

**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**

**SEPTEMBER 20, 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, Supervisor Tamaro and Clerk Sersha.

Audience members in attendance were Jerry Ulman, Mike Erjavec and Steve Shykes.

***Motion to approve the minutes of the September 6, 2005 Regular Meeting, made by Supervisor Tamaro, support from Supervisor Beldo. Motion carried unanimously.***

**REPORTS**

***Clerk/Treasurer's Report-*** For the period of September 1-20, 2005 there were a total of \$62,323.62 in receipts and expenditures of \$169,190.33. Tentative cash balances are as follows:

Miners Bank- \$35,074.47

Assessment Savings- \$354,569.50

Mt. Iron Bank- \$762,943.14

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

***Motion to approve the September 14, 2005 Fayal Firefighters Relief Association meeting minutes, made by Supervisor Tamaro, support from Chairman Kniefel.*** Supervisor Tamaro stated that a new Board of Directors were elected to the Relief Association, those being: Frank Pavelich, President, three year term, Vice-President- Therese Petrack, two year term, Treasurer- Chris Sailstad, three year term, Secretary- Eric Garman, two year term, Nick Domiano-Trustee, one year term and Jack Oakman-Trustee, one year term. New disclosure forms were filled out and new signature cards will made at Miners Bank. ***Motion carried unanimously.***

***Motion to accept the September 14, 2005 Fire Department Regular meeting minutes, made by Chairman Kniefel, support from Supervisor Branville. Motion carried unanimously.***

***Motion to bring into the record the minutes of the August 23, 2005 Planning Committee Regular meeting, made by Chairman Kniefel, support from Supervisor Pernu. Motion carried***

*unanimously.*

***Motion to accept the minutes of the September 19, 2005 Joint Cable Tv Regular Meeting, made by Supervisor Tammaro, support from Supervisor Pernu. Motion carried unanimously.***

***Motion to accept the minutes of the September 14, 2005 Joint Rec Regular Meeting, made by Chairman Kniefel, support from Supervisor Tammaro.*** Supervisor Pernu questioned if recommendations from our rec representatives would be taken into account for hiring of rink attendants this year? Supervisors Tammaro and Pernu to attend the next meeting. ***Motion carried unanimously.***

### **CORRESPONDENCE**

City of Eveleth- Carol Thomas has been re-appointed to a three year term on the Joint Rec Board. Placed on file.

RLK, John Jamnick- Info regarding Differding Point and Cedar Island Drive sanitary sewer improvements in the City of Gilbert. Referred to Old Business.

MN DOT- Solicitation for Enhancement Projects, workshop to be held Wed, Sept. 21, 10 AM to Noon, MNDOT Office, 1123 Mesaba Avenue, Duluth. Referred to New Business.

MN DNR- Property Data Sheet for land in SLC to be sold at public auction by the DNR. Land is a 10 x 800 foot strip, with 10 feet of lakeshore on St. Mary's Lake, access is by boat only. No legal access by road. Placed on file.

Pat Anderson, State Auditor- State Mandate Reform/Waiver Program. New legislation allows local governments new avenues to make their voices heard about state mandates in need of reform. Placed on file.

SLCATO- Minutes of the June 2005 Regular Meeting. Next meeting Sept. 28, 7:30PM, Cotton Community Center. Info on the Annual Dinner, Annual Meeting, and Legal Seminar, also calendar of scheduled regular meetings. Referred to New Business.

Chairman Kniefel- Copy of memo to Fire Dept on financing for the fire truck. Referred to Old Business.

Steven Verkovich- Memo to Board regarding fund transfers and PUC pump. Placed on file.

### **OLD BUSINESS**

#### **Supervisor Beldo-**

**Overlay Project-** The county will not add the short pieces of road to their contract as an alternate. We must decide soon how we wish to proceed. The latest estimate, after altering the

quantities, is \$104,000. This estimate would include all the roads that are planned for resurfacing. If the shorter segments are excluded we could reduce the total cost to about \$82,000. Discussion on whether or not to exclude the short segments and contract them ourselves. Inspections, engineering, mobilization costs and quality assurance for those segments were discussed, and consensus is there probably would be no savings for us to contract it out ourselves.

***Motion to keep the roads in the plan presented to the county and proceed with the project, made by Supervisor Beldo, support from Supervisor Tammaro. Motion carried unanimously.***

***Laser Level-*** Quotes were received from L & M and Grandes, with the two being very close in price. A tripod, auto leveler unit, and grade rod will also be needed.

***Motion to purchase a laser level for Road & Bridge not to exceed \$1,400.00, made by Supervisor Beldo, support from Supervisor Pernu. Motion carried unanimously.***

**Supervisor Branville-**

**Police Computer-** The new computer has been received and set up.

**Radar Sign-** The sign needs to be plugged into a radar unit in the squad. We may be able to make arrangements to use the Biwabik township squad, Chief Thompson will check on it.

**Supervisor Pernu-**

**Office Air Vent/Heat/Hot Water-** Air ventilation system is still being discussed. Info was received today for the heating and hot water system from Arrowhead Heating & Cooling. Discussion on the proposals received from Young, Tini and Arrowhead will take place at the next meeting.

**Supervisor Tammaro-**

**Tomsich Tree Removal-** A letter was sent to the property owner informing him that a tree needs to be removed because it is interfering with the sewer line. The property owner has no objection. The tree will be removed by a tree removal company and the stump can be taken out by R & B.

**Kaleva sewer-** Rod Flannigan of Benchmark recommends a directional bore be done at the site, and does not recommend open cut. The home is now being occupied, so something should be done soon.

**Turner Litigation-** The trial has been delayed and continued to January - March, 2006, due to medical problems the plaintiff's attorney is having.

**Sparta Sewer Connections-** John Jamnick attended the last PUC meeting. Gilbert would like to connect their residents to our sewer line. They are having a public hearing on September 27 to gather input from their residents. No dollar figures were given from Gilbert as to how much they would pay us to have their residents connected to our line. Fayal has no objections to letting them

connect to our line, but there are several issues that would need to be addressed prior to allowing the connections.

**Chairman Kniefel-**

**Fire Truck Purchase-** A memo concerning financing of the fire truck, written by Chairman Kniefel was distributed to the Board. Kniefel suggests transferring funds from Mining Effects in the amount of \$50,014 and Capital Equipment of \$33,360 to the fire fund. This, along with the 2005-06 levy funds within the fire budget and the balance due from FEMA should provide enough revenue to complete the truck purchase. Discussion.

***Motion to make the fund transfers, based on the memo of September 16, 2005, made by Chairman Kniefel, support from Supervisor Branville. Motion carried unanimously.***

**NEW BUSINESS**

Supervisor Beldo commented that the sign on Cedar Island Drive is in bad shape and should be redone. The R & B employees will be asked if they can redo the sign when they have time.

Supervisor Pernu reported he spoke with Roger Nelson of the DNR regarding the trees that are scheduled to be cut. Nelson advised that we will be notified prior to anything being cut so that we will have the opportunity to designate which trees will be cut. Pernu stated he would like to have the trees cut this fall, if possible.

Supervisor Pernu distributed a copy of a quote received from Rich Gasperlin for needed repairs to the skating shack and rink. The quote was for \$1,085, and included materials and labor.

***Motion to accept the proposal by Rich Gasperlin to do the work on the skating shack and rink, made by Supervisor Pernu, support from Supervisor Tamaro. Motion carried unanimously.***

Supervisor Pernu suggested that snow fence be put around the playground this fall to keep snowmobiles, etc out of the area. The Board agreed.

**Bike Trail-** Regarding the correspondence from MN DOT for the request for project proposals to be funded by federal Enhancement Funds, Chairman Kniefel explained the procedure to the Board. Back in 2002, we had a meeting with Bob Manzoline of the Mesabi Rail Authority. At that time, we agreed a bike trail should be constructed to Mesabi Trail standards and be a spur of the Mesabi Trail system. Chairman Kniefel has spoken with Mr. Manzoline and he agrees that we should now try to seek these funds. Cost for the trail is expected to be about \$200,000. St. Louis County would sponsor Fayal in their joint application with the Lake Counties Regional Rail Authority. Chairman Kniefel presented and read Resolution 2005-11 authorizing the submission of the joint application.

***Motion to adopt Resolution 2005-11 to submit a Joint Application for Federal Enhancement funds with the St. Louis County Lake Counties Regional Rail Authority and to request sponsorship by St. Louis County, made by Chairman Kniefel, support from Supervisor Pernu.***

Discussion on Fayal's portion of the project, which is 20 percent. Supervisor Tammaro states that we have been setting money aside for many years for upgrades for a bike trail from the levy, and mining effects, so there should be enough funds available for the match. Supervisor Branville questioned if once we bring the trail up to standards, who is responsible for maintenance. Chairman Kniefel answers that we will then turn the trail over to the Mesabi Trail and they will be responsible. Supervisor Branville states that the Rail Authority is against motor trails and he would like to see us seek funds from a different source. Branville further states that he can see where the people of Fayal could benefit from this project, but that due to the Rail Authority's dislike of motorized trails, he will vote against it. ***Kniefel, Pernu, Tammaro and Beldo vote yes. Branville voted no. Motion carried.***

A request was received from Todd Maninen to waive the sewer access charge on Parcel G adjacent to Auditors Plat 39 (Paulis Addition). Mr. Maninen purchased the property from John Zlimen and the piece of property is directly behind Mr. Maninen's homesite on Lots 7 & 8 of Auditors Plat 39. The Board in 2003, waived sewer access charges on Parcels B through F because the lots were of a small substandard size, basically landlocked, are attached to adjacent property owners and would not create any new or potential users of the sewer system. Chairman Kniefel presented a map of the area and the Board studied it. Supervisor Tammaro questioned the size of the parcel. Chairman Kniefel answered that it is 150' x 150'. Clerk Sersha stated she thought the Maninen's intended to build a garage on the property. Supervisor Tammaro stated that is a big enough parcel to build a house on, and if there is to be a waiver, it must be made clear to the Maninen's that there are conditions to the waiver. The Board agreed.

***Motion to approve a waiver for the sewer access charge on Parcel G, a 150' x 150' foot lot located directly behind the Maninen's property, with the conditions that no new or potential users will be created and if the lot is divided and built upon, it will be subject to the sewer access charge, made by Chairman Kniefel, support from Supervisor Tammaro. Motion carried unanimously.***

Chairman Kniefel stated that the SLCATO Annual Awards Dinner will be held October 7 and if board members are interested in attending, to let Judy know by October 4. Every township is to bring a prize for a donation.

***Motion to authorize the clerk to spend up to \$50.00 for a prize donation for the SLCATO Annual Awards Dinner, made by Supervisor Tammaro, support from Supervisor Beldo. Motion carried unanimously.***

### **CITIZEN CONCERNS AND COMMENTS**

Mike Erjavec stated his concerns about North Airport Road being designated as minimum maintenance. Mr. Erjavec stated he will be having building materials delivered and the LP gas truck must be able to get down the road. Supervisor Beldo assured Mr. Erjavec the road will be kept passable, and to contact the R & B department if maintenance is needed. The road has been designated as such for the township's liability purposes.

Jerry Ulman was in attendance and questioned the progress on the plaque for the township

supervisors. Clerk sersha informed him that all the research has been done, and we just need to have the plaque made.

Steve Shykes was in attendance but had no comment.

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

***Motion to adjourn by Supervisor Tammaro.***

Regular meeting adjourned at 8:27 PM.

Respectfully submitted,

Judy M. Sersha  
Clerk of Fayal

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

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