

RESOLUTION 06-03-20-1

Snow And Ice Control Policy – Revising Resolution 04-04-18-4

WHEREAS, the Town Board (“Board”) of Avon Township (“Town”) is the road authority and provides maintenance for approximately 44 miles of road in the Town;

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

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 limited maintenance budget, personnel, and equipment available in the town;

NOW, THEREFORE, BE IT RESOLVED, the Board hereby adopts the following as the snow and ice control policy for the Town:

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 number and availability of town personnel to engage in these activities; the safety of town personnel; the wish to maintain an efficient transportation system; enable the delivery of emergency services; 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 that 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 & bridge levy is determined solely by a vote of the electors.
2. **Personnel & Equipment:** The Town has adequate staff (typically one full time and at least one part-time employee) available to carry out snow and ice control activities. One of the Town Supervisors serves as the Road Superintendent.

The Town owns and has available the following items of equipment for snow and ice control: 2 snow plows (1996 Ford, 2000 Stirling) and a 2006 Chevrolet pickup with a blade.

The Board may also contract with independent contractors as needed.

The number and availability of Town personnel and equipment may change over time. These changes may be temporary such as when personnel leave and replacements are hired or while equipment is down for repair, or permanently for budgetary or other reasons.

3. **Safety, Equipment Damage, & Effectiveness:** Snow and ice control operations will be

conducted only when weather conditions do not endanger the safety of employees or pose an unreasonably risk of damaging equipment. Once initiated, operations will be suspended if conditions deteriorate to the point that operations become unsafe for employees 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. Any decision to delay or suspend operations shall be made by the Road Superintendant based upon the actual and anticipated weather conditions.

4. **Work Schedule for Snowplow Operators:** Snowplow operators will be expected to work 10-hour shifts. In severe snow emergencies, operators sometime will need to work in excess of 10-hour shifts. However, because of budget and safety concerns, no operator should work more than a 12-hour shift in any twenty-four hour period. Operators will take a fifteen-minute break every two hours with a half-hour meal break after four hours. After a twelve-hour day, the operators will be replaced if additional qualified personnel are available.
5. **Environmental Protection:** Because the Town is concerned about the potential negative environmental effects of the use of salt it will minimize its use. Salt and sand with salt is stored in a manner to minimize run-off.

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:

See appended list

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 to 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 only during the summer months. 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 and barricade certain roads during winter months, to not snowplow certain minimum-maintenance roads, and to reserve the right to close and barricade 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. In this Town the Board has designated certain roads in the Town as minimum-maintenance roads. Some or all of the roads designated as minimum-maintenance are used primarily as access to lands for farming, hunting, sight-seeing, or for other summer 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:

- part of 360th St. west of County Road 155

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. § 160.27, subd. 5(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 will close and barricade roads at 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 road portion that 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. Normally, the order of roads plowed will be alternated.

V. EMERGENCY RESPONSE VEHICLE ASSISTANCE

If law enforcement requests snow removal to assist emergency vehicles to respond to an emergency situation, reasonable efforts will be made to dispatch necessary personnel and equipment to accommodate the request.

VI. WHEN SNOWPLOWING BEGINS

The Road Superintendent or designee shall determine when to begin snow and ice control operations. The criteria for that decision are:

- 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.
- 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 personnel and equipment. Consequently, operations will normally not begin until the snow has stopped falling or until 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 Road Superintendent determines that the safety of employees 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 normally be plowed from the center of the road first. Then snow will be pushed from left to right until at least the main traveled portion of the road has been cleared. On narrow roads, the Road Superintendent may choose to plow snow from one side to the other. Snow will normally be discharged to the sides of the road unless the Road Superintendent determines the snow should be hauled to another location for storage. Because of limitations of budget, equipment, and restrictions on the use of salt, blacktopped roads will not usually be cleared down to bare blacktop. 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 at the discretion of the Road Superintendent.

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 landowners 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:

- Hills, controlled intersections, bridges, and curves.
- Major arterial and collector streets.
- School zones.
- Bus routes.
- Commercial areas.
- Residential areas.
- 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 the Road Superintendent determines it is necessary to keep a road reasonably open and passable. Snow that is hauled 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 that contains salt is hauled it will be stored away from public waters.

XI. SNOWPLOWING OF PRIVATE PROPERTY

The Town will not snowplow or sand private property except when requested to do so by law enforcement to provide access for emergency vehicles responding to an emergency or by special arrangement. If private property is used with permission of the owner to turn around Town 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. §§ 160.27, subd. 5(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. While reasonable efforts will be made to avoid damaging private property, snow and ice control operations may result in damage to the property of others. Where private property damage does occur, it is the policy of the Town to handle damages in the following manner.

1. Mailboxes: Owners are responsible for erecting their own mailboxes in order to receive roadside mail delivery. Mailboxes must conform to the standards established by the Minnesota Department of Transportation. Mailboxes that do not conform to the established standards are considered a public nuisance and are prohibited by law (Minn. Stat. § 169.072). The mailbox owner assumes all risk of damage from snowplowing including damage from pushed or piled snow. The only exception is where the mailbox is damaged through direct contact with snowplowing vehicles. If, in the opinion of the Road Superintendent or designee, a mailbox was damaged through direct contact with

snowplowing vehicles, the Town will repair, replace, or make other arrangements with the owner to correct the damage to the mailbox. Under no circumstances will the Town pay more than \$40 to correct damage to a mailbox. Furthermore, the Town will not pay to repair or replace any mailbox that does not substantially comply with the standards established by the state, even if they are damaged by direct contact with snowplowing vehicles.

2. Sod and Landscaping: The Town assumes no responsibility for damages from snow or ice control operations to sod, trees, or other landscaping materials or vegetation.
3. Lawn Sprinklers, Lighting, and Personal Property: The Town assumes no responsibility for damage to aboveground or underground lawn sprinkling systems, exterior lighting systems, or other items of personal property located in a road right-of-way whether by direct or indirect contact with snow or ice control equipment.
4. Utility Structures: The Town will only be responsible for damage to utility pedestals, transformers, or other utility structures within the right-of-way that result from direct contact with snow and ice removal equipment provided the structure was marked with a minimum 5 foot identification marker. Town liability will be limited to the actual costs to repair the damages as documented by invoices submitted to the Town by the utility company.
5. Clearing Snow Around Items Left in Road: It is the responsibility of owners to keep the road rights-of-way clear of vehicles, trailers, trash cans, and other items of personal property in order to facilitate the proper snow and ice control operations. If an owner fails to keep the road clear of personal property, the owner becomes responsible for promptly clearing the snow left in the right-of-way around the item. If the Board determines personal property left in the road right-of-way poses an unreasonable risk to public safety, or significantly interferes with snowplowing operations, it will have the item removed from the right-of-way at the owner's expense.
6. Damage by Contractors: The Town shall not be responsible for any damage or injuries caused by independent contractors performing snow or ice control operations for the Town. Any claims of damage must be made directly 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 Road Superintendent. The Road Superintendent shall inform the board of complaints, any requests for changes to this policy, or any other request that requires a Board decision to address.

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 by the Avon Township Board of Supervisors this 3rd day, in the month of June, in the year 2020.

BY THE TOWN BOARD

Yes	No	Abstain
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Supervisor _____ Mike Linn	_____	_____	_____
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Supervisor _____ Ken Mergen	_____	_____	_____
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Supervisor _____ Rich Sanoski	_____	_____	_____
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Attest:

Stephen Saupe, Town Clerk

date

Listing of Roads Plowed in Avon Township

135th Ave.
140th Ave.
145th Ave.
154th Ave.
160th Ave.
165th Ave.
175th Ave.
182nd Ave.
185th Ave. (north section near Landing)
185th Ave. (mobile home park)
186th Ave
188th Ave.
190th Ave

1st St. SE
325th St.
331st St.
355th St.
360th St. (E of 155, Macjieski)
360th St. (W of 155; Pierskalla)
360th St. (off 160th)
360th St. (west)
363rd St.
365th St.
365th (min. maint.)
370th St. (W of 155; min. maint.)
370th St. (off Co.Rd 9)
370th St. (east of 155)
377th St.

Cardinals Nest
Old Collegeville Road
Highland Terrace
Koppy Lane
Lower Spunk Lane
Meadow View Road
Narnia Lane
Nob Hill Drive
Nob Hill Drive (north)
Noble Oak Circle
Nordica Road
Norman Road
Norway Road
Parkwood Circle

Peach Drive
Pelican Lake Road
Plum Hill Road
Princewood Road
Quaker Road
Queens Road
Red Maple Drive
Red Oak Circle
Riley Court
Sara Lane
Shorewood Drive
Springwood Lane
Spunk Tree Circle
St. Anna Drive
Sunnyfield Circle
Tower Road
Two Rivers Road
Upper Spunk Lake Road

Typical Order of Roads Plowed in Avon Township

Pickup Route

First do the cul-de-sac at the end of 165th Ave going North, then go to 360th St. off of 160th Ave. and plow the cul-de-sac at the end, then go to 360th St. off of Co Rd. 155, plow 360th St. going west, go past the driveway on the right about 100 feet, plow all of the snow to the South, then go to 365th St., go west and plow the cul-de-sac at the end, then go to 370th St., go west and plow the cul-de-sac at the end, then go to Park Wood Circle and plow the cul-de-sac off of Plum Hill Lane, then go to Park Wood Circle and Park Wood Court and plow that cul-de-sac, then go to 325th St. and plow the cul-de-sac at the end, do not go down Nutcracker Lane, then go to 154th Ave. and plow the cul-de-sac at the end, then go to 331st St. and plow the cul-de-sac at the end, then go to Noble Oak Circle off of Co Rd. 9, go to Nob Hill Drive and plow the cul-de-sac at the end, then go to Norman Rd. and plow the cul-de-sac at the end, then go to 185th Ave. by the dumpster and plow the cul-de-sac that is there, then go to 182nd Ave. and plow the cul-de-sac at the end, then go to Shorewood Dr. and plow the cul-de-sac that is by the fence, plow Highland Terrace, then go to Peach Dr. by the big rock and plow the big spot to turn around, then go down Tower Rd to the South side of Pelican Lake, take that road to the end of it, plow the spot to the South at the end of the road which is Red Maple Dr., then go to Sara Ln. and plow the cul-de-sac at the end, go to Riley Court and plow cul-de-sac at the end of it, then go to Cardinal Nest Court and plow the cul-de-sac at the end, then go to 377th St. off of 186th North and plow the cul-de-sac at the end, then go to 363rd Rd. and plow the cul-de-sac at the end, then go to Koopy Lane and plow cul-de-sac at the end, then go to Anderson's driveway (35534 Co Rd. 9) and plow her driveway and then back to the shop.

Route 1

Take a right on Queens Rd., go to 165th Ave., take a right, go to the end and turn around, go back to Queens Rd., take a right, go to Co Rd. 155 and turn around, go back to 160th Ave., take a right, go to 360th Ave., take a right, go to the end and turn around, go back to 160th Ave., take a right, go to Co Rd. 52 and turn around, go back to Queens Rd., take a right, go to 165th Ave., take a right, go to the end and turn around, go back to Queens Rd., take a right, go to Co Rd. 9, take a right, go to 363rd St., take a right, go to the end and turn around, go to Co Rd. 9, take a right, go to 370th St., take a right, go to the end and turn around, go to Co Rd. 9, take a right, go to 175th Ave., take a right, go to Co Rd. 52 and turn around, go to Springwood Ln., take a right, go to Co Rd. 9 and turn around, go to 175th Ave., take a right, go to Co Rd. 9, take a right, go to St. Anna Dr., take a left, go to Riley Ct, take a right, go to the end and turn around, go to St. Anna Dr., take a right, go to 190th Ave., take a right, go to Cardinal Nest Ct., take a right, go to the end and turn around, go to 190th Ave., take a right, go to 185th Ave., take a right, go to the end and turn around, go back to Two Rivers Rd., take a right, go to Co Rd. 9 and turn around, go to Two Rivers Rd., take a right, go to North/West end of township and turn around, go to Sunny Field Circle, take a right, go around circle and back around circle to do both sides of the street, go back to Two Rivers Rd., take a right, go to 190th Ave., take a right, go to St. Anna Dr., take a right, go to the end of the far and turn around, go to 185th Ave., take a right, go to Co Rd. 154, take a right, go to Red Maple Circle, take a left, go to the end and turn around, go back to Co Rd. 154, take a right, go to 188th Ave., take a right, go to the end of the far road and turn around, go back to Co Rd. 154, take a right, go to 185th Ave., take a left, go to St. Anna Dr., take a right, go to Co Rd. 9, take a right, take a right again on Co Rd. 154, go to Sara Ln., take a left, go to the end and turn around, go back to Co Rd. 154, take a left, go to Pelican Lake Rd., take a left, go to 360th St., turn around and go back to Co Rd. 154, take a right, go to Co Rd. 9, take a right, go to 360th St., take a right, go to Tower Rd., take a right, go to the end and turn around, go back to Tower Rd., take a right, go to Quaker Rd., take a right, go to Tomsche's Place and turn around, go back to Tower Rd., take a right, go to Co Rd. 54, take a right, go to Peach Dr., take a right, go to the end and turn around, go back to Co Rd. 54, take a left, go to Shorewood Dr., take a right, do all the roads in that part, go to the fence at the end and turn around, go back to Co Rd.

which is at
this address
19503

which is at
Intersection of
Two Rivers Rd &
Two Rivers Rd
36623

which is at
this address
19557

Route ①

2

54, take a left, go to Tower Rd., take a right, go to 360th St., take a right, go to Co Rd. 9, take a right, go to Koopy Ln., take a right, go to the end and turn around, go back to Co Rd. 9, take a right, go to Lower Spunk Ln., take a right, go to the end and turn around, go back to Co Rd. 9, take a left, go back to shop. Route is done.

ROUTE 2

Go to Co Rd. 9, take a left, go through Avon to Upper Spunk Lake Rd., take a right, go to 185th Ave, take a right, go to the dumpster and turn around, go back to Upper Spunk Lake Rd., take a right, go to Co Rd. 156 and turn around, go to 182nd Ave., take a right, go to the end and turn around, go back to Upper Spunk Lake Rd., take a right, go back to Co Rd. 9, take a right, go to Noble Oak Circle, take a right, go to Nob Hill Dr., take a right, go to the end and turn around, go back to Noble Oak Circle, take a right, go to Co Rd. 9, take a right, go to Narnia Ln., take a right, go to the end of the ~~tar~~ and turn around, go back to Co Rd. 9, take a left, go to Noble Oak Circle, take a left, go to Nordica Rd., take a right, go to Co Rd. 9 and turn around, go to Nob Hill Dr., take a right, go to Noble Oak Circle and turn around, go back to Nordic Rd., take a right, go to Noble Oak Circle, take a right, go to Co Rd. 9, take a left, go to Norman Rd., take a right, go to cul-de-sac and turn around, go to Co Rd. 9, take a right, go to Co Rd. 50, will turn into Co Rd. 159, go to 154th Ave., take a right, go to the end and turn around, go to 331st St., take a right, go to the end and turn around, go back to 154th Ave., take a right, go back to Co Rd. 159, take a right, go to stop sign, take a right, go to 325th St., take a right, go to the end and turn around, go back to Co Rd. 159, take a left, go to the overpass, start plowing there, that is 135th Ave., go to Norway Rd., take a left, go back to Avon, turn around by the grey house, go back to 135th Ave., take a right, go back to overpass, stop plowing, take Co Rd. 159 back to Avon, take a right on Co Rd. 9, go to Co Rd. 155, take a right, go to Parkwood Circle, do all the roads in there, go back to Co Rd. 155, take a right, go to 355th St., take a right, go to 140th Ave., take a right, go into the farmers yard and turn around, go back to 355th St., take a right, go to Co Rd. 3 and turn around and go back to Co Rd. 155, take a right, go to 360th St., take a right, go into the farmers yard and turn around, go back to Co Rd. 155, take a right, go to 365th St., take a right, go to Co Rd. 3 and turn around, go back to Co Rd. 155, take a right, go to 370th St., take a right, go to Co Rd. 3 and turn around, go back to Co Rd. 155, take a right, go to 145th Ave., take a left, go to Co Rd. 52 and turn around, go back to Co Rd. 155, take a right, go to 370th St., go to the end and turn around, go back to Co Rd. 155, take a right, go back to shop. Route is done!

1st St. S.E.
take a right
go to intersection
of 1st St. S.E.
and Dolphin Ave.
turn around
go back to
Norway Rd.
take a right
go back to

subdiv's
approximately
this address
32151

by city limits

to 365th St take a right go to the
wood turn around go back to Co Rd
155 and take right