

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

DECEMBER 18, 2012

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 and Clerk Sersha. Supervisor Tamaro was absent.

Audience members in attendance were Jim Johnson, Scott Smith, Dale Dickson, Bruce Williams and 8 Eveleth-Gilbert High School students.

Motion to approve the minutes of the December 4, 2012 Regular Meeting, made by Supervisor Branville, support from Supervisor Pernu. Motion carried unanimously.

REPORTS

Clerk/Treasurer's Report- All bank statements for the month of November 2012 have been received and have been reconciled. Total revenues were 44,673.82 and expenditures were \$138,992.81. Ending balances are:

Mt. Iron Checking- \$141,280.19
Miners Checking- \$525,510.17
Assessment Savings- \$344,782.72
CD Savings- \$429,820.46

For the month of December 2012 to date there have been revenues of \$350,746.12 and expenditures of \$62,967.95. All departments have been funded at their levied amounts. Expenditure and Revenue guidelines have been provided for the board to help them in setting the 2014 budget.

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

Motion to accept the December 12, 2012 EFGSD Joint Rec Regular Meeting minutes, made by Supervisor Branville, support from Chairman Kniefel. Motion carried unanimously.

Motion to accept the November 2012 Road & Bridge Report made by Supervisor Pernu, support from Supervisor Branville. Motion carried unanimously.

CORRESPONDENCE

CARE Commission- Request for donation for E-G All Night Post-Grad Party. Referred to New Business.

Thank you card from the Louise Snidarich family. Placed on file.

MPCA- They are accepting projects for state revolving fund loan programs for public wastewater, storm water and drinking water infrastructure improvement projects on the 2014 project priority lists. Placed on file.

Eveleth Gilbert Band- Request for donation for band trip to Orlando, FL. Referred to New Business.

League of MN Cities- Refund of \$842 for property/casualty insurance premium. Placed on file.

City of Gilbert- Water rate to Fayal will increase from \$5.13/1000 gallons to \$6.83/1000 gallons. Placed on file.

MN Office of Administrative Hearings- Hearings will be conducted and orders issued including a final decision in this matter to the Administrative Law Division pursuant to MN Stat.. 414.12 Subd.1b. Placed on file.

SLC Auditor- Two parcels in Fayal have been forfeited to the state for non-payment of real estate taxes. Referred to New Business.

Tim Thompson's term as Fayal representative on the Joint Rec Board is expiring in January 2013. Mr. Thompson has stated he would stay on for another term, if requested. Referred to New Business.

OLD BUSINESS

Supervisor Erjavec-

Mediation with Gilbert- Supervisors Erjavec and Branville attended, along with Dale Dickson and Bruce Williams. The mediator ordered Gilbert's engineer John Jamnick and Dale Dickson to have discussions. The two met last week, and another mediation will be held in January.

Supervisor Branville-

Equipment Operator Vacancy- The hiring committee met today with Marla Beatty of the Job Service. Ms. Beatty answered some questions the committee had, and stated the committee is doing a good job on the application package. Hopefully, advertizing for the position will be done the first part of January. The updated job description was approved by the union.

Clerk Sersha explained the changes and updates to the equipment operator/repairman job description to the board.

Motion to adopt the new job description for the position of equipment operator/repairman for the Town of Fayal, made by Supervisor Branville, support from Supervisor Pernu. Motion carried unanimously.

Supervisor Branville reported he and Supervisor Erjavec will be meeting with the union for negotiations on January 6.

Building Construction Project- Quotes were obtained by Dale Dickson for the installation of the two boilers: L & S Plumbing & Heating- \$6360 and Kohler Fuel- \$9,555. Chairman Kniefel asked if the two quotes were for the same services? Mr. Dickson explained the two quotes are for the same work and supplies, but L & S is asking for temporary heating during the installation, and that is the only difference between the two. Mr. Dickson stated we have a gas heater that can be used.

Motion to accept the proposal from L & S Plumbing & Heating in the amount of \$6360 for the installation of the two boilers , made by Supervisor Branville, support from Supervisor Erjavec. The proposal also states half the amount is to be charged at the start of the project, and half upon completion. Supervisor Branville, supported by Supervisor Erjavec, amended the motion to include payment of half at the start of the installation. Motion carried unanimously.

DSGW billing- Clerk Sersha reported she spoke with Ryan Turner, and an explanation of the billing will be sent. Mr. Turner advised to put the bill on hold until the explanation arrives.

Supervisor Pernu-

Grader Repair Quote- A quote was received from Ziegler for \$5,008.40 for labor and parts for repair of the grader.

Motion to have the grader repaired by Ziegler at the quoted cost, made by Supervisor Pernu, support from Supervisor Erjavec. Motion carried unanimously.

Chairman Kniefel-

Blighted building- A consultant has been hired to do a hazardous materials inspection, to be paid for by the SLC Land Department. We need to obtain two quotes for demolition, along with the specifications, to apply for the IRRRB grant to have the building demolished.

Detachment Hearings- A hearing will be held and a decision will be made by an administrative law judge.

Animal Control Ordinance- Chief Harvey Thompson submitted his proposed changes to the ordinance for the board's consideration. Thompson is requesting the penalties be changed to a petty misdemeanor instead of a misdemeanor, except for Article IV, 5, 6 or 7, which should stay a misdemeanor. Chief Thompson also states that "voice control" should be removed from the ordinance, and recommends a leash law. Thompson also is requesting this information be entered into the record and attached to the minutes.

Chairman Kniefel stated the board can study this issue and take action in the future, if desired.

NEW BUSINESS

Tax-forfeit properties- Notice was received from the SLC Auditor that two properties in Fayal have gone tax-forfeit due to non payment of real estate taxes. One is a landlocked 40 acre parcel near Moon Lake and the other is a 6 acre parcel on the corner of Hwy. 53 and Thunderbird Trail. Kniefel states when the properties come up for sale, the township can ask they be taken off of the sales list if there is a public purpose for the properties.

Motion to appoint Tim Thompson as a Fayal Representative on the EFGSD Joint Rec Board, made by Supervisor Erjavec, support from Supervisor Branville. Motion carried unanimously.

Motion to donate \$100 to CARE for the E-G Post-Grad Party, made by Supervisor Branville, support from Supervisor Erjavec. Motion carried unanimously.

Motion to donate \$100 to the E-G Band for their Orlando, FL trip, made by Supervisor Pernu, support from Supervisor Erjavec. Supervisor Branville abstained, stating his wife is the travel agent for the band trip. Motion carried.

Chairman Kniefel states that earlier in the year, there was a request by the fire department for funds from unreserved to purchase pagers in the amount of \$7,055. Clerk Sersha read the motion aloud as follows:

"Motion to authorize the fire department request for the pager purchase, but use fire department budget funds, and we will evaluate later in the year if there is a deficit in the fire fund, transfer funds from unreserved to the fire fund, made by Supervisor Tammaro, support from Supervisor Pernu. Motion carried unanimously."

Discussion. Clerk Sersha stated the fire department should not be at a deficit at year end, but the department wanted the funds to be set aside for a future equipment purchase.

Motion to authorize the request and transfer \$7,055 from unreserved to the fire department, made by Supervisor Branville. Motion dies for lack of second.

CITIZEN CONCERNS AND COMMENTS

Dale Dickson, Jim Johnson, Scott Smith and the E-G students had no comment.

Motion to pay the bills, except the DGSW bill, made by Supervisor Pernu, support from Supervisor Erjavec. Motion carried unanimously.

Clerk Sersha, on behalf of the Town of Fayal, presented Chairman Kniefel with a gavel plaque for his 20 years of service as supervisor and chair of the Fayal Town Board. This is Chairman Kniefel's last meeting, as he decided not to seek re-election last fall. Chairman Kniefel thanked everyone and stated the plaque will have a very special place on his wall. The audience gave Chairman Kniefel a round of applause.

Motion to close the meeting to discuss litigation with Attorney Bruce Williams, made by Supervisor Branville, support from Supervisor Pernu. Motion carried unanimously.

Chairman Kniefel closed the meeting at 7:42 PM.

Regular Meeting reopened at 8:21 PM.

Motion to adjourn by Supervisor Erjavec.

Chairman Kniefel adjourned the Regular Meeting at 8:21 PM.

Respectfully submitted,

Judy M. Sersha
Clerk of Fayal

Approved: _____
Chair

Date: _____

Attest: _____
Clerk