

**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**

**MAY 18, 2010**

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 SEH Engineer Jim Johnson, Steve Verkovich, Albert Jurenic, Brandon Mattson, Jamie Lindseth, Steve Shykes and Jerry Ulman.

***Motion to approve the minutes of the May 5, 2010 Regular Meeting, made by Supervisor Branville, support from Supervisor Pernu. Motion carried unanimously.***

**SCHEDULED GUESTS**

Joe Pershern of the AFSCME union was scheduled to appear on behalf of the employee for a grievance filed. Mr. Pershern was late, so the item was moved to later in the meeting.

**REPORTS**

**Clerk/Treasurer's Report-** All bank account statements for the month of April 2010 have been received and reconciled. For the period of May 1-18, 2010, there have been revenues of \$26,851.28 and expenditures of \$55,110.89. Tentatively, balances are as follows:

Miners Bank-	\$47,574.63
Assessment Savings-	\$408,496.97
Mt. Iron Checking-	\$768,355.56

Clerk Sersha reported that filings for township officers begin on August 3 and end August 17. Three-four year supervisor terms and one two year clerk/treasurer term will be on the ballot in November.

Clerk Sersha requested that she be able to use some of her accumulated sick time to care for a family member. Referred to New Business.

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

***Motion to approve the April 2010 Road & Bridge Report made by Supervisor Tamaro, support from Supervisor Pernu. Motion carried unanimously.***

***Motion to accept the minutes of the May 5, 2010 EFGSD Joint Rec Regular Meeting, made by Supervisor Tamaro, support from Supervisor Branville. Motion carried unanimously.***

At this point in the meeting, Mr. Pershern arrived and Chairman Kniefel stated we would commence with the grievance. Mr. Pershern distributed to the board copies of chapter 12 from a book, "How Arbitration Works", Custom and Past Practice. The employees filed a grievance regarding payment of their dental insurance. Mr. Pershern stated that in the past, the dental premium was paid entirely by the township, and through no fault of their own, the plan changed, and the employees with family coverage now have to pay for a portion of the premium. Discussion. Mr. Pershern asked that he and the employees be allowed to negotiate the change in dental insurance cost.

***Motion to have the negotiating committee (Supervisors Branville & Erjavec) negotiate with the employees and their AFSCME representative the change in dental insurance cost, made by Chairman Kniefel, support from Supervisor Tamaro. Motion carried unanimously.***

## **CORRESPONDENCE**

MN Dept. Of Agriculture- They will be hosting workshops on various dates and locations to help communities prepare for the invasion of emerald ash borer, a wood-boring tree pest. Placed on file.

Arrowhead Procure- Bylaws. Placed on file.

League of MN Cities- There are currently board of directors vacancies, if interested, complete the application by June 4, 2010. Placed on file.

SLC Planning- The joint cooperative agreement for renewal in the CDBG and HOME programs will be automatically extended, unless we notify both the county and HUD in writing that we are terminating the agreement. Placed on file.

SLC Land Dept.- Proposing the sale of tax forfeit land in Fayal, Parcel codes 340-0010-01847 in Sec10 and 340-0010-03392 in Sec. 19. If we wish to acquire these parcels we must make application within 30 days. Placed on file.

SLC Attorney Melanie Ford- County Attorney Annual report. Placed on file.

St. Louis County Public Works- Cooperative Agreement for overlay of township portion of Scout Camp Road Twp. Road # 6705. Placed on file.

Brandon Mattson- Letter of interest to serve as a Fayal representative on the EFGSD Joint Rec Commission. Referred to New Business.

## **OLD BUSINESS**

### **Supervisor Erjavec-**

**Gilbert Sewer Rate Contract-** The PUC has referred the issue back to the board and has asked that a response letter be crafted by Supervisors Erjavec, Kniefel and Clerk Sersha.

Chairman Kniefel questioned what direction does the PUC want to go as far as a response? The City of Gilbert response letter basically states they want us to pay more money for something to which we have not agreed. Supervisor Erjavec stated the PUC wants to follow the old agreement and adopt a non-residential rate for the Gilbert customers served by Fayal to offset the extra amount Gilbert wants to charge us, which would basically be the same amount Fayal customers pay now. The PUC also wants the matter to be further negotiated. Discussion.

***Motion to have Supervisors Erjavec, Kniefel and Clerk Sersha write a response letter to Gilbert, made by Supervisor Erjavec, support from Supervisor Tammaro. Motion carried unanimously.***

### **Supervisor Pernu-**

**Cold Storage Garage Doors-** The new doors need minor adjustment, they do not shut all the way as they were installed anticipating a cement floor being put in. Also, the electric eyes need to be installed.

**Tennis Courts-** The crack seal project will probably not be done until later this summer.

### **Supervisor Tammaro-**

**Town Road Overlay Projects-** Supervisor Tammaro and the R & B crew are working with SEH Engineer Jim Johnson on various overlay projects on town roads.

**Electrical Panel-** With all the wiring that has taken place for the new generator, Tammaro recommends we install a new panel.

**Gilbert Wastewater Plant Improvement Plans-** Tammaro states he has viewed the plans, the project has been scaled down. Doors, windows, lights and clarifier seem to be what is involved with the project.

## **NEW BUSINESS**

Supervisor Erjavec reported the PUC voted to pass a non-residential sewer rate. The rate would be 20% higher than our residents.

***Motion to approve the non-resident flat fee sewer rate of \$48 per month, made by Supervisor Erjavec, support from Supervisor Tammaro. Discussion. Supervisor Erjavec amended his motion to table this issue, with support from Supervisor Tammaro. Motion carried unanimously.***

Supervisor Erjavec reported he spoke with Commissioner Nelson regarding the 2013 reclaim overlay for Ely Lake Drive to include a pedestrian/bike trail. Commissioner Nelson has asked for the township's support. Chairman Kniefel stated the project was first to be a total reconstruction in 2010, but was downgraded to a reclaim overlay and pushed to 2013. There are also many problems with road drainage etc, and if a bike trail is to be included, it will have to be a total reconstruction. Supervisor Erjavec stated that even if the project has to be pushed further ahead because it will have to be a total reconstruction, he is in favor of including a bike/hiking trail.

***Motion to craft a letter to St. Louis County requesting a total reconstruction of Ely Lake Drive to accommodate the inclusion of a biking/hiking lane, made by Chairman Kniefel, support from Supervisor Branville. Motion carried unanimously.***

Supervisor Branville reported he and Supervisor Erjavec have received copies of the proposed office manager contract. The contract includes many language changes, and Branville requested the contract be looked at by an attorney. Supervisor Tammaro suggested the LGA be contacted for consultation at no cost. The negotiating committee and office manager will schedule a meeting.

Supervisor Branville reported the fire department is in need of a new computer, theirs being ten years old. Two quotes were obtained: MCD Solutions- \$980.09 and Rogers Online- \$1,132.88.

***Motion to authorize the fire department to purchase a new computer from MCD Solutions made by Supervisor Branville, support from Chairman Kniefel. Motion carried unanimously.***

A problem has been reported with the lock on the man door of the fire hall. Biss Lock has been contacted.

Supervisor Pernu questioned if there has been any progress on the bike trail reconstruction? Chairman Kniefel will check into it.

Jamie Lindseth was in attendance to report on games planned for the ballfield. Agri-lime is needed, and cost is about \$980 for one truck load. Discussion.

***Motion to authorize the purchase of one truckload of Agri-lime for the ballfield, made by Supervisor Tammaro, support from Supervisor Branville. Motion carried unanimously.***

***Motion to appoint Brandon Mattson to a three year term, retroactive to January 1, 2010 through December 31, 2013, as a Fayal representative on the EFGSD Joint Rec Board, made by Supervisor Tammaro, support from Supervisor Pernu. Motion carried unanimously.***

***Motion to approve the office managers request to use accumulated sick time to care for a family member on an as-needed basis, made by Chairman Kniefel, support from Supervisor Pernu. Motion carried unanimously.***

## **CITIZEN CONCERNS AND COMMENTS**

Jerry Ulman, Jim Johnson and Steve Shykes were in attendance but had no comment.

Brandon Mattson thanked the board for his appointment to the joint rec board.

Jamie Lindseth thanked the board for upgrades to the ballfield.

***Motion to pay the bills made by Supervisor Tammaro, support from Supervisor Erjavec. 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 8:16 PM.

Respectfully submitted,

Judy M. Sersha  
Clerk of Fayal

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

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

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