

**Albany Township  
Monthly Meeting  
Monday June 22, 2020 7:30 P.M.**

The regular monthly Albany Township meeting was called to order by Vice Chair Mary Rosen, on June 22, 2020, 7:30 P.M at the Albany City Council Chambers. Supervisors Mary Rosen, John Greer, and Clerk/Treasurer Diane Noll, were present. Tim Nierenhausen arrived at 8:00 P.M.. Also attending: Zoning Administrator Jerry Forster, Justin and Dale Overman, Joe Christian, and, Mike Noll

**THE PLEDGE** of allegiance was recited.

**ITEMS FOR CONSENT AGENDA**

Agenda/ Minutes June 1 Monthly Meeting: June Treasurer's report Investments-\$317,814.25; Checkbook Balance-\$165,272.20; Receipts-\$1,006.68.

**PAYROLL AND CLAIMS**

9504	Voided Check				
9505-9508	May Payroll	\$1,851.08	9514	ID Sign Solutions	\$4,535.85
9509	Herdering	\$1,127.50			
9510	Schmitz, Math	\$1,879.00	2020009	May PERA	\$68.26
9511	Star Publication	\$256.00			
9512	Sunnybrook Ent	\$4,322.50		Total Claims	\$16,379.11
9513	Kotzer Exc. Inc.	\$4,190.00		Total Claims + Payroll	\$18,230.19

**ACTION:**A motion to approve the consent agenda was made by Supervisor Greer, seconded by Supervisor Rosen, motion carried, unanimously.

**APPROVAL OF CORRESPONDENCE**

**ACTION:**A motion that members were advised of the mail we received and to dispose of the junk mail was made by Supervisor Rosen, seconded by Supervisor Greer, motion carried, unanimously.

**GUESTS-**Deputy Dennis Kern

Calls for April-46, and May-36  
Majority are traffic stops and agency assists

**OPEN FORUM-**

**PLANNING COMMISSION**

6a-Monthly Report-Supervisor Rosen  
6b-IUP for Albany Recycling Center-Dale and Justin Overman

The Findings of Fact for the requested IUP from the June 9, 2020 Planning Commission Public Hearing were presented by Supervisor Rosen.

Albany Recycling Center requested and IUP for recycling vehicles and junk and salvage operation. The Planning Commission completed the findings of fact with the appropriate restrictions. The follow requests needed to be completed prior to approval of the IUP:

*All recycled vehicles, debri, dumpsters be removed to 20 foot minimum from property line.*

*Prior to approval, any existing debris on neighboring fields will need to be removed. This will be inspected by Zoning Administrator Jerry Forster, Land Owner, Joseph Christen, and Albany Recycling owners, Dale/Justin Overman.*

As of today, all vehicles, the majority of the debris in the neighbors field and items on the lot line have been removed.

Today Stearns County Environmental Services, Jen Buckentine and Troy Freihammer did an inspection of the sight. They noted the following issues:

A The outdoor storage encroaches in the 20' property line setback on the south sides and the NW corner. Albany Recycling will have until July 3 to have these items removed.

B. Some of the screening trees planted on the south and east side have died. They will have 30 days after the completion of the storm water pond to have these replaced.

C. West side screening will need to be completed.

D. Pile of old concrete will need to be removed.

Dale Overman, and Joe Christen met and discussed the removal of trees on Christen property, removal of debris in the field and the placement of a fence along the rear of the property. Mr. Christian realizes the soil is contaminated and can not be used for haying.

Albany Township has received a letter from Joe Christen requesting a fence be placed on the rear of the lot. He also stated the soil is contaminated because of the debris remaining in the field.

Joe Christen-Overmans and Christens will work together to remove the remaining trees on the Christen property. A fence can then be placed around the recycling center. Because of the work needing to be completed, he is suggesting we allow ARC until November 2021 to have the fence completed.

At this time, Overman's are requested to change the IUP to allow junk and salvage operation and to omit the recycling of vehicles.

It is ordered that this Interim Use Permit be granted with the following conditions:

1. The permit is allows for junk and salvage items only. (No junked vehicles will be accepted until an additional IUP is submitted)
2. Screening: West (rear of property) and the North West corner will have an approximate 8 foot fence within the property line. (In anticipation of an additional IUP for the proposed Junk cars, an approximate 12 foot fence, 20 feet from the property line will be erected to enclose the area.)  
The east (front of property) and south side of property will be screened by trees. Trees will need to meet ordinance requirements; 6 feet tall at 80% blockage. Trees will be placed far enough from the property line to not encroach on adjoining property.  
On the north side east of the building, no additional screening will be required.  
All screening will be completed by November 1, 2021. If not completed by this date, the IUP will be revoked.
3. Environmental management plan, including storm water and drainage plan shall be submitted to address the impact of the facility on the environment.
4. \$8,000 financial guarantee (for clean up) payable to township shall be submitted upon approval of the IUP.
5. Reclamation/cleanup to occur within 180 days of ceasing operation.
6. The hours of operation for receiving materials shall be from 8am to 5pm Monday– Friday and 8am to 12pm Saturday. The hours of operation for processing shall be 7am to 7pm Monday-

Friday and 7am to 1pm Saturday. Up to two Saturdays per year, the hours are extended from 7am to 7pm for open houses, notification to the Township must be given prior to the open houses.

7. Grounds and all structures shall be maintained in a clean and safe manner.
8. The IUP will be in effect until July 1, 2023 (three years) unless there are violations.

**ACTION:** A motion to approve the requested IUP allowing for junk and salvage operation with the above conditions was made by Supervisor Greer, seconded by Supervisor Rosen, motion carried unanimously.

#### 6c-Building Permits

Johnny Kotzer, 34126 207 Avenue- storage shed and covered deck  
Thomas & Melissa Lashinski, 35604 County Road 10-911 sign

#### 6d-Eich Approach-

Following is a note from the June 2019 Minutes:

Ray Fuchs, F & S Dairy Partnership, 205 Country Ct, Albany MN

*PIN 01.001570000 is a 5 acre parcel sold to Ryan Eich, 35578 248 Ave, Albany MN.*

*When Mr. Fuchs sold this parcel an easement was given through parcel 01.00157.0010 for Eich to have access to his residence.*

*Because of agriculture activities occurring on the driveway (manure, large equipment, etc) it is a hardship for Mr Eich's family. Mr. Fuchs is requesting a separate approach 50 feet south of the existing driveway to allow access to the field. Because of the location, there is no need for a culvert and Fuchs would be responsible for building the approach. This was approved by the Township.*

This past winter, Mr. Eich, widened the approach to have better access with his semi. This widening was done without a permit, and debris from the work was left in the right-of-way. Mr. Eich has an easement for the driveway and it is not his responsibility to change it.

To be in compliance, Mr Eich will need to apply for a permit signed by the owner, Mr Ray Fuchs, submit a \$60 fee and clear the debris out of the right-of-way.

**ACTION-**A motion to approve the permit after we receive the \$60 fee was made by Supervisor Greer, seconded by Supervisor Rosen, motion carried, unanimously.

#### ROAD REPORT

7a- Monthly Report-Supervisor Nierenhausen

Roads are in good shape. Sunnybrook is continuing to remove the big crown on some of the roads. Level it off more in the center. Grader is being trained to do the correct job.

340 Street., west end-road is wash boarding, Sunnybrook will grade

350 Street, potholes and patches of tar to be repaired, will be filled in when asphalt is placed on 360 Street.

325 Street-Dead end sign needs repair-Sunnybrook has been notified.

380 Street-trees need to be trimmed/removed, they are hanging over the road

251 Ave/373 St-Brush in right-of-way needs to be removed.

Crack sealing is needed for the township roads, a request to have Astech do up to 5 tons of product to repair needed cracks.

**ACTION-**A motion to have Astech do up to 5 tons of product to crack seal roads, was made by Supervisor Rosen, second Supervisor Greer, motion carried.

**ROAD REPORT**

7a- Monthly Report-Supervisor Nierenhausen

Part of the township has been inspected. Mr Dunning and Supervisor Greer are splitting up the township. At this time there is only one letter that will need to be sent.

**OLD BUSINESS**

9a-Update on 360<sup>th</sup> Street project

Leo Gerads representing Kotzer Excavating stated the job should be completed this week, with asphalt to be placed in mid July.

Shouldering had to be redone on North side, fabric had to be placed for an additional \$10,000 fee.

9b-Opening bids on Right of way brush removal

North West Quarter

Contractors Name	Insurance	Total Bid
Carr's Tree Service	Yes	\$8,150.00
Central Applicators		
Kotzer Excavating		
Loren Pelzer	Yes	\$5,200.00
Weaver's Tree Service		\$8,400.00

**ACTION:**A motion to hire Loren Pelzer at the cost of \$5,200 to remove the brush in the north west quarter was made by Supervisor Rosen, seconded by Supervisor Nierenhausen, motion carried, unanimously.

- 9c- Sign Installation-Completed
- Ditch Mowing-Completed
- Dust Suppressant-Completed

**NEW BUSINESS**

10aOverweight permits for Pilgrim Cold Spring

Fee of \$300 per permit total of \$1,200, still waiting for the fee.

**ACTION:** A motion to approve the four (4) permits for Pilgrim's Pride of Cold Spring, for the following farms:

Tim Gerads, 20959 St Anna Drive

Viking Company, 20008 330 St

Fred Schlangen, 34496 255 Avenue

Michael Gondringer, 20195 Quaker Road

was made by Supervisor Greer, seconded by Supervisor Rosen, motion carried unanimously.

10b- Resolution 2020-15; Covid19 Preparedness Plan

**ACTION:** A motion to approve Resolution 2020-15, Covid 19 Preparedness Plan was made by Supervisor Greer , seconded by Supervisor Rosen , motion carried, unanimously.

10c-Resolution 2020-16; Election Polling Place

**ACTION:** A motion to approve Resolution 2020-16, Election Polling Place was made by Supervisor Greer, seconded by Supervisor Rosen , motion carried, unanimously.

10d-Resolution 2020-17; Appointing of Election Judges

**ACTION:** A motion to approve Resolution 2020-17, Appointing Election Judges was made by Supervisor Greer, seconded by Supervisor Rosen , motion carried, unanimously.

### **OFFICER REPORTS**

Clerk Noll-Update on MAT meeting and Election Meeting with County

Supervisor Rosen, Doug Kerfeld states his road may have been a township road many years ago, is this true?

Informational-Rosen did some research and found that it may have been a township prior to 1934.

### **UPCOMING EVENTS**

July 14, Planning Commission

July 27, Monthly Meeting

### **ADJOURNMENT**

**ACTION:** A motion to adjourn was made by Supervisor Nierenhausen , seconded by Supervisor Greer, motion carried.

Meeting adjourned at 10:00 P.M.

Respectfully submitted,

*Diane E Noll*

Diane E Noll

Clerk/Treasurer

Approved Minutes: Tim Nierenhausen Date: July 27, 2020