

PUBLIC UTILITIES COMMISSION

REGULAR MEETING

NOVEMBER 14, 2017

The regular meeting of the Fayal Public Utilities Commissioners was called to order at 7:00 p.m. by Chairman Dennis Pernu. Present were: Commissioners Dennis Pernu, Cal Turner, Greg Buckley, Chris Erickson, Amy Jackson and Deputy Clerk Diane Dickson.

Audience members in attendance were Town Board Supervisor Pat Ziegler, John West and Kevin Bird.

APPROVAL OF MINUTES

- **Motion to approve the regular PUC meeting minutes of October 10, 2017 made by Amy Jackson, second from Chris Erickson. Motion carried unanimously.**

CORRESPONDENCE

Delinquency Report as of 10-24-17 \$28,935.37. Diane reported she talked to the county auditor the one property we expected to forfeit did, and now we cannot certify the delinquent amount due to the State owns it. We will have to keep that account on our books for now. The county said we can invoice the new owners for the unpaid amount. Or we wait and certify it next year. The Town Board will approve the certification list at the first meeting in December and then it will go to Brandon the St. Louis County Auditor.

October Water Wastewater report. Reviewed and placed on file.

- **Motion to approve the October Water Wastewater Report by Greg Buckley, second by Amy Jackson. Motion carried unanimously.**

10-12-17 Letter from Gilbert and the Resolution adding the Waste Water Facility Upgrades charge of \$7.50 per month using the 700 accounts. Customers will be notified in October and start billing in November. Our rate will become effective in December and billed in January. Chris Erickson states the contract with Gilbert says they can give us two types of charges a volume and debt service fee, and this is a third charge a wastewater upgraded charge the contract doesn't allow for that. Until they are actually servicing the debt he doesn't feel that bill is valid. Supervisor Ziegler states in the contract it says Gilbert can charge for other services as needed. So it is valid, Heidi and Pat looked into it.

10-30-17 Notice of intent to LGU's and workplan. City of Gilbert Wellhead Protection Program. Placed on file.

GUESTS

John West asks if the PUC had time to review the packets from the last meeting. He is still looking for a refund from the Water Access Charge he paid. The PUC reviewed all of the information and Greg states the WAC was a valid charge at the time. Chris spent considerable time reviewing this and talked to people in the cities they have the same situation where one entity owns the pipe and another owns the water running in it. It seems if an entity owns the line it is an asset to them and they can charge access fees. They usually have a lease agreement. The line is an asset owned by Fayal. John West re stated his questions. Cal and Pat talked about how the original project was supposed to be and how it really ended up. Cal said they were to connect to Cedar Island Dr and go all the way to Mary Maki's house. Really it is connected at the corner of Golf Course Rd to Mary Maki's house. Back then Fayal was not in the water business only Eveleth was. They were put in for fire protection. Chris feels there is grey area regarding the ownership. Fayal owned the line but because we weren't acting like an owner and paying repair costs. Eveleth repaired because they were the entity losing water. It was our pipe, our current agreement says Eveleth will own and maintain until such time Fayal were to meter the water then we would take ownership back.

- **Motion by Chris Erickson to recommend the Town Board refund the \$3500 Water Access Charge to John West and Keith Maloney, the affected residents on Pine Dr, second by Cal Turner. Discussion: Greg Buckley states the original charges were valid we owned the line and had the right to assess the charge, whether we want refund is up to us. Chris feels it is still a grey area and it should go with the home owner, Cal agrees with Chris.**
- **Motion carried unanimously.**

Kevin Bird nothing at this time.

Cal Turner talked to Kevin Bird and he provided Cal with a sketch of his property. Cal reviewed the ordinance regarding the proximity to the general sewer Article 4 Section 1, says where hook up is practical. Cal would

recommend the Township have an engineer look at the property due to the geothermal, because it says where practical. Kevin could go around the east side but his well is there, he is sure it could be done but how much would it cost.

Potential Options for Pine Drive Sewer Extension- Chris Erickson brings up the option the PUC discussed to defer connection until the point of sale as long as their septic is compliant is not listed. Since then 3 options were developed to encourage connection. He is not sure why the point of sale option is not there. What happened to option #4, Amy asked where it came from. Tony, Heidi, Dale & Diane met before the IRRRB meeting so they could bring some options to them. The PUC would like to keep it open for future discussion. At the Town Board meeting Chris Ismil said they wanted the Town to have something into the project. So, they added the 100' to the home in the project. The grant did change and IRRRB added a contingency that the developer must show the specific building plans before the line would go in. The Town Board did not approve the options, they are potential options, PUC would like to Table it for further discussion.

SCADA- IRC found the big generator at the Town Hall needs repair or replacement, Tony is working on it. Pat states the Town Board approved buying a 3 phase generator that came from Washington Manor that they couldn't use. The last one had issues with the 3 phase going to a single phase. Pat made the motion to buy it, if it will work, then we would have it installed. We have computer issues with the current one.

PINE DR. SEWER EXTENSION- Tabled for further review. Review the Ordinance 98-1 and St. Louis County ordinance language regarding a municipal sewer line coming by a property with an onsite sewer system.

POTENTIAL OPTIONS FOR PINE DRIVE SEWER EXTENSION- Three options were presented to the IRRRB.

NEW BUSINESS

Resolution 2017-13 for Water/Sewer service & Equipment installation Policy re: Trace Wire Specifications. Place on file.

10-23-17 Copy of a Letter from MPCA Re: Petroleum Storage Tank Release at IRRRB Admin Bldg.

MPCA Site ID: LS0020201. Placed on file.

Pat Ziegler feels the Ordinance for the waterlines should be re worded. A water access charge for a service we are providing. Chris would work with Pat on this.

TREASURER REPORT

Treasurer report provided by Clerk Coldagelli as of 10-31-2017. Year to date.

FWC Beginning balance \$52,793.31 Revenues \$67,408.86 Expenditures \$53,168.18.

Current cash balance \$64,013.72.

FSC Beginning balance \$223,502.32 Revenues \$448,159.36 Expenditures \$446,421.44.

Current cash balance \$234,768.81. Chris reported the Fayal Sewer Company is coming into balance. And the Fayal Water Company should not get thrown out of balance with the \$7,000 refund.

CABLE

10-26-17 Mediacom Franchise fees for \$2,365.56.

Greg reports there is nothing new.

GAS

Nothing at this time.

STREET LIGHTS

Nothing at this time.

FYI

Next PUC meeting will be December 12, 2017 at 7:00 p.m.

ADJOURNMENT

- **Motion to adjourn the regular meeting made by Cal Turner, support from Chris Erickson. Motion carried unanimously.**

Chairman Pernu adjourned the regular meeting at 8:14 p.m.

Respectfully submitted,



Diane Dickson

Fayal Township Deputy Clerk

PUC Coordinator/Billing Clerk

Approved 12.12.2017

