

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

PHONE (218)744-2878

FAX (218) 744-5986

REGULAR MEETING OF THE FAYAL TOWN BOARD

DECEMBER 4, 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 and Clerk Sersha. Supervisor Tamaro was absent.

Audience members in attendance were: Scott Smith, Bob Dethloff, Ejay Dawson, DeLyle Pankratz, Larry Kwiatkowski, Jim Gunderson, Steve Shykes, Bob Manzoline and Dewey Rudolph.

SCHEDULED GUESTS

Bob Manzoline, Mesabi Rail Authority- Mr. Manzoline was in attendance to discuss snowmobile use on the Fayal portion of the Mesabi Trail. Mr. Manzoline stated he has been following the October minutes of the Town Board, and there seems to be some confusion as to its use in the wintertime. Mr. Manzoline stated the town board took action last fall to designate the trail for use by snowmobiles. The Fayal portion of the trail has been plowed twice, and that is not conducive for snowmobile use. Mr. Manzoline explained that there are some communities that do not allow snowmobiles on the trail and keep them plowed. If a trail is designated for walking and plowing, snowmobiles are not allowed because some of them with studs can damage the trail. The Fayal Trail was designated for snowmobile use, and should not be plowed.

Chairman Kniefel stated he recalls last year the Mesabi Rail Authority asked the town board to decide whether or not the trail could be designated for snowmobile use, and at that time the town board did designate the trail for snowmobile use. Mr. Manzoline agreed the town board, in accordance with the ordinance, did allow that to occur. Supervisor Branville stated the ordinance also only allows the only motorized vehicles on the trail are the motorized sweeper used to groom the trail, and questioned Mr. Manzoline as to what other motorized equipment would be allowed on the trail? Mr. Manzoline stated the only other equipment allowed on the trail are maintenance equipment- either the rail authorities's or the township's, and the TrailHawks for wintertime grooming. Supervisor Branville stated ATV's are strictly prohibited on the trail also. Mr. Manzoline confirmed that ATV's are not allowed on the trail.

Supervisor Erjavec stated he is the person who stirred up this whole issue. Supervisor Erjavec stated he plowed the trail last Monday and Tuesday. Supervisor Erjavec apologized and stated he did not read the minutes from that meeting and he misinterpreted the last action, and stated he was in the wrong. Supervisor Erjavec stated he wanted to apologize to anyone who got any early morning calls.

Supervisor Pernu asked for clarification as to how much snow needs to be on the trail before snowmobiles are allowed? Mr. Manzoline stated that when you see the groomer on the trail, there is probably enough snow- it is kind of a judgement call by the club.

Chairman Kniefel acknowledged there were several people in attendance regarding this issue, and all were allowed to give their input. There was discussion by the board, and it was agreed the **trail will not be plowed** and could be used for snowmobiling if there is enough snow.

REPORTS

Clerk/Treasurer's Report- Bank statements for the month of November 2012 have not been received as of this date, so this report is tentative. Revenues for the month were \$44,554.78 and expenditures were \$138,566.09. The second half apportionment was received in the amount of \$331,027.46. Tentative balances, excluding the apportionment are:

Miners Checking- \$556,3978.88
Assessment Savings- \$344,782.72
Mt. Iron Checking- \$139,813.71

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

Motion to accept the November 2012 Police Report, made by Chairman Kniefel, support from Supervisor Pernu. Chief Thompson is recommending the town board consider making the majority of the animal ordinance a petty misdemeanor instead of a misdemeanor. Chief Thompson stated he would be happy to work on the amended language for the Board's consideration at a future meeting. Motion carried unanimously.

CORRESPONDENCE

Chairman Kniefel- Copy of letter sent to Mark Weber, SLC Deputy Auditor requesting the demolition of the tax forfeit property located at 7511 Ely Lake Drive. Referred to New Business.

Conciliation Court- Order for judgement for Fayal to pay RCB \$455, plus court costs of \$75. RCB originally billed Fayal for \$2,802.75. Referred to Old Business.

SLCATO- Regular Meeting minutes of Oct. 24, 2012. Next meeting is Dec. 5, 2012, 7 pm, Cotton. Placed on file.

MAT- Offer for work comp insurance. The township receives coverage through the MN League of Cities. Placed on file.

Benchmark Engineering- Letter of Interest, offer of services they provide. Placed on file.

City of Gilbert- They will be increasing our sewer rate by \$1.74 per 1,000 gallons, to \$6.56 per 1,000. Differding Point residents will increase from \$19.28 to \$26.24 per customer. Referred to New Business.

OLD BUSINESS

Supervisor Erjavec-

Storage Building Expansion- Dale and Charlie have been insulating the new portion. Boilers need installation.

Chairman Kniefel stated we need to move forward with the installation. Supervisor Branville will contact Supervisor Tammaro. Chairman Kniefel stated we need two quotes for the installation.

Fayal v Gilbert- Mediation is set for December 6, 9 am, Virginia Courthouse. Supervisors Erjavec and either Tammaro or Branville will attend. Dale Dickson will also attend as will Attorney Williams.

Supervisor Branville-

Equipment Operator Vacancy- The hiring committee met again yesterday, meetings have been very productive. The committee is currently working on a scoring system. Next meeting is December 13, 8 am. The job description has been sent to the union. Joe Pershern will also attend the next hiring meeting. To discuss the position and description.

Supervisor Pernu-

Fire Dept. Doors- Five doors need painting. Charlie will take care of it.

Chairman Kniefel-

RCB- RCB has the option to appeal by December 20. Scott Neff has advised we send the settlement amount of \$530 to his office and he will disburse to RCB after the appeal date. The settlement amount of \$530 is in the claims at tonight's meeting.

NEW BUSINESS

Supervisor Erjavec suggested the supervisor plaque be updated. Clerk Sersha will have it updated.

Discussion on the sewer rate increase to be imposed upon Fayal by Gilbert. Clerk Sersha informed the board Gilbert will be imposing the same increase on their residents. Referred to PUC.

Discussion with Chief Thompson on his recommendations regarding the animal ordinance. Thompson recommends the only portion of the animal ordinance that should be a misdemeanor is the that part that refers to dangerous animals etc, the rest should be petty misdemeanor. Thompson also recommends we have a leash law.

Motion to purchase a new computer from Roger's Online, per the quote, in the amount of \$1,257.00, for the police department, made by Chairman Kniefel, support from Supervisor Pernu. The other quote was for a Dell and the cost was the same, but did not include on-site service as did the quote from Roger. Motion carried unanimously.

Motion to approve the contract for services with the Mesabi Humane Society, contingent upon correction of typo regarding after hours service, and authorize the chair and clerk to sign the agreement, made by Chairman Kniefel, support from Supervisor Erjavec. Motion carried unanimously.

Chairman Kniefel reported on the correspondence he has had with Karen Zeisler of the county land department and Jim Plummer of the IRRRB on razing of the structure at 7511 Ely Lake Drive. Fayal needs to fill out all the forms and be responsible for seeing the razing through the end of the process. The county will pay for cost of remediation and investigation and landfill costs. Fayal must pay up front and submit the bills to the IRRRB for reimbursement. Anything not paid by the county or IRRRB, will be at Fayal's expense. Discussion. The board wants to go ahead with the removal of the structure due to its blighted condition.

Motion to adopt Resolution 2012-06 Authorizing the Town of Fayal to Make Application to and Accept Funds From the IRRRB Residential Redevelopment Grant Program, made by Chairman Kniefel, support from Supervisor Branville. Motion carried unanimously.

Motion to appoint Clerk Sersha to be the township representative on the program, made by Chairman Kniefel, support from Supervisor Pernu. Motion carried unanimously.

CITIZEN CONCERNS AND COMMENTS

Heidi Coldagelli was in attendance and questioned if there are any lights by the recycle bins? Supervisor Branville stated that is a good idea. Supervisor Pernu will check into it.

Scott Smith was in attendance but had no comment.

Steve Shykes was in attendance and stated the old squad car cannot be parked in front of the trailer in the storage building because the trailer may need to come out in an emergency. The old squad will be parked outside.

Jim Johnson was in attendance but had no comment.

Chief Thompson was in attendance and advised the portion of the animal ordinance that should stay a misdemeanor is Article 4, Sections 5, 6 and 7. The rest could be a petty misdemeanor.

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

Motion to adjourn by Supervisor Erjavec.

Chairman Kniefel adjourned the Regular Meeting at 8:17 PM.

Respectfully submitted, Approved: _____ Date: _____
Chair

Judy M. Sersha Attest: _____, Clerk
Clerk of Fayal