

**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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**REGULAR MEETING OF THE FAYAL TOWN BOARD**

**OCTOBER 5, 2004**

The Regular Meeting of the Fayal Board of Supervisors was called to order at 7:02 PM by Chairman Kniefel. Present were: Chairman Kniefel, Supervisor Beldo, Supervisor Erjavec, Supervisor Pernu, Supervisor Tamaro and Clerk Sersha. Approximately a dozen Eveleth-Gilbert High School students were also in attendance.

***Motion to approve the minutes of the September 21, 2004 Regular Meeting, made by Supervisor Tamaro, support from Supervisor Beldo.*** Supervisor Erjavec stated that she wanted clarification on the portion of the meeting regarding payment of the RLK litigation bills from the PUC fund. Erjavec stated that she does not care where they are paid from, but that they should be expensed to the sewer fund, and put as a payable to another fund. Chairman Kniefel suggested the minutes be approved and the clerk review the language on the tape to see if there is a different word that should be in there. ***Motion carried unanimously.***

**REPORTS**

***Clerk/Treasurer's Report-*** For September 1-30, 2004 there were a total of \$65,529.09 in receipts and expenditures were \$88,992.78. Ending balances for Mt. Iron Checking is \$674,113.67, Special Assessments Account- \$427,783.12. No statement available for Miners Bank at this time.

Clerk Sersha reported there is a refund due to Mr. Robert A. Varani in the amount of \$230.15 for overpayment of the first half of his special sewer assessment. Payment was made to St. Louis County for the first half of his property tax and assessment, and was again withheld when Mr. Varani did a re-finance. Referred to New Business.

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

***Motion to accept into the record the September 2004 Police Report submitted by Chief Thompson, made by Chairman Kniefel, support from Supervisor Tamaro. Motion carried unanimously.***

***Motion to accept the September 2004 Road & Bridge Report into the record made by Supervisor Beldo, support from Supervisor Pernu.*** Chairman Kniefel noted the acquisition of

road sand for winter and suggested we should explore the possibility of a local operation in the township that could supply us with sand in the future. Supervisor Beldo will forward the comment to the R & B department. ***Motion carried unanimously.***

***Motion to accept into the record the EFG Joint Cable TV Regular Meeting minutes of September 12, 2004, made by Supervisor Erjavec, support from Supervisor Beldo. Motion carried unanimously.***

### **CORRESPONDENCE**

Joanne Pelzer- Wants the Board to know that 4 yards is not enough to fill her yard. Wants more fill. Referred to New Business.

Clerk Sersha- Copy of letter sent to Joe Hiller, MN DNR informing him that Fayal has ordered the required signs for the bike trail and the portable toilet has been replaced with a handicapped one. Placed on file.

SLC Land Dept- They are proposing the sale of state tax forfeited land within the township legally described as That part of the SW1/4 of the SE 1/4 of Sly r/w of Bodas Road except the Wly 613 feet, Sec. 23, Twp 57-17. We may acquire this land if the municipality need it for a public purpose. Placed on file.

Greater MN Agency- Medica insurance quotes & brief summary. Referred to New Business.

BC/BS- Info on consumer directed health care. Placed on file.

EFG Joint Cable TV Commission- Agenda and notice of meeting on October 7, 5:30 PM, Board Room, E-D High School. Placed on file.

MAT- Workers Comp renewal. Rates are the same as 2003, with 2003 rates reflecting nearly 16% reduction from previous years. Placed on file.

MN DNR- Timber appraisal report and forms to sell timber. Referred to New Business.

### **OLD BUSINESS**

#### **Supervisor Beldo-**

**Cedar Island Lane/Court-** Nothing new at this time. The surveyor has made assurances that the legal description is in the works.

**Union Contract-** Supervisors Beldo and Erjavec attended the mediation session. Beldo states the employees and union met for four hours and that the supervisors only spent about twenty minutes with the mediator. The rest of the time was taken up with discussions between the employees and union. A tentative agreement was finally reached between the town and its union employees, and

the contract, hopefully, will be ready for the next meeting. Supervisor Erjavec is to contact Steve Giorgi regarding some agreement language for the contract regarding medical and the pager. Discussion on the pager.

**Supervisor Erjavec-**

Union Contract- Two letters of intent will be drafted by Steve Giorgi, one to form a committee to explore health insurance issues and the other to look at alternatives to the pager system. The four employees involved in the contract used many working hours during this contract negotiation, and Erjavec questioned the policy on this. Sersha stated it was pointed out to her by the employees that the union contract allows for them to be paid during meetings to negotiate. Beldo states the union did not have a unified stance and much time was spent by the union and employees discussing the issues. Beldo further stated the Board has the authority to, in the future, require this be done on the employee's own time. Tammaro states that when the contract was negotiated before, it was done after hours, and only the union steward came to the table. Discussion on future policy. Kniefel suggested that the contract language be looked at, and the possibility of the employees being required to use vacation time for the discussions.

The Office Manager contract will be reviewed by the Board at the next meeting.

**Joint Rec-** Erjavec reports the rec directors wage and benefit increase amounts to 2 -2 ½% . Jack Lalli, Fayal's rep will see to it we start receiving the financial statements from the Joint Rec.

**Planning Committee-** No quorum was present at the last meeting.

**Supervisor Pernu-**

**Town Hall Exterior-** Northwoods Construction put the final touches on the building this week and finished the air conditioner cover. The Board complimented the outcome of the town complex exterior project, and thought it looked good. A proposal in the amount of \$1,853.00 was received from Koski Drywall to paint the flagpole, the interior of the doors and the trim on the town complex. If the project cannot be finished this fall, it will be done in the spring. No payment will be made unless work has been done, and then only partial payment will be made until the job is completed.

**Motion to approve the proposal from Koski Drywall, made by Supervisor Pernu, support from Supervisor Tammaro. Motion carried unanimously.**

**Supervisor Tammaro-**

**Ambulance Meeting-** Tammaro and Kniefel attended the last meeting. Progress is being made in discussions with other entities and a joint powers agreement is being discussed..

**Mandatory Sewer Connections-** Those cited have gone to court for an initial appearance, but we have no court date set as of this time. No word from the county yet on the Pfeifer connection.

**Chairman Kniefel-**

**Scout Camp Lane Easements-** From the John Master's survey info, a legal description was written allowing for a forty foot corridor over the center of existing roadway. The same was done for the Smuk's. The legal description was forwarded to Scott Neff to write the easements.

**RLK Litigation-** Partial summary judgement was received.

### **NEW BUSINESS**

Supervisor Beldo reported the employee safety meeting will be held Thursday, October 7 at 1:00 PM.

Supervisor Beldo questioned a bill for carrying the pager submitted by Supervisor Tammaro. Beldo stated he had mixed feelings about a supervisor being relied upon to carry the pager, when the employees were instructed to make a schedule. Tammaro states that is the reason he wanted to bring this out, because he is not willing to carry the pager in the future, but did so at this time because the contract is not finished. Tammaro states there were only three employees in the pager schedule, and none of them could carry it during this time. The agreement has now been made to have a fourth person in the contract carry the pager, so the employees should be able to cover the schedule at all times. Tammaro states that once the contract is signed, he will not carry the pager again, but he felt that he should be compensated because he put in many hours carrying the pager. Discussion about filling in any "holes" in pager coverage and alternatives to a pager system. Much more discussion between Beldo, Erjavec and Tammaro as to whether or not Tammaro should be paid for carrying the pager.

The Board studied information received from Roger Nelson of the DNR on having a timber sale on township property. The DNR will act as the agent and will waive their fee. The cutting of timber will be piggybacked with lands owned by the City of Eveleth. The Board does not want the property clear cut, but agreed that there are many trees that need to come down, or areas that need to be thinned. The project will take about 2 years. Discussion on the fact that the area will not look nice after the trees are cut, but that it is recommended the forest be managed, and is a safety issue.

***Motion to go forward with the timber sale and have the Chair sign the timber service agreement, made by Supervisor Erjavec, support from Supervisor Beldo. Motion carried unanimously.***

Discussion on memo sent by Supervisor Tammaro to the Road & Bridge Department regarding parking the PUC truck in the garage. Supervisor Beldo questioned why the matter couldn't just be discussed instead of sending a memo. Tammaro stated the employees were not around because they were hauling with the trucks, so a memo was sent. Chairman Kniefel states that there are priorities as to what should be parked in warm storage, and the PUC truck is one of those priorities. If equipment needs to be shifted around to make room, so be it.

Supervisor Pernu informed the Board he contacted ABC Seamless for gutters for the front of the town hall. ABC offered a commercial seamless gutter of good quality, with labor and materials amounting to \$700.00. They will be installing it after the painting is finished.

Discussion on the request by Joanne Pelzer for more black dirt. Mrs. Pelzer signed a release, but

called afterward and said the dirt that was delivered was not enough. Dale will re-visit the site.

Chairman Kniefel stated the next regular meeting falls on the date of the general election, and cannot be held that day.

***Motion to cancel the November 2, 2004 Regular Meeting and authorize the Clerk to pay the bills that need to be paid, made by Supervisor Tammaro, support from Supervisor Beldo. Motion carried unanimously.***

Supervisor Tammaro stated that the motion did not really have to include authorizing the clerk to pay the regular bills, because that had already been done in the past.

Clerk Sersha informed the Board of a request by Robert A. Varani for a refund on the first half of his special assessment. Mr. Varani refinanced and the title company took \$460.30 out of his proceeds for the year 2004 special sewer assessment. Mr. Varani already paid the first half of taxes and his assessment and the amount was forwarded to the town by the county. Sersha recommends a refund be made to Mr. Varani, upon clarification that he has paid his second half of property tax and special assessment, and requested authorization to do so.

***Motion to authorize the refund of \$230.15 to Mr. Robert A. Varani, upon clarification that his taxes and assessment are paid in full for the year 2004, made by Chairman Kniefel, support from Supervisor Erjavec. Motion carried unanimously.***

Short discussion on medical insurance quotes received from Medica and NEESCU BlueCross/BlueShield.

***Motion to forward the insurance quotes to the insurance negotiating committee and Steve Giorgi of AFSCME, made by Chairman Kniefel, support from Supervisor Tammaro. Motion carried unanimously.***

Supervisor Erjavec reminded the Board to start on the 2006 budget.

Supervisor Beldo reported he will be sending out the third quarter newsletter by the end of this week.

#### **CITIZEN CONCERNS AND COMMENTS**

Eveleth-Gilbert High School students Pete Greiner, Kate Thode and Stacy Peterson were in attendance and asked various questions about the meeting.

SLC Commissioner Keith Nelson was in attendance and reported on the SLC budget for next year and plans for road upgrades in the county.

***Motion to pay the bills, except the claim submitted by Supervisor Tammaro, made by Supervisor Tammaro, support from Supervisor Erjavec. Motion carried unanimously.***

***Motion to adjourn made by Supervisor Tammaro, support from Supervisor Erjavec. Motion***

***carried unanimously.***

Regular Meeting adjourned at 8:42 PM.

Respectfully submitted,

Judy M. Sersha  
Clerk of Fayal

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

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