

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

MARCH 4, 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 Stewart, Supervisor Branville, Supervisor Pernu, Supervisor Tamaro and Clerk Sersha. Police Chief Harvey Thompson was also in attendance for a portion of the meeting.

Audience members in attendance were Steve Shykes, Scott Smith, Patrick Ziegler, Mike Erjavec and John Jamnick.

Motion to approve the minutes of the Regular Meeting of February 19, 2008, made by Supervisor Branville, support from Supervisor Stewart. Supervisors Tamaro and Pernu abstained, due to their absence from the meeting. Branville, Stewart and Kniefel voted yes. Motion carried.

REPORTS

Clerk/Treasurer's Report- Bank statements have not arrived yet for February. Tentatively, there were \$60,444.73 in revenues, \$67,057.95 in expenditures, leaving balances of :

Mt. Iron- \$766,469.85

Miners- \$44,503.99

Assessment Savings- \$379,873.96

Clerk Sersha asked for authorization for employees to attend the Safety & Loss Control workshops at Biwabik on April 24, the refund of customer credit balance on sewer bill, and new cell phones for employees. All issues referred to New Business.

Clerk Sersha reported that the list of township equipment to be disposed of has been done by Roger's Online. The computer equipment etc. must be safely disposed of due to it containing hazardous materials, and Roger's Online is authorized to do that. A certificate showing the disposal is complete will be issued to Fayal by Roger's.

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

Motion to accept the February 2008 Police Report made by Supervisor Stewart, support from Supervisor Branville. The request by Chief Thompson for time to attend training was referred to New Business. Motion carried unanimously.

Motion to accept the February 2008 Road & Bridge Report made by Supervisor Tamaro, support from Supervisor Pernu. Motion carried unanimously.

CORRESPONDENCE

SLCATO- Regular meeting minutes of January 23, 2008, next meeting March 26, 7 PM, Cotton Community Center. Placed on file.

Sam Aluni, Gilbert City Attorney- Letter to Chairman Kniefel requesting the language Fayal wants added to the Sparta sewer agreement. Revised agreement received 3-4-08. Referred to Old Business.

MAT- Spring Short Course will be April 4, Fortune Bay. Placed on file.

Scott Neff- Copy of letter sent to Judge Florey regarding the David & Marlys King road vacation. Referred to Old Business.

Walker Giroux & Hahne- 2007 audits. Placed on file.

OLD BUSINESS

Supervisor Stewart-

Animal Control- Supervisor Stewart and Chief Thompson obtained a proposal for animal control from Mesabi Humane Society. Previously, Contented Critters was animal control for the township, but a letter was received from Faye Walters stating they would no longer pick up animals for the town. The proposal from MHS states they will house animals for \$20 per day, not to exceed 5 days of billing for a total not to exceed \$100 per housed canine, or for a feline, \$15 per day with the same terms. In an addendum MHS states they will pick up an animal during business hours for \$20 and for emergency animal control during business hours the rate would be \$50, and after normal hours of operation the cost will be \$100. Discussion on who would be authorized to call in for an animal pickup. Chief Thompson states the proposal offers to take animals presented by a Fayal resident and obtain the resident's ID and location of the animal, but that could be changed to only allow for intake of an animal after authorized by a Fayal employee or elected official. The initial agreement would be for one year, to see how it goes, and further agreements could be made for a longer time period.

Motion to enter into an agreement with Mesabi Humane Society for animal control, and authorize the chair and the clerk to sign the agreement made by Supervisor Stewart, support from Supervisor Pernu. Supervisor Stewart and Chief Thompson to review the proposal prior to signature of chair and clerk to see to it that all items discussed have been clarified in the agreement, and typos have been fixed. Motion carried unanimously.

Chief Thompson left the meeting at this point.

Supervisor Branville-

Golf Course Sewer Extension- Supervisor Branville states that the issue was discussed at the PUC meeting. The project will proceed, with the original proposal that was made to the Kunnari's from Jola & Sopp for \$29,500, now being made to Fayal Township, with Fayal paying for the project, since Fayal will be owning the line. The Kunnari's will pay \$14,000 in access charges and Fayal will pay the remainder of \$15,500 for the project. Supervisor Branville states that mining effects funds can be used to pay Fayal's portion for the project. Chairman Kniefel disagreed, stating that accumulated sewer access charges should be used to pay for Fayal's portion since it is an enterprise fund expenditure. Branville agreed and the project will proceed immediately.

Sparta Sewer Agreement- A revised agreement was received from Gilbert Attorney Sam Aluni. The agreement now includes a statement that Gilbert shall hold harmless and indemnify Fayal for any damage caused by sewer backup into Gilbert residences as a result of failure of either the Differding Point lift station or the Sparta lift Station.

Motion to approve the Memo of Understanding with the City of Gilbert on the Sparta Sewer Project, made by Supervisor Branville, support from Supervisor Tammaro. Motion carried unanimously.

Supervisor Branville questioned if Bougalis Construction has the proper permits for working in Fayal's rights-of-way? John Jamnick, Gilbert City Engineer, stated that Bougalis has not started working on the project yet, but will be instructed to obtain the proper permits from Fayal prior to beginning the project.

Chairman Kniefel signed the Memorandum of Understanding, and it was given to Mr. Jamnick at the meeting. Mr. Jamnick then left the meeting.

O'Laughlin Square Waterline Project- The PUC wants to be involved, and get moving on the project. Discussion on how to proceed. The Board agrees the PUC should spearhead the project.

Motion to have the PUC proceed with a public hearing on the O’Laughlin Square water line project, made by Supervisor Branville, support from Supervisor Pernu. Fire Chief Shykes questioned if fire protection has been taken into account in the project. Supervisor Tammaro answered that the project is being built to ten state standards, so fire protection is considered. Motion carried unanimously.

Chairman Kniefel-

Platted Road Vacation, Ely Lake Beach, (Dave & Marlys King petition)- Kniefel attended the hearing scheduled this morning. The hearing has been continued to March 13. The DNR and township are both objecting to the vacation. The DNR does not want to lose the access to the lake, and the town is objecting because they are not allowing a turnaround for snowplowing purposes.

NEW BUSINESS

A meeting will be held with representatives from BCBS, NESCU and Greater MN Agency Agent Mick Giblyn on Monday, March 17, 10:30 AM with Fayal employees and board members to discuss health insurance options. The meeting will be posted, as there may be a quorum of the town board in attendance.

Supervisor Pernu reported he will have information at the next meeting on some of the spring projects he has planned.

Supervisor Tammaro reported the R & B Department is compiling a list of blacktop projects for the spring. A new roadside mower is also needed, and they are looking at a unit which could be attached to the loader. There is about 10,000 yards of Class 5 left in the pit, and a stripping project is also in the works. The sand pile is almost depleted for this year, due to heavy sanding of the roads this winter.

Chairman Kniefel reiterated the need for volunteers for the Joint Cable TV Commission. The vacancies have been posted for several months.

Motion to authorize 6-10 hours of time for Chief Thompson to attend mandatory training, made by Chairman Kniefel, support from Supervisor Branville. Motion carried unanimously.

Motion to authorize employees and board members to attend the League of MN Cities Safety & Loss Workshops in Biwabik on April 24, at township expense, made by Chairman Kniefel, support from Supervisor Tammaro. Motion carried unanimously.

Motion to proceed with the purchase of new cell phones/plan for the six township employees/departments, made by Supervisor Tammaro, support from Supervisor Branville. Motion carried unanimously.

Chairman Kniefel reminded the Board of the Annual Meeting next Tuesday, March 11, 7:00 PM.

CITIZEN CONCERNS AND COMMENTS

Fire Chief Shykes was in attendance to inform the Board that a FEMA grant has been approved for turnout gear for the fire department. The grant is for \$30,000 with Fayal paying \$1,500. This will purchase 17-20 sets of turnout gear. Shykes further reported there have been 6 new applicants for the fire department since the ad was in the newspaper. The membership committee will forward qualified persons to the town board.

The Fire Department Spaghetti Feed will be Sunday, March 16, tickets available from all firefighters.

Chief Shykes forwarded Community Service grant information to Supervisor Pernu. The program is for upgrading/building community centers that serve the public. Contact will have to be made with the local office in Virginia.

Scott Smith had no comment.

Patrick Ziegler was in attendance to question the board why the sewer line was not expanded when he built his house? Mr. Ziegler stated that he had to put in over 400' of line to connect to the town main line, at a cost of \$18,500.

Mr. Ziegler stated he was told the town had no plans to expand, and then a month after he installs his line, the town expands for the Kunnari's. Mr. Ziegler stated he felt he should be reimbursed.

Mr. Ziegler was told by the board that the Kunnari's made a request for extension of main line because they had no access to the town's sewer line. Mr. Ziegler did have access to the town's main line, but it was over 400 feet away.

Chairman Kniefel explained that from the town's main line, the Kunnari's will have to pay for their own service line. Supervisor Tammaro stated that there were many people in the township that had service line in excess of 400 feet, which was installed at their own expense.

The board took no action on Mr. Ziegler's request for reimbursement of his costs.

Mike Erjavec questioned if the IRB grant received for the O'Laughlin Square water main could be split and used for another project as well. Clerk Sersha will supply the PUC with copies of the grant agreement and project requests, so the PUC can study the issue.

***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 8:21 PM.

Respectfully submitted,

Judy M. Sersha
Clerk of Fayal

Approved: _____

Date: _____

Attest: _____