

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

PHONE (218)744-2878

FAX (218) 744-5986

REGULAR MEETING OF THE FAYAL TOWN BOARD

JUNE 7, 2005

The Regular Meeting of the Fayal Board of Supervisors was called to order at 7:02 PM by Chairman Kniefel. Present were: Chairman Kniefel, Supervisor Beldo, Supervisor Branville, Supervisor Pernu, Supervisor Tamaro and Clerk Sersha.

Audience members in attendance were Scott Smith, Steve Shykes, Brian Ford, Roger Raduenz, Mike Erjavec, Jonathan Pernu, Sharon Pernu, Doyne Anderson, and George Sedgeman.

Motion to approve the minutes of the May 17, 2005 Regular Meeting made by Supervisor Tamaro, support from Supervisor Beldo. Motion carried unanimously.

SCHEDULED GUESTS

Brian Ford was in attendance to inform the Board he is selling a portion of his property (Outlot A), that is not contiguous with his homesite, but was combined with his homesite for purposes of assessment. Mr. Ford stated he was informed the property may be subject to a sewer access charge, if it is split from his homesite and sold. Mr. Ford stated he was told at the time of the assessment hearing that the property would only be assessed if a house was built. At this time there is a storage building on the property, and Ford states that the property will continue to be used as it is now, and no house will be built on the land at this time. Kniefel states that under the ordinance, if a property is split, and the new parcel has access to the sewer, it is subject to a sewer access charge, regardless if a house is built. The parcel in question has sewer access in the public right-of-way that is adjacent to Outlot A. Chairman Kniefel states that a determination will have to be made as to whether or not the property has access and when that determination is made, Mr. Ford will be notified.

Jonathan Pernu was in attendance and requested he be authorized to do a project near the playground area to earn his Eagle Scout badge. Jonathan suggested planting flowers, shrubs etc and helping with landscaping the area as a project. Short discussion.

Motion to authorize Jonathan Pernu to work on a project for the township to earn his Eagle Scout badge, made by Supervisor Tamaro, support from Supervisor Beldo. The Board advised Jonathan to speak to members of the Garden Club and Planning Commission for ideas on the project. Motion carried unanimously.

REPORTS

Clerk/Treasurer's Report- For the period of May 1-31, 2005, receipts were \$42,644.32 and expenditures were \$293,346.65, which includes payment of the RLK settlement. We received our settlement from RLK in the amount of \$100,000.00 on June 1 and it was deposited into the Mt. Iron Checking account. A transfer in the amount of \$165,000.00 was also made from Miners Bank to Mt. Iron Checking. Ending balances for the month are as follows:

Miners's Bank-	\$27,739.13
Mt. Iron Checking-	\$599,857.16
Assessment Account-	\$436,520.02
Employee Benefits CD-	\$65,573.42

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

Motion to accept the May 2005 Police Report made by Supervisor Branville, support from Supervisor Tamaro. Chairman Kniefel noted that the Biwabik squad car was in for repairs, and they are using the Fayal squad, per the agreement. Clerk Sersha has sent a bill for mileage, to date. Request by Chief for car washing referred to New Business. Motion carried unanimously.

Motion to accept the May 2005 Road & Bridge Report made by Supervisor Beldo, support from Chairman Kniefel. Motion carried unanimously.

CORRESPONDENCE

Country Ins.- Summary of changes to our policy, mostly having to do with acts of terrorism. Placed on file.

MAT- Application for Property, Auto & Liability insurance. Placed on file.

Trenti Law Firm- Copy of Stipulation and proposed Order for Dismissal in the RLK litigation, for the Court's review, sent to Court Administrator. Placed on file.

Hennepin County Community Health Dept.- They are asking us to help promote the "Totally Awesome Coaches Award". The statewide program recognizes coaches who model and promote health youth development. Referred to Jt. Rec, Placed on file.

SLC Planning- Board of Adjustment will be held on Tuesday, June 14, Biwabik City Hall for the following Fayal applicants: John Green, Mark Hedlund, Scott Collins, James Zaiser, and on Wednesday June 15 for Kevin Brubaker. Referred to Planning Committee, placed on file.

SLC Recorder- Recorded Permanent Town Road Easement, signed by the Harvey's, Newman's and Hovanec's, for North Airport Road. Placed on file.

Trenti Law Firm- Fully executed Settlement Agreement and Mutual Release, RLK v Fayal. Placed on file.

Chairman Kniefel- Letter to Kurt Kisch of RLK regarding the wastewater utility right-of-way plat. Placed on file.

MAT- Township ShortCourse will be held July 28, Sawmill Inn, Grand Rapids. Placed on file.

Mary Hovland- Question if she can wait until September to re-plant her cedar trees that are located on the sewer right-of-way. She has been advised by Range Landscape that if they are re-planted now, she will lose them. Referred to PUC.

OLD BUSINESS

Supervisor Beldo-

Safety Meeting- An employee safety meeting was held last Thursday. Beldo informs the Board there may be grant funds available for safety concerns from the Department of Labor. Application would be made for office and town hall air improvement.

Loader- Work is still being done on the specs, and info is being gathered from the state bids and specs, which gives a generalized guidance on price. Discussion on condition of current loader, and if a new loader is needed. Beldo states the loader is on the replacement schedule and is a very versatile piece of equipment. Research will be done as to the condition of the loader, how many hours it has, and its' value.

North Airport Road- Verkovich is researching costs on renting equipment to brush the road. Beldo will have a resolution to adopt the road as a town road at the next meeting.

Supervisor Branville-

Fire Truck- Branville met with the truck committee and reported he learned a lot and the apparatus has been agreed upon. The project was very well researched. Discussions were also held concerning the chassis. Branville states he would like to keep the purchase as local as possible.

Chairman Kniefel then asked for a recommendation from the truck committee. Steve Shykes and Scott Smith were in attendance to make a report and recommendation.

Chief Shykes recommended the apparatus be purchased from Custom Fire Apparatus, and the chassis purchase be a town board decision. Bid price from Custom was \$243,980.00. Elite Power came in at \$213,000.00, Alexis at \$244,879.00, and Clarey's at \$253,024.00. The lower bids from Elite and Alexis did not conform to specification.

Chief Shykes submitted lists on the non-conforming spec items on the other bids, as follows:

Clareys- Non-conforming Spec Items

1. No drawing
2. Only lower cabinets on both sides of truck

3. Ladders mounted on left side exterior
4. Suction hose mounted on left side exterior.
5. No enclosed drop tank compartment
6. 10 year body warranty - spec 15 years
7. No truck length stated
8. Welded or bolted, unknown by spec
9. No pump heater

Non-conforming Spec Items in Elite Bid

1. Aluminum body - spec stainless steel
2. Welded body - spec bolted body
3. Truck length 30' 3" - spec 29' 6" max
4. Class 1 valves - spec waterous valves
5. No enclosed drop tank compartment
6. Body width 102" - spec 101"
7. No rear discharge - spec 1- 2/12
8. Rear 2 ½" Intake, too high, not ground level
9. 10 year body warranty, spec 15 years
10. No fuel tank enclosure
11. No battery enclosure
12. Tank cradle aluminum, spec stainless steel
13. Only one remote gate valve, spec 2

Non-conforming Spec Items in Alexis Bid

1. Aluminum Body, spec stainless steel
2. No enclosed flush mounted drop tank compartment
3. No remote activated suction gate valves, spec 2
4. Akron valves, spec waterous
5. Body construction, weld or bolt?
6. 10 year body warranty, spec 15 years
7. Fuel tank enclosure, none
8. Rear tank sill too high
9. No pump heater

Chief Shykes further recommended add alternates 1,2,3,5,7 and 8, which is at no charge.

Discussion by the Board on the chassis. Supervisor Branville stated he would like to see the chassis purchased locally. The price for chassis-only bid by Skubic Bros is less than the price for a Peterbilt, which was in the spec. The chassis could also be serviced locally. Discussion on whether or not purchasing a chassis different from the one in the specification can be done legally. Clerk Sersha suggests a legal opinion be sought.

Motion to accept the Custom Fire apparatus bid, with the chassis bid coming from Skubic Brothers, pending a legal opinion on whether or not that can be done, made by Supervisor Branville, support from Supervisor Tammaro. Motion carried unanimously.

Motion to accept the recommendation of the truck committee for the add alternates, made by Supervisor Branville, support from Supervisor Tammaro. Motion carried unanimously.

Motion to authorize the town clerk and chair to sign the fire truck contract documents, pending the result of the legal opinion, made by Chairman Kniefel, support from Supervisor Tammaro. Motion carried unanimously.

Discussion on how the truck should be paid for. There is a substantial discount if the unit is pre-paid. The FEMA funds are available as soon as there is a signed purchase agreement. Board consensus is we should not finance the truck, but use funds that have been budgeted for that purpose from the fire department budget and capital equipment fund. The issue will be researched further.

ATV's- Supervisor Branville reported he spoke with the sheriff concerning having an ATV patrol in the township. The sheriff will contact Harvey.

Supervisor Pernu-

Playground- Installation took place June 3, 4 & 5. The unit is exceptionally well built. Supervisor Pernu commended the volunteers that worked on the construction of the unit. Volunteers were: Eric Garman, Ryan Turner, Cal Turner, Scott Turner, Leon Hiti, Lee Branville, Steve Shykes, Lee Clark, Rudy Zattoni, Roberta Zattoni, Judy Sersha, Jim Pernu, Dennis Pernu, Jonathan Pernu, Cody Pernu, Al Jurenic, Dwight Day, Bryan Sampson, & Ron Beldo. Business that donated goods or services were: South Ridge Excavation & Landscaping, Eveleth IGA, Ely Lake Shortstop, RSC Rental and Seppi Brothers. Supervisor Pernu reported he has heard good comments about the project, and there have been lots of kids playing on the playground since its installation.

Motion to put a "Thank You" in the Mesabi Daily News thanking all the volunteer and those who donated goods or services, made by Supervisor Pernu, support from Chairman Kniefel. Motion carried unanimously.

Supervisor Pernu stated that now that the playground has been installed, we must get the traffic stopped from driving up to the tennis courts. Also, the playground area is being lit to prevent vandalism. Discussion. Signs will be put up stating there will be no parking beyond the parking lot. Tammaro will check into getting photocell lights.

Supervisor Tammaro-

Meeting with Officials from the City of Gilbert- Supervisor Tammaro informed the Board that Kelly Campbell, Steve Kniefel and he will be meeting with the Mayor and Clerk from Gilbert to discuss connections to Fayal's sewer line by Gilbert residents.

NEW BUSINESS

Supervisor Branville suggested the squad car be washed by the casual labor once per week, instead of bringing the car to Waschke's. Branville had no objection to the car being brought in yearly for a detail cleaning.

Motion to put up signs informing people there will be no cars allowed to drive past the parking lot to the tennis courts or playground area, made by Supervisor Pernu, support from

Supervisor Tamaro. Motion carried unanimously..

Supervisor Pernu stated he would report on the heating and hot water situation in the hall at the next meeting.

Supervisor Pernu informed the Board of plans to replace the ceiling tiles in the town hall and possible re-paint the interior. The work would take place the second week in August. Cost for fire rated ceiling tiles would be under \$3,000.00

Motion to approve the project and use mining effects funds to pay for it, made by Supervisor Tamaro, support from Supervisor Pernu. Motion carried unanimously.

Supervisor Pernu reported that the roof on the fire hall may need to be repaired again. The roof was repaired several years ago from damage done by ice removal. Al has been inspecting the area recently and has reported it may need to be repaired again.

Clerk Sersha informed the Board that the town hall will be closed to rentals or other activities the last week in June. The floor will be cleaned and sealed and no traffic will be allowed.

CITIZEN CONCERNS AND COMMENTS

Scott Smith and Steve Shykes were in attendance but had no comment.

George Sedgeman was in attendance and questioned if the township could trap the beaver out of an area on his property. Supervisor Beldo stated he would have Steve Verkovich contact the DNR. Mr. Sedgeman was also informed that the DNR has list of trappers to contact.

Mr. Sedgeman also requested that the drop box for the utility bills be made so people can drive up and drop them off, instead of having to get out of the car.

Doyne Anderson, 3860 West Long Lake Road, was in attendance to question if he had to remove his peonies from the sewer easement. Mr. Anderson stated he recently received a certified letter telling him he had to remove them. Mr. Anderson did not think his peonies would interfere with the sewer line.

Roger Raduenz was in attendance but had no comment.

Mike Erjavec was in attendance and questioned when the brushing would begin on North Airport Road. Supervisor Beldo stated he will bring a resolution to the Board at the next meeting, and the Board can make a recommendation at that time.

Jonathan Pernu and Sharon Pernu were in attendance but had no comment.

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

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

Regular Meeting adjourned at 8:54 PM.

Respectfully submitted,

Judy M. Sersha
Clerk of Fayal

Approved: _____
Chair

Attest: _____
Clerk