

TOWN OF FAYAL
4375 SHADY LANE, EVELETH, MN 55734

Heidi M. Coldagelli, Clerk/Treasurer

Anthony Tammaro, Chairman

Supervisors: Lee Branville, Mark Chad, Richard Sather, Patrick Ziegler

PHONE (218)744-2878

FAX (218)744-5986

REGULAR MEETING OF THE FAYAL TOWN BOARD

AUGUST 20, 2019

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 Chad, Supervisor Sather, Supervisor Ziegler and Clerk/Treasurer Coldagelli. Chairman Tammaro began with the Pledge of Allegiance.

Audience members in attendance were Matt Hoffmann, Steve Shykes and Chris Vest. Ron Hall arrived at 7:09 PM.

Motion to approve the minutes of the Regular Town Board Meeting of July 16th, 2019, made by Supervisor Branville, support from Supervisor Sather. Motion carried unanimously.

Motion to approve the minutes of the Special Town Board Meeting of July 30th, 2019, made by Supervisor Ziegler, support from Supervisor Chad. Supervisor Sather abstained. Motion carried.

SCHEDULED GUESTS- None at this time.

AUDIENCE CONCERNS- Chris Vest was present to hear any updates on the fence at Laura Hendrickson's. According to feedback from Steve Kniefel at St. Louis County, it appears the fence can stay if its installed in the inslope or bottom of a roadside ditch. The road is considered a prescriptive easement road and is only as wide as what has currently been maintained through driving and maintenance activities. It was recommended by Chairman Tammaro and the Road & Bridge Department to move the fence towards the woods, but there would be no compensation for damages by the Township. Ms. Hendrickson has been made aware that the Township employees do believe that during the normal course of plowing, the weight of the snow will damage the fence. Mr. Vest discussed that he believes some pins are missing or placed incorrectly and the fence could be on his property, but understands that in order to rectify that he will need to have a survey completed. Supervisor Ziegler questioned the safety and liability aspect of the fence. Clerk Coldagelli informed the Board that the Minnesota Association of Township's attorney recommended having an encroachment agreement signed by the Board and the homeowner. Within the agreement, it addresses insurance liability for the homeowner and holds the Township harmless for any damages. Mr. Vest questioned the fence's validity according to St. Louis County's Ordinance. Supervisor Ziegler suggested Mr. Vest speak to Commissioner Nelson regarding the issue.

Matt Hoffmann was present to discuss acquiring another AED for a newly hired first responder. Discussion regarding how to fund.

Motion to approve the purchase of an AED for \$1,329.99 plus \$9.72 for shipping and handling, utilizing the remaining Mining Effects and the remaining balance from the General Fund, made by Supervisor Sather, support from Supervisor Branville. Motion carried unanimously.

Mr. Hoffman also presented to the Board illustrations to acquire at no cost to the Township a 40' x 8' shipping container for training. The container would be placed near the sandpiles and would be utilized 10-20 times a year for multiple trainings. Discussion regarding placement and impact. Will try it and if it becomes an issue then will relook at it, or possibly install a privacy fence.

Motion to approve the Fire Department obtaining the container for training and the location, made by Supervisor Ziegler, support from Supervisor Chad. The Fire Department will need to work with the Road & Bridge Department to ensure the location is okay and for any necessary prepping. ***Motion carried unanimously.***

Ron Hall was present to ask for easement again to put a road in for the properties that he purchased. Chairman Tammaro informed Mr. Hall that the Township recently spoke with another resident that the ballfield road is not for public access for the surrounding residents to access their properties. There is a private road sign on order. Supervisor Branville reiterated the Township still has not developed a plan for that property and at this time would not grant an easement. Mr. Hall questioned then if there was an issue for him to access the properties by building a road on the paper roads that are dedicated for public use. Supervisor Ziegler added that Mr. Hall will need to discuss the road with the Road & Bridge employees regarding the placement, use of

culverts, etc. Mr. Hall stated that he has spoken to the County and both sides of the road have been surveyed. Discussion regarding roads and that process. Chairman Tammaro and Supervisor Ziegler did not have any opposition with Mr. Hall utilizing the paper road for access. Clerk Coldagelli would like to review her notes from a training class that she had taken in regards to how to handle that question and Chairman Tammaro would like copies of the surveys for Fayal's records.

REPORTS-

Clerk/Treasurer's Report-

Bank statements for the month of July have been received and all accounts have been reconciled. Revenues were \$633,987.00 and expenditures were \$650,176.82. St. Louis County apportionment monies were received for \$568,899.79. Of those expenditures, \$309,487.70 was a payment for the MPFA loan as well as a transfer to the Assessment Savings from the apportionment monies for \$173,538.61. Ending balances for the month of July are:

Miners Checking- \$1,105,586.01
Assessment Savings- \$316,840.99
CD Savings- \$80,884.26
4M Fund- \$410,521.96

For the month of August to date, revenues are \$14,180.63 and expenditures are \$51,851.50.

Motion to approve the Clerk/Treasurer's Report, made by Supervisor Branville, support from Supervisor Sather. Chairman Tammaro had questions regarding money left over from the Assessment Savings when the loan is paid off next year. Will need to discuss in the future. ***Motion carried unanimously.***

Other Reports-

Motion to accept the Employee Meeting Minutes from July 22nd & 29th, August 5th, 12th & 19th made by Supervisor Branville, support from Supervisor Sather. Motion carried unanimously.

Motion to accept the Fire Department Business Meeting Minutes from July 10th made by Supervisor Sather, support from Supervisor Branville. Motion carried unanimously.

Motion to accept the Joint Recreation Board Meeting Minutes from August 14th, made by Supervisor Sather, support from Supervisor Branville. Supervisor Sather added for discussion that his spouse had said at this time the school has not addressed what will happen for the future of the Joint Recreation. ***Motion carried unanimously.***

Motion to accept the Public Access Television Meeting Minutes from August 7th, made by Supervisor Branville, support from Supervisor Sather. Motion carried unanimously.

Motion to accept the Planning Commission Meeting Minutes from June 19th, made by Supervisor Ziegler, support from Supervisor Branville. Motion carried unanimously.

CORRESPONDENCE-

July 18th- Email from Michelle Morris at the Duluth Superior Community Foundation with a grant opportunity from the Laura Jane Musser Fund. The fund encourages collaborative and participatory efforts among residents in rural communities that will help to strengthen their towns and regions. Program planning grants are available up to \$5,000 and program implementation grants are available up to \$25,000. Applications will be accepted online from September 3rd-October 3rd. Send to the Planning Committee.

July 18th- Thank you letter from the Eveleth Mayor and City Council for the donation towards the ambulance purchase for the Eveleth Ambulance Service. Placed on file.

July 19th- Email from Jeri Venne from the IRRRB with notification of grant opportunities available July 1st and August 1st. Moved to New Business.

July 22nd- Letter from Minnesota Association of Townships with District 10 meeting notice on Thursday, August 22nd at the Grand Lake Town Hall at 6:00 PM. Placed on file.

July 24th- Email from Minnesota Energy Resources with notification of a project to automate the process of reading gas meters. Work will begin in the summer of 2019 will be completed the winter of 2020/2021. Placed on file.

July 26th- Letter from St. Louis County Planning and Community Development Department. Notice of Public Hearing on Thursday, August 8th at 10:50 AM with a variance request for Michael Thompson. Placed on file.

August 5th- Letter from Minnesota Energy Resources with a follow up in regards to the caution hazardous condition tag on one of our appliances. Fayal has corrected the natural gas leak that was located in the garage. Placed on file.

August 5th- Email from the State Demographic Center regarding census work beginning soon for address canvassing. Identified how to verify a census employee. Shared with Police and Planning Committee. Placed on file.

August 6th- Letter from Minnesota Association of Townships with information for the Legislative and Research Committee meetings that will be held September 18th-19th. Placed on file.

August 8th- Letter from Couri & Ruppe. Legal service rate increase will take effect January 1st, 2020. Hourly rate will increase to \$210 per hour for general legal work and \$230 per hour for all development work. Placed on file.

August 16th- Email from St. Louis County Planning and Community Development. Fiscal Year 2020 Program Open House and Public Hearing Fiscal Year 2018 Program Accomplishments on September 12th in Mt. Iron regarding Community Development Block Grant. Placed on file.

August 19th- Letter from St. Louis County Planning and Community Development Department with proposed revisions to St. Louis County Zoning Ordinance 62 in regards to allowing short term rentals through the issuance of permits. Shared with the Planning Committee.

OLD BUSINESS

Chief Shykes wanted to make the Board aware that the Fire Department applied and received a 50/50 matching grant from the DNR for \$5,000.

Supervisor Sather-

Fire Department Co-op-

Chief Shykes informed the Board that the committee met last night and began assigning tasks for projects. Plan is to start with tasking a few individuals to work on standard operating guidelines as well as get the training officers together to work on one unified training program. Chief Shykes also spoke with the State Fire Marshal's Office and they suggested having John Ehret be the facilitator. Possible if requested that he could do that and also possibly at no charge. Second round of grants will be out in October. Our group is eligible to apply with the steps that we already have taken. When the grant is available, Chief Shykes will apply with approval from the group. Discussion regarding the meeting and how productive it was. The administrators need to be involved and all the cities need to be on board, too.

Employee Health Insurance- Met with the employees and Jamie Lindseth the other week to discuss other programs. Discussion regarding verbiage in the contract. Waiting until October when the new rates come out.

Supervisor Branville-

Generator- Generators are operational, but need to check with Hometown if they finished installing the timers.

Cracksealing- Two quotes. One from TNT for \$4,300 and Eagle Valley Paving for \$4,500. Included in Eagle Valley's proposal is a two-year warranty. Eagle Valley has appeared to do well on the driveways in the area. Discussion as no payment issued until the work is complete.

Motion to contract with Eagle Valley Paving for \$4,500, made by Supervisor Branville, support from Supervisor Sather. Motion carried unanimously.

Orderly Annexation Agreement- Discussion that a joint resolution will need to be established by Gilbert and Fayal to dissolve the agreement due to the terms. Clerk Coldagelli will follow up with the Clerk from Gilbert.

Chairman Tammaro-

Clerk/Treasurer Term Correction Ordinance 2002-1- Attorney Scott Neff will be working on this.

Supervisor Chad-

Old Bullfrogs Building- Court date has been continued until next month. There was a letter drafted by Chairman Tammaro sent to Commissioner Keith Nelson. Could be a good economic development opportunity for an interested buyer to place more storage units.

At this time, Ron Hall returned to the meeting to drop off the certificate of survey. He also made the Board aware that there is concrete near the Ballfield and unsure if its on the Ballfield property or the nearby

neighbor's. Blight Officer Chad will look into it.

MnDOT Relocation- Chairman Tammaro updated that in speaking with the Mayor of Eveleth, the location is MnDOT's number one choice. Currently, they are testing to ensure not a Native American burial site. It also sounds as though Eveleth is interested in developing the lots around St. Mary's Lake.

Supervisor Ziegler-

Blacktopping- Larson's driveway has been fixed. The manholes have been cut, but with staffing in the PUC, Road & Bridge may need to assist. Discussion regarding using cement around the manholes and recommendation is to use blacktop. Supervisor Ziegler added that there are castings that are made that can move with the pavement.

Job Descriptions- Supervisor Ziegler has been working on.

Chairman Tammaro-

2020 Joint Rec Budget- No increase to any of the participants for contributions.

Motion to approve the 2020 Joint Recreation Budget as written, made by Supervisor Sather, support from Supervisor Branville. Motion carried unanimously.

Recognition Program-

Motion to approve as written Resolution 2019-07, A Resolution Establishing a Recognition Program for the Town of Fayal, made by Supervisor Ziegler, support from Supervisor Branville. Motion carried unanimously.

Commission Vacancy- Channel 12- There is still a vacancy.

NEW BUSINESS

Supervisor Sather brought forward a printout of the sign that he had designed for the recycle and dirt pile area. The sign is a 4' X 8' sign for approximately \$450 and our employees can install the posts.

Motion to purchase the sign, made by Supervisor Sather, support from Supervisor Ziegler. Motion carried unanimously.

Supervisor Branville stated there was also a resident request to place a stop sign at the entrance of the ballfield. Many cars are leaving the ballfield and not stopping before they turn onto Park Drive.

Supervisor Ziegler brought forward that the R&B Department was going to purchase a hedge trimmer to clear up the right-of-ways.

Annual Polling Place- Resolution 2019-06-

Motion to adopt Resolution 2019-06, A Resolution Designating Annual Polling Place made by Chairman Tammaro, support from Supervisor Ziegler. Motion carried unanimously.

Contractor Safety Policy/Contract for Services- Coldagelli drafted a policy for review.

Arjavec/Cvek Sewer Connection- Chairman Tammaro informed the Board that years ago, Ed Cvek connected to the sewer line by means of the nearby home that was connected to the main line. At the time, the home was going to be removed in the near future. Now years later, that home is being sold and never was demolished. According to the buyer, there is an easement being drafted that also addresses how to deal with the sewer line.

Employee Cell Phone Stipend- Discussion regarding a cell phone stipend for employees.

Motion to approve a stipend of \$50.00 per month, in case of overages or excessive charges during Township use incurred to the employee's bill that we then cover that difference provided the employee provides the bill showing such overages, made by Supervisor Branville, support from Supervisor Ziegler. Motion carried unanimously.

Direct Deposit- A few employees are interested in direct deposit. Clerk Coldagelli will check with the bank again.

IRRRB Grant- Chairman Tammaro informed the Board that he spoke with Chris Ismil from the IRRRB regarding a storage building at the ballfield and a gazebo at the Town Hall. Mr. Ismil said that there should be grant programs available for the building of a gazebo.

Motion to apply for a grant at the IRRRB for a gazebo, made by Supervisor Ziegler, support from Supervisor Chad. Discussion about location and size. Motion carried unanimously.

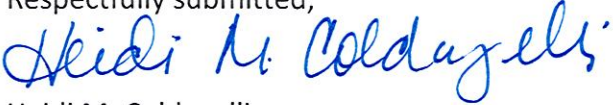
Chairman Tammaro brought forward that the Union approved the Town Board's recommendation for the new Town Foreman's pay. An MOU will be coming and should be ready at the next meeting. Chairman Tammaro also brought forward that the HSA for employee Latvaaho should be funded as well and should be prorated to the start date.

Motion to prorate HSA funding for Foreman Latvaaho to his start date of August 19th, made by Supervisor Ziegler, support from Supervisor Branville. Chairman Tammaro abstained. Motion carried.

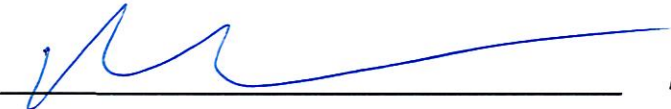
Motion to pay the claims in the amount of \$51,619.50, made by Supervisor Branville, support from Supervisor Chad. Motion carried unanimously.

Chairman Tammaro adjourned the Regular Meeting at 8:23 PM.

Respectfully submitted,



Heidi M. Coldagelli
Clerk/Treasurer Town of Fayal

Approved:  _____ Date: 9-3-19
Chair

Attest:  _____
Clerk