

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, Kathryn Erjavec

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SPECIAL MEETING OF THE FAYAL TOWN BOARD

OCTOBER 26, 2004

Chairman Kniefel called the Special Meeting to order at 10:00 AM. Present were: Chairman Kniefel, Supervisor Beldo, Supervisor Erjavec, Supervisor Pernu, Supervisor Tamaro, Clerk Sersha, Dale Dickson and Attorney Tim Strom.

Chairman Kniefel stated, for the record, the following:

The sole purpose of this special meeting is for the Town Board to discuss the current status of the lawsuit involving the Town initiated by Ryan Lynn Turner against RLK Kuusisto and the Town of Fayal, District Court Number 69-0C2-04-100879, St. Louis County District Court.

As you all know, the Town has submitted this lawsuit to its insurer, the Minnesota Association of Townships Insurance Trust, who has assigned Tim Strom to defend the Town. Mr. Strom is with us today to discuss this litigation with the entire Town Board.

The Open Meeting Law allows town boards to close meetings if permitted by the attorney-client privilege as allowed by Minnesota Statute 13D.05 subd 3(b) provided the board states on the record the subject to be discussed at the closed meeting.

The only subject that is to be discussed today in a closed meeting is the lawsuit I've identified. The town board needs to discuss with its attorney the factual and legal basis of the lawsuit, what the attorney sees as the strengths and weaknesses of the lawsuit, what the attorney advises the town to do in response to the lawsuit, what our litigation strategy should be, any settlement possibilities that may exist, and the attorney's recommendations for the defense, handling, and possible resolution or outcomes of the lawsuit.

On those grounds, I ask for a motion to close this meeting to discuss these subjects with our attorney.

Motion to close the Special Meeting made by Supervisor Tamaro, support from Supervisor Erjavec. Motion carried unanimously.

Special Meeting closed at 10:01 AM.

The Special Meeting was re-opened and adjourned at 11:25 PM

Respectfully submitted,

Judy M. Sersha
Clerk of Fayal

Approved: _____
Chair

Attest: _____
Clerk