

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

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REGULAR MEETING OF THE FAYAL TOWN BOARD

SEPTEMBER 3, 2019

The Regular Meeting of the Fayal Town Board of Supervisors was called to order at 7:00 PM by Vice-Chair Ziegler. Present were: Supervisor Branville, Supervisor Chad, Supervisor Sather, Vice-Chair Ziegler and Clerk/Treasurer Coldagelli. Chairman Tammaro was absent. Vice-Chair Ziegler began with the Pledge of Allegiance.

Audience members in attendance were Ron & Mary Hall; Keith & Tammy Bechtold; Michael & Kristin Pessenda; Mark, Deborah & Michael Johnson; and Steve Shykes.

Motion to approve the minutes of the Regular Town Board Meeting of August 20th, 2019, made by Supervisor Sather, support from Supervisor Branville. Motion carried unanimously.

SCHEDULED GUESTS- None at this time.

AUDIENCE CONCERNS- Ron Hall was present to discuss actions at the last Town Board meeting and use of the platted road. All Supervisors indicated to Mr. Hall that from the last meeting, they were under the impression that Mr. Hall was coming off of Park Drive to build his road. Vice-Chair Ziegler informed Mr. Hall that there was no permission granted from the Supervisors to come off of W. Park Blvd to build a road as it would cross private property and conflict with the neighbors. Discussion from Mr. Hall regarding his understandings from the last meeting. Mr. Hall has already placed dirt on the platted road running north-south. Vice-Chair Ziegler informed Mr. Hall that per the last meeting, no formal motion was made, but verbal approval was given for the road coming off of Park Drive after Clerk Coldagelli reviewed her legal information and to also work with the Road & Bridge Department. The Road & Bridge Department has not reported back to Vice-Chair Ziegler regarding the road. Clerk Coldagelli informed Mr. Hall that to her recollection of the recorded minutes, there was no mention of a north-south road and only two Board members actually gave verbal approval to Mr. Hall. Vice-Chair Ziegler informed Mr. Hall that he still does not have an issue with a road coming off of Park Drive, but has opposition with a north-south road as it interferes with a resident's property as well interferes with the road that connects to the ballfield. Mr. Hall would like to utilize the north-south platted road due to the cost of bringing the road from Park Drive. Clerk Coldagelli had provided documentation regarding the legality of platted roads and appropriate state statutes that an attorney provided to her. Much discussion. Vice-Chair Ziegler would like to halt the project until he and Mr. Hall review the last minutes for verification of Mr. Hall's claims of approval for use of the platted road that runs north-south. Mr. Hall offered the Township's consideration to purchase the property from him for \$28,000 for expanding recreational opportunities.

Keith and Tammy Bechtold were present to voice their concerns regarding Mr. Hall's utilizing a platted road for his property access. Mr. Hall notified the property owners over the previous weekend and placed six loads of gravel. Per Mr. Bechtold's research, platted roads use and ownership are 50% for each abutted property owner, which would be Mr. Bechtold and Fayal Township. Mr. Bechtold questioned who will take care of the road? Banks from the snow? Mr. Bechtold also expressed that the Township did not make a motion giving Mr. Hall permission. Vice-Chair Ziegler reiterated that the original approval was for the platted road coming off of Park Drive. Mr. Bechtold encouraged the Town Board to research the legalities regarding platted roads and to stick with the original approved road. Mr. Bechtold would like to approach the Township for vacating the platted road to maintain how the property currently is. Vice-Chair Ziegler communicated to Mr. Bechtold that the original approval for Mr. Hall specifically only impacted the Township and no neighbors, which is why he was in favor of the road off of Park Drive.

Mark Johnson questioned the private drive sign at the ballfield and its intent. Vice-Chair Ziegler clarified that it is a private driveway for the Township to access our property. Also there was a neighbor who was building a garage and would be using that road to access their garage. Kristin Pessenda discussed that was her property and the intent was not to use that as a driveway. Supervisor Branville added that he previously spoke with Mr. Johnson and that he had discussed that issue, the issue with declining easement for Mr. Hall from that road as well as placement of a stop sign at the end of the ballfield road. Discussion regarding an uptick in four-wheeler usage at the ballfield. The sign was to deter usage of the road.

REPORTS-

Clerk/Treasurer's Report-

Bank statements for the month of August have not yet been received so this report is tentative. Revenues were \$118,755.56 and expenditures were \$63,136.19. Tentative ending balances for the month of August are:

Miners Checking- \$1,160,777.61
Assessment Savings- \$317,268.76
CD Savings- \$80,884.26
4M Fund- \$410,521.96

For the month of September to date, revenues are \$0 and expenditures are \$62,374.55.

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

Other Reports-

Motion to accept the Employee Meeting Minutes from August 26th and September 3rd, made by Supervisor Branville, support from Supervisor Sather. Motion carried unanimously.

Motion to accept the Planning Commission Meeting Minutes from July 17th, made by Vice-Chair Ziegler, support from Supervisor Branville. Motion carried unanimously.

CORRESPONDENCE-

September 3rd- Letter from St. Louis County Public Works Department with 2020 aggregate crushing, maintenance striping and cracksealing, chip sealing and scrub sealing programs. Due date to participate is October 11th. Forwarded on to the Road & Bridge Department.

September 3rd- Letter from Northeast Service Cooperative. For the months of October, November and December 2019, the Township will receive a premium holiday for dental insurance. This is a one-time gift for loyal participation over the years. Clerk will need to adjust employees for payroll deductions for those months.

September 3rd- Letter from the Bridge Daze Committee with requesting consideration to sponsor Bridge Daze 2019. Event will take place in Virginia September 14th. Placed on file.

September 3rd- Letter from St. Louis County Planning and Community Development Department with summary decision from St. Louis County Board of Adjustment for Michael Thompson. Formal findings of fact, conclusions and decision will be received in approximately one month. Sent to the Planning Committee.

September 3rd- Urgent Letter from St. Louis County Planning and Community Development Department with request to review, sign and return amendment in regards to CDBG Program Requalification. Moved to New Business.

OLD BUSINESS

Supervisor Sather-

Fire Department Co-op- Chief Shykes informed the Board that the next meeting is scheduled for Monday. Fire Marshal's Office has agreed as the facilitator and the group is currently working on a few projects.

Supervisor Branville-

Generator- Still need to follow up with Hometown Electric.

Orderly Annexation Agreement- Gilbert will be sending a response.

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

Cracksealing- Spoke with Eagle Valley. Will follow up to see when he will be coming.

Supervisor Chad-

Old Bullfrogs Building- No updated information.

MnDOT Relocation- No update.

Vice-Chair Ziegler-

Job Descriptions- Table for now.

Hendrickson Fence- Thunderbird Trail E.- Nothing to be done at this time.

Employee Health Insurance- Next meeting will be held with October.

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

Blacktopping- Will need to schedule with Senior Wastewater Operator Dale Dickson to work on the manholes.

Contractor Safety Policy/Contract for Services- Table for now to allow time for review.

Arjavec/Cvek Sewer Connection- Closing was scheduled for last week. Will follow up with buyer for a copy of the easement for our files.

Direct Deposit- Table until next meeting.

NEW BUSINESS

Grader Payment-

Motion to pay the grader payment for \$11,385.84, made by Supervisor Sather, support from Supervisor Chad. Motion carried unanimously.

Motion to approve Amendment No. 3 to Joint Cooperation Agreement with St. Louis County, made by Supervisor Branville, support from Vice-Chair Ziegler. Motion carried unanimously.

Motion to pay the claims in the amount of \$72,825.63, made by Supervisor Branville, support from Supervisor Chad. Motion carried unanimously.

Motion to adjourn, made by Supervisor Sather, support from Supervisor Branville. Motion carried unanimously.

Vice-Chair Ziegler adjourned the Regular Meeting at 7:52 PM.

Respectfully submitted,

Heidi M. Coldagelli

Heidi M. Coldagelli
Clerk/Treasurer Town of Fayal

Approved: *[Signature]*
Chair

Date: 9-18-19

Attest: *Heidi M. Coldagelli*
Clerk