

**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*

*PHONE (218)744-2878*

*FAX (218) 744-5986*

**REGULAR MEETING OF THE FAYAL TOWN BOARD**

**APRIL 21, 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: Nick Epp and nine youths, Jerry Ulman and Dave Hartman, and SEH Engineer Jim Johnson.

***Motion to approve the minutes of the April 7, 2009 Regular Meeting made by Supervisor Branville, support from Supervisor Pernu. Chairman Kniefel abstained due to his absence from the meeting. Motion carried.***

***Motion to approve the minutes of the April 15, 2009 Board of Equalization and Appeal made by Supervisor Tamaro, support from Supervisor Erjavec. Supervisor Pernu abstained due to his absence from the meeting. Motion carried.***

**SCHEDULED GUESTS**

Nick Epp was in attendance to make a presentation on a proposed BMX/skate park for Fayal. Mr. Epp presented the board with a petition with over 200 signatures in support of the project. The proposal included a skate park layout and design and addressed the positives of such a park, along with safety and legal concerns. Total estimated construction cost is \$25,000. The group also included fund-raising ideas for the project. Location ideas were either on the town complex grounds or the ballfield area near Woodlawn Drive. The Board thanked the group for the presentation and the issue was referred to New Business.

**REPORTS**

Clerk/Treasurer's Report- For the period of April 1-20, 2009 there have been \$33,517.85 in revenues and \$73,925.14 in expenditures. Tentatively, balances as of this date are as follows:

Miners Bank-	\$99,308.34
Assessment Savings-	\$434,507.39
Mt. Iron Checking-	\$659,618.96

For the first quarter 2009 the Fayal Sewer Company had \$87,898.80 in revenues and \$72,027.91 in expenditures. Cash balance is at \$40,442.86. For the same period for the Fayal Water Company, there were \$15,490.05 in revenues and \$16,868.32 in expenditures. Cash balance is \$3,287.05.

Supervisor Tamaro questioned why there were more expenditures than revenues in the Fayal Water Company. Clerk Sersha explained that due to the unexpected change order for the O'Laughlin Square project, all of the standby water funds were depleted and the remainder had to be paid from the Fayal Water Company funds. Clerk Sersha stated that she recently learned there will also be another pay estimate in addition to the retainage. Referred to New Business.

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

***Motion to accept the April 8, 2009 Joint Rec Regular Meeting minutes, made by Supervisor Tamaro, support from Supervisor Branville. Motion carried unanimously.***

***Motion to accept the February 10, 2009 Public Utilities Commission Regular Meeting minutes made by Supervisor Erjavec, support from Supervisor Pernu. Motion carried unanimously.***

***Motion to accept the March 3, 2009 EFGSD Cable TV minutes made by Supervisor Branville, support from Supervisor Tamaro. Motion carried unanimously.***

### **CORRESPONDENCE**

MN Revenue- List showing the amount of Taconite municipal aid Fayal will be receiving, as well as amounts of regular taconite aid payments. Fayal will receive Taconite Municipal Aid- \$25,775, Township Fund- \$50,000, Mining Effects- \$53,902 and Mining & Concentrate- \$2,865. Placed on file.

E-G Public Schools- Zachary Young has been appointed to the Joint Rec Board as a representative of the schools. Placed on file.

Range Quality Pest Control- Preventative maintenance plan for pest control and contract. Cost is \$375. Referred to New Business.

ARDC- Regional Transportation Advisory Committee In-kind Transportation Planing Grant Program Info and application. Placed on file.

SLC Fair- Request for donation. Referred to New Business.

Barbara Anderson- Letter stating she has no water tap in her yard and has been paying the monthly standby charge and will no longer continue to pay, also wants reimbursement for past payments. Referred to Chairman Kniefel and Clerk Sersha.

RCB Collections- Authorization for assignment for collection.

MPCA- Notice that City of Gilbert has applied for a construction loan under the MN Clean Water Revolving Fund and is subject to state environmental review process. Documents will be available upon request. Placed on file.

League of MN Cities- Seminar, April 30, Giants Ridge. Placed on file.

Steve Verkovich- Copy of letter sent to Gabe Johnson requesting the purchase by Fayal Township of about 5 acres of land, or gravel from him. Placed on file.

### **OLD BUSINESS**

#### **Supervisor Erjavec-**

**Gilbert Water Rates-** Supervisor Erjavec reported that Gilbert turned down our offer for use of our line in lieu of a lower rate for Differding residents.

#### **Supervisor Branville-**

**Joint Cable TV-** Supervisor Branville attended the meeting in Gilbert with the other entities. The cable commission is progressing and plan to hire a new programming director. The high school has offered a room for the studio and funds are allocated for equipment. The school is looking at working the programming into their curriculum. The billing for the entities will be pro-rated, with no charges for the months there were no operations. It was agreed the commission has 60 days to be up and running.

**Snowmobile Trail-** Most of the cutting for the trail has been completed. An easement was not obtained for the railroad crossing, but there is easement from Hwy. 132.

The Board discussed uses for the old squad car.

#### **Supervisor Pernu-**

**Town Complex Expansion Plan-** Architectural Resources will be sending a drawing of the fire hall by the next meeting.

**Supervisor Tamaro-**

**Complex Generator-** The new generator will be changed out tomorrow. Discussion on what to do with the current generator. Supervisors Tamaro and Erjavec agreed it may be worth it to purchase to use at Lift Station J. Cost would be \$12,000. Referred to PUC.

**Class 5-** The \$5,000 worth of Class 5 that was approved and ordered last year will be delivered next week.

Supervisor Tamaro reported the light near the skating rink will be fixed this week.

**O'Laughlin Project-** Partial Pay Estimate #2 in the amount of \$9,742.44 was received this afternoon. Jim Johnson of SEH was present. Supervisor Tamaro stated we were originally told this project would have one pay estimate and retainage. The project was mostly completed last fall, and now six months later, we receive a change order and a second pay estimate, that we had no idea was coming. The project has also been assessed, and now further payments will have to be made with the water company's funds. Tamaro stated that the project was mishandled. Mr. Johnson asked that a meeting be set with SEH to discuss the project, and Johnson stated he wanted to make things right. A meeting will be set with SEH and Supervisors Tamaro and Erjavec.

***Motion to approve Partial Pay Estimate #2 in the amount of \$9,742.44 to Jola & Sopp for the O'Laughlin Square Water Project, made by Supervisor Tamaro, support from Supervisor Branville. Motion carried unanimously.***

***Motion to pay Partial Pay Estimate #2, retainage, and remainder of the change order, from the Water Access Charges fund, made by Supervisor Tamaro, support from Chairman Kniefel. Motion carried unanimously.***

**Chairman Kniefel-**

**Road Swaps/Overlay Project-** Discussion. Supervisor Pernu will be doing a road inspection with the R & B employees to determine if we should piggyback with the county on the Scout Camp overlay. Supervisor Erjavec stated he is not in favor of doing a road swap with the county.

**NEW BUSINESS**

***Motion to authorize RCB Collections to bring action or suit in the collection process on a utilities account in the amount of \$1,341.45 and have the chair sign the authorization to do so, made by Supervisor Erjavec, support from Supervisor Tamaro. Motion carried unanimously.***

Supervisor Branville reported he has had a request to re-open the ballfield. There are volunteers willing to oversee the area. Referred to Buildings & Grounds.

Supervisor Branville reported the Fayal Fire Department Membership Committee has recommended the employment of Richard Sather. Mr. Sather is a trained firefighter.

***Motion to approve the appointment of Richard Sather to the Fayal Fire Department, contingent upon favorable results from a background investigation and a physical examination by a physician, made by Supervisor Branville, support from Supervisor Pernu. Motion carried unanimously.***

Supervisor Tamaro left the meeting at this point.

***Motion to authorize a service agreement for the year with Range Quality Pest Control in the amount of \$375, made by Supervisor Pernu, support from Chairman Kniefel. Motion carried unanimously.***

Chairman Kniefel reported that the SLC Planning Director has informed him that the an attorney for the state has been in contact regarding the subdivision of 40+ acres across from the airport. The plan is very preliminary at this time, but it should be noted that the state does not have to follow the county subdivision rules.

The construction cost estimate from SEH for the proposed subdivision on Horseshoe Lake to develop 4-5 lots came in at \$32,400. Chairman Kniefel will contact the property owner with this information.

**Motion to deny the request for donation to the St. Louis County Fair, made by Chairman Kniefel, support from Supervisor Branville. Motion carried unanimously.**

Discussion on the request from the people at the Annual Meeting to investigate the possibility of having a township representative on the Airport Commission.

**Motion to contact the town attorney to research Fayal's membership on the airport authority, made by Supervisor Branville, support from Supervisor Pernu. Branville, Pernu and Kniefel voted yes. Erjavec voted no. Tammaro was absent. Motion carried.**

Discussion on the proposal for the skate park.

**Motion to be supportive of the project and work with the group, provided there is a buy-in from the group, made by Chairman Kniefel, support from Supervisor Branville. Motion carried.**

**CITIZEN CONCERNS AND COMMENTS**

Jerry Ulman was in attendance but had no comment.

Assistant Fire Chief Dave Hartman was in attendance and reported he has two additional applications for firefighters that are already trained.

Mr. Hartman asked for more proactive police patrol on Cedar Island Drive, due to speeding. Supervisor Branville will speak with Chief Thompson.

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

**Motion to adjourn by Supervisor Erjavec, support from Supervisor Pernu. Motion carried unanimously**

Chairman Kniefel adjourned the Regular Meeting at 8:37 PM.

Respectfully submitted,

Judy M. Sersha  
Clerk of Fayal

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

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

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