

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

FEBRUARY 2, 2010

The Regular Meeting of the Fayal Board of Supervisors was called to order at 4:00 PM by Chairman Kniefel. The meeting was held at 4:00 PM instead of the usual 7:00 PM, due to the caucuses being held tonight. Notice of the change in meeting time was duly posted on all usual posting places. Present were: Chairman Kniefel, Supervisor Erjavec, Supervisor Branville, Supervisor Pernu, Supervisor Tamaro and Clerk Sersha.

Audience member in attendance was Steve Shykes.

Motion to approve the January 19, 2010 Regular Meeting minutes, made by Supervisor Branville, support from Supervisor Pernu. Motion carried unanimously.

REPORTS

Clerk/Treasurer's Report- Bank statements for the month of January 2010 have not been received yet, so this report is tentative. Revenues for the month were \$57,320.79 and expenditures were \$79,833.90. Ending balances are as follows:

Miners Bank-	\$134,073.14
Assessment Savings-	\$470,872.17
Mt. Iron Checking-	\$707,839.85

Audit figures for all funds will be available at the next meeting, and a full report will be given. The auditor is requesting that approval of payroll be added to the motions to pay the bills and that everyone be informed of MN Statute 609.456 Subd. 1 and 2, which requires that whenever an employee or public officer of a political subdivision discovers evidence of theft, embezzlement or misuse of public funds, it shall be promptly reported to law enforcement and the state auditor. Copies of the statute has been provided to each board member and all employees.

In October 2009 the PUC made a motion to place the \$1,275 per month payment the FWC was making to the General fund for the FWC loan into the maintenance contingency fund. Clerk Sersha questioned why the funds were all being placed in contingency? Sersha stated she thought the reason for the forgiveness of the loan to the general was so the water company would not have to raise rates. Discussion.

Motion to direct at least half of the funds from the \$1,275 into the FWC operating fund, made by Supervisor Erjavec, support from Supervisor Tamaro. Motion carried unanimously.

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

Motion to accept the January 2010 Police Report, made by Supervisor Branville, support from Supervisor Tamaro. Branville questioned if the lost master key referred to in Chief Thompson's report was one of the new keys, since the town hall has been re-keyed? Clerk Sersha answered that no masters have been lost since the re-keying of the town hall. Motion carried unanimously.

Motion to accept the January 2010 Road & Bridge Report, made by Supervisor Tamaro, support from Supervisor Branville. Motion carried unanimously.

Motion to accept the December 9, 2009 Fire Department Regular Business Meeting minutes, made by Supervisor Branville, support from Supervisor Pernu. Motion carried unanimously.

CORRESPONDENCE

Iron Range Youth in Action- Request for donation for an E-G student who was in a serious car accident and has no medical insurance. Referred to New Business.

Northeast Service Coop- Seeking nominations to fill one appointed position on the NESCU Board of Directors. Placed on file.

MN Dept. Of Health- Drinking water analysis. There is a return to compliance for Haloacetic Acids. Placed on file.

CARE Commission- Thank you for donation to All Night Post Grad Party held June 3, 2009. Placed on file.

Fayal Fire Dept.- Request for 2010 mining effects funds for outfitting the trailer. Total cost is \$9,996.00. Referred to New Business.

MPCA- Submissions are now being accepted to place public wastewater, stormwater and drinking water infrastructure improvement projects on the 2011 project priority lists. Referred to PUC and placed on file.

OLD BUSINESS

Supervisor Erjavec-

Gilbert WWTP Improvement Project/funding/Proposal of 14 January- A response letter was sent by Chairman Kniefel to Gilbert informing them that we are not accepting their proposal. Kniefel spoke with Attorney Scott Neff who has advised that Gilbert wants to resolve the issue in arbitration. Supervisor Erjavec reported a meeting has been set on Thursday with Benchmark to discuss the installation of treatment ponds in Fayal. Discussion.

Motion to authorize staff and the PUC to solicit proposals for the purchase of land for the project, and obtain a price, made by Supervisor Tammaro, support from Supervisor Pernu. Motion carried unanimously.

Supervisor Branville-

AFSCME Contract- A second meeting was held with the employees and union representative. Branville reported on the items that were acceptable to the bargaining unit. Wage offer by the board was not accepted. Branville states that after thinking about it, a portion of the funds saved by the employees changing health insurance benefits should be offered to the employees in the form of a wage increase. Discussion. Consensus of the board is to offer percentage increases over the three year period of 3-1-1.

Supervisor Tammaro-

Skating Rink- After a recent incident, Tammaro requested an opinion from the League of MN Cities on whether or not a person can be banned from a public area. The LMC has advised that if the rules are posted and there is an infraction of the rules, the rink attendant may ban someone.

Motion to re-do the rules list sign for the rink, made by Supervisor Tammaro, support from Supervisor Pernu. Motion carried unanimously.

Chairman Kniefel-

Scout Camp Overlay- Kniefel stated the county will be starting their overlay project this year on their portion of Scout Camp Road and questioned if the board still wanted to piggyback on that project for the town's portion of road? The board agreed the county should do our portion of the project at the same time. Kniefel reported SLC will set separate pay items in the contract and the county will bill us ten percent of the line items for administration. Estimated cost to the town is \$25,417.

NEW BUSINESS

Motion to authorize \$10,000 from the 2010 mining effects for the completion of the fire department trailer, made by Supervisor Branville, support from Supervisor Pernu. Branville stated the trailer is a multi community resource and will be used at multiple scenes, fitting the criteria of expenditure of mining effects funds. Motion carried unanimously.

Supervisor Pernu reported on the 2010 Yardwaste dates: Noon-5:00 PM, Friday, Saturday and Sundays on April 23,24,25,30, May 1,2,7,8,9, October 15,16,17,22,23,24,29,30,31.

Chairman Kniefel reported the bike trail right-of-way and wetlands hurdles have all been cleared, the final plan has been approved and the project will be let this spring.

Chairman Kniefel reviewed the March meeting schedule and reminded the board the Annual meeting is on March 9, 7:00 PM.

Motion to cancel the March 16, 2010 Regular Meeting, made by Supervisor Branville, support from Supervisor Tammaro. Motion carried unanimously.

Motion to deny the request for donation to Iron Range Youth in Action for a student that was in a serious car accident. Sersha stated as treasurer, she did not feel it was appropriate to make donations of public funds to an individual, those types of donations should be made personally. Motion carried unanimously.

CITIZEN CONCERNS AND COMMENTS

Steve Shykes reported the Fire Department is working on an alcohol use policy and questioned if there was such a policy for the township employees? Chairman Kniefel stated there is such a policy but it is tied to the commercial drivers licenses. Clerk Sersha will check with the LMC and MAT to see if they have a model policy.

Motion to pay the bills made by Supervisor Branville, support from Supervisor Erjavec. Motion carried unanimously.

Motion to recommend to the people at the Annual Meeting that the 2011 levy be set the same as last year. Motion carried unanimously.

Motion to adjourn by Supervisor Tammaro.

Chairman Kniefel adjourned the Regular Meeting at 4:59 PM.

Respectfully submitted,

Judy M. Sersha
Clerk of Fayal

Approved: _____
Chair

Date: _____

Attest: _____
Clerk