

ALBANY TOWNSHIP

Town board
Public Hearing
August 16, 2016

The Albany Township Public Hearing for changes to the Town Road Construction Standards, Ordinance Numer 2009-01 was called to order by Chair Tim Nierenhausen at Albany City Hall Council Chambers, at 7:30 P.M.

The Pledge to the Flag was recited.

Chair Nierenhausen read the purpose of the hearing.

The purpose of this hearing is to discuss changes to Ordinance Number 2009-01 Road Specifications Ordinance. The board is proposing to assess residents for work done on tar roads in the township.

Discussion will be limited to the Ordinance change proposal.

Anyone wishing to comment or ask questions will be allowed to do so. No speaker will be permitted to speak more than twice except to answer a question from the board.

Each speaker will be limited to a total of 2 minutes.

No applause or interruptions are permitted.

All comments must be directed to the chair.

Each person must state his or her name and address before speaking.

The board may recess the hearing to another date and time in order to properly hear all those concerned, collect further information, or make a final decision

The changes to the ordinance were explained.

Brad Opatz, 20694 Northwind Road, Avon MN-Why is this necessary for the township to start accessing the residents?

Supervisor Nierenhausen (S.N.)Because of our income, we have increased the levy, and at this time we are only able to keep up with maintenance and not improve our roads.

Steve Holste, 33322 Sandhill Circle, Albany MN-What percent of our roads are in poor shape and need to be replaces

S.N.- 50-60 % are in poor shape and we need to redo them.

Steve Holste, 33322 Sandhill Circle, Albany MN- 253 Ave, crack sealing, was not done properly, was a waste of our money. This is the worst time you can do the cracks, should be done in the winter time when the cracks are open.

S.N.- All cracks are routed before they are sealed to assure the sealant stays

Steve Holste-(253 Ave)that road is shot

Ray Salzer, 33699 253rd Avenue, Albany MN-Why don't we go back to gravel? Tar is not the answer.

John Kotzer, 33504 Co Rd 10, Albany MN-We should all pay for it, not just the people on the secondary roads. All have had their streets repaired.

Steve Holste-majority of my property is in Oak Township, only a part is in the Albany Township. For the last 20-25 years, Oak Township has set aside money to have roads paved. They established a fund to get all the roads paved. Everybody is a part of this.

Gary Silvers, 20818 Northwind Road, Avon MN-spread it out, we might be the ones living on it. But many people use the roads. Get a road and bridge fund. Don't think it should be only on the people who live on the road.

Jerry Forster, 32598 Fifth Lake Road, Avon MN ,there about 10 houses on a secondary road – Residents on secondary road pays more in taxes than the people on the primary roads. Agree with raising the levy.

S.N. it is great we are having input, we will consider all the comments.

Jerry Fleischacker, 33568 253rd Ave, Albany MN There are 8 homes on 253 Ave,then 234th Street and Sandhill Circle, there are at least 22 houses on that road, there is a lot of traffic going past us. All of the traffic from Oak Township comes onto Albany's road.

I don't think gravel is the answer. When it was gravel, the road was so washboardy you could loose a trailer.

Lora Silvers, 20818 Northwind Road, Avon MN-we elect you people-put yourself on our road—and you think this is good, wouldn't it be better for all to pay, not just the people on the road.

Linda Kurtz-20835 Northwind Road, Avon MN. It is affecting all of us. This may effect the property values if we tell buyers they have to pay an extra amount for the roads.

Duane Dingman, 20765 Northwind Road, Avon MN-How do you plan on billing everybody?

S.N.-we are not sure yet how we will assess the residents.

Duane Dingman-there is also a cost to have someone figure this out.

John Kotzer, in 2010 (when I was on the board) I went to a workshop presented by MNDOT. They stated that the county may be turning back roads to us. The county knows how much money we have, if we are sitting on \$300,000 they will want us to spend it. Spend the money you have and not raise the taxes.

Ray Salzer- Oak Township paved Sandhill Circle and used up all the money they had. They now have to replace a culvert for \$400,000. and they do not have the money, So it is good to have money in reserve.

S.N. We are starting to set money aside yearly for road construction.

Supervisor Pelzer-Oak Township paved the road, now the homeowners are dissatisfied with the seeding, so they need to re do the seeding. Which is also a cost.

Mike Noll, 20933 330 Street, Albany, When the secondary roads were paved it was paid for entirely by the township. These roads are used mostly by the residents living on them. These are not going to wear out as fast as a Primary road.

Jackie Vogel, 35778 219th Ave, Albany MN, Because we live near Pioneer Park, we have more traffic including many tractors. Residents are not the only people using this road.

Eric Ramler, 35803 219th Avenue, Albany MN, Peternell put this road in, and we all know it is junk. Now the 15 homes on the road are supposed to pay for the repairs? Is that what is proposed?

S.N. At this time it would be paid by the township, but with the new ordinance, owners would be assessed.

Melissa Gerads, 36198 235th Ave, Albany, Who decides it a road is tarred or not, can we say no to the secondary roads being tarred?

S.N We will need to come up with a plan as to which roads would have first priority when tarring.

Mike Noll, it would be a good idea to get a five year plan.

S.N. we are working on it.

Gordy Schwinghammer, , 34892 238th Ave Albany, Many roads have milk trucks, etc coming down the secondary roads. These trucks are damaging to the secondary roads. There is other traffic that is going on that will never be charged for it. We need to look at a broader picture. There are many things that go into who uses the roads.

S.N. we did adopt county standards for the roads. Because of 219th Ave, we want our roads to be built better. As an example we spend \$5-6,000 per year on 219th Ave. and there is no improvement.

Eric Ramler-that road was not good from the beginning. The garbage trucks rip up the road. It will always be bad, why should the 15 families be responsible for this road. Pioneer days closes the road, wouldn't they have some responsibility? All should share the cost.

Ray Salzer-when the township started, the farmers had to give the land to the township. The roads belong to the public. It needs to be paid by the whole.

Marvin Sand, 20048 Rushmeyer Lake Road Albany,-what puzzles me, if all secondary roads, are paved, taxes go up and so will our assessment. Raise all taxes.

Chris Kotzer, 21745 340th Street, Albany MN-we need a strict road ordinance, have roads built to our

specifications. What they did 20-30 years ago is done. We need to look forward and do what is best for the township. How will the township collect? How will the residents be assessed?

Linda Kurtz-This is our community, we all pay for it.

Steve Holste, I worked for MNDOT for 38 years—as far as the 5 year plan, it is ok, but then you are at the mercy of the legislature. And then the state does not come up with a funding bill. One of the flaws when they paved SandHill Circle, they did not have a technician on sight to keep everything done right. This will keep the paving done correctly. As a board you are not expected to know this. But we do need to have the engineers on sight.

Supervisor Pelzer, we are moving forward to get our roads drilled and checked. This will help us know what the base is.

Jerry Fleischhacker-How do you decide the secondary roads?. On 253th Ave, there are 22 homes in the area total of 30 some families using these road. Including semis.

Steve Holste, these roads need weight restrictions in place.

Ryan Pratt, 24211 330th St. Albany MN-the proposal is if 75% want it paved, what does it cost to pave it? Think about what he would be assessed if you are asking residents to pay for it. The board should know what this means before they bring it to residents.

Ray Salzer-the state has guidelines that you need to follow. Townships are mandated to maintain their roads

Tom Vogel, 35778 219th Ave- when the road was tarred, it was not done correctly, now when we build up the driveways they will need to be redone. If it would have been done correctly, this would not be a problem. When we bought this property, we did not know there was a problem with the road. The expense of the driveway will cost enough.

Tony Morrison, 219th Ave, none of us are engineers, that is the chance the township took when they took back the road.

S.N. right now we are just maintaining the roads, and are struggling to move forward. We know that 219th Ave will need to be taken down and redone.

Tony Morrison, does not pay to seal coat, or crack seal, this road is in bad shape.

Don Kociemba-20927 Northwind Road, is this actual legal? I called a commissioner, he called the county attorney – did you even contact your attorney?

Chris Kotzer-Farming township assesses their residents to pay for paving.

Duane Dingman,—are we just information gathering, or will this come to a vote?

S.N. we are not finalizing anything at this time.

Duane Dingman-how long will it take?

S.N.-check the minutes on line—information will be out

Jerry Forster, 32598 Fifth Lake Road, Avon, please post the unapproved minutes within seven days of the meeting.

Clerk Noll, We are being advised by the Minnesota Assn of Townships to not post any Unapproved minutes.

Joel Bauer, 20187 Rushmeyer Lake Road,-can you calculate what the amount is to redo the roads?

S.N.-with an engineers help we can do this. We are working with ATA to help us with a plan for our roads, for seal coating, crack sealing. This will help us understand what the cost is.

Patty Krebs, 23743 Orchard Road, Albany what it plan is for Orchard Road will it be paved?

S.N. There are no plans for Orchard Road.

Duane Dingman- What does the 100% cost have to do with?

Supervisor Pelzer, The township would take care of all maintenance. Section 12-is strictly for paving of roads.

John Kotzer-in your ordinance it states, it can be changed at any regular meeting. Just be aware the board can change at anytime. No matter what the board says, they can change this whenever they want . We are at the mercy of the board. There is a lot of stuff in here that it is not legal. I am 99% sure that this is illegal. Check with your attorneys.

Steve Holste In the city anytime any work was done, we were assessed, according to what work is done.

Eric Ramler—how did we get to the point of wanting to do this? How did it go from good to a proposed to 100%? How did we get from paying our taxes to this?

S.N. our budget is tight, it is hard for us to move forward on improving the roads. This is long range.

Jerry Forster- we have \$600,000 on hand right now. Do we have anything pending?

S.N., at this time we do not. We have numerous roads that need major work, Sand Lake Road, 330th Street, 248 Ave, 360th St, many roads need work.

Jerry Forster- we have money to work with, why aren't we using it?if we bump up the levy, we could do more work.

S.N.- if we bump up the levy 1% it is only \$20,000; if we want an engineer on sight it raises the total cost of the project.

Gary Silvers-219th Ave may have been done poorly, but Fifth Lake Road is holding up very well.

Gary Bloch, 32773 County Road 41, Albany this is an ordinance, if any changes are made, an additional meeting will need to be had. This will need to be posted again and residents will have the opportunity to speak out about it.

Duane Dingman-on this 100% maintenance - This language needs to be clarified, so the next board knows what it means.

S.N. we appreciate everyone coming in and giving us the input. We will be redoing the ordinance. The one message we are receiving is that something has to be done, 60% of the roads are pretty well shot.

A motion to recess to August 22 was made by Supervisor Nierenhausen, seconded by Supervisor Pelzer, motion carried. Meeting adjourned at 8:31 P.M.

Respectfully submitted,

Diane E Noll

Diane E Noll

Clerk/Treasurer

Approved Minutes signed: *Tim Nierenhausen* Date: August 22, 2016
Township Board Chair

**ALBANY TOWNSHIP PUBLIC HEARING
ROAD ORDINANCE CHANGES
ZONING ORDINANCE CHANGES
AUGUST 16, 2016
7:30 P.M.
SIGN IN ROSTER**

NAME	ADDRESS
Mike Hill	20735 33rd St.
Frank + Kathy Forster	235 th Olive Albany
Ray Salzen	33655 253rd Ave Albany
Cathy Maschke	135 Gulf View Dr.
Melissa Leevads	31698 235 th Ave
Mary Tomack	20016 Rushmeyer Lake Rd
Amy Bumpel	25302 214 Rd 157
Stan + Mary Kertenbusch	35587 219 Ave Albany
Frank Wolf	35507 Co Rd 1 Albany
Joel + Danielle Bauer	20157 Rushmeyer Lk Rd
JoAnn + Jerry Fleischacker	33568 253rd Ave.
Steve + Mary Lou Watry	35716 219th Ave
Luke + Katie Wilwerding	33277 253rd Ave.
Chris + Megan Evens	35684 219th Ave.
JoAnn Hendrickson	34215 Meadowview Dr

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NAME	ADDRESS
Zora Silvers	20818 Northwind Rd Avon
Olga Silvers	20818 Northwind Rd Avon
Lenny Mudas	35856 219th. Ave. Albany
Paul Rushmeyer	19989 Rushmeyer LK Rd. Albany
GARY BLOCH	County Rd. 41 ALBANY
John Kurtz	20835 Northwind Road Avon, MN
Linda Kurtz	20835 Northwind Road, Avon, MN
Roger & Sam Heinen	20744 Northwind Road Avon, MN
Maven Land	20048 Rushmeyer Lake Rd Alb
Patti & Brad Qpatz	20694 Northwind Rd Avon, MN
Eric Reimler	35803 219th Ave Albany MN
Don Kociemba	20927 Northwind Road
Judy Kociemba	20927 Northwind Road
Steve Van Heel	20653 Northwind Rd.
John Kutz	33504 Co. Rd 10
Mary & Tony Lehw	34025 - 207th Ave.

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Chris Kotze	
Steve Holste	33322 Sandhill Circle, Albany
Duane Dingmann	20765 Northwind Rd - Avon mo
Brian Kieland	35789 219 Ave Albany
Jason Opatz	35841 219 th Ave Albany
Mike Lee	20723 Northwind Rd - Avon
Tom & Jaclyn Vogel	35778 219 th Ave Albany
Gordy Schweighamer	34892 238 th Ave Albany
Dys Ott	24211 330 th St Albany
Rick Riley	20789 Co Rd 154 Albany
Jim & Patti Krebs	23743 Orchard Rd Albany
Allen Steyer	34553 25 th Ave Albany