

**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 2, 2008**

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: Glen Sury, Jerry Ulman, Jerry Pedersen, John Babich, Ralph Johnson, Ryan Turner, C.M. McCabe, Terry McCabe, Judy McNulty, Pat McNulty, Steve Shykes, Joe Lee, Chuck Cutter, Jan Cutter.

***Motion to approve the minutes of the November 18, 2008 Regular Meeting, made by Supervisor Tamaro, support from Supervisor Pernu. Motion carried unanimously.***

**SCHEDULED GUESTS**

**Joe Lee** was in attendance regarding a tax forfeit property located at 7511 Ely Lake Drive, that is for sale through the SLC Land Department. Mr. Lee would like to purchase the property, but has been informed by the Clerk that there are delinquent utilities in the amount of \$1,207.46 and unpaid special assessments due to the township of \$3,682.40. Mr. Lee stated that he would like to purchase and improve the property and get it back on the tax roles, but felt he should not have to pay for someone else's bills. Mr. Lee offered to pay the township \$2,000.00 for the unpaid utilities and special assessments. Chairman Kniefel stated that he would have a problem with giving a break on the unpaid assessments because that was a cost for construction of the sewer system that everyone had to pay. The rest of the board concurred. As for the delinquent utilities, those charges have accumulated since the property was vacated, and there may be some flexibility on that. Since the charges have accrued since the property has been vacant, there has also been no usage and no cost to the township for the monthly treatment of sewage from the property.

Discussion on special assessments. The assessments have never been paid since certification for pay 2001, so there is eight years due, including interest, plus the remainder of payments through the year 2020. Mr. Lee stated he understood how those charges could not be forgiven.

Supervisor Erjavec stated that since the assessments have never been paid, the total of the assessment (\$6625.00) could be paid all at once, and interest charges could be avoided altogether. More discussion. Chairman Kniefel stated that the board would be willing to work with Mr. Lee to see that the property gets back on the tax roles. Mr. Lee stated he is going back to the SLC Land Department to discuss the purchase price of this property and try to buy it. Chairman Kniefel told Mr. Lee to come back after he purchases the property and the board will work with him on a payment plan for the delinquent assessments.

**Jerome Pedersen**, 4337 St. Mary's Drive was in attendance. Mr. Pedersen distributed two letters to members of the town board. The first was informational on the history of the Eveleth-Virginia Airport and contained a request asking the Cities of Eveleth, Virginia, Fayal Township and the residents of St. Mary's Lake to work together. Mr. Pedersen suggested an Airport Committee be formed consisting of one member each from the Eveleth City Council, Virginia City Council, Airport Authority, Fayal Town Board, and four members as residents of St. Mary's Lake area. The committee would have legal authority. Discussion on what type of legal authority this committee should be granted.

The second letter was a copy of one which was brought to Jackie Monahan-Junek, Clerk of Eveleth, and the Eveleth City Council, by Mr. Pedersen. This letter disputed a 10/21/2008 letter from Airport Authority President Matthew Sipola.

John Babich and Ralph Johnson were also in attendance concerning the E-V Airport issues. Mr. Babich explained the original joint powers agreement that was put in place between Eveleth and Virginia, and stated that it could be amended and brought up to date. Mr. Johnson reported on planes flying lower than they should be and the safety hazard it creates.

***Motion to support efforts to form a citizen/governmental committee and agree to appoint one Fayal Supervisor to that committee, made by Chairman Kniefel, support from Supervisor Tammaro.*** Supervisor Pernu questioned what type of authority this committee should be granted? Mr. Pedersen stated that it is the goal of the committee to identify and solve problems and safety concerns and he was unsure of how much authority the committee would be granted. Mr. Babich stated that the Cities of Eveleth and Virginia each contribute \$7,500 per year for their authority and Fayal should do the same to have authority, since the airport is located in Fayal and affects Fayal residents. ***Motion carried unanimously.***

**Glen Sury** was in attendance. Mr. Sury brought forward a blight complaint and pictures of the property located next to his residence. Mr. Sury also distributed copies of sample blight ordinances that are more stringent than Fayal's ordinance. Supervisor Erjavec stated he had received a complaint from Mr. Sury over a month ago and had inspected the property and met with Mr. Sury. In the past, Supervisors Branville and Stewart had also investigated blight complaints on this property, submitted by Mr. Sury. Discussion and review of past complaints. Supervisor Erjavec stated that the blight Mr. Sury is complaining of does not meet a violation in our ordinance. Chairman Kniefel suggested Mr. Sury contact the SLC Solid Waste Department on their ordinance, as this may fit the county ordinance. Mr. Sury requested the town board make an addition to the blight ordinance, and Chairman Kniefel stated the board could consider that. Supervisors Erjavec and Pernu will make a visit to the property and report back to the board.

## **REPORTS**

Clerk/Treasurer's Report- For the month of November 2008 there were a total of \$140,235.13 in revenues, which includes the \$100,000 IRRB grant for O'Laughlin Square and expenditures of \$262,517.42. Ending balances are as follows:

Miners Bank-	\$219,348.49
Mt. Iron Checking-	\$487,309.44
Assessment Savings-	\$273,038.33

Certificate of Deposit Balances as of Nov. 30, 2008:

Sewer Depreciation-	\$157,355.92
Employee Benefits-	\$76,550.14
Sewer Replacement-	\$10,986.53
Waterline Depreciation-	\$38,428.15
Capital Equipment-	\$116,451.33

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

***Motion to approve the November 2008 Police Report made by Supervisor ERjavec, support from Supervisor Branville. Motion carried unanimously.***

## **CORRESPONDENCE**

Architectural Resources- Option D site plan for approval for town complex needs. Referred to Old Business.

SLC Planning-US Census Bureau Boundary and Annexation Survey, SLC Entity Participation Questionnaire. Referred to New Business.

SLCATO- Regular meeting minutes of Oct. 22, 2008. Next meeting Dec. 3, 7 PM, Cotton Community Center. Lobby Day is Feb.10, charter bus is available. Placed on file.

Mayor Steve Peterson, City of Virginia- Request that Fayal Township consider passing a resolution in support of Polymet Mining Project. Referred to New Business.

St. Mary's Lake Association- Will be meeting Thursday, Dec. 11 7 PM, Fayal Town Hall to discuss

the Neighborhood Watch Program by appointing Watch Coordinators/Captains. Everyone welcome to attend. Posted in the usual posting places.

### **OLD BUSINESS**

#### **Supervisor Erjavec-**

**Water/Sewer-** Supervisor Erjavec reported he stopped at Gilbert regarding the Sparta Sewer agreement. Gilbert Attorney Sam Aluni advised that he has received no feedback from RLK, and no agreement has been prepared at this time.

#### **Supervisor Branville-**

**PUC Delinquencies-** A list of 15 delinquent water/sewer accounts, dated December 2, 2008, was forwarded to the board from the PUC. Discussion. Clerk Sersha reported we may be receiving some of the delinquencies from the second half of the apportionment from the county, which we will be receiving in two days.

***Motion to submit the December 2, 2008 list of 15 accounts to the collections agency, less any amounts received from the second half apportionment from the county, made by Supervisor Branville, support from Supervisor Tamaro. Motion carried unanimously.***

#### **Supervisor Branville-**

**Qwest DSL-** Supervisor Branville is in the process of crafting the petitions, and volunteers have been found for the Pleasant and Long Lake areas.

#### **Supervisor Tamaro-**

**Brush Cutter-** The unit has been installed on the loader and the R & B crew have been using it. The unit works well.

#### **Chairman Kniefel-**

**Architectural Resources Agreements-** Formal agreements were received for Phase I and II of the Town Hall Needs Assessment plan.

***Motion to authorize the chair and clerk to sign the Phase I Agreement, dated June 5, 2008, made by Supervisor Tamaro, support from Supervisor Erjavec. Motion carried unanimously.***

***Motion to accept the Phase II proposal and authorize the chair and clerk to sign the agreement, made by Supervisor Tamaro, support from Supervisor Erjavec. Motion carried unanimously.***

Architectural Resources has submitted an Option D plan for town hall expansion needs after meeting with the employees, fire department and town board members. They will now go forward with a more detailed schematic drawing.

Chairman Kniefel reminded everyone of the Public Hearing to be held by the Mesabi Rail Authority on the bike trail that will run from Fayal to the Mesabi Station in Eveleth. The hearing will be on December 4, 2008, 7:00 PM, Fayal Town Hall.

### **NEW BUSINESS**

***Motion to authorize the purchase of a taser for the police department at a cost of \$814.95, plus cartridge for \$20.00, made by Supervisor Erjavec, support from Supervisor Branville. Motion carried unanimously.***

***Motion to authorize the purchase of winter tires for the PUC truck from Taconite Tire at the state bid cost of \$731.66, made by Supervisor Branville, support from Supervisor Pernu. Motion carried unanimously.***

Supervisor Pernu reported that a water filter will be installed in the kitchen. Pernu also met with Mike Wiskow regarding the hill by the park, and will be working with him in the spring to try to improve the area.

***Motion to advertize on the posting boards, the sale of a storage cabinet to the highest bidder, made by Supervisor Tammaro, support from Chairman Kniefel. Motion carried unanimously.***

***Motion to purchase \$30 Christmas gift certificates from the Eveleth IGA for the employees, made by Supervisor Tammaro, support from Supervisor Branville.*** Chairman Kniefel stated he agreed with the sentiment, but the auditors have advised us in the past to stop the practice. Supervisor Erjavec stated in the past the PUC members also got gift certificates, but that stopped some time ago also, for the same reason. ***Tammaro, Branville and Pernu voted yes. Kniefel and Erjavec voted no. Motion carried.***

***Motion not to participate in the Consolidated Boundary and Annexation Survey and keep it at the township level, made by Chairman Kniefel, support from Supervisor Tammaro. Motion carried unanimously.***

***Motion to send a resolution in support of the Polymet Mining Project, made by Supervisor Branville, support from Supervisor Pernu. Motion carried unanimously.***

(Clerk's Note- Polymet Mining Project Resolution 2008-10)

#### **CITIZEN CONCERNS AND COMMENTS**

Ryan Turner was in attendance regarding a survey he was sent regarding extending a water line to the Park Drive area. Mr. Turner stated the issue was to be discussed at tonight's meeting. The board told Mr. Turner there were no plans to discuss this project, the survey was sent by the PUC to see if there was interest in a waterline extension.

Other residents in attendance at tonight's meeting had also been sent the survey (McNulty's, McCabe's and Cutter's). All were against the installation of a waterline in their area. Mrs. McNulty questioned if the residents did not want the waterline, would they be forced to have it anyway? Chairman Kniefel answered we received a IRRB grant in the amount of \$100,000 for waterline extensions. If it is found that the extension is not wanted by the residents, the funds will go back to the IRRB and the project will not be built.

Jerry Ulman was in attendance but had no comment.

Steve Shykes was in attendance and reported on the fire department budget.

***Motion to pay the bills made by Supervisor Tammaro, support from Chairman Kniefel. Supervisor Branville abstained from the payment of the Five Seasons bill. Motion carried.***

Motion to adjourn by Supervisor Tammaro.

Chairman Kniefel adjourned the Regular Meeting at 8:36 PM.

Respectfully submitted,

Judy M. Sersha  
Clerk of Fayal

**Approved:** \_\_\_\_\_

**Date:** \_\_\_\_\_

**Attest:** \_\_\_\_\_

