

TOWN OF FAYAL
4375 SHADY LANE, EVELETH, MN 55734

Judy M. Sersha, Clerk/Treasurer

Steven J. Kniefel, Chairman

Supervisors: Tony Tamaro, James Pernu, Lee Branville, Mike Erjavec

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REGULAR MEETING OF THE FAYAL TOWN BOARD

NOVEMBER 17, 2009

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 Erjavec, Supervisor Branville, Supervisor Pernu, Supervisor Tamaro and Clerk Sersha.

Audience members in attendance were: Jerry Ulman, SEH Engineer Jim Johnson, Steve Shykes, Dale Dickson, AFSCME Representative Joe Pershern and Scott Wudinich.

Motion to approve the minutes of the November 13, 2009 Regular Meeting, made by Supervisor Pernu, support from Supervisor Erjavec. Chairman Kniefel asked if there were any discussion. Supervisor Branville stated he had one comment on the discussion on the snowmobile trail business. Supervisor Branville stated that he remembered when Chairman Kniefel made the comment about whether the township wants to get into the trail business, that Branville stated he made a comment that the township is in the trail business because we have had a bike trail for a number of years—so we are in the trail business, so to speak—so this would not be a big leap to help out with the snowmobile trail, as we already are with the bike trail. Supervisor Branville stated he would like that noted for the record. Chairman Kniefel questioned if Branville would like the motion amended? Supervisor Branville stated it could be amended in the written part. ***Supervisor Erjavec, support from Supervisor Pernu amended the motion to include the addition of Supervisor Branville's comment about the township already being in the trail business because we have a bike trail. Kniefel, Erjavec, Branville and Pernu voted yes. Tamaro abstained, due to his absence from that meeting. Motion carried.***

Clerk's Note: The original minutes of the Regular Meeting of November 3, 2009, paragraph 2, under the heading "Scheduled Guests" have been amended, with the addition in **bold**, to read:

Chairman Kniefel questioned the permitting and funding portions of the agreement. The agreement states that the town shall be responsible for obtaining the necessary permits for the trail and the crossing on Hwy. 132 and a \$2,000 commitment for trail development. Kniefel questioned what the cost is for the permits? Supervisor Branville stated that there has been past discussion on the town providing in-kind service for installation of culverts for the crossing. Kniefel questioned if the township wants to get into the trail business? **Branville stated that the town is already in the trail business because we have had a bike trail for a number of years.** Supervisor Branville stated the \$2,000 could come from mining effects money and this will be a one time fee to get the trail up and going. Discussion on grooming the trail. The agreement states the town will pay the club an annual maintenance fee, currently \$607 per mile. Supervisor Branville stated that is a decision the town can make on an annual basis.

SCHEDULED GUESTS

None.

REPORTS

Clerk/Treasurer's Report- Bank statements for the month of October 2009 have been received and reconciled. Total revenues for that month were \$114,515.90 and expenditures were \$116,500.70, leaving ending balances of \$641,670.64 at Mt. Iron Checking, \$174,650.25 at Miners Bank and \$342,565.54 at Assessment Savings.

For the month of November 2009 to date, there have been \$12,318.89 in revenues and \$77,986.76 in expenditures. A transfer of \$172,000.00 was made from Miners Bank to Mt. Iron Checking.

Tentative balances are:

Miners Bank- \$14,568.14
Assessment Savings- \$342,565.54
Mt. Iron Checking- \$721,796.42

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

Motion to accept the Fire Department Regular Business Meeting minutes of April 14, 2009, May 14, 2009, June 10, 2009, July 9, 2009, August 12, 2009, September 9, 2009, and October 14, 2009, made by Supervisor Branville, support from Supervisor Tammaro. Supervisor Tammaro stated this is ridiculous and it should not happen. Supervisor Branville questioned Chief Steve Shykes if there was a reason why the board did not receive the minutes? Chief Shykes answered the fire department secretary did not bring them up, has been discussed, and will be handled. Supervisor Tammaro stated he is glad to get the minutes, but they should be brought in a more timely manner. ***Motion carried unanimously.***

Motion to accept the November 11, 2009 EFGSD Joint Rec Regular Meeting minutes, made by Supervisor Tammaro, support from Supervisor Pernu. Supervisor Tammaro commented that Dennis Pernu has resigned as a rink attendant in Fayal after four years and has always done a good job. Motion carried unanimously.

Motion to send a letter of thanks to Mr. Pernu on the good job he has done as a rink attendant for Fayal, made by Supervisor Tammaro, support from Supervisor Erjavec. Motion carried unanimously.

Motion to accept the October 13, 2009 PUC Variance Hearing minutes for the Yvonne Hines variance request, made by Supervisor Erjavec, support from Supervisor Pernu. Motion carried unanimously.

Motion to accept the October 13, 2009 PUC Regular Meeting minutes, made by Supervisor Erjavec, support from Supervisor Branville. Motion carried unanimously.

Motion to accept the October 2009 Road & Bridge Report made by Chairman Kniefel, support from Supervisor Tammaro. Motion carried unanimously.

CORRESPONDENCE

Jackie Torgerson, LMC- Letter regarding her visit with Steve Verkovich and Judy Sersha to the town hall for a loss control property survey which was conducted Oct.29, 2009. Fire protection, heating and cooling, electrical systems, housekeeping and maintenance, cooking operations and life safety were inspected and reviewed. Based on that discussion and review, Ms. Torgerson states she has no loss control recommendations. Placed on file.

OLD BUSINESS

Supervisor Erjavec-

Wastewater- Eveleth has turned our request for wastewater treatment over to their utility committee. Supervisor Tammaro reported that Gilbert will be bidding their project soon and has received \$350,000 in grants for the \$1.6 million project. Tammaro stated that there will be an upgrade on their wastewater building and questioned if we would have to partake on the plant itself. Chairman Kniefel stated that the discussions he and Supervisor Erjavec had with Gilbert and the bottom line on their project is \$1.6 million and does include building improvements. That issue needs to be discussed between the two entities, although no meetings have been set.

Supervisor Branville-

Fire Hall Sites- There are two private property sites that need to be checked yet. Branville and Shykes will also be getting together to discuss the sites and grant options.

TrailHawks Proposed Agreement- Supervisor Branville stated he has contacted Commissioner Nelson regarding the county's participation in the agreement.

Commissioner Nelson was unable to get back to Branville before tonight's meeting. Supervisor Branville stated he is not willing to go forward with the agreement until he has a broad support on that commitment and does not want to request the \$2,000 from the township until the county gets on board with that. The club is moving forward with bids on their underpass cut on Hwy. 53. Chairman Kniefel stated this removes the urgency since they are moving forward with the temporary crossing, making it more of an option than a necessity. Supervisor Branville states he is still 100 percent in favor of this, but when he gets more information from the county he will bring the subject forward again. Kniefel states he would like to see what is involved in the crossing for its installation.

Supervisor Pernu-

Fire Hall/Garage Odor- Hibbing College was contacted and they referred Supervisor Pernu to Carlson Professional Services for indoor air quality investigation. A cost estimate in the amount of \$1,000.35 was obtained. Discussion.

Motion to accept and approve the quote for \$1000.35 from Carlson Professional Services for indoor air testing for the garage and fire hall, made by Supervisor Pernu, support from Supervisor Tamaro. Motion carried unanimously.

Tennis Courts- Supervisors Pernu and Erjavec inspected the tennis courts. The fence and posts are in good shape except they are rising out of the ground and the supporting post for the gate is leaning, due to frost. The surface has cracks 20-50 feet long and 1-2 inches wide. The sealer used the last time did nothing and is falling out. Pernu reports he accompanied Steve Verkovich on a road inspection and the roads we had crack sealing on three years ago are still in good shape. Northwest Crack Sealing also does tennis court crack sealing with good results. Pernu stated that since they will be in the township crack sealing some roads for us, we should have them do the tennis courts as well. Exact cost is unknown. Discussion.

Supervisor Tamaro reported he will be bringing forward the town road crack sealing plan and quote at the next meeting.

Motion to have the tennis court crack sealed by Northwest Sealing at a cost not to exceed \$2,500.00, to be paid from the Rec fund, made by Supervisor Pernu, support from Supervisor Tamaro. Motion carried unanimously.

Supervisor Tamaro-

SEH Bill/Credit- Supervisor Tamaro reported he met with Jim Johnson and advises we accept the credit invoice. After going through the invoice, there were many items that were not billed by SEH for the O'Laughlin Square project.

NEW BUSINESS

Supervisor Pernu reported the new fire alarm system is up and running, but they have not been back to train the employees. Fire Chief Shykes reported he was trained on the unit the day it was installed.

CITIZEN CONCERNS AND COMMENTS

Scott Wudinich stated there used to be community fundraisers for things like the tennis court and suggested there be more community involvement. Short discussion on rec budget and volunteers.

Chairman Kniefel recognized the passing of Jack Lalli, who served on many Fayal committees and commissions, and stated the township appreciated his efforts.

Jim Johnson, Jerry Ulman, Steve Shykes, Dale Dickson and Joe Pershern had no comment.

Motion to pay the bills, except the Architectural Resources until further clarification, made by Supervisor Tamaro, support from Supervisor Pernu. Motion carried unanimously.

Chairman Kniefel stated the next item is a personnel issue involving our water/wastewater operator Dale Dickson. Chairman Kniefel stated it is Mr. Dickson's option to have the meeting open to the public or the board could go into closed session. Mr. Dickson opted to have the meeting closed to the public.

Motion by Chairman Kniefel, support from Supervisor Branville, to close the meeting for the purpose of discussing a personnel issue with Mr. Dickson and his union representative, Joe Pershern. Motion carried unanimously.

Regular Meeting closed at 7:30 PM.

(Clerk's Note: Per MN Statute 13D.05 Subd. 1d and Subd. 2b the closed portion of the meeting was tape recorded and the tape will be preserved in the clerk's office for three years)

Regular Meeting re-opened at 8:10 PM.

Motion to reiterate the vehicle and cell phone policy to all employees, made by Supervisor Erjavec, support from Supervisor Tammaro. Motion carried unanimously.

Motion to adjourn by Supervisor Tammaro.

Chairman Kniefel adjourned the Regular Meeting at 8:11 PM.

Respectfully submitted,

Judy M. Sersha
Clerk of Fayal

Approved: _____
Chair

Date: _____

Attest: _____
Clerk