, and he wanted the spreadsheet prepared to see where the money has been spent because we owe it to the townspeople to be fiscally responsible. Kniefel stated that Supervisor Tammaro has done a very good job on the whole, but he has some concerns over some items that have no quotes on file, and the boilers that were purchased. Kniefel stated the cost on the boilers (\$9,850 for two Munchkin 120 natural gas boilers) seems to be excessive, and there was no competitive quotes for the purchase. Tammaro submitted another quote for the boilers at the meeting. (\$10,400 for two Munchkin 120 natural gas boilers). Clerk Sersha provided quotes for the same boilers at about half the cost. Supervisor Branville stated it was an oversight on Tammaro's part not to have gotten more competitive quotes, but as a whole he did a good job on the project. Kniefel agreed, but cautioned that in the future, competitive quotes be obtained prior to purchase, and be forwarded to the clerk for her files since the quotes must be presented in the annual audit. ***Motion carried unanimously.***

Clerk's Note: The spreadsheet is attached to these minutes.

Motion to allocate the \$13,000 from the capital equipment fund, made by Chairman Kniefel, support from Supervisor Erjavec. Motion carried unanimously.

Chairman Kniefel-

Annexation Mediation- MN Office of Administrative Hearings has granted an extension of the local discussion period to December 21, 2012.

RCB- No decision yet from the court.

NEW BUSINESS

Discussion on the conflict with the January 1 Regular Meeting, due to the holiday.

Motion to cancel the January 1 and January 15, 2013 Regular Meetings, and hold the Reorganization Meeting on January 8, 2013 at 7:00 PM, with the Regular Meeting to follow, made by Supervisor Branville, support from Supervisor Pernu. Motion carried unanimously.

Motion to designate Clerk/Treasurer Judy Sersha to be responsible and accountable for overseeing non-audit services for the 2012 audit, made by Chairman Kniefel, support from Supervisor Branville. Motion carried unanimously.

Motion to contact St. Louis County on the tax-forfeit property (CVT 340-0010-01847) and request the property be demolished, made by Supervisor Branville, support from Supervisor Pernu. Motion carried unanimously.

CITIZEN CONCERNS AND COMMENTS

The Board congratulated Heidi Coldagelli and Tony Tamaro on their election as supervisors.

Jerry Ulman was in attendance but had no comment.

Jim Johnson stated he is a Virginia representative on the Eveleth-Virginia Airport Commission. The airport has now acquired all of the property along South Airport Road and they would like the township to vacate South Airport Road. Chairman Kniefel stated the township has gone through this process in the past with the airport, and acted upon the vacation request. The decision the board made was to vacate, if an alternate access was provided by the airport to the public lands. Clerk Sersha will provide Mr. Johnson with the minutes etc. from the prior vacation request.

Fire Chief Shykes requested the fire department be allowed to sell the small snowmobile trailer by sealed bids.

Motion to authorize the sale of the fire department small snowmobile trailer by sealed bid, made by Supervisor Tamaro, support from Supervisor Pernu. Motion carried unanimously.

Chief Shykes requested paint for the fire department offices etc. Referred to Supervisor Pernu.

Chief Shykes forwarded a recommendation to hire a new firefighter from the fire department membership committee, to the town board.

Motion to hire Aaron Bjorkquest as a probationary firefighter for the Town of Fayal contingent upon favorable results from a physical exam and background check, made by Supervisor Tamaro, support from Supervisor Pernu. Motion carried unanimously.

Chief Shykes asked that the Board go into closed session to address a disciplinary issue in the fire department.

Motion to pay the bills made by Supervisor Branville, support from Supervisor Pernu. Motion carried unanimously.

Motion to close the meeting at 8:10 PM made by Supervisor Branville, support from Supervisor Pernu. Motion carried unanimously.

Regular Meeting re-opened at 8:17 PM by Chairman Kniefel.

Motion to terminate Ryan Rudnicki from the Fayal Fire Department, made by Supervisor Tamaro, support from Supervisor Branville. Motion carried unanimously.

Motion to adjourn the Regular Meeting by Supervisor Tamaro.

Chairman Kniefel adjourned the Regular Meeting at 8:18 PM.

Respectfully submitted,

Judy M. Sersha
Clerk of Fayal

Approved: _____
Chair

Date: _____

Attest: _____
Clerk