

**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**

**FEBRUARY 1, 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.

***Motion to approve the minutes of the January 18, 2005 Regular Meeting made by Supervisor Tamaro, support from Supervisor Pernu. Kniefel and Beldo abstained, due to their absence from the meeting. Motion carried.***

**SCHEDULED GUESTS**

Eva and Steven Lepisto were in attendance to inform the board of an encroachment on their property. The Lepisto's recently had a survey of their property done by Benchmark Engineering. The survey showed that the neighboring home is entirely upon their property, and that there is a 40 foot wide piece of land that apparently belongs to no one. The Lepisto's would like to straighten this out, but were concerned they would be assessed for the sewer. Discussion. It was discovered that at the time the assessments were levied by the township, the two parcels of land in questions were thought to be owned by the same person, not two separate owners. Therefore, the Eva & Steven Lepisto property received no special assessment. The Lepisto's would like to adjust the property lines and sell a portion of their land to the neighbor who owns the house, but still retain the back portion of their property. The Lepisto's do not plan to build on their property and do not want access to the sewer line, nor do they want to be assessed. Discussion by the Board. Referred to New Business.

**REPORTS**

**Clerk/Treasurer's Report-** Bank statements for the month of January 2005 are not yet available. Total receipts received for the month were 36,518.37 and expenditures were \$107,587.87.

Clerk Sersha reported on the annual audit and GASB progress, thus far.

Clerk Sersha informed the Board of the need for an employee to use sick time to care for a family member.

***Motion to authorize Diane Stewart to use her sick time to care for a family member, made by***

***Chairman Kniefel, support from Supervisor Tamaro. Motion carried unanimously.***

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

***Motion to accept the January 2005 Police Report made by Chairman Kniefel, support from Supervisor Branville. Motion carried unanimously.***

### **CORRESPONDENCE**

SLC Public Works- Executed copy of the Road Maintenance agreement between SLC and Fayal. Referred to Supervisor Beldo, R & B and placed on file.

Ross Litman, SLC Sheriff- Beginning January 1, 2005, the daily inmate per diem rate for prisoners will be reduced from \$50.00 to \$30.00 per day. Referred to Supervisor Branville, placed on file.

Mike & Debra Erjavec- Signed easement for North Airport Road. Referred to Old Business.

Frank & Charlie Erjavec- Signed easement for North Airport Road. Referred to Old Business.

Paul Cerkvenik- Copy of letter sent by Eveleth Virginia Airport attorney Mark Wier, commenting on the Fayal Town Board Resolution to vacated South Airport Road, and Chairman Kniefel's reply letter. Placed on file.

Northern Lights Surveying- Proposal to survey township property located by the IRR. Referred to Steve Verkovich.

### **OLD BUSINESS**

#### **Supervisor Beldo-**

**SLCATO-** Beldo reports he attended the last meeting in Cotton, and also Lobby Day which was held in conjunction with Duluth Days. A bill should be arriving for the bus trip. Board of Review training will be held in March. Beldo, Pernu and Branville plan to attend.

**Grader Training-** Beldo will talk to AI about setting up training for Dale.

**Employee Vacation Schedule-** Beldo commented that the vacation and pager schedules that were posted do not differentiate which employee is on vacation or carrying the pager. One employee did not post their vacation, and another used the same color pen as another employee. Beldo states a better faith effort should have been made by the employees when making the schedule. Tamaro states he doesn't care who is on vacation as long as the pager is covered. Branville suggests the employees be given some direction.

**Safety Committee-** Beldo states the safety liaison was omitted at the Reorganization meeting, and should be recognized. Pernu questioned who the safety liaison were? Beldo answers that the R & B

liaison and Buildings & Grounds liaison were assigned to the safety committee in the past. Beldo and/or Pernu will attend the safety meetings. The next meeting is Thursday at 1:00 PM.

**Snowplowing-** Much discussion on when to plow. Past practice has been the employees plow after 3 inches of snow has fallen, or sand if the roads are icy. Discussion on overtime and the possibility of implementing a snowplow policy.

**Flow Chart-** Supervisor Beldo presents a "chain of command" flow chart, which adds the approved signatories and the safety committee to the chart that was approved at the last meeting.

***Motion to accept the chain of command flow chart, adding the safety committee and approved signatories, made by Supervisor Beldo, support from Supervisor Pernu. Beldo, Pernu, Branville and Kniefel voted yes. Tammaro voted no. Motion carried.***

**Supervisor Pernu-**

**Town Hall Cleaning-** The three casual laborers hired to do the cleaning are doing a good job.

**Skating Shack-** The attendants have been doing a good job keeping the thermostat setting down. There have been some problems with the attendants showing up to open the shack or them not having a key, or the lights not being on, so Pernu has had to go down there several times. More supervision and direction is needed. Tammaro suggests inviting Rec Director Craig Homola to our next meeting. Sersha will write a letter making that request.

**Town Hall Heat Bill-** Pernu reports the bill is \$525 less than last month, but still a lot higher than last year at this time. Discussion on the air exchanger and the cost of using it.

**Supervisor Tammaro-**

**Conflict of Interest Policy-** Tammaro requests the policy be placed on the agenda for the next meeting for discussion. Discussion of the policy.

**RLK Litigation-** Nothing at this time.

**Chairman Kniefel-**

**Road Easements-** Easements for northerly 33 feet of North Airport Road were received from Charlie and Frank Erjavec and Michael and Debra Erjavec. The property owners on the south side have been contacted and have indicated they will cooperate with giving an easement for the southerly 33 feet.

***Motion to accept and ratify both of the Erjavec easements and direct the clerk to record the easements with the county recorder, made by Chairman Kniefel, support from Supervisor Tammaro. Motion carried unanimously.***

## **NEW BUSINESS**

Supervisor Beldo questioned the annual allowance expenditure for an employee. Sersha explained the expenditure was over the allowance amount, but the employee reimbursed the township for the amount over and above the allowed amount. Beldo questioned the cost of safety glasses for an employee. Sersha answered the union contract states safety glasses will be provided.

Supervisor Beldo stated the union contract states that the hours between midnight and 7:00 AM are considered to be overtime hours, and requested that Dale sign a waiver, since he starts work at 6:00 AM.

Supervisor Branville reported he is learning the financial reports, but finds them confusing at times. As for his departments, there is nothing pressing at this time.

Supervisor Pernu distributed copies of the budget for the new playground, for the board's review. Pernu will also be attending the Planning Committee meeting to inform them of the plans and have the playground be included in the long range plan.

Supervisor Tamaro reported that an appointment needs to be made for the Joint Rec. Tim Thompson filled the remainder of Mark Messich's term, and has expressed interest in continuing the position.

***Motion to appoint Tim Thompson to a three year term on the Joint Rec made by Supervisor Tamaro, support from Supervisor Branville. Motion carried unanimously.***

Supervisor Tamaro reported that Dale has requested to attend a wastewater class in March. Tamaro states he does not need the class for his certification.

***Motion to deny the request for Dale to attend the class, due to lack of funds, made by Supervisor Tamaro, support from Chairman Kniefel. Motion carried unanimously.***

Chairman Kniefel reported that the Planning Committee has changed their meeting time to 4:00 PM on the fourth Tuesday of each month. Sersha to post the change. Kniefel also reported there has been one resignation and Debbie Motley's term has expired. Ms. Motley is not interested in pursuing another term. Sersha to post the vacancies and include them in the announcements on the web page.

Discussion on the March regular meeting schedule. Table until the next meeting.

Discussion on the Lepisto matter. A letter will be sent to them giving them 90 days to resolve the issue.

## **CITIZEN CONCERNS AND COMMENTS**

Mike Erjavec was in attendance and thanked the board for acting on the easement for North Airport

Road. Erjavec reported he received his address and it will be 7547 North Airport Road. Beldo questioned what his time line was? Erjavec reported he would like to have the shell of the house up by next winter so he can work on the interior.

Jerry Ulman was in attendance but had no comment.

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

The Board discussed the 2006 levy.

Discussion on unreserved funds.

***Motion to allocate \$10,000.00 of unreserved funds to the PUC, made by Supervisor Tammaro, support from Chairman Kniefel. Motion carried unanimously.***

***Motion to have the General fund pick up the legal fees for the RLK litigation made by Supervisor Tammaro. Motion dies for lack of second.***

***Motion to add \$30,000.00 to the employee benefits fund from the unreserved fund balance, made by Chairman Kniefel, support from Supervisor Tammaro. Motion carried unanimously.***

***Motion to transfer \$5,000.00 from the Road & Bridge fund to the employee benefits fund, made by Supervisor Beldo, support from Supervisor Tammaro. Motion carried unanimously.***

***Motion to adjourn made by Supervisor Beldo, support from Supervisor Tammaro. Motion carried unanimously.***

Regular Meeting adjourned at 9:37 PM.

Respectfully submitted,

Judy M. Sersha  
Clerk of Fayal

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

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

