

RESOLUTION NO. DC-02142018

Bergen Township
of McLeod County, Minnesota

SUBJECT: Township Dust Control Policy

WHEREAS, the Town Board ("Board") of Bergen Township ("Town") is the road authority and provides maintenance for approximately 43 miles of road within the Town;

WHEREAS, the Board, as the road authority, has the responsibility to maintain the Town roads, and as such has a vested interest in whatever may be done to Town road surfaces;

WHEREAS, it is common knowledge that gravel roads are prone to giving off dust, particularly as daily traffic & dry weather increases, that clouds of dust can be a nuisance for those living nearby, and can affect their quality of life, as well as pose safety issues by causing impaired vision for drivers that are navigating these rural roads;

WHEREAS, many segments of Town road are currently being treated with dust control agents, either by individual property owners or contractors hired by same, and that a variety of dust control agents are being used (some more environmentally friendly than others);

WHEREAS, the Board determines it is in the best interests of the Town to develop a policy to regulate how dust control application will be conducted on Town roads considering the limited maintenance budget, personnel, and equipment available to the town, as well as what is in the best interests of the residents, and the potential environmental impact(s);

NOW, THEREFORE, BE IT RESOLVED, the Board hereby adopts the following as the Dust Control policy for the Town:

I. POLICY CONSIDERATIONS - In developing this policy for how best to undertake Dust 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 lack of funds available for this activity; and the economic impact of dust control. A further explanation of some of these policy considerations follows:

A. Budgetary: The Town has no funds available for Dust Control at this time. If the Town were to designate funds for dust control, those funds would need to be determined by the annual Road & Bridge tax levy that is set by the Town electors at the annual Town meeting held in March of each year. The Board has no direct control over the passage of the tax levy. A proposed levy is submitted to the town electors at the annual Town meeting, but the tax levy is determined solely by a vote of the electors. In the absence of Town funds, the cost of any dust control applied would need to be borne by the affected property owner(s).

B. Environmental Protection: Because the Town is concerned about potential negative environmental effects, the Board is interested in controlling what type of dust control agents are used on Town roads, and the amount of chemical applied. The Board will only approve dust control agents and application rates that meet MN DOT standards.

II. DUST CONTROL PROJECT PROCEDURES -

- a. Dust Control Projects – Each Dust Control Project must have a Resident Point of Contact (POC).
- b. Each Resident has a right to choose their own vendor and is the responsibility of each residence.
- c. The POC must notify the Town Board in writing of the exact start & stop points of the project and this notification must be received by April 1st of each year, If application is after April 1st, resident must notify the board a minimum of 10 days prior to application.
- d. Start & Stop points must reference nearby 911 address signs or a specific intersection of two roadways, and be clearly flagged with a bendable, flexible, non-invasive flag. POC should contact the Board for assistance in flagging. The information is to be presented to the board at least 10 days prior to the application.
- e. The Town will coordinate gravel application if needed, and grader operations to insure the roadway is properly prepared for dust control application.
- f. At all times, the town road grader has the right to grade to preserve the safety of the road.
- g. After October 1st of each given year, regular grading will resume on all roads as necessary.

III. COMPLAINTS & REQUESTS FOR FURTHER SERVICES – Complaints & requests for further services should be submitted to any Town Supervisor, or mailed to the Town Clerk. The mailing address for the Town is: Bergen Township, PO Box 744, Lester Prairie, MN 55354

IV. REVIEW OF POLICY – The Board will periodically review this policy, taking into consideration any changing conditions in the Town’s circumstances, any complaints received, or contractor/industry changes.

Adopted

Adopted this 14th day of February, 2018

BY THE BOARD

Ryan Ide
Town Chair

Attest: Town Clerk – Tiffany Eggert