

TOWN OF FAYAL
4375 SHADY LANE, EVELETH, MN 55734

Heidi M. Coldagelli, Clerk/Treasurer

Anthony Tamaro, Chairman

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

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REGULAR MEETING OF THE FAYAL TOWN BOARD

OCTOBER 1, 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 Sather, Vice-Chair Ziegler and Clerk/Treasurer Coldagelli. Supervisor Chad arrived at 7:04 PM. Chairman Tamaro was absent. Vice-Chair Ziegler began with the Pledge of Allegiance.

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

Motion to approve the minutes of the Regular Town Board Meeting of September 17th, 2019, made by Supervisor Branville, support from Supervisor Sather. Motion carried unanimously.

SCHEDULED GUESTS- None at this time.

AUDIENCE CONCERNS- Keith and Tammy Bechtold presented the Clerk and the Town Board a petition with 12 signatures for vacation of the platted road next to his property. Mr. Bechtold discussed the issue of Mr. Hall's request to use the road, his opinion on the subject and his thoughts that a road vacation would alleviate this issue. Supervisor Chad arrived at 7:04 PM. Discussion of road vacation procedures and a special meeting will need to be called within thirty days with a ten day notice.

Ron Hall came forward to bring forward his opinion of a hazardous road condition near the ballfield. Discussion regarding maintenance, closing the road and liability. Mr. Hall will look into the vacation petition and procedures. He also discussed the purpose and legality of platted road usage. Mr. Hall emphasized that if Mr. Bechtold is able to utilize the platted road for personal purposes, those same rights should be extended to Mr. Hall. Mr. Hall is going to build one home on the property and would like to use the platted road as the access.

Mark Johnson was present to check the status on the stop sign at the ballfield. Clerk Coldagelli will work with the Road & Bridge Department.

REPORTS

Clerk/Treasurer's Report

Bank statements for the month of September have not yet been received so this report is tentative. Revenues were \$99,706.37 and expenditures were \$114,841.39. Tentative ending balances for the month of September are:

Miners Checking- \$1,145,849.46
Assessment Savings- \$317,268.76
CD Savings- \$80,884.26
4M Fund- \$411,190.94

For the month of October to date, revenues are \$0 and expenditures are \$46,624.55.

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

Other Reports

Motion to accept the Employee Meeting Minutes from September 30th, made by Supervisor Branville, support from Supervisor Sather. Motion carried unanimously.

Motion to accept the September Road and Bridge Report, made by Vice-Chair Ziegler, support from Supervisor Sather. Motion carried unanimously.

Motion to accept the Planning Commission Meeting Minutes from August 21st, made by Vice-Chair Ziegler,

support from Supervisor Branville. Motion carried unanimously.

Motion to accept the Employee Meeting Minutes from September 23rd, made by Vice-Chair Ziegler, support from Supervisor Sather. Motion carried unanimously.

CORRESPONDENCE-

September 23rd- Letter from Minnesota Pollution Control Agency with proposed amendments to rules governing water quality standards- class 2 and class 7 use designations, Minnesota Rules chapter 7050. A public information meeting will take place Tuesday, October 29th from 3:00-5:30 PM at the MPCA St. Paul Office and via WebEx. Placed on file.

September 26th- Letter from St. Louis County Planning and Community Development Department with notice of public meeting Thursday, October 10th at 11:00 AM at the St. Louis County Public Works Building regarding proposed permitting standards and amendments to St. Louis County Zoning Ordinance 62 in regards to short term rentals. Shared with the Planning Committee.

September 26th - Email from Natalya Walker, North St. Louis County Soil and Water Conservation District. They would like to work with us again for the 2020 aquatic invasive species grant. Forward on to the Planning Committee.

September 26th- Letter from Napoli Shkolnik, PLLC regarding national litigation on behalf of water suppliers impacted by perfluorinated compounds (PFAs). Forward on to Wastewater Operator Dale Dickson.

September 26th- Letter from US District Court for the Northern District of Ohio with class action notice regarding national prescription opiate litigation. Unless opting out, all US counties, cities and local governments are included in the class action lawsuit. Placed on file.

OLD BUSINESS

Supervisor Sather-

Fire Department Co-op- Next meeting is October 14th.

Printer Quote- Have been using the machine as a demo for nearly three weeks and have been very satisfied with it. Paying in full would save approximately \$1,400 versus taking a lease. Clerk Coldagelli also received a cost reduction in the maintenance plan for color copies, black and white copies and increased the number of copies that are included each month.

Motion to purchase the printer from Excel Business Systems for \$7,981.00, made by Supervisor Branville, support from Supervisor Sather. Motion carried unanimously.

Direct Deposit- Cost from the bank is a \$50 set up fee. Cost from the accounting software is a one-time charge of \$995 for the program and then a yearly support fee of \$195. Those opting for direct deposit would receive it by Wednesday. Clerk Coldagelli will speak with the employees to determine who would utilize it if in place.

Supervisor Branville-

Generator- Hometown Electric has completed the generator project.

Orderly Annexation Agreement- Still awaiting Gilbert's response.

Supervisor Chad-

Old Bullfrogs Building- No further update. The attorneys have been in contact.

Hendrickson Fence- Thunderbird Trail E.- Neighbors need to work on a portion of this by getting a survey.

Ron Hall Property Access- Mr. Hall wanted to make everyone clear that the platted road is currently not a township road, he would not be requesting that the Township take over the maintenance and he would be building the road. Mr. Branville addressed Mr. Hall that yes it is currently not a town road, but when a resident presents the Town Board with a vacation petition, it is the Board's responsibility to follow state statute to act up the petition by holding the public meeting. The state statute specifically includes those dedicated by plat.

MnDOT Relocation- No new information.

Vice-Chair Ziegler-

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

Job Descriptions- Chairman Tammaro and Clerk Coldagelli are working on this.

Employee Health Insurance- Next meeting will be held October 15th when the new rates come out.

Clerk/Treasurer Term Correction Ordinance 2002-1- Attorney Scott Neff has rendered his opinion that it was an oversight and that in order to bring the term in line with state statute requirements, he will need to draft an amendment to 2002-01.

Motion to approve the attorney start the paperwork to amend the ordinance for the four-year term for the clerk/treasurer, made by Supervisor Branville, support from Vice-Chair Ziegler. Motion carried unanimously.

Contractor Safety Policy/Contract for Services- Table for review.

Arjavec/Cvek Sewer Connection- Awaiting the buyer to provide a copy of the easement for our files.

NEW BUSINESS

Resolution 2019-08 2020 St. Louis County Public Works Programs- The Road and Bridge Department decided to take a different route because of how expensive it is. There was some dissatisfaction in the past for crack sealing.

Motion to pay the claims in the amount of \$59,216.47, made by Supervisor Branville, support from Supervisor Sather. Motion carried unanimously.

Motion to adjourn made by Supervisor Branville.

Vice-Chair Ziegler adjourned the Regular Meeting at 7:39 PM.

Respectfully submitted,

Heidi M. Coldagelli

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Clerk/Treasurer Town of Fayal

Approved: *Andy J. Romano* Date: 10-15-19
Chair

Attest: *Heidi M. Coldagelli*
Clerk