

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

PHONE (218)744-2878

FAX (218) 744-5986

REGULAR MEETING OF THE FAYAL TOWN BOARD

MARCH 2, 2004

The Regular Meeting of the Fayal Board of Supervisors was called to order at 4:00 PM by Chairman Kniefel. The meeting was re-scheduled to an earlier time and properly posted, due to the precinct caucuses being held at 7:00 PM. Present were: Chairman Kniefel, Supervisor Beldo, Supervisor Erjavec, Supervisor Pernu, Supervisor Tammaro and Clerk Sersha.

Audience members present were: Kelly Campbell, Jerry Ulman, Bob Mavec, Nick Domiano, and an E-G High School student.

Motion to approve the minutes of the February 17, 2004 Regular Meeting, made by Supervisor Tammaro, support from Supervisor Beldo. Motion carried unanimously.

REPORTS

Clerk/Treasurers Report- For the month of February 2004, receipts were \$64,108.12 and expenditures were \$112,643.93. Bank statements for February have not arrived, so account reconciliation was unable to take place.

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

Motion to accept the unapproved EFG Joint Cable TV minutes of February 5, 2004, made by Supervisor Erjavec, support from Supervisor Beldo. Supervisor Erjavec informs that the next meeting will be held Thursday, March 4, at 5:30 PM. Motion carried unanimously.

Motion to accept the unapproved PUC Regular Meeting minutes of February 10, 2004, made by Supervisor Tammaro, support from Chairman Kniefel. Motion carried unanimously.

Motion to accept the February 2004 Police Report made by Chairman Kniefel, support from Supervisor Tammaro. Motion carried unanimously.

Motion to accept the February 2004 Road & Bridge Report made by Supervisor Beldo, support from Supervisor Tammaro. Motion carried unanimously.

CORRESPONDENCE

LGA- They are asking that phone calls be made to legislators regarding hearing our annexation reform legislation, House File No. 375 and Senate File 477. Placed on file.

SLC Solid Waste- A credit card implementation meeting on tipping fee charge accounts will be held on March 2, Virginia City Hall Council Chambers, 9 am to 11 am or 1 pm to 3 pm. Placed on file.

Application for membership to Fayal Fire Dept from Gary Gwash. Referred to Fire Dept.

SLCATO- Annual meeting to be held April 28, Cotton Community Center, 7:30 pm. Placed on file.

Thank you from the family of Wes Ojanpa. Placed on file.

MPCA- Update to changes to the hazardous waste annual fee and generator superfund tax. Fees will increase 35%. Placed on file.

MN Assn of Twps- Shortcourse will be held April 2, Days Inn, Eveleth. Placed on file.

ERDAC- Letter informing us they have employees available to perform jobs such as a spring clean up, janitorial, clerical etc. Referred to Supervisors Erjavec and Pernu.

Chairman Kniefel- 1) Copy of letter sent to Mark Weir informing him of action taken on Fayal Resolution 2004-2 and 2) Letter to Rose Hennessy of the State Auditors Office informing her of actions taken by the town board regarding relief association retirement. Referred to Old Business, placed on file.

Supervisor Tamaro- Copy of letter sent to Rose Hennessy informing her that the Relief Association has made changes to their by-laws reducing the yearly amount to \$1500 and that a by-law committee has been formed. Referred to Old Business, placed on file.

Steve Jarvi-Walker, Giroux & Hahne- Revised Relief Association forms for 2002 & 2003. Referred to Old Business, placed on file.

SLC Auditor- Fayal must levy \$51,800 for taxes payable in 2005 under road and bridge to receive gas tax monies. Placed on file.

Supervisor Erjavec informed the Board she submitted a questionnaire on flood plains in the township.

OLD BUSINESS

Supervisor Beldo-

SLCATO Meeting- Dave Skelton gave a presentation on the county budget. The meeting was interesting and informative.

Newsletter- Beldo estimates the postage cost for the newsletter should run about \$200 per mailing, since the mailing list has been updated. With miscellaneous costs the total for a year will be about \$1,000. Beldo questions if we want to continue the newsletter. Supervisor Erjavec states she has heard much good feedback on the letter, and it should continue.

Motion to approve the fees associated with the newsletter for another year, made by Supervisor Beldo, support from Supervisor Erjavec. Motion carried unanimously.

Legal Opinion on Relief Association Resolution- Beldo reports he spoke with MAT Attorney John Dooley concerning Chairman Kniefel submission of a resolution to the town board regarding the Fire Relief Association and whether or not it is a conflict of interest. Dooley's advice was that Kniefel should state his position and interest in the matter. As for the resolution submitted by Kniefel, it relates to the fire group as a whole, and not specifically to one person, so it is an acceptable action on Kniefel's part to introduce and vote on it. Kniefel stated that he has always abstained from the setting of the individual benefit level. As for the resolution, Kniefel stated that it has to do with how to fund a benefit level that has already been set by the Board (with Kniefel and Tamaro abstaining).

Supervisor Erjavec-

Town Complex Grounds- Supervisor Erjavec reports she and Supervisor Pernu did a property inspection. There are many trees that are planted under power lines that should be cut down and the woods across from the Shortstop should be thinned. Erjavec stated we will have to be careful of what is cut down in that area because some of the trees have been planted as a memorial. Supervisor Erjavec stated that at the last meeting it was decided a plaque would be put up in the town hall in memory of Wes Ojanpa, and Erjavec questioned if outdoor plantings would be more appropriate. Discussion. It has not been past practice to have supervisor's pictures or memorials in the town hall, and the Board was concerned about being unfair to others that have served the township.

Motion to rescind the plaque, and place a planting in Mr. Ojanpa's memory instead, made by Supervisor Erjavec, support from Chairman Kniefel. Motion carried unanimously.

OLD BUSINESS (Continued)

Supervisor Pernu-

Quotes on Building Repair- Supervisor Pernu reports he is receiving more quotes on the projects and will check with some of the smaller local contractors. Pernu hopes to have the projects done in June.

Supervisor Tammaro-

Fire Relief Association- Tammaro reports the Relief Association Board of Trustees held a Special meeting and the Relief Association held a Special Emergency meeting to discuss the deficit in the retirement fund. Tammaro submitted the minutes to the board.

Motion to accept the minutes fo the Fayal Fire Relief Association Board of Trustees Special Meeting of February 25, 2004, made by Supervisor Tammaro, support from Chairman Kniefel. Motion carried unanimously.

Motion to accept the minutes of the Special Emergency Relief Association meeting of February 25, 2004, made by Supervisor Tammaro, support from Chairman Kniefel. Motion carried unanimously.

Tammaro reports that letters from the Relief Association and Chairman Kniefel were sent to the State Auditor explaining the intent of the benefit level set for the members of the fire department, and the ratification of a \$1500 benefit by the Relief Association members. Steve Jarvi of Walker, Giroux & Hahne is going to amend the forms for 2003 and 2004 showing a benefit of \$1,500 per year of service. The by-laws will be amended and the Relief Association will make sure that all paperwork is done and submitted to the town board by August 1 of every year. There is a 2003 shortfall of \$13,270. The budgeted township contribution for 2003 was \$11,250 and the 2004 contribution is \$11,500, for a total of \$24,770 which needs to be submitted. Much discussion.

Motion to rescind the May 2002 motion that the Board used to establish the \$1,800 benefit level because it is not financially feasible, made by Supervisor Beldo, support from Supervisor Erjavec. Beldo, Erjavec and Pernu voted yes. Kniefel and Tammaro abstained. Motion carried.

Motion to rescind the December 5, 2000 motion that established a \$1,600 benefit level, made by Supervisor Beldo, support from Supervisor Pernu. Beldo, Pernu and Erjavec voted yes. Kniefel and Tammaro abstained. Motion carried.

Chairman Kniefel introduced and read aloud Resolution 2004-3. The Resolution had to do with funding the benefit level of the relief association, and directives to the Relief Association regarding timeliness of paperwork and amending of their by-laws. Discussion.

Motion to adopt Resolution 2004-3 to Meet 2004 Municipal Contribution Obligation to the Fayal Firefighters Relief Association, made by Chairman Kniefel, support from Supervisor Beldo. Supervisor Erjavec questioned if we should make up the shortfall in the 2005 levy. Discussion. The resolution calls for a transfer from unallocated general fund reserves, and the board felt that taxing people at an additional level when there are reserves was not appropriate. ***Motion carried unanimously.***

LHB Engineering Agreement- The agreement will be reviewed by the PUC at their meeting on Monday.

Motion to table the LHB Agreement made by Supervisor Tammaro, support from Supervisor Tammaro. Motion carried unanimously.

Discussion on R & B employees attending water license classes to maintain their certification, whether or not the certification is needed, the relevance of the classes they are attending, and which fund will pay for the training.

OLD BUSINESS (Continued)

Chairman Kniefel-

Fayal/Gilbert Water Agreement- The agreement is being corrected and sent to Gilbert for their signatures and will then be sent to Fayal for signature.

NEW BUSINESS

Supervisor Pernu reported he ordered a new podium from Range Office for \$275. The order should arrive in one day.

Supervisor Tamaro reported he contacted Sterling Automatic for a quote on the telemetry problems. They quoted \$3,555 for three days, 8 hours per day, plus expenses. Tamaro states he contacted US Filter to analyze the problem. They will be here for two days and will work on 5 or 6 lift stations and will also download all the telemetry and programs to the new computer.

Supervisor Tamaro reported the employees would like to have a township emblem for their work clothes. The cost would be a one time \$5 for the setup, and \$6.95 per garment after that.

Motion to pay for the logos on the employee's clothing, made by Supervisor Tamaro, support from Supervisor Beldo. Motion carried unanimously.

Chairman Kniefel stated that he studied the request for a sewer waiver submitted by Kathryn Erjavec, and found there would be no new or potential user of the sewer by the boundary line adjustment.

Motion that the (Kathryn Erjavec - Frank & Margaret Ann Erjavec) transaction is a boundary adjustment between two previously assessed parcels that does not create a new or potential user of the sewer system, made by Chairman Kniefel, support from Supervisor Pernu. Kniefel, Pernu, Beldo and Tamaro voted yes. Erjavec abstained. Motion carried.

Short discussion on the 2003 Annual Audit that was done by Walker, Giroux & Hahne, and just received. Chairman Kniefel reminded the Board of the Annual Meeting on March 9, and that it will be held at 7:00 PM.

CONCERNS AND COMMENTS FROM THE AUDIENCE

Kelly Campbell, Jerry Ulman, Nick Domiano, and Dave Zelinski were present but had no comment.

Bob Mavec suggested the flower bed near the town hall be dedicated to the memory of all supervisors that have served the township. The board agreed.

Motion to pay the bills made by Supervisor Tamaro, support from Supervisor Beldo. Motion carried unanimously.

Motion to adjourn by Supervisor Tamaro.

Chairman Kniefel adjourned the meeting at 5:25 PM.

Respectfully submitted,

Judy M. Sersha
Clerk of Fayal

Approved: _____
Chair

Attest: _____
Clerk