

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, Joe Stewart

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REGULAR MEETING OF THE FAYAL TOWN BOARD

MAY 20, 2008

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

Audience members in attendance were: Mike Erjavec, Steve Shykes, Donna O'Conner, Patrick Ziegler, and Julie Kennedy.

Motion to approve the April 16, 2008 Board of Equalization Meeting minutes made by Supervisor Branville, support from Supervisor Pernu. Motion carried unanimously.

Motion to approve the may 6, 2008 Regular Meeting minutes made by Supervisor Tamaro, support from Supervisor Branville. Motion carried unanimously.

SCHEDULED GUESTS

Mike Hoag was in attendance to request a temporary liquor license for an event being planned at the Eveleth Veteran's Park. Clerk Sersha supplied him with the proper form and Mr. Hoag will be returning at a later date for board approval before going to the SLC board, which grants the license.

REPORTS

Clerk/Treasurer's Report- For the period of May 1-20, 2008, there were \$58,694.12 in expenditures and \$33,098.75 in revenues. A transfer of \$132,500.00 was made from Miners to Mt. Iron Checking. Tentative balances as of this date are as follows:

Miners Bank-	\$13,713.16
Mt. Iron Checking-	\$687,388.21
Assessment Savings-	\$383,179.21

Certificate of Deposit balances as of May 11, 2008 are:

Employee Benefits-	\$74,563.70
Sewer Replacement fund-	\$10,701.44
PUC Truck Depreciation-	\$20,416.90
Sewer Depreciation #2-	\$62,396.21
Sewer Depreciation #1	\$70,469.51
Waterline Depreciation-	\$37,430.96
Capital Equipment-	\$113,429.47

Remaining CD's will be reported as they are received. Total interest earned on these CD's is \$4,976.41. All are invested at a rate of 5.25 percent.

Clerk Sersha forwarded a request from Eric Kunnari for a promissary not for \$14,000.00 for two sewer access charges. 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 May 14, 2008 EFGSD Joint Rec minutes, made by Supervisor Tamaro, support from Supervisor Branville. Motion carried unanimously.

Motion to accept the April 28, 2008 Special Planning Committee meeting, held to make recommendations on a variance request by Darrin Proach, made by Chairman Kniefel, support from Supervisor Pernu. Motion carried unanimously.

CORRESPONDENCE

CARE Commission- Request for donation for the E-G all night Grad Party. Referred to New Business.

Larry Rude- Letter concerning animal control in th township, states that he feels we do not have an adequate animal control policy. Referred to Old Business.

Architectural Resources- Recommendation of contractor for the ventilation project. Referred to Old Business.

City of Eveleth, Mike Wiskow- Installation of the master meter has been completed and activated. In accordance with Item 1 of the Bulk Water Purchase Agreement dated December 19, 2007, the five year water sale agreement will commence May 15, 2008 and end on May 15, 2013. Placed on file.

Dale Dickson, Fayal Wastewater Operator- Copy of letter to City of Gilbert informing them that as of May 15, 2008 we are no longer purchasing water through the Cedar Island Drive waterline. Due to the previous problems with the Fayal pressure reducer at the water plant, the valve at the meter vault along with the valve at the Fayal/Gilbert property line have been closed. Due to the closing of the valves the fire hydrants at 4712 and 4730 Cedar Island Drive and the two by the boat landing are no longer feasible. Placed on file.

Quad City Sanitary Sewer District and Virginia Gilbert Sewer and Water Interconnect will be Thursday, May 22, 10 am, Gilbert City Hall. Placed on file.

OLD BUSINESS

Supervisor Branville-

Animal Control Issue- Supervisor Branville states that he believes the current ordinance is sufficient and should not be stricter. The animal issues in the Park Drive area were all dealt with by Chief Thompson before he retired, and are pending in court.

Supervisor Tamaro-

Air Handler Quotes- Architectural Resources received quotes on Thursday May 8, 5:00 PM for the project. Three quotes were received: Range Cornice \$\$6,605.00, A-1 Refrigeration Heating & Air Conditioning- \$7,144.00 and Radotich Inc- \$5,950.00. ARI feels that Radotich, Inc. Is a reputable contractor and recommend we award based on low bid.

Motion to enter into an agreement with Radotich, Inc to install the air quality system, based on the low bid of \$5,950.00, made by Supervisor Tamaro, support from Supervisor Pernu. Motion carried unanimously.

Town Complex Expansion- A meeting will be held with Architectural Resources the first or second week in June for discussions on the project.

Blacktop Projects- Julie Kennedy will inspect the roads recommended for blacktop and contact Steve Verkovich by phone to discuss the projects.

Class 5- It will be too expensive to crush the remaining Class 5 we have in our pit versus purchasing. Nine hundred yards are needed for this year. Steve Verkovich called various suppliers with our specifications and the most reasonable price was from Mesabi Bituminous, which was \$9,700.00 for 900 yards, delivered.

Motion to purchase 900 yards of Class 5 from Mesabi Bituminous at a cost of \$9,700.00 , made by Supervisor Tamaro, support from Supervisor Pernu. Discussion. Four hundred yards are needed for the completion of North Airport Drive, and Mesabi Bituminous will deliver to there and place the other 500 yards in our pit. Motion carried unanimously.

Water Access Fees- Supervisor Tammaro states that the some of the fees for persons on Eveleth water lines should be refunded, with the exception of those paid on Pine Drive, since that is our line.

Motion to refund water access charges to Eric Kunnari, Patrick Ziegler-Selena Dertinger, and Gary Malenius, made by Supervisor Tammaro, support from Supervisor Branville. Discussion. Chairman Kniefel disagreed with giving the refunds because he stated that ownership of the lines is irrelevant. The intent of the water access fees was to generate revenue for further expansion of the township's water system. The waterlines were placed by Eveleth to service their properties located within the township, and Eveleth has allowed Fayal residents to connect to those lines but Eveleth has no intention of ever expanding or replacing those lines, and they cannot assess within the township for those purposes. Kniefel maintained that the fees are needed to some day replace those lines for our residents. Supervisor Branville stated those residents are paying Eveleth for their water and Eveleth is servicing those lines, so it is redundant for them to pay both entities. Supervisor Tammaro stated he could not find where it was written to collect fees from those residents. ***Kniefel called for the vote. Tammaro, Branville and Pernu voted yes. Kniefel voted no. Motion carried.***

Chairman Kniefel-

SEH Engineering Services Agreement- Chairman Kniefel read the agreement, which is for engineering services for the O'Laughlin Square and wastewater connection project.

Motion to accept the agreement from SEH for engineering services for the O'Laughlin Square, Adamson/Jankila, Forte project, made by Supervisor Tammaro, support from Supervisor Branville. Motion carried unanimously.

Chairman Kniefel read aloud Resolution 2008-04 Ordering the Improvement and Preparation of Plans.

Motion to adopt Resolution 2008-04, made by Chairman Kniefel, support from Supervisor Tammaro. Motion carried unanimously.

NEW BUSINESS

Police Job Description- A draft was distributed to the Board. Discussion on "licensed, or eligible to be licensed for licensure as a Peace Officer".

Motion to approve the police job description as submitted, with the additional language that the P.O.S.T. license must be in hand before the officer starts work, made by Chairman Kniefel, support from Supervisor Pernu. Motion carried unanimously.

Short discussion on application packets.

Motion to start advertizing for a new police officer as soon as the job application packets are prepared, made by Supervisor Branville, support from Chairman Kniefel. Motion carried unanimously.

Supervisor Tammaro reported McBroom Construction will be in the area soon and will stop and look at our tennis courts.

Supervisor Pernu reported that more wood chips are needed for the playground. The school also needs chips and we may split the order with them.

Motion to donate \$100.00 to the CARE Commission for the E-G All-Night Grad Party, made by Supervisor Tammaro, support from Supervisor Branville. Motion carried unanimously.

Motion to deny the promissary note to Eric Kunnari for the two sewer access charges and request payment of \$14,000.00 up front, made by Supervisor Tammaro, support from Supervisor Branville. Motion carried unanimously.

CITIZEN CONCERNS AND COMMENTS

Mike Erjavec questioned if delinquent monthly sewer charges could be made a lien on properties? Discussion on collections of delinquent sewer charges.

Donna O'Conner stated she has had problems with dogs in her neighborhood and questioned the procedure. Clerk SErsha stated that prior to Chief Thompson's retirement, he explained that complaints can still be made by writing them out, signing them, and bringing them to the new officer since the statute of limitations will not have run out by then.

Steve Shykes, Patrick Ziegler and Julie Kennedy had no comment.

Short discussion on the curbing by the Shortstop that needs to be repaired/replaced by Eveleth when they fixed their waterline. Chairman Kniefel stated we will give them some more time since it has only been a week.

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

Motion to adjourn by Supervisor Tammaro.

Chairman Kniefel adjourned the Regular Meeting at 7:57 PM.

Respectfully submitted,

Judy M. Sersha
Clerk of Fayal

Approved: _____

Date: _____

Attest: _____