

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

*Judy M. Sersha, Clerk/Treasurer*

*Steven J. Kniefel, Chairman*

*Supervisors: Tony Tamaro, James Pernu, Ron Beldo, Lee Branville*

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**REGULAR MEETING OF THE FAYAL TOWN BOARD**

**APRIL 19, 2005**

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 Beldo, Supervisor Branville, Supervisor Pernu and Clerk Sersha. Supervisor Tamaro was absent.

Audience members present were: Mike Erjavec, Jerry Ulman, Bob Mavec, Steve Shykes, Scott Smith and Eric Garman.

***Motion to approve the minutes of the April 5, 2005 Regular Meeting, made by Supervisor Beldo, support from Supervisor Pernu. Motion carried unanimously.***

**SCHEDULED GUESTS**

Fire Chief Steve Shykes, Assistant Fire Chief Scott Smith and firefighter Eric Garman were in attendance to report on a recommendation for the purchase of a fire truck. Copies of truck specifications and a conceptual drawing were distributed to the Board for their review. Chief Shykes applied for, and received, a grant in the amount of \$136,800 from the U.S. Department of Homeland Security. The township must provide a ten percent match of \$15,200, for a total of \$152,000. The fire truck committee's recommendation is to enhance the purchase of a truck at this time, due to the receipt of the grant funds, maintain the current level of certification, and extend the ISO standards to the year 2021. Engine 91 will not meet the standards by 2011, and by purchasing a class A truck now, we can extend the ratings to 2025. Estimated cost is \$250,000. An addendum was attached to the specifications for additional equipment, if it could be purchased within budget. The board discussed and asked many questions of Chief Shykes regarding the purchase, and referred the issue to Old Business.

The Board commended Chief Shykes and the committee on their work

**REPORTS**

Clerk/Treasurer's Report- For the period of April 1-19, 2005, expenditures were \$52,044.24 and receipts were \$27,353.69. Tentative ending balances as of this date are as follows:

Mt. Iron Checking- \$606,198.40

Miners Checking- \$138,791.28

American Assessments- \$567,314.97

Steve and Eva Lepisto paid their sewer access charge of \$6,625.00 on April 11, 2005.

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

***Motion to accept the March 2005 Road & Bridge Report, made by Supervisor Beldo, support from Supervisor Branville. Motion carried unanimously.***

***Motion to accept the April 13, 2005 EFGSD Joint Rec Regular Meeting minutes, made by Chairman Kniefel, support from Supervisor Branville. Motion carried unanimously.***

***Motion to accept the February 17, 2005 and March 2, 2005 EFG Cable TV Regular Meeting minutes, made by Chairman Kniefel, support from Supervisor Beldo. Motion carried unanimously.***

***Motion to accept the April 13, 2005 Fire Department Regular meeting minutes, made by Chairman Kniefel, support from Supervisor Branville. Motion carried unanimously.***

### **CORRESPONDENCE**

Eveleth-Virginia Airport Authority- Copy of the St. Louis County Sheriff's report regarding vandalism done to the State of MN navigation aid (VOR) at the airport. Placed on file.

Scott Neff- Copy of the Fayal- RLK settlement agreement and release. Referred to Old Business.

Chairman Kniefel- Copy of letter sent to Anne Pavelich and Mary Hovland regarding public road right-of-way. Placed on file.

LGA- Legislative update and strategy. Placed on file.

ARDC- Regional transportation Advisory Committee In-Kind Grant Program application and instructions. Referred to Supervisor Beldo.

Range Quality Pest Control- Contract for pest control services. Referred to New Business.

SAS & Associates- Contract for planning and landscape services for areas around Fayal Town Hall and adjoining areas. Referred to Old Business.

Mesabi Daily News- They are running a special promotion for Law Enforcement on National Police Week, May 15-21. They are asking for our participation. Referred to Supervisor Branville.

MN Municipal Utilities Association- Letter concerning proposed sale of Aquila gas operations. Municipalities can acquire and operate the gas system in their communities. Referred to PUC.

Fayal Fire Dept. Truck Committee- Specifications for pumper tanker. Referred to New Business

Jack Lalli- He would be interested in being appointed to the Planning Committee. Referred to Old Business.

## **OLD BUSINESS**

### **Supervisor Beldo-**

**Urban Town Shortcourse-** Beldo reports he attended the Shortcourse and found it to be very relevant to the things we are doing in Fayal.

**Loader research-** A vendor will be dropping off a Volvo loader at the town garage for a few days for review by the employees and supervisors.

**Safety Meeting-** Jim Theodore was the instructor for the right-to-know program for the employees. The employees were very satisfied with the class, and several safety issues were brought up and discussed—1) Office air quality, 2) Mezzanine stairway, 3) Light switch placement in garage, 4) heavy objects being transported to mezzanine. Beldo questioned if things could be re-arranged to allow for heavy objects, such as paper to be stored in another area, and if the light switch could be moved closer to the door in the garage. Pernu will look into it.

### **Supervisor Branville-**

**Motorized Trail-** Supervisor Branville and Delyle Pankratz will be meeting and are looking for persons interested in joining the trail committee and mapping out possible routes for the trail.

**Speeding-** Branville reported he spoke with Chief Thompson regarding speeding on Bodas Road and the Long Lake area. Thompson reported he is aware of the problem, knows the complainant, and patrols the areas at least twice per shift. There have also been complaints of motorcycles etc. Thompson has advised to call 911 and either he or the sheriff will respond.

**Boy Scout Canister-** Branville states he is in favor of keeping the aluminum recycling bin for the Scouts, but may be in favor of moving the bin to another location on town property if need be. The Scout parents will be meeting on the issue and will be making a report to the Board. Chairman Kniefel reported he sent a letter to Mr. Troolin regarding the draft agreement the county may want to implement.

## **OLD BUSINESS (Continued)**

### **Supervisor Pernu-**

**Loss Control Workshop-** Supervisor Pernu reports he attended the seminar put on by the League of MN Cities, and found it to be very interesting.

**Playground-** Pernu reports the playground, as presented at the Annual Meeting costs \$53,670, which includes the drainage rock, concrete, drain tile and geo textile landscape fabric. Pernu states this amount is over the budgeted amount of \$45,000. After many discussions with the vendor, the vendor has agreed to lower the price, without taking out any of the events, to \$49,858. Pernu asks the budget for the playground be increased. Discussion.

***Motion to increase the budget for the playground by \$4,858.00, made by Supervisor Pernu,***

***support from Chairman Kniefel. Motion carried unanimously.***

***Motion to order the playground equipment made by Supervisor Pernu, support from Chairman Kniefel. Motion carried unanimously.***

Supervisor Pernu stated the equipment should be received in 3-4 weeks and is tentatively planned for installation on June 3 & 4.

**Chairman Kniefel-**

**RLK Litigation-** Kniefel, Tammaro and Sersha attended the mediation, and were previously authorized by the Board to negotiate and settle, if possible. A settlement was reached, a copy is attached to these minutes. The agreement calls for Fayal to pay RLK \$232,500 for unpaid claims and for RLK to pay Fayal \$100,000 for damages. Sersha reports the funds for the payment to RLK will be made with the final loan proceeds and interest earned from special assessments. No funds will be expended from either the enterprise funds or the general fund.

***Motion to ratify the April 8, 2005 mediated settlement, as signed, and authorize the clerk to make the necessary payment, made by Chairman Kniefel, support from Supervisor Branville. Motion carried unanimously.***

**Planning Committee-** The Request for Proposals sent out by the Planning Committee netted three responses, those being: SEH, Architectural Resources, and SAS & Associates. The three were interviewed by the committee and they are recommending to the Board that the proposal from SAS be accepted.

Chairman Kniefel presented and read Resolution 2005-3.

***Motion to adopt Resolution 2005-3 to Contract for Site and Landscape Planning Services, made by Chairman Kniefel, support from Supervisor Beldo. Motion carried unanimously.***

***Motion to appoint Jack Lalli to a three year term on the Planning Committee, made by Chairman Kniefel, support from Supervisor Pernu. Motion carried unanimously.***

**NEW BUSINESS**

Supervisor Beldo reported he has published and sent out the 1<sup>st</sup> quarter newsletter, and included that volunteers are needed for various committees and commissions.

Supervisor Branville questioned how big the permanent utility easements were going to be? Chairman Kniefel stated they are to be 10 feet on either side of the line, for a total of 20 feet wide. Supervisor Beldo suggested waivers could be signed by property owners if they were to place a fence, storage building etc. acknowledging that they are doing so at the risk of the township accessing those easements for maintenance etc.

Supervisor Branville commented the town complex grounds look good after the cleanup.

Supervisor Pernu reported the yardwaste site will be open noon to 5:00 PM on April 22,23,24,29,30,

May 1,6,7, & 9.

Supervisor Pernu informed the Board the town hall will be scheduled for a cleaning, sealing of the grout, and possible interior painting during the summer.

**NEW BUSINESS (Continued)**

Pernu reported that flagpole will be painted this week, and that there was vandalism to the front door of the town hall. The glass in the door has been scratched.

Discussion concerning air quality in the clerk's office and garage office. Supervisor Pernu reported he did some research on air cleaners and recommended purchasing a Breeze air purifier for the clerk's office, as they are supposed to remove odors from the copier and laser printer. The cost is \$549. The R & B employees have requested a water wash air cleaner for dust and smoke, cost is \$741. Much discussion on whether or not the units would take care of the problem. Supervisor Branville questioned why the air exchange unit in the garage would not take care of the dust and smoke in the garage? Supervisor Beldo answered it was not designed for that, it was for diesel fumes and exhaust, and suggested that Supervisor Branville inspect the unit. More discussion.

***Motion to purchase the Breeze air cleaner and try it for the three day trial offer, made by Supervisor Beldo, support from Supervisor Pernu. Motion carried unanimously.***

Discussion on the hot water heater and circulation of heat in the building.

Chairman Kniefel presented and read Resolution 2005-4.

***Motion to adopt Resolution 2005-04 Approving Specifications and Ordering Solicitation of Bids for Firefighting Vehicle, made by Chairman Kniefel, support from Supervisor Branville. Motion carried unanimously.***

Chairman Kniefel reminded the Board that the Board of Equalization will be held Wednesday, May 4, Noon to 3:00 PM, and that a quorum of the town board needs to be in attendance.

***Motion to approve the contract for pest control from Range Quality Pest Control, made by Chairman Kniefel, support from Supervisor Pernu. Motion carried unanimously.***

Chairman Kniefel stated a request has been received from an individual for a liquor license for the Golf Course. Fayal does not issue the license, but must approve or disapprove of the issuance before the St. Louis County Board will issue the license. The applicant has completed the necessary paperwork for the township, and a report on the individual was done by Chief Thompson.

***Motion to grant the request of John Roger Rinne for a On-Sale/Sunday On-Sale 3.2% Malt liquor license for the Eveleth Golf Course, made by Supervisor Beldo, support from Supervisor Pernu. Motion carried unanimously.***

**CITIZEN CONCERNS AND COMMENTS**

Bob Mavec was in attendance and questioned if Fayal had a blight ordinance. Chairman Kniefel stated we did. Mr. Mavec reported two incidents of blight within the township. Referred to Supervisor Branville. Mr. Mavec also requested communications for the casual laborers. Referred to Steve Verkovich.

Mike Erjavec was in attendance and voiced his concern of persons pumping their sump pumps into the sewer.

Fire Chief Steve Shykes requested a barrier be put around the lift station by the fire hall, to avoid damage to the unit. Chief Shykes also reported he attended a National Incident Management Systems seminar put on by the Dept. Of Homeland Security.

To qualify for funding in the event of a disaster, a governmental body must adopt a resolution agreeing to be NIMS compliant in responding to emergency incidents. Each entity within a jurisdiction expected to participate in emergency response must have NIMS training, and the course and test can be taken online. Referred to Supervisor Branville.

***Motion to pay the bills made by Supervisor Beldo, support frm Supervisor Branville. Motion carried unanimously.***

Motion to adjourn by Supervisor Beldo.

Regular Meeting adjourned at 8:53 PM.

Respectfully submitted,

Judy M. Sersha  
Clerk of Fayal

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

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