

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

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REGULAR MEETING OF THE FAYAL TOWN BOARD

JULY 20, 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 Tamaro and Clerk Sersha.

Audience members in attendance were: Mike Erjavec, Paul Damberg, and Carolyn and Ed Vest.

Motion to approve minutes of the July 6, 2004 Regular Meeting, made by Supervisor Beldo, support from Supervisor Erjavec. Supervisor Tamaro abstained, due to his absence from that meeting. Motion carried.

SCHEDULED GUESTS

Ed and Carolyn Vest were in attendance to request an extension in time to pay their sewer access charge on a piece of property they purchased. The property was subject to a sewer access charge due to the subdivision of the property. Mr. Vest stated that he was surprised to open his monthly bill to find a charge of \$7,000.00, payable in 20 days. Mr Vest stated he purchased the property last fall and questioned why the charge was now implemented at this late date. Clerk Sersha answered that she was not notified of the property split, and the property purchase by the Vest's. Sersha states the only information she received was an assessment certification request from the title company, and there was no mention of the property being sold or divided. The only information the township had that the Vest's had purchased the property was rumor. Only recently did the parcel show up on the county tax records, and when it did, Sersha stated she instructed the billing clerk to find out if the property had access to the sewer, and if so, send a bill to the Vest's. Mr. Vest stated he purchased the property in August of 2003, and questioned if the access charge was \$7,000 at that time. Discussion by the Board. The access charge at that time was \$6,625.00.

Motion to reduce the sewer access charge to \$6,625.00 for the Vest property, because of the time of purchase, made by Chairman Kniefel, support from Supervisor Tamaro. Motion carried unanimously.

Discussion on Mr. Vest's request to extend the time period to pay the access charge. Supervisor Erjavec informs Mr. Vest that in the other instance the Board agreed to a promissary note, it was due to a hardship because the property was inherited and the owner did not expect the charge. Chairman Kniefel states that the township does not want to get into the banking business. Mrs. Vest states they are currently building a new home and cannot pay the entire amount at this time. Discussion.

Motion to extend to Ed & Carolyn Vest the same term as in the prior instance: (1) five year promissary note in the amount of \$6,625.00, (2) plus 3.5% interest (3) to be billed on a monthly basis (4) if the property is sold, the note is due immediately, in full (5) waive the 10% late charge for this month, due to the timing, made by Supervisor Beldo, support from Supervisor Tamaro. Beldo, Tamaro, Kniefel and Pernu voted yes. Erjavec voted no. Motion carried.

Paul Damberg was in attendance. Mr. Damberg is one of three Scoutmasters for Cub Scout Pack 103, which was chartered by the Fayal Fire Department. Mr. Damberg requested the Cub Scouts be allowed to place an 8 x 10 foot storage building on the town complex grounds to store their supplies.

Motion to allow the Cub Scouts to place a storage building on town complex grounds, and coordinate the location with Supervisor Pernu, made by Supervisor Tamaro, support from Supervisor Pernu. Motion carried unanimously.

REPORTS

Clerk/Treasurer's Report- The first half tax apportionment arrived and was receipted on July 9, 2004. Total received was \$394,412.61. Of that \$168,434.01 were special assessments, \$103,685.55 was the Road & Bridge levy, \$1,822.73 were accounts receivable to the enterprise funds, and the remainder of \$120,470.32 went to the General fund. Expenditures for the period of July 1-20 were \$44,770.03. Another transfer from the Miners Bank to the Mt. Iron Checking will be made tomorrow.

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

Motion to accept the June 8, 2004 PUC Regular Meeting made by Supervisor Tamaro, support from Supervisor Beldo. Motion carried unanimously.

Motion to accept the July 14, 2004 EFGSD Joint Rec Regular Meeting minutes made by Supervisor Erjavec, support from Supervisor Kniefel. Motion carried unanimously.

CORRESPONDENCE

Mike Wiskow, City of Eveleth Public Works- Aquaduct was opened on July 9 and closed again on July 12, 2004. Placed on file.

Iron Range Resources- List of contacts and their new email addresses, due to the name change of the IRRRB. Placed on file.

Security Access Control Systems- They are offering an option to purchase a cellular back up unit for security for a one time fee of \$249.00, plus a monthly monitoring fee of \$12.00. Placed on file.

Ray Eck, Eveleth City Clerk- Next ambulance meeting will be held Wednesday, July 21, 5:00 PM, Eveleth City Hall. Referred to Supervisors Tamaro and Kniefel, placed on file.

Mike Erjavec- Letter requesting a copy of Attorney Kent Sulem's response to Ron Beldo's inquiry regarding North Airport Road. Referred to Old Business.

OLD BUSINESS

Supervisor Beldo-

Cedar Island Court/Lane- Nothing. Beldo states that if we do not receive the necessary documents, we will not be maintaining the road this winter, and that will be communicated to the property owners.

Park Drive- Trees have been replaced at Tom Beste property. Verkovich reports there is merit to blacktopping the remainder of that road, and will research the records to try to find out why that portion was not completed. As for the fence, it is not an obstruction for plowing, but the town could request the fence to be removed.

North Airport Drive- Beldo reports he e-mailed John Dooley to ask him if his email on the subject of North Airport Drive is public. Dooley replied that as long as the email is on Beldo's personal computer, it is Beldo's discretion as to whether or not he desires to make it public. As for Mike Erjavec's request to upgrade the road, Beldo referred to a letter that was in the road file, dated May 6, 2003 from Chairman Kniefel to Frank & Mike Erjavec. Beldo states the letter does an excellent job of explaining the town's position, and gave Mike a copy.

Master's Easement- The legal description has been obtained. Referred to Chairman Kniefel.

Supervisor Erjavec -

EFGSD Joint Cable TV- A quorum was present at the last meeting. An employee was approved for the next year. There was discussion on cancelling the August meeting, and if that happens, notice will have to be posted.

Planning Committee- Next meeting is Tuesday, July 27, 5:00 PM.

OLD BUSINESS (Continued)

Supervisor Pernu-

Garage floor drain- New grate had to be ordered, and the cost had increased considerably. A three by twelve piece was \$675.00, but was needed to complete the project. We will have a four foot piece leftover.

Town Hall Exterior- Supervisor Pernu explained some of the options suggested by contractors he has spoken with on re-doing the front of the hall, and making a cover for the air conditioner. Short discussion.

Motion to authorize Buildings & Grounds Supervisor Pernu to procure a contract for the front of the town hall, not to exceed \$10,000.00, made by Chairman Kniefel, support from Supervisor Tamaro. Motion carried unanimously.

Supervisor Tamaro-

Gorski/Ring property- The restoration work left from the sewer project has been completed. Dale did the landscaping and sodding, it looks nice, and the property owners are pleased. Tamaro states the bills should be collected and sent to RLK.

RLK Litigation- The issue should go to court in September. Scott Neff has requested several items.

Mandatory Sewer Connections- There are a handful that have not connected, and have until July 31. Discussion on the course of action to be taken if the connections are not made.

Chairman Kniefel questioned if we have heard back from the DNR on the timber. Supervisor Erjavec states she has not heard back Roger Nelson yet.

Chairman Kniefel-

Township Website- Sersha reports she asked for clarification on the estimate given by Lee Carlson. The estimate has not arrived yet. Matter tabled.

Airport Zoning Commission- A fifth member, Tyler Lampala from Fayal, was appointed as Chair.

AFSCME Contract- The Essential Unit Contract has been signed by all parties, and copies were given to the police chief and union.

Motion to authorize the clerk to process back pay for the Essential Unit, made by Chairman Kniefel, support from Supervisor Erjavec. Motion carried unanimously.

NEW BUSINESS

Supervisor Beldo reports he is still working on the residential roadway designation for Golf Course Drive. The Scout Camp Road shouldering is not going well, due to not having the right equipment. Beldo states we may have to contract it out or possibly have the county do it. Kniefel will check with the county. Quotes are also being obtained for a blacktop overlay for Thunderbird Trail.

Supervisor Erjavec reports the Quad Cities have several service organizations, and there is a request for a project in Fayal. Erjavec also reports she is working on a seasonal rate for sewer, and is basing it on the property classification.

Supervisor Tamaro reports the Relief Association Reports are at Walker Giroux & Hahne, and we should have them by the deadline.

Supervisor Tamaro forwarded a letter from Phil & Tracy Delich, to the Board. The letter is to address the concerns of Mr. & Mrs. Delich over a new steel cable fence that was recently constructed across from their home. Blaze orange plastic pipe was installed over the steel cable as a safety shield, and the Delich's are requesting that something more aesthetic be installed. Supervisor Beldo suggests placing reflectors on the posts instead. Referred to Road & Bridge.

Clerk Sersha reported she received a request to purchase the old slide from the playground that was

taken down due to safety issues. Discussion on liability if we sell it.

Motion to instruct the employees to dispose of the slide in a timely manner, made by Supervisor Erjavec, support from Chairman Kniefel. Motion carried unanimously.

CITIZEN CONCERNS AND COMMENTS

Mike Erjavec was in attendance and commended the Board for their decision on the slide, due to the liability issues. Mr. Erjavec commented that North Airport Road is on the road inventory and at a minimum, is dedicated by use.

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

Motion to close the meeting to discuss AFSCME contract negotiations made by Supervisor Beldo, support from Supervisor Erjavec. Motion carried unanimously.

Clerk's Note: Per MN Statute 13D.03, Subd. 2 (a) & (b) the closed portion of the meeting was tape recorded. The tape will be preserved for two years after the contract is signed and will be made available to the public after all labor contracts are signed by the board.)

Regular Meeting closed at 8:38 PM, and was reopened and adjourned at 9:12 PM.

Respectfully submitted,

Judy M. Sersha
Clerk of Fayal

Approved: _____
Chair

Attest: _____
Clerk