

**TOWN OF FAYAL**  
**4375 SHADY LANE, EVELETH, MN 55734**

*Judy M. Sersha, Clerk/Treasurer*

*PHONE (218)744-2878*

*Steven J. Kniefel, Chairman*

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*Supervisors: Tony Tamaro, James Pernu, Lee Branville, Joe Stewart*

**REGULAR MEETING OF THE FAYAL TOWN BOARD**

**SEPTEMBER 18, 2007**

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 Stewart, Supervisor Branville, Supervisor Pernu, Supervisor Tamaro and Clerk Sersha.

Audience members in attendance were: Jerry Ulman, John Babich, Ralph Johnson, Mike Erjavec, Scott Smith, Dave Hartman and several Boy Scouts. Also attending later in the meeting were Gilbert Mayor Don Bellerud and John Jamnick of RLK Engineering.

***Motion to approve the minutes of the September 4, 2007 Regular Meeting, made by Supervisor Stewart, support from Supervisor Branville. Motion carried unanimously.***

**REPORTS**

**Clerk/Treasurer's Report-**

Ending balances as of August 31, 2007 are as follows:

Mt. Iron Checking-	\$425,420.20
Miners Bank-	\$90,065.69
Assessment Savings-	\$553,236.64

For the period of September 1-18, 2007, there have been \$34,299.78 in expenditures, revenues of \$11,970.40, a transfer from Miners to Mt. Iron checking of \$88,150.79 and a transfer from Assessment Savings to Mt. Iron checking of \$276,579.65.

Clerk Sersha asked the board to consider whether or not they want to show the transfer, on paper, for payment of the Differding Point sewer assessment that was paid from proceeds from the big sewer project, or if we want that fund to show a deficit? Referred to New Business.

Clerk Sersha submitted a proposal from Northern Visual Services in the amount of \$1,500 to upgrade the town's website. Referred to New Business.

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

***Motion to accept the August 14, 2007 Public Utilities Commission Regular Meeting minutes, made by Supervisor Branville, support from Supervisor Pernu. Motion carried unanimously.***

***Motion to accept the August 8, 2007 Fire Department Regular Business Meeting minutes, made by Supervisor Stewart, support from Supervisor Branville. Motion carried unanimously.***

***Motion to accept the September 12, 2007 EFGSD Joint Rec Meeting minutes made by Supervisor Tamaro, support from Supervisor Pernu. Motion carried unanimously.***

**CORRESPONDENCE**

SLCATO- Calendar of meeting for the years 2007-2008. Annual Banquet will be Friday, October 5, Virginia Elks, Social Hour 6 PM, Dinner 7 PM. Reservations due by October 1, every township should bring a prize/donation. Placed on file, donation request referred to New Business.

Northeast Service Cooperative- Annual Meeting agenda and minutes of the September 20, 2006 Annual meeting. Placed on file, referred to Old Business.

SEH, Julie Kennedy- Review of proposed sanitary sewer extension and water improvement project review. Referred to Old Business.

St. Mary's Lake Property Owners- Copy of letter sent to Eveleth-Virginia Airport Authority regarding the "no build" zone imposed by the airport ordinance and stating they do not want their property to be listed on their abstracts as being in the no build zone. Placed on file, referred to Old Business.

Iron Range Resources- Community Redevelopment Forum, Monday, September 17 9-11 am, Guidelines for the Community Redevelopment program. Placed on file.

SLC Planning- Variance application request from Dan and Tamara Crohn. Referred to Planning Committee, placed on file.

PERA- Employer Training Seminar Schedule. Duluth, November 8. Clerk Sersha requested to attend this seminar, referred to New Business.

RLK Kuusisto- Quad Cities Preliminary Sewer and Water engineering study. Placed on file.

### **OLD BUSINESS**

#### **Supervisor Branville-**

**Kaleva Sewer-** Branville spoke with Jim Bertucci of A-1 Services and the project should be finished by the end of September. Tammaro questioned if our agreement with A-1 can be voided if the project is not done. Branville will make a follow up call regarding the project with A-1.

**NESCU Renewal-** Nothing at this time.

#### **Supervisor Pernu-**

**Tennis Courts/Skating Shack/Rink-** McBroom Construction was contacted about sealing the courts, and they are unable to come until spring. Crack fill was ordered and will be applied this fall. The interior of the shack has been re-painted by Charlie Erickson and looks great, exterior shack siding or painting of the rink has not started yet.

**F.D. Overhead Door-** The door was damaged by a fire truck and new panels need to be installed. Cost will be \$1,700+ for the door, plus \$99 per hour for labor.

***Motion to have new panels installed by Overhead Door Company and file a claim with our insurance, made by Supervisor Pernu, support from Supervisor Stewart. Motion carried unanimously.***

Supervisor Branville reported two cost estimates were provided by Julie Kennedy of SEH for the extension of sewer line on Golf Course Road. A special meeting of the PUC will be held on Friday, September 21, 10:00 AM to discuss them.

#### **Supervisor Tammaro-**

**Gilbert Rate Negotiation-** Gilbert Mayor Don Bellerud and their City Engineer John Jamnick were in attendance to discuss the water and sewer rates, the Sparta project and the Quad Cities water and sewer report. Official from Gilbert are agreeable to keep the rate they will charge Fayal for sewer at \$3.50 per 1,000 gallons to the end of 2008, if we waive the sewer access charges for their Sparta project. They are also willing to cooperate on a rate study and possibly establishing a sewer district. They are not willing to look at reducing their asking price for water. However, Fayal will continue to pay their rate for their customers on Differding Point only.

Mr. Jamnick reported that Gilbert is planning to start the Sparta project this fall, and finish it next spring. Supervisor Tammaro stated that an agreement must be made between Fayal and Gilbert as soon as possible for this project, and urged Gilbert to have their attorney get it drawn up.

Mr. Jamnick reported on the plans and discussions of the Quad Cities Water and Wastewater Committee. Their next meeting will be September 20, 10:00 AM, Virginia City Hall.

**Chairman Kniefel-**

**Airport Zoning Ordinance-** Ralph Johnson and John Babich, both residents of St. Mary's Lake who live in the "no build" zone, were in attendance. A 1978 ordinance, which has never been enforced until recently, dictates that there be no building in the area, along with several other restrictions. A new ordinance is being drafted by a committee made up of appointees of Eveleth, Virginia and Fayal that would include language pertaining to an "established residential neighborhood" within the airport zone. The residents, however, do not want to be included until all safety obstructions and hazards are removed and are asking that Runway 14-32 be closed down until these hazards are eliminated and all property owners are satisfied. The residents are also concerned about their property values. The residents are asking the board for a motion of support on this issue. Much discussion.

***Motion to send a letter from the Fayal Town Board to the municipalities of Eveleth and Virginia, in support of the residents of St. Mary's Lake and request that Runway 14-32 be shut down until the new ordinance is drafted and all hazard and safety issues are cleared up, made by Supervisor Branville, support from Chairman Kniefel. Motion carried unanimously.***

**Chairman Kniefel-**

**Pine Drive Culvert-** Representatives from St. Louis County met with Kniefel and Al on the site. Costs for total replacement or reline would be about the same. SLC will be sending a quote, and would be able to perform the work. It is unknown if they would be able to accomplish the work this fall or next spring.

**NEW BUSINESS**

**Water Agreement with Eveleth-** Supervisor Branville reported that the PUC has approved the agreement and is forwarding the issue to the Board.

***Motion for the Town of Fayal to enter into the Agreement for Water from the City of Eveleth, made by Supervisor Branville, support from Supervisor Tammaro. Discussion on the agreement. The language in Item 4 needs to be further clarified and Item 10 needs to be stricken. Mike Wiskow of Eveleth will be notified of the changes, and if agreed to, the agreement will be sent to the attorney for final draft. Motion carried unanimously.***

***Motion to provide a door prize of a \$25 gift certificate from Bullfrog's for the SLCATO Annual Dinner, made by Chairman Kniefel, support from Supervisor Pernu. Motion carried unanimously.***

***Motion to authorize the clerk to attend the PERA seminar in Duluth, per the travel policy, made by Chairman Kniefel, support from Supervisor Tammaro. Motion carried unanimously.***

***Motion to authorize the upgrade to the website, per the quote from Northern Visual Services, made by Supervisor Branville, support from Supervisor Pernu. Motion carried unanimously.***

Chairman Kniefel reminded the Board of the Quad Cities water and wastewater meeting on Thursday, September 20, 10 AM in Virginia City Hall.

***Motion to authorize the accounting transfer from the Debt Service Fund, to zero out the deficit in the Differding Point debt service fund, made by Supervisor Tammaro, support from Supervisor Stewart. Motion carried unanimously.***

A special meeting of the PUC, which has been properly posted, will be held Friday, September 21, 10 AM Fayal Town Hall. Julie Kennedy of SEH will be attending, as well as Supervisor Branville. Purpose of the meeting is to discuss the extension of sewer line on Golf Course Road/Pine Drive.

**CITIZEN CONCERNS AND COMMENTS**

Mayor Bellerud thanked everyone for the invitation to attend tonight's meeting.

Jerry Ulman had a question about the steel posts between the skating rink and tennis courts. Supervisor Pernu will meet with him.

Scott Smith and Dave Hartman had not comment.

Mike Erjavec reported he had just received news that there is a break in the Differding Point waterline that will not be fixed by Gilbert until tomorrow.

***Motion to pay the bills made by Supervisor Tammaro, support from Supervisor Branville. Discussion on request to pay the "Fleet Services" bill online to avoid late charges and a monthly bill charge of \$2.00. Clerk Sersha will submit a recurring list of bills to the town board for payment. An online account will be set up for the Fleet bill to be paid. Motion carried unanimously.***

Motion to adjourn made by Supervisor Tammaro.

Chairman Kniefel adjourned the Regular Meeting at 8:35 PM.

Respectfully submitted,

Judy M. Sersha  
Clerk of Fayal

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

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

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