

**TOWN OF FAYAL**  
4375 SHADY LANE, EVELETH, MN 55734

*Judy M. Sersha, Clerk/Treasurer*

*Steven J. Kniefel, Chairman*

*Supervisors: Tony Tammaro, James Pernu, Ron Beldo, Kathryn Erjavec*

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**REGULAR MEETING OF THE FAYAL TOWN BOARD**

**FEBRUARY 17, 2004**

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 Beldo, Supervisor Erjavec, Supervisor Pernu, Supervisor Tammaro and Deputy Clerk Zattoni. Clerk Sersha was absent.

Audience members present were: Jada Strumbell, D. J. Quast, Mike Erjavec, Dale Dickson, Jerry Ulman, Steve Shykes and Dave Zelinski.

***Motion to approve the minutes of the February 3, 2004 Regular Meeting made by Chairman Kniefel, support from Supervisor Tammaro. Supervisor Beldo questioned if there had been a motion at the last meeting to pay off the dump truck. Supervisor Tammaro stated there was discussion, but no motion was made. Motion carried unanimously.***

**REPORTS**

**Clerk/Treasurer's Report**- Ending balances as of January 31, 2004 are as follows:

American Bank Checking- \$620,692.45

American Bank Assessments- \$512,601.83

Miners Bank-\$103,606.04

For the period of February 1 - 17, 2004, receipts were 45,673.17 and disbursements were \$105,356.38. A transfer in the amount of \$85,353.98 was made from Miners to American Bank.

***Motion to approve the Clerk/Treasurer's Report made by Supervisor Beldo, support from Supervisor Tammaro. Motion carried unanimously.***

***Motion to accept the EFG Joint Cable TV minutes of November 6, 2003, made by Supervisor Erjavec, support from Supervisor Tammaro. Motion carried unanimously.***

***Motion to accept the EFGSD Joint Rec minutes of February 11, 2004, made by Supervisor Erjavec, support from Supervisor Tammaro. Motion carried unanimously.***

***Motion to accept the Fire Department Regular Meeting minutes of February 11, 2004 made by Chairman Kniefel, support from Supervisor Tammaro. Motion carried unanimously.***

**CORRESPONDENCE**

MPCA- They are asking for comments on preliminary plans to revise wastewater and storm water treatment financial assistance programs. The Request for Comments period will be open until further notice. Refer to PUC and placed on file.

SLC Solid Waste Dept.- They will now be accepting Visa/MasterCard credit cards for payment at the waste sites instead of the Department operating a charge system, effective July 1. They will still accept personal or business checks. Placed on file.

LGA- Update. Placed on file.

Scott Neff- Copy of the final executed Agreement for Treatment of the Town of Fayal Effluent by the City of Gilbert. Placed on file.

Kathryn Erjavec- Notice that her property has been expanded by 5.3 acres, due to a division of

property by Frank and Margaret Erjavec. Referred to New Business.

## **OLD BUSINESS**

### **Supervisor Beldo-**

**Old 911 Signs-** There has been no market for scrap metal for the past few years, and no one will pick it up. The old signs were delivered to the landfill.

**Newsletter Mailing List-** There are about 796 addresses that are deliverable. One hundred ninety are not deliverable or seasonal. A new mailing list has been completed, and a copy was left with the Clerk's Office.

**Lobby Day-** Supervisor Beldo informed that he attended the annual township lobby day at the state capitol. The session was interesting, but there is not a lot of good news for our area.

### **Supervisor Erjavec-**

**Joint Cable TV Meeting-** Supervisor Erjavec reported she attended the last meeting and the budget was under discussion. They are working on a shortfall, because no insurance or benefits were included in the budget.

**Skating Shack/Rink-** There have been problems with the rink and shack being open but no attendant is on-site. An adult has now been hired to oversee the rink.

**PUC Meeting-** Erjavec reports she attended the last meeting. At a meeting a month earlier, Erjavec requested the PUC to look into establishing a seasonal rate and this has not been done. Tammaro answered that we first have to come up with a main rate before we can look at a seasonal rate. Discussion then turned to the cable tv commission and insurance coverage.

### **Supervisor Pernu-**

**Town Complex Repairs-** Several items need repair or replacement. Items to repair are the garage floor drain, door jamb, outside panels. Replacement items are ceiling tiles, podium, possibly combined with a sound system and paint. Supervisor Pernu obtained quotes from HG Harvey and Lenci for the repair items. Cost for those repairs will be in the \$17-18,000 neighborhood. Pernu will do some more research.

### **Supervisor Tammaro-**

**LHB Agreement/Sewer Rates-** The agreement went to the PUC for their review. At their last meeting they voted unanimously not to raise the sewer rate. Another meeting will be held with Kelly Campbell, Supervisors Tammaro and Kniefel and Clerk Sersha to look at the rate issue again. Supervisor Erjavec asked that she be notified before the meeting so she can forward a brief synopsis of how we can determine a seasonal rate. The rate issue will be up for discussions again at the next PUC meeting.

### **Chairman Kniefel-**

**Sewer/Water Agreements-** The executed copy of the sewer agreement has been received. The draft water agreement has many errors and will be referred to Neff. As for the RLK lawsuit, the actions have been consolidated and will be heard in district court.

## **NEW BUSINESS**

**Firefighter Relief Association-** Supervisor Beldo reported he contacted Rose Hennessy of the State Auditors Office, Steve Jarvi of Walker, Giroux & Hahne and researched the issue on the internet. Beldo reports we have a bigger shortfall than was realized. There is a \$10,000 shortfall for 2003 and an \$18,000 shortfall for 2004. Due to the reports being submitted late the 2% funds for those years have also not been received. In addition because the reports were submitted late, there was no time for the board to consider the amounts the town would be liable for, and make the adjustments so the contribution would not go over the amount budgeted by the town board. Much discussion. Beldo states there may be a possibility we can file an amended report—the auditor may accept it or they may reject it, but it is something we could try. More discussion. Supervisor Erjavec stated we have to pay

it-the town is obligated, but questioned if we make such a large contribution this year, can we not fund them for next year?

**NEW BUSINESS (Continued)**

Tammaro questioned how many dollars the fire department made for the township this past year over and above the budget? Fire Chief Shykes stated the department made over \$30,000 last year, and approximately \$25,000 already this year. There was much more discussion concerning whether or not the retirement amount was \$1,500 or \$1,800, and the paperwork being past due. Chief Shykes added that no one on the fire department would object to lowering the amount to keep within the budget. As for the draft resolution distributed by Chairman Kniefel regarding proposed town board action on the relief association, Supervisor Beldo stated he did not feel comfortable with the resolution because Kniefel is on the fire department and is an ex-officio on the relief association. Beldo states he would like to table the matter for an opinion and further study and clarification on how much is owed for 2003 & 2004. Beldo states he would then re-draft the resolution and present it at the next meeting. Pernu agreed that he needed more time to study the matter also.

***Motion to table the Relief Association matter until the next meeting, made by Supervisor Beldo, support from Supervisor Pernu. Motion carried unanimously.***

***Motion to reserve \$30,000 from the unreserved funds for the Buildings & Grounds to set up a capital improvements fund for expansion of the buildings, made by Supervisor Erjavec.***

Tammaro states that mining effects funds were recently set aside for building improvements. Beldo states the comprehensive plan survey clearly showed the people in the township want no expansion of the building. ***Motion dies for lack of second.***

Supervisor Tammaro reported that a price quote from US Filter for service for our telemetry. The quote will be kept on file to use if needed. Supervisor Tammaro informed the board that a new computer is needed for the SCADA system, and made a recommendation on the specifications.

***Motion to purchase a new computer, per specifications, for the sewer department to be paid for by the sewer department, made by Supervisor Tammaro, support from Chairman Kniefel. Supervisor Beldo questioned if the old computer could be used by the R & B Department. Agreed. Motion carried unanimously.***

Chairman Kniefel introduced and read aloud Resolution 2004-2.

***Motion to adopt Resolution 2004-2 Regarding Zoning Regulations for the Eveleth/Virginia Airport, made by Chairman Kniefel, support from Supervisor Tammaro. Motion carried unanimously.***

Chairman Kniefel informed the Board that the precinct caucuses will be held on March 2, 7:00 PM, E-G High School. No public meeting can be held after 6:00 PM.

***Motion to hold the March 2, 2004 Regular Meeting at 4:00 PM, due to the caucus, made by Chairman Kniefel, support from Supervisor Beldo. Motion carried unanimously.***

Discussion on a promissary note for a property owner subject to the sewer access charge. The note will be recorded, and if the property is sold the note must be paid in full. Interest charged per year is at 3.5%, with a 10% late charge per month. The note would be recorded. Supervisor Tammaro reported the PUC voted unanimously to charge a 1.5% monthly interest rate.

***Motion to accept the promissary note, and the terms therein, made by Chairman Kniefel, support from Supervisor Erjavec. Motion carried unanimously.***

***Motion to set the official mileage rate for 2004 at 37.5 cents per mile, made by Chairman Kniefel, support from Supervisor Erjavec. Motion carried unanimously.***

Short discussion on expansion of Kathryn Erjavec property due to division and attachment of property owned by Frank & Margaret Ann Erjavec, and the request by Kathryn Erjavec for relief from the sewer access charge.

***Motion to table the issue for further review, made by Chairman Kniefel, support from Supervisor Beldo. Kniefel, Beldo, Pernu & Tammaro voted yes. Erjavec abstained. Motion***

*carried.*

**CITIZEN CONCERNS AND COMMENTS**

Dale Dickson had some questions regarding the Fire Relief Association. Short discussion.

Jerry Ulman requested that a plaque with Wes Ojanpa's picture commemorating his 19 years of service to the township be hung in the town hall.

Supervisor Beldo, supported by Chairman Kniefel to order a plaque for Mr. Ojanpa. Motion carried unanimously.

Steve Shykes and David Zelinski were in attendance but had no comment.

***Motion to pay the bills, including the Design Group bill because they have fulfilled their obligation, made by Supervisor Tamaro, support from Supervisor Beldo. Motion carried unanimously.***

***Motion to adjourn made by Supervisor Tamaro, support from Chairman Kniefel.***

Regular meeting adjourned at 8:55 PM.

Respectfully submitted,

Roberta M. Zattoni  
Deputy Clerk of Fayal

***Approved:*** \_\_\_\_\_  
***Chair***

***Attest:*** \_\_\_\_\_  
***Clerk***