

TOWN OF FAYAL
4375 SHADY LANE, EVELETH, MN 55734

Judy M. Sersha, Clerk/Treasurer

Steven J. Kniefel, Chairman

Supervisors: Tony Tammaro, James Pernu, Ron Beldo, Kathryn Erjavec

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REGULAR MEETING OF THE FAYAL TOWN BOARD

OCTOBER 19, 2004

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 Erjavec, Supervisor Pernu, and Supervisor Tammaro. Clerk Sersha was absent, and Dale Dickson was in attendance to take notes and audio tape the meeting for preparation of the minutes for tonight's meeting by the clerk.

Motion to approve the minutes of the Regular Meeting of October 5, 2004 made by Supervisor Beldo, support from Supervisor Erjavec. Motion carried unanimously.

REPORTS

Chairman Kniefel read aloud the Clerk's Report submitted by Clerk Sersha, as follows:
Clerk/Treasurer's Report-

For the month of September, 2004, Miners Bank- the beginning balance was \$143,373.39, there were \$32,986.76 in receipts, an expenditure of \$19.77 and a transfer out of \$81,452.33, leaving an ending balance of \$96,141.75.

For the period of October 1-19, 2004, Mt. Iron bank, the beginning balance was \$674,113.67, there were \$560.40 in receipts, expenditures were \$35,645.62, leaving a tentative balance of \$694,508.05. For the same period, Miners Bank, the beginning balance was \$96,141.75, there were \$19,964.69 in receipts and no expenditures, leaving a tentative balance of \$116,106.44. A transfer out to Mt. Iron will be made this week. The report also listed several items for the Board to consider:

1. Dump truck will be paid for in January. Recommend to pay off before year end so indebtedness is not carried into 2005. Referred to New Business.
2. Robert Varani was sent a refund check for \$230.15 for the first half of his assessment on Oct. 13. Upon checking with the county auditor it was learned he has paid the second half assessment also. We need to refund him another \$230.15 for his second half payment, and I have submitted such as a claim. Referred to New Business.
3. Recommend the following as election judges to be appointed for the General Election: Dolores Cooper, Jule Erjavec, Jean Stickney, Beth Anderson, Nancy Roseen, Mary Cossalter, Sharon Crep, Carol Pellin, Bob Mavec, Cathy Korva, Nick Domiano, Linda Brown, Mayme

Grund and Roberta Zattoni. Referred to New Business.

4. A special meeting must be set for the Board of Audit to certify the township election results. Referred to New Business.
5. A public accuracy test of voting equipment has been scheduled on Monday, Oct. 25, 1:00 PM, providing the test pack has arrived by that time.

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

Motion to approve the August 10, 2004 Public Utilities Commission Regular Meeting minutes, made by Supervisor Tamaro, support from Chairman Kniefel. Motion carried unanimously.

Motion to accept the October 13, 2004 EFGSD Joint Rec Regular Meeting minutes, made by Supervisor Erjavec, support from Supervisor Tamaro. Erjavec will contact Carol Thomas and request the financials be sent to us also. Motion carried unanimously.

Motion to accept the unapproved October 13, 2004 Fire Department Regular Meeting minutes, made by Chairman Kniefel, support from Supervisor Beldo. Motion carried unanimously.

CORRESPONDENCE

City of Eveleth- Notice of Change of Address informing that all correspondence be addressed to 413 Pierce Street, Eveleth, MN 55734. Placed on file.

City of Eveleth- Mike Maroste has been reappointed to the Joint Rec Board until July 19, 2007. Placed on file.

City of Eveleth- The next ambulance meeting will be Wed., Oct. 27, 5:00 PM, Eveleth City Hall. Placed on file.

MPCA- The proposed stormwater rule changes are now on the MPCA web page. Placed on file.

City of Gilbert- Disconnect rules for winter. Placed on file.

Chairman Kniefel- Copy of letter sent to Mark Mathiew. Mr. Mathiew requested info on establishing a town road. Placed on file.

Steve Giorgi, AFSCME- Contract language.

OLD BUSINESS

Supervisor Beldo-

Cedar Island Court/Lane- Still waiting for the surveyor. Town Foreman Verkovich is questioning

whether maintenance should be continued on this road. Beldo states that it is not the residents that are holding this up, it is the surveyor, so maintenance should continue. The board agreed.

Supervisor Beldo questioned the whereabouts of the sewer plan sheets that were borrowed out. Dale will check with Ayres & Associates.

Supervisor Beldo states he was advised by Foreman Verkovich there is a manhole between 3970 and 3982 Long Lake Shores Road that is too high. As a temporary fix last year the casing was ground down and beveled, but upon checking the roads this year, it looks like its going to hit the grader blade again. Verkovich is questioning the process for a more permanent repair. Dale states the road should be cut down around the manhole and re-blacktopped, because the manhole cannot be lowered.

Office Manager Contract- The contract was distributed to the Board for their review. A few minor language changes and corrections were made to the contract. Short discussion.

Motion to approve the Office Manager contract made by Supervisor Beldo, support from Supervisor Erjavec. Motion carried unanimously.

A signature copy will be prepared.

Public Works Union Contract- Changes to the contract include language to include the PUC Coordinator/Billing Clerk to carry the pager, and language to include a memorandum of understanding which is an addition to the contract regarding two issues– 1) To meet and discuss an alternative to the on call pager system during the term of the agreement and 2) to negotiate on an as-needed basis the insurance options that may be presented to the town, for the benefit of both the town and the employees. Much discussion on the pager issue, with the Board agreeing the issue seems to have worked itself out. Kniefel questioned the memorandum concerning health insurance as to whether or not timelines would be met. Erjavec states that copies of the all the health insurance proposals were to be distributed to Giorgi and the employees for their review, and a meeting will be set to discuss them, hopefully very soon so a decision can be made prior to January 1. Beldo and Erjavec recommend board approval to both the contract and the letter of memorandum.

Motion to approve the AFSCME Public Works Contract and letter of memorandum, made by Supervisor Beldo, support from Supervisor Erjavec. Motion carried unanimously.
Supervisor Erjavec-

September 21 minutes question- At the October 5 meeting, Erjavec disagreed with the language used in the motion to pay the bills concerning payment of the RLK litigation bills. Clerk Sersha provided a transcript of the motion to the board. Erjavec states she wants the motion to state the bills should be charged to , or expensed to, the sewer.

Motion to amend the September 21, 2004 minutes to say that “they should be charged to the sewer fund”, made by Supervisor Erjavec, support from Supervisor Beldo. Beldo adds that has been the gist of Erjavec’s argument all along. Erjavec states it is a paper trail where the

numbers reflect the cost, and it does not matter where it's paid from. Tammaro questioned what's going to change—it will still be paid from the PUC fund ? Beldo and Erjavec agreed nothing would change. Kniefel clarified, stating that just so it is clear, the amended motion is not going to change anything. Motion carried unanimously.

Paid Employee Time for Negotiations- Supervisor Erjavec read aloud Article 6 of the union contract regarding employees attending a grievance or negotiating session with no loss of pay. Beldo and Erjavec questioned whether the negotiating committee consists of all the employees? Beldo states we should explore, for the future, the board requiring the union steward to present a unified position from the employees at the negotiation and grievance meetings, and not have all the employees attending these meetings offering differing opinions. Kniefel states we have to differentiate between what is a meaningful negotiation session, and what is a union meeting. When it degenerates into a union meeting, that is not an appropriate use of town resources.

Supervisor Pernu-

Town Hall Improvements- Supervisor Pernu reports Koski Drywall will be returning this week to finish the trim painting on the front of the hall. The garage will be done at a later date and the flagpole, next spring.

Supervisor Tammaro-

Sewer Connection- Supervisor Tammaro reports we have received a request from a person owning an apartment building in Sparta to connect to the Fayal sewer line in the area of Lift Station A-1. The request will be handled in the same manner as Mr. Jackson, a Gilbert resident that is connected to our system. The person making the request has been informed he must have permission from Gilbert, must pay for all connections and installations and pay the \$7,000 sewer access fee. Discussion on whether the connection would be commercial or 4 residential's. Rate issue referred to PUC.

Chairman Kniefel-

RLK Litigation- Nothing new.

Mandatory Sewer Connections- Chief Thompson issued a citation for the seventh non-complying Mandatory hookup. A request was received from the party for some extra time to make the installation by an area contractor. An extension of two weeks was granted, and if compliance is not made within that time, the ticket will be enforced.

NEW BUSINESS

Supervisor Beldo informed the Board that one of the R & B employees will be out on sick leave for about a month. Discussion on finding a replacement for plowing or sanding in the interim, if needed. Suggestions included contacting the union hall and St. Louis County. Supervisor Beldo stated he get the matter taken care of to insure the roads are taken care of.

Supervisor Erjavec reported the skating shack was pressure washed, but it does not look like it will get painted this year.

Supervisor Pernu reported there is interest in having the brush site open one more weekend. Many of the leaves have not dropped yet and there have been requests to extend the hours.

Motion to have the brush site open October 29, 30, 31, Noon to 5:00PM, made by Supervisor Pernu, support from Supervisor Erjavec. Motion carried unanimously.

Supervisor Pernu stated that after seeing last month's police report and the report of indecent exposure, there was something he would like to bring up to keep people in the area informed. Supervisor Pernu reported that last week his eight year old granddaughter was walking home from school, which is only 3 ½ blocks away, and a car started to follow her. After she walked two blocks, the car pulled up beside her. She then started running, and the car stayed with her. She then ran into a neighbor's yard and hid behind a tree. The car pulled up. The neighbor saw the girl hiding behind the tree and went outside. The car then sped off. They were not able to get the license plate number, but the car was an old rusty red Oldsmobile. Supervisor Pernu stated he went to the Eveleth Police and told them about it. Pernu was told by the police that sex offenders in the area have been on the increase, so everyone should be aware of that.

Motion to appoint Dolores Cooper, Jule Erjavec, Jean Stickney, Beth Anderson, Nancy Roseen, Mary Cossalter, Sharon Crep, Carol Pellin, Bob Mavec, Cathy Korva, Nick Domiano, Linda Brown, Mayme Grund and Roberta Zattoni as election judges for the General Election to be held November 2, 2004, made by Chairman Kniefel, support from Supervisor Tammaro. Motion carried unanimously.

Motion to set the Board of Canvass to certify the township election results on November 4, 2004, 9:00 AM, Fayal Town Hall, made by Chairman Kniefel, support from Supervisor Erjavec. Motion carried unanimously.

Motion to direct the Clerk to pay off the Dump Truck loan at the Miners Bank, made by Supervisor Erjavec, support from Supervisor Beldo. Motion carried unanimously.

Motion to refund Robert A. Varani the second half of his sewer assessment payment in the amount of \$230.15, if he has indeed paid his second half taxes to the county, made by Chairman Kniefel, support from Supervisor Tammaro. Motion carried unanimously.

Assistant Fire Chief Scott Smith was in attendance and submitted a recommendation to the Board for a new appointee on the fire department, providing he pass the medical and physical testing.

Motion to approve the appointment of Joshua Stachvich to the Fayal Fire Department, made by Chairman Kniefel, support from Supervisor Tammaro. Motion carried unanimously.

CITIZEN CONCERNS AND COMMENTS

Scott Smith was in attendance and had no further comment

Mike Erjavec was in attendance to inform the board he applied for a building permit for the end of

North Airport Road.

Jerry Ulman was in attendance and had no comment.

Motion to pay the bills made by Supervisor Tammaro, support from Chairman Kniefel. Discussion on the A-1 bill for damages to the portable toilet. Tammaro states it is our responsibility because we did not take out special insurance on it offered by the company. Erjavec states the amount is not large enough to turn into our insurance company and recommends it be paid by the town. Discussion on taking out insurance for the portable. Erjavec noted we do not receive a discount on the Edward's Oil bill because payment was not received within 15 days. Motion carried unanimously.

Motion to adjourn made by Supervisor Tammaro, support from Chairman Kniefel. Motion carried unanimously.

Respectfully submitted,

Judy M. Sersha
Clerk of Fayal

Approved: _____
Chair

Attest: _____
Clerk