

**Ogema Township
Pine County, Minnesota
Resolution 2013-4**

Resolution Establishing a Snow and Ice Control Policy

WHEREAS, the Town Board ("Board") of Ogema Township ("Town") is the road authority and provides maintenance for approximately 9.3 miles of road in the Town;

WHEREAS, the Board, as the road authority, provides for snow and ice control on those town roads it has designated to receive winter maintenance;

WHEREAS, the Board secures its snow and ice control services, as well as related services, through one or more contracts with independent contractors ("Contractor"); and

WHEREAS, the Board determines it is in the best interest of the Town to develop a policy to set out how snow and ice control activities will be conducted on town roads considering the Town's limited resources;

NOW, THEREFORE, BE IT RESOLVED, the Board hereby adopts the following as the snow and ice control policy for the Town and any Contractor performing snow or ice control services for the Town shall be required to follow this policy.

I. POLICY CONSIDERATIONS

In developing this policy for how to best undertake snow and ice control activities in the Town, the Board has had to balance a number of factors including, but not limited to, the following: public safety; the amount of funds available for these activities; the desire to maintain an efficient transportation system; need for access by emergency service providers; the desire to avoid damage to Town property and personal property; and the cost effective allocation of resources. A further explanation of some of these policy considerations follows:

1. **Budgetary**: The funds the Town has available for snow and ice control are derived from two sources. The first is the town road and bridge tax levy which is set by the town electors at the annual town meeting held in March. The second source of funds comes from the gas tax imposed and collected by the state, a small portion of which is distributed to towns to help maintain their roads. The Board has no direct control over either source of funding. A proposed levy is submitted to the town electors at the annual town meeting, but the actual amount of the Town's road and bridge levy is determined solely by a vote of the electors. The gas tax and the portion distributed to towns is controlled by the legislature

2. **Contract for Services:** The Board also contracts with one or more independent contractors for the following services and/or equipment:

- Snowplowing and snow removal; and
- Supply and placement of sand/salt

Because the Town obtains snow and ice control services through non-exclusive contracts, it does not have direct control over the availability of personnel, equipment, or the timing of the service delivery. The Town indicates through this policy and the service contract the work to be performed and the performance expectations, but the Contractor must remain free to exercise initiative, judgment, and discretion in how best to perform or provide the services.

3. **Safety, Equipment Damage, & Effectiveness:** Snow and ice control operations will be conducted only when weather conditions do not endanger the safety of operators or pose an unreasonable risk of damaging equipment. Once initiated, operations will be suspended if conditions deteriorate to the point that operations become unsafe for operators because of factors including, but not limited to, severe cold, significant winds, limited visibility, accumulation of ice, or rapid accumulation of snow. Operations will also be delayed or suspended if existing or anticipated conditions indicate the operations will not be effective.
4. **Work Schedule for Snowplow Operators:** Except in emergencies, snowplow operators shall not work more than twelve hour shifts and shall not operate equipment for more than ten hours during a shift.
5. **Environmental Protection:** Because the Town is concerned about the potentially negative environmental effects of the use of salt it will minimize its use. When possible and financially practicable, salt and sand with salt will be stored in a manner to minimize run-off, and if snow containing salt is hauled, every reasonable effort will be made to deposit the snow away from public waters.

II. TOWN ROADS THAT ARE SNOWPLOWED

Unless closed because of a snow emergency, the following town roads or portions of town roads are normally snowplowed by the Town:

- Alma Razor Road
- Rosebud Lane
- Old Ferry Road
- Horseshoe Road
- Barnes Spring Road
- Sky Blue Water Road

III. TOWN ROADS THAT ARE NOT SNOWPLOWED

The amount and nature of the uses to which the Town's roads are put can vary significantly by location and season. While some town roads are needed throughout the year to access homes, businesses, or as primary transportation routes, other roads are only needed for limited purposes such as for hunting, farming, or as convenient short cuts between major roads and then only for a limited period. The Board determines that attempting to keep all roads open during the winter regardless of the need or use would unreasonably dilute the funds available for winter maintenance and lower the level of maintenance that could be achieved on those roads that are relied upon year-round. In order to properly allocate the Town's limited resources, the Board has determined to close certain roads, or portions of road, during winter months and to reserve the right to close other roads as needed to respond to snow emergencies.

1. **Minimum-Maintenance Roads that are not Snowplowed:** Towns are authorized by Minn. Stat. § 160.095 to designate roads that are used only occasionally or intermittently for passenger or commercial traffic as minimum-maintenance roads. Once a road is properly designated as a minimum-maintenance road and appropriate signs are posted, the town need only maintain the road at a level needed to accommodate the occasional or intermittent use. The Board has designated certain roads in the Town as minimum-maintenance roads and some or all of these roads are used primarily as access to lands for farming, hunting, or for summer / fall recreational purposes. Because the Board determines that these roads are not needed for vehicular traffic during the winter months, the following minimum-maintenance roads will not be snowplowed or otherwise maintained during winter months:

- Fox Road; and
- Horseshoe Road east of Town Hall

While these roads are not used for vehicular traffic during winter months, the Board does recognize that they are used for snowmobiling. The Board also recognizes that snowmobiling is an important recreational activity that plays an important part in the local economy. If the Board were to close and barricade these roads during the winter months, snowmobilers would be prohibited from using them under Minn. Stat. § 160.2715, (a) (14) which makes it a misdemeanor to drive through or around barricades. Furthermore, erecting barricades across roads used for snowmobile traffic creates a concern for the safety of snowmobilers. To accommodate the use of these roads by snowmobilers, instead of closing and barricading the roads the Board will erect signs on or adjacent to the minimum-maintenance signs indicating that they do not receive any winter maintenance.

2. **Town Roads Closed in Snow Emergencies:** In snow emergencies the Board may close and barricade roads as it deems necessary to respond to the emergency. The Board will determine when to reopen each road that was closed based on need and condition of the road as well as on the availability of funds, personnel and equipment.
3. **Special Circumstances:** An owner of property adjacent to a road or segment of road the Board has determined not to snowplow during winter months may request the Board to snowplow the road in emergencies or if special circumstances exist. The Board will consider each such request and determine if it has the sufficient resources to accommodate it.

IV. TOWN ROAD SNOWPLOWING PRIORITIES

In order to provide for the most efficient and effective snowplowing as possible given the Town's limited resources, the Board must determine which town roads will be plowed first. The Board has determined that snowplowing the Town's roads in the following order provides the most orderly and efficient transition of equipment across the Town in a way that minimizes deadheading. This order may be altered by the Contractor if needed to best address the particular circumstances of a storm, but the Town's roads will normally be snowplowed in the following order:

1. Alma Razor Road
2. Rosebud Lane
3. Old Ferry Road
4. Horseshoe Road
5. Barnes Spring Road
6. Sky Blue Water Road

The Town does not provide for the plowing or sanding of private roads or driveways and to the extent a Contractor has contracted with individuals to provide such services on private property the Town requires as part of its contract with the Contractor that work on the Town's roads be completed before work on private roads or driveways.

V. EMERGENCY RESPONSE VEHICLE ASSISTANCE

If emergency services agencies request snow removal to assist in responding to an emergency situation, reasonable efforts will be made to accommodate the request.

VI. WHEN SNOWPLOWING BEGINS

The following criteria shall be considered in determining when to begin snow and ice control operations:

- An evaluation of the immediate and anticipated weather conditions.
- The likely effectiveness of operations.
- Safety of employees.
- If an unreasonable risk of damaging equipment exists.
- Snow accumulation of three to four inches or more.
- Severe icy conditions that seriously affect travel.
- Time of snowfall in relationship to heavy use of the roads.

Snow and ice control operations are expensive and involve the use of limited resources. Consequently, operations will normally not begin until the snow has stopped falling or until at least three or four inches of snow has accumulated.

VII. WHEN SNOWPLOWING WILL BE DELAYED OR SUSPENDED

As stated in the policy considerations above, snow and ice control operations will be delayed or suspended if the safety of operators is at risk, conditions pose an unreasonable risk of damaging equipment, or if operations will not be effective because of existing or anticipated conditions.

VIII. HOW SNOW WILL BE PLOWED

Snow will be plowed in a manner as to minimize traffic obstructions. Snow will be pushed from left to right until at least the main traveled portion of the road has been cleared. On narrow roads, snow may be plowed from one side to the other. Snow will normally be discharged to the sides of the road.

In the event of equipment failure, extreme snowfall, or other unanticipated events including the availability or need to rest snowplow crews, deviation from these standards may be appropriate.

Snow will be plowed as close as practicable to mailboxes located in the road right-of-way. It shall be the responsibility of property owners to clear snow from around their mailboxes to enable mail delivery.

Snowplowing unavoidably results in snow being deposited on driveways and approaches. Because the Town does not have the resources available to it to clear the ends of driveways and approaches, it is the responsibility of land owners to remove snow from their driveways and approaches.

IX. SANDING AND SALTING

The Town must consider the cost, environmental impact, public safety, and availability of staff and equipment when deciding if, when, and to what extent to apply sand and salt. Furthermore, the state legislature has imposed the following limitations on the use of salt by road authorities:

“In order to:

(1) minimize the harmful or corrosive effects of salt or other chemicals upon vehicles, roadways, and vegetation;

(2) reduce the pollution of waters; and

(3) reduce the driving hazards resulting from chemicals on windshields;

road authorities, including road authorities of cities, responsible for the maintenance of highways or streets during periods when snow and ice are prevalent, shall utilize such salt or other chemicals only at such places as upon hills, at intersections, or upon high speed or arterial roadways where vehicle traction is particularly critical, and only if, in the opinion of the road authorities, removal of snow and ice or reduction of hazardous conditions by blading, plowing, sanding, including chemicals needed for free flow of sand, or natural elements cannot be accomplished within a reasonable time.” Minn. Stat. § 160.215.

To the extent sand and salt is applied, priority will be given to the following areas in the order listed:

1. Hills, controlled intersections, bridges, and curves.
2. Major arterial and collector streets.
3. School zones.
4. Bus routes.
5. Commercial areas.
6. Residential areas.
7. Rural areas.

X. SNOW STORAGE

Collecting, hauling, and storing snow is expensive, requires special equipment, is labor intensive, and interferes with traffic while it is being performed. As such, snow will only be hauled and stored elsewhere when it is necessary to keep a road reasonably open and passable. If snow is hauled, it will only be stored on public land or on private property with the expressed written permission of the owners. To the extent possible, when snow containing salt is hauled it will be stored away from public waters.

XI. SNOWPLOWING OF PRIVATE PROPERTY

The Town will not provide for the snowplowing or sanding of private property except when requested to do so by law enforcement to provide access for emergency vehicles responding to an emergency. If private property is used with permission of the owner to turn around equipment or to store snow, the Town may snowplow the private property as needed to accommodate the Town's use of the land.

XII. DEPOSITING SNOW IN PUBLIC RIGHTS-OF-WAY

It is unlawful for anyone to deposit any snow or ice in a public road right-of-way or to otherwise obstruct a public road. Minn. Stat. §§ 160.2715, (a)(1) 169.42, subd. 1. Depositing snow or ice in a road also increases snowplowing costs, creates a potential public safety hazard, and could damage equipment.

XIII. OBJECTS WITHIN TOWN ROAD RIGHTS-OF-WAY

Public road rights-of-way are used for a variety of purposes that are outside of the direct control of the Town. Because snow and ice control operations are performed by independent contractors, the Town shall not be responsible for damages caused by the Contractor to mailboxes, lawn sprinklers, utility structures, sod, landscaping materials, vegetation, or other personal or real property. Complaints regarding damage to property must be made to the Contractor.

XIV. COMPLAINTS AND REQUESTS FOR FURTHER SERVICES

Complaints and requests for further services regarding snow and ice control or damage will be taken during normal working hours and handled in accordance with Town procedures. Complaints and requests for further services should be directed to the Board. If the Contractor is aware of complaints or requests for additional services, it shall forward such complaints or requests to the Board for consideration.

XV. REVIEW OF POLICY

The Board will periodically review this policy, taking into consideration any changing conditions in the Town's circumstances, any complaints or comments received, and the experienced learned from undertaking snow and ice control procedures.

Adopted this 10TH day of JANUARY, 2013.

SUPERVISOR	YES	NO	ABSTAIN
Raymond Thieling			✓
Charles Kramer	✓		
Patrick Kester	✓		

BY THE TOWN BOARD

Raymond Thieling
Town Board Chair

Attest:

Robert Sunstrom
Town Clerk

