

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 BOARD OF SUPERVISORS

AUGUST 3, 2004

The Regular Meeting of the Fayal Town Board was called to order at 7:00 PM by Chairman Kniefel. Present were: Chairman Kniefel, Supervisor Beldo, Supervisor Erjavec, Supervisor Tammaro, Supervisor Pernu and Clerk Sersha.

Audience member in attendance was Mike Erjavec.

Motion to approve the minutes of the July 20, 2004 Regular Meeting, made by Supervisor Tammaro, support from Supervisor Beldo. Motion carried unanimously.

REPORTS

Clerk/Treasurer's Report- For the month of July 2004- Transfers:

Miners to Mt. Iron Checking- \$137,015.54

Assessment Savings to Mt. Iron Checking- \$313,849.20

Total expenditures for the month were \$378,773.96, which includes a \$313,849.20 PFA loan payment, which was made on 7-23-04. Balances as of July 31, 2004 are as follows: Mt. Iron Checking - \$814,871.03, Assessment Savings- \$295,422.19. Statement for Miners Bank was not available.

CORRESPONDENCE

Scott Neff, Trenti Law Firm- Letter clarifying the enforceability and validity of the existing sewer utility easements signed by Fayal residents. It is Neff's opinion that the temporary easement continues to be valid and enforceable and that Fayal has the right to keep the easement areas cleared. Referred to New Business.

Dale Dickson, WWO- Incident reports on Fayal property owners that have placed obstructions in the sewer easement areas or covered manholes. Referred to New Business. List of property owners not connected to sewer. Referred to Old Business.

Country Insurance- Errors and Omissions and Employment Practices Liability Coverages are now available through Country Ins. Also endorsements to the renewal policy effective 8-19-04. Placed on file.

Mike Wiskow- The aquaduct was opened on August 3, 2004. Placed on file.

Scott Neff- Copy of letter sent to Thomas Floyd of Nagell Appraisal regarding outstanding invoices. Placed on file.

EFG Joint Cable TV- Regular meeting set for August 5 has been cancelled. Next meeting will be Thursday, Sept. 2, 2004, 5:30 pm, Board Room, E-G High. Placed on file.

St. Louis County Assessor- The MN Commissioner of Revenue has issued orders to increase Agricultural, Timber and Seasonal Rec Land over 34.5 acres, 25% to equalize the "level of assessment" of jurisdictions and classes of property within the county.

AFSCME- The membership has unanimously rejected the proposed settlement of the contract, due to removal of words that the union never formally agreed upon. Referred to Old Business.

Clerk Sersha asked the Board if they would consider cancelling the September 7 Regular Meeting. Referred to New Business.

Keith Nelson- Request for use of the hall facilities to have a debate for the county commissioner candidates. Referred to New Business.

OLD BUSINESS

Supervisor Beldo-

AFSCME Contract- The final draft of the union contract was unanimously rejected by the membership. The union is stating they never agreed formally to the removal of the reference to Blue Cross/Blue Shield insurance and they are also taking issue with the wording regarding pager responsibility. Beldo states he may be responsible for the shortening of the language, but that removing the words BlueCross/BlueShield was never challenged. Supervisor Erjavec stated there were good faith discussions on getting comparisons for other insurances that are comparable to the current coverage, and plans for exploring that option. As for specific language excluding the billing clerk by name for carrying the pager, Beldo states he thinks it is needless. In the contract she is not listed as a pager carrier. Beldo states he will contact Giorgi, and that the issues can be worked through. Tammaro states he thinks all of the job descriptions have to be redone, and referred to an instance where he was told by an employee a job wasn't going to be done because it wasn't in their job description. Tammaro states things have changed since the descriptions were created in 2000 or 2001, and that until they are changed, he is voting no on the contract. Discussion. Beldo states the descriptions should not be tied to the contract, are not contract issues, and if changes are to be made, we should sit down with the union.

Golf Course Road Speed Limit- Beldo introduced an updated resolution to include Golf Course Road as a rural residential district, and lower the speed limit to 25 mph. This resolution will supercede Resolution 2003-02.

Motion to adopt Resolution 2004-06 to Establish Speed Limits on Certain Township Roads, made by Supervisor Beldo, support from Supervisor Erjavec. Motion carried unanimously.

Cedar Island Court/Lane- Nothing at this time.

Town Road Blacktop schedule- Beldo reports that Road Foreman Steve Verkovich has identified and recommended three areas in the township to be blacktopped for 2004. Those areas are: Remainder of East Park Boulevard- \$1,500.00, Long Lake Road West- \$5,100.00 and Thunderbird Trail- \$18,000.00 (Costs are estimated) Discussion on recommendations. Board consensus is to pursue Thunderbird Trail this year, or include it with other projects for next year to have a bigger contract and perhaps obtain a better price. The Board did not agree that Long Lake Road West should be a priority because it is a dead-end road. The Board did agree that East Park Boulevard could be finished, as it its not a large cost item.

As for the shouldering of Scout Camp Road, Steve & Al are still working on it.

Supervisor Erjavec-

Planning Committee Meeting- A quorum was present at the last meeting. No RFP's yet.

EFG Cable TV- An employee review was to be held, but the employee was unavailable for the meeting. The next meeting of August 5 has been cancelled.

Supervisor Pernu-

Air Conditioner- Nortemp was here to service the unit. One line was bent, but the unit itself is functioning correctly. There is some malfunction with the remotes. Pernu will contact Nortemp again.

Town Hall Exterior- Northwoods Construction will begin before the end of the month. The project is expected to take four days. Electrical outlets and floodlights will also be installed. Supervisor Tammaro will take care of that. Some of the windows have seals that have come loose, but will be covered under warranty. There are two cracks in the brick mortar on the front and that will also be taken care of. Supervisor Pernu showed examples to the Board of the materials to be used, and the colors.

Supervisor Tammaro-

Mandatory Sewer Connections- Six property owners have been identified as not connected, as mandated by Sewer Use Ordinance 98-1, as amended. All procedures outlined in the ordinance have been followed to notify the property owners.

Motion to authorize the town board chair to sign a complaint and forward the complaint to Chief Thompson to issue citations to the six property owners for not being connected to the sewer, per Sewer Use Ordinance 98-1, as amended 4 August 1998 and 15 August 2000, made by Supervisor Tammaro, support from Supervisor Beldo. Motion carried unanimously.

Sewer Easements- Discussion on the request from Dale Dickson, WWO, for advice or policy on planting shrubs, trees etc in the sewer easements by property owners.

Motion to table the easement clearing issue and refer the matter to the PUC for their recommendation, made by Supervisor Tammaro, support from Supervisor Beldo. Motion carried unanimously.

RLK Litigation- Tammaro, Kniefel and Sersha attended the request for summary judgement motion proceedings. The judge will have 90 days to rule.

Chairman Kniefel-

Township Web page- The quotes from Northern Visual and Web Designer Lee Carlson were reviewed. Clerk Sersha recommended Northern Visual, due to their proposal cost.

Motion to accept the proposal from Northern Visual Services and authorize the clerk to work with them to get the township website created, made by Chairman Kniefel, support from Supervisor Tammaro. Motion carried unanimously.

Clerk Sersha reported she received a request from Keith Nelson to use the town hall to hold a candidate forum for all of the county commissioner candidates. Mr. Nelson also asked if anyone on the town board would like to moderate. Short discussion.

Motion to allow Mr. Nelson to use the town hall on August 25 for a candidate forum, at no charge because it is a community event, but to require the usual deposit be paid, made by Supervisor Tammaro, support from Supervisor Pernu. Motion carried unanimously.

NEW BUSINESS

Supervisor Beldo reported the orange tubing has been taken off of the fence on East Woodlawn and reflectors have been placed on three sides of the posts instead. The project looks good.

Supervisor Tammaro reported the paperwork for the 2004 Relief Association is back from Walker, Giroux & Hahne. There will be a \$4,124 shortfall for the year 2005. Discussion on how to make up the difference. Board consensus is the Fire Department should incorporate it into their budget. The Relief Association will be meeting to discuss the matter.

Motion for the Town Board to go on record not to increase the fire department levy, or line item, to cover the projected shortfall in 2005, and further, to direct the clerk not to sign the submittal documentation until we receive back a report from the Relief Association of the Fire Department on what their intent is to handle the \$4,000 shortfall, made by Chairman Kniefel, support from Supervisor Beldo. Motion carried unanimously.

Chairman Kniefel reported the ShortCourse was well attended, by more than 400 people. Kniefel attended the Board of Review Certification and forwarded the info to the Board. Clerk Sersha also attended, and reported that the State Auditor will now be doing our audit once every four years. It is unknown yet if this will be in place of the Walker, Giroux & Hahne audit, and if the state will audit the enterprise funds.

Supervisor Tammaro reported that one of our firefighters, Greg Weaver, has been called up for duty in Iraq and will be gone for 18 months. Supervisor Tammaro stated he wanted it noted that we are going to miss him and we hope him and his family the best. The Board concurred.

Motion to cancel the September 7, 2004 Regular Meeting, made by Supervisor Tammaro,

support from Supervisor Beldo. Motion carried unanimously.

Supervisor Erjavec will contact Mick Giblin to discuss medical insurance.

CITIZEN CONCERNS AND COMMENTS

Mike Erjavec was in attendance, but had no comment.

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

Motion to adjourn by Supervisor Tamaro.

Regular Meeting adjourned at 8:45 PM.

Respectfully submitted,

Judy M. Sersha
Clerk of Fayal

Approved: _____
Chair

Attest: _____
Clerk