

TOWN OF FAYAL
4375 SHADY LANE, EVELETH, MN 55734

Judy M. Sersha, Clerk/Treasurer

Steven J. Kniefel, Chairman

Supervisors: Tony Tamaro, James Pernu, Ron Beldo, Kathryn Erjavec

PHONE (218)744-2878

FAX (218) 744-5986

REGULAR MEETING OF THE FAYAL TOWN BOARD

MAY 18, 2004

The Regular Meeting of the Fayal Board of Supervisors was called to order by Chairman Kniefel at 7:15 PM, following the adjournment of the 2004 Board of Equalization. Present were: Chairman Kniefel, Supervisor Beldo, Supervisor Erjavec, Supervisor Pernu, Supervisor Tamaro and Clerk Sersha.

Audience members present were: Dolores Cooper, Dale Dickson, Mike Erjavec, Jerry Ulman, Peter Bertucci, E-G students Tom Maki and Travis Herring.

Motion to approve the minutes of the May 4, 2004 Regular Meeting made by Supervisor Tamaro, support from Supervisor Beldo. Motion carried unanimously.

Motion to approve the minutes of the May 11, 2004 Special Meeting made by Supervisor Tamaro, support from Supervisor Beldo. Supervisor Erjavec abstained, due to her absence from that meeting. Motion carried.

REPORTS

Clerk/Treasurer's Report- The beginning balance for American Checking as of May 1, 2004 was \$644,006.96. As of this date, receipts are \$12,031.91, and expenditures are \$31,435.56. A transfer out of this account in the amount of \$69,151.00 was made for the purchase of two five year Certificates of Deposit, paying an annual percentage rate of 3.03. A Sewer Depreciation CD was purchased for \$60,000.00 and a Sewer Replacement Fund CD was purchase for \$9,151.00, leaving a tentative balance as of May 18, 2004 of \$555,452.31.

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

Motion to accept into the record the unapproved Fire Department Regular Meeting minutes of May 12, 2004, made by Chairman Kniefel, support from Supervisor Beldo. Motion carried unanimously.

Motion to accept the April 13, 2004 Public Utilities Regular Meeting minutes, made by Supervisor Tamaro, support from Supervisor Beldo. Motion carried unanimously.

CORRESPONDENCE

Steve Giorgi, AFSCME Business Agent- The grievance will be withdrawn at this time, but if the issue is not resolved in negotiations, it can be reconsidered at a later date. Placed on file.

MN Revenue- Annual hearing on unmined iron ore assessments for the year 2004 will begin at 10:00 am, Friday, May 21, Eveleth Public Library. Detailed info is enclosed on the 2004 tentative valuations in our taxing district. Placed on file.

MN Demographic Center- April 1, 2003 population estimate is 1,858 and household estimate is 764. Placed on file.

Mike Wiskow, Director of Public Works Eveleth- The aquaduct between St. Mary's and Ely Lakes is open as of Monday, May 10, 2004. St. Mary's Lake elevation is below 1375.1, and is currently at 1374.95. Placed on file.

SLC Auditor- Property tax due, settlement and distribution dates for payable 2004 taxes. Distributed

to Town Board, placed on file.

Carver Richards, Trenti Law Firm- Original Stipulation of Dismissal with Prejudice, signed by all parties, dismissing the Third-Party Defendant Utility Systems of America from the Town of Fayal v RLK v USA. Placed on file.

OLD BUSINESS

Supervisor Beldo-

Cedar Island Court- Beldo spoke with the residents, and they have not yet heard back from the surveyor. Beldo asked the residents to keep him informed on the progress.

R & B Sander- The approval of the purchase for a sander at the last meeting will have to be postponed. The vendor no longer provides those units. The cost has since risen due to the increase in steel and shipping costs. More quotes will be sought.

Union Contract- Communications, per board discussion, will be sent to Steve Giorgi tomorrow.

Residential Road Speed Limit- A request for a 25 mph speed limit on Golf Course Road was received by a resident. Beldo will research, and re-draft the resolution.

Supervisor Erjavec-

EFG Cable TV- No quorum was present at the last meeting. Fayal is the only one of the entities to take action on a prior budget deficit request. Fayal representative Roger Moller informed Supervisor Erjavec he will be unable to attend meetings starting in March. Jack Lalli has volunteered to fill the remainder of Moller's position. Short discussion on replacement procedure.

Motion to appoint Jack Lalli to fill the remainder of Roger Moller's term on the EFG Cable TV Board, upon receiving a letter of resignation from Mr. Moller, made by Supervisor Erjavec, support from Supervisor Tamaro. Motion carried unanimously.

Supervisor Erjavec informed the Board the Cable TV meetings will be held at the Fayal Town Hall for the summer. Scheduled dates are: June 10, July 10, August 5, 5:30 PM.

Supervisor Pernu-

Door Jamb- Work was completed last week.

Air Conditioning- Will be checked this week.

Town Hall Exterior- Obtaining samples of vinyl.

Supervisor Tamaro-

Fire Dept. By-laws- Draft copies were distributed to the Board. The draft will be reviewed by the Fire Department Relief Association at their meeting May 19. Upon passage by the Relief Association, they will be forwarded to the town board for ratification.

Mandatory Sewer Hookups- Those filing for exemptions or extensions will be reviewed by the PUC. Of the letters sent out, we have only about 3 that have not responded.

Pfeiffer Variance Hearing- The PUC will be hearing the Pfeiffer request for a sewer variance. As for the zoning issue, it was referred to Supervisor Erjavec. Erjavec has been in contact with SLC Zoning and will call the Pfeiffer's regarding their possible need for a land use variance.

NEW BUSINESS

Supervisor Tamaro reports that Ed Cvek attended the last PUC meeting. Cvek is building a new home, on a separate piece of property behind another home he owns, which is occupied by his mother. Mr. Cvek requested to connect to the municipal sewer from the house occupied by his mother. Our ordinance does not allow this type of connection. Alternatively, Cvek would have to cross a road and obtain easement from a neighbor, in order to comply with the ordinance. The PUC agreed to allow the connection through the front house, as long as it stays in the same ownership.

An agreement stipulating to this, and a map of the area and connection is also a requirement by the PUC. Discussion.

Motion to have Scott Neff draft a letter of understanding between the Town of Fayal and Ed Cvek as to his connection to the sewer, including a drawing of the property, made by Supervisor Tammaro, support from Chairman Kniefel. Motion carried unanimously.

Supervisor Tammaro reported the PUC passed a motion recommending the water/wastewater operator's hours be increased to 40 per week because there is too much work to be completed and it is not getting done. Tammaro cited examples of work to be done such as cleaning of the lines, jetting of the lines and cameraing the lines. Tammaro states that this may be a good time to talk about this, due to the opening of the union contracts.

Motion to increase the water/wastewater operator's hours to 40 per week made by Supervisor Tammaro. Chairman Kniefel supported for discussion purposes. Supervisor Beldo questioned if a 40 hour week could be substantiated on a year-round basis, and stated that needs to be studied. Beldo states the town has other options—Steve and Al are available and are both licensed water operators. There is not a rock solid full time commitment for the road & bridge department and they can be freed to perform other activities if there is that large of a workload. Beldo suggests utilizing the people we have on a short-term basis in order to get the work done, and felt that substantiation is needed before committing to a 40 hour work week for the wastewater operator. Chairman Kniefel agreed that hours need to be substantiated, and suggested we not only have to evaluate and substantiate a 40 hour workweek for the wastewater operator, but also evaluate and substantiate 40 hours for the other two employees. Kniefel states we are too small to be departmentalized and maybe we should be looking at equalizing across the board, at something less than 40 hours for all of the employees. Supervisors Beldo and Tammaro agreed. Beldo suggests a reorganization and assessment of employee duties. ***Tammaro agreed, and rescinded his motion. Kniefel rescinded his support.*** Consensus of the board is to now look at everyone's hours.

Chairman Kniefel added that this in no way diminishes the town board liason to the PUC the ability to add to the 32 hours per week for the wastewater operator, on an as-needed basis.

Supervisor Beldo reports that he spoke with the R & B employees concerning the shouldering on Scout Camp, and they do not believe it will take that much time—a few days at most. Chairman Kniefel suggests trying to cut a deal with the county, since they have shouldering equipment.

CITIZEN CONCERNS AND COMMENTS

Peter Bertucci was in attendance but had no comment.

Jerry Ulman questioned who the two representatives are for Fayal on the Airport Zoning Commission. Mr. Ulman states that the Airport Commission has not been informed. Chairman Kniefel states that he and Supervisor Erjavec are the two representatives and a letter was sent in February to the Airport's attorney informing him of that fact.

Dolores Cooper was in attendance but had no comment.

Mike Erjavec questioned if anything had been done concerning N. Airport Road. Supervisor Beldo states he is working on it.

Travis Herring and Tom Maki, E-G students were in attendance, but had no comment.

Motion to pay the bills made by Supervisor Tammaro, support from Supervisor Erjavec. Motion carried unanimously.

Motion to adjourn made by Supervisor Tammaro, support from Supervisor Erjavec. Motion carried unanimously.

Regular Meeting adjourned at 8:10 PM.

Respectfully submitted,

Judy M. Sersha
Clerk of Fayal

Approved: _____
Chair

Attest: _____
Clerk