

**PUBLIC UTILITIES COMMISSION
REGULAR MEETING
AUGUST 10, 2004 7:00 P.M.
FAYAL TOWN HALL**

The meeting was called to order by Campbell at 7:03 p.m.

ROLL present were: Aultman, Campbell, Damberg, M. Erjavec, Kingston & Town Board Supervisor Tammaro. W/WWO Dickson and recording secretary Stewart.

Absent – Bertucci, & Zlimen

APPROVAL OF THE MINUTES

- **Motion by M. Erjavec to approve the regular meeting minutes of July 13, 2004, second by Kingston. Unanimously approved. Motion carried.**

GUEST

Supervisor Tammaro- reports the Town Board looked at the issue of clearing the easements and the letter from Scott Neff. The Town Board reviewed it and would like a recommendation from the PUC. The letter states the Township does have the right to keep the easements clear, and if a new homeowner was not made aware of the easement, that is an issue between the buyer and the seller. Campbell states he cleared his easement area and it took about 3 hours with heavy equipment to get it clear. The W/WWO states there are a couple of dozen property's that need to be cleared.

Russ Erkkila Long Lake Shores Rd- He has 3 homes on 6 lots, He is looking for clarification re: the easement clearing. He is upset and feels he should be able to put a movable shed on it. He understands the problem with tree roots and won't plant trees on the line, or place anything over the manhole. He doesn't want people walking thru the property. Dale states he walks thru many properties a day, he wears an orange vest and an id badge. People have been using the easements as a walking trail this is trespassing. The W/WWO has found 4 manholes plugged this past couple of weeks, the truck and trailer, full of water, has to be able to get up to the manhole. The W/WWO states he needs direction and a policy from the commission. When he has to deal with disgruntled customers he will know what action to take.

Campbell read from the easement, "the town has ingress and egress from any road to the easement area". Campbell feels we should have an annual inspection and material removed. M. Erjavec states if we let everything grow we don't have time to cut and clear to access a manhole when the line is backed up and sewer is going to be backing up in someone's basement.

CORRESPONDENCE

7-20-04 Letter from Trenti re: utility easements. Placed on file.

7-27-04 Certificate of Insurance from Christianson Construction w/ \$1,000,000 limit. Placed on file.

7-28-04 Delinquency report \$10,628.70 due. Discussion re: collections by the county.

- **Motion by Aultman to send a letter to the county auditor and very specifically state with examples of what happens if a party doesn't pay, give different scenarios showing how the funds are spread out on partial payments. When does it become tax forfeited, request a response in time for the next meeting. Second by Damberg. Unanimously approved. Motion carried.**

7-28-04 Billing register current charges \$30,463.28.

WATER/WASTE WATER REPORT

1. W/WWO reports Rose connected to the sewer system. 6 citations were written with a court date set for August 23rd 2004. One of them has removed the trailer from the property.
2. We have only had one complaint of odors this year. He did talk to a representative from US Filter and they do not make a product for something that small.
3. Woodline Manufacturing repaired their water leak, but continue to have high usage, they have 100 employees.
4. Reports he had a power outage and all of the main lift stations were down for over an hour and we were able to keep up, LS-N filled up to the top.
5. Turner case went to court last week; we are waiting for the judge's decision.

New Business

1. Supervisor Tammaro, brought up the clearing of the easements.
2. M. Erjavec and Campbell state they feel the sewer company should think about purchasing a equipment to do sewer line cleaning, such as a vac truck and a jet truck, W/WWO has been able to clear the blockages by washing out the lines with the water tank, he would like to show more of a history first. We may have to camera the lines to be CMOM compliant.
3. Bring LHB water line proposal to the next meeting for O'Laughlin Sq. Add as an agenda item for the next meeting.

Old Business

1. Damberg questions if the permanent easements have been recorded. No they have not.

SEWER

We rc'd a verbal request for a sewer line extension on Horseshoe Lake.

WATER

We rc'd a verbal request for waterline extension on Shady Lane.

The Town Clerk has suggested the PUC look at water line extensions; especially the O' Laughlin Square. That water line was put in by the original developer and it does not meet the Ten state standards. LHB gave us a estimate. Agenda item for the next meeting. The clerk did note we have approximately \$45,000 in the SAC. and \$20,000 in the water access and standby

TREASURER

Report by Campbell, the PUC balance is \$11,000, FSC cash balance \$54,054, FWC cash balance \$57,389 (see attached). Campbell feels our expenditures are tracking well with Giroux's projections.

The Stand by Water fees has not been designated and they should be before they are used for something else.

CABLE

Franchise fees go into the PUC fund. Campbell is curious if we can also get a percentage of the direct TV. Aultman volunteers to check into this, and bring it to the next meeting.

Tammaro Water and Sewer-

We have one year left with our water agreement, we should be thinking about installing the manhole with a meter to complete the link with Eveleth. The Gilbert council will be all new again when we negotiate. We should check into homeland security grants for the completion of a loop. Then all of the Quad cities and Fayal would be connected. Damberg questions the annexation agreement with Gilbert. Discussion –it might be a good idea

Campbell would like to have an ongoing agenda item with this and also we should have the items that are supposed to be brought to us each quarter. Maybe have someone go and get it from Gilbert.

Tammaro brought up sewer options with the city of Eveleth, they had a big sewer expansion and their rates are going to be comparative to ours.

M. Erjavec states we should develop a policy and a fine schedule for the future regarding sump pump violations. This is to control our costs; Gilbert has a lot of sump pumps going into the sewer, which is keeping the costs of the sewer up. Most cities have a sump pump ordinance.

Dickson reports it is hard to catch this because he has to make an appointment, maybe look at \$1,000 fine something that would discourage theft. People fail to realize the sewer company pays for every gallon of sewage that goes to Gilbert, so we all pay.

Campbell would like this on the agenda to develop a policy and a fine schedule.

Kingston would like the easement issue to be put on the agenda.

Campbell wants to explore the permanent easement situation

Easement clearing discussion re: trees, bushes, and fences with a gate. We have a legal position, but who is responsible, for the cost of the repair, when a problem comes from someone's trees or plants, causing damage, or personal property in the easement.

The water/wastewater operator states according to his job description he is to maintain and keep the easements clear of all brush, trees, etc...

Aultman would like someone to dig into who has the responsibility liability wise.

W/WWO reports there are areas where the over growth is over his head already.

The Town Board is looking for a recommendation for a policy regarding the easement clearing.

GAS

Nothing at this time.

STREET LIGHTS

Nothing at this time.

FYI

**MOTION TO ADJOURN THE MEETING BY AULTMAN, SECOND BY DAMBERG .
ADJOURNED AT 9:15 P.M.**

Respectfully Submitted,

Diane Stewart
PUC Coordinator/Billing Clerk

Approved 10-12-04