

Roseau County

Culvert Policy

December 23, 1998

WHEREAS, Section 160.18, Subdivision 1, of the Minnesota Statutes, as amended by Chapter 24 Minnesota Laws of 1990, relating to highways, approaches to highways, and to the furnishing of culverts; requires that: "A county board, by resolution, shall, before furnishing any culverts after August 1, 1975, establish a policy for the furnishing of a culvert to an abutting owner when a culvert is necessary for suitable approach to a County and State-Aid Road, and such policy may include provisions for the payment of all or part of the costs of furnishing such culverts by the abutting landowner."

AND WHEREAS, the culvert policy that was revised by the Board of Roseau County Commissioners dated December 12, 1990 has become outdated.

IT IS HEREBY RESOLVED that the County of Roseau shall replace the December 12, 1990 Culvert Policy and all other revisions that may exist with the following culvert policy:

Roseau County will participate by reimbursement to the landowner after the approach improvements are complete in all or part of the cost of culvert materials required for access from private property to all roads under the jurisdiction of Roseau County. The amount of participation shall be determined according to the following provisions:

I. GENERAL PROVISIONS

1. All culverts installed in County Right of Way shall conform to the current State of Minnesota, Department of Transportation, Standard Specifications for Construction.
2. The standard residential approach shall be 24 feet and the standard field approach shall be 32 feet wide at the top and shall have side slopes no steeper than 4' horizontal to 1 foot vertical (4:1). All culvert lengths will be determined by the County Engineer based upon this standard. The minimum distance allowed between approaches shall be 330 feet. A variance from any policy section may be requested when such extenuating natural circumstances exist.
3. The County will participate in a maximum of one residential access and one field approach access per parcel per section. When a residential parcel is split from an original parcel, each new parcel is entitled to one access. All additional access costs are the sole responsibility of the landowner.

4. The County will not participate in any of the costs required to extend existing culverts.
5. All culverts that are smaller than 48" diameter shall be loaded, hauled, and installed by the landowner unless requested and then hauling will be at the discretion of the County.
6. All culverts that are 48" diameter or larger shall be loaded, hauled, and installed by experienced contractors or individuals who are properly equipped and experienced to handle and install large diameter pipe culverts.
7. All private culverts that are located within the Right of Way of roads under the jurisdiction of Roseau County shall be maintained, repaired, or rebuilt at the expense of Roseau County.
8. Centerline culverts that cross through public roads under the jurisdiction of Roseau County shall not be installed, maintained, replaced, or removed by any individual or contractor without explicit, written authorization from Roseau County. Authorization will not be granted without receipt of proof of adequate contractors insurance.
9. The County may, at its option, in cases where circumstances warrant, deviate from this general policy. The County Engineer, using professional judgement, can recommend the variance to the Board of Commissioners.
10. Subdivision of land shall provide internal service roads to minimize the number of road entrances required for access to the property.
11. If a County Road or County State Aid Highway is reconstructed and an abutting landowner has more than one crossing per half mile in place prior to reconstruction, based on field surveys of the roadway, it will be the discretion of the County to determine the necessity of the additional crossings during reconstruction.
12. Any request for culverts deviating from County Design Standards must be approved by the County Engineer and shall be paid for by the landowner, except in those rare instances where the County Board of Commissioners determines that such change will be of benefit to the road or of general public benefit.
13. Where existing entrances are located on County Roads for access to property at an unsuitable location for proposed development of the property, the property owner may request permission to relocate the approach from the

County Highway Department. The requested relocation must be suitable from the standpoints of roadway safety and drainage to obtain relocation approvable. Upon approval of the revised entrance location, the property owner may relocate the existing approach in accordance with the requirements of the County Highway Department at his own expense. The property owner is responsible for removal of the existing culvert, construction of the new approach and culvert costs involved, and restoration of the road Right of Way disturbed by relocation operations. A deposit may be required by the County Highway Department to assure completion of the work involved in accordance with the work permit issued.

14. Any culvert(s) furnished in total, or in part, by private property owners for installation on County Road Right of Way shall be deemed to become property of Roseau County upon installation on County Road Right of Way.
15. The landowner will be responsible for all costs of flap gates or traps.

II. COST PARTICIPATION PROVISIONS - Highway Ditches

1. Large Parcels of 160 acres or more.

Roseau County will pay 100% of the cost of the pipe materials up to a maximum of \$1,000.00. The landowner will be responsible for all pipe costs in excess of \$1,000.00 and for all cost of loading, hauling, and installation of the culverts.

2. Medium Sized Parcels - 40 acres to 160 acres.

Roseau County will pay 50% of the cost of the pipe materials up to a maximum of \$500.00. The landowner will be responsible for all pipe costs in excess of \$500.00 and for all costs of loading, hauling, and installation of the culvert.

Residential or non-agricultural property shall be treated as a Medium Sized Parcel for purposes of determining the amount of County participation in the cost of culvert materials.

3. Small Parcels - less than 40 acres.

Roseau County will not participate in any of the costs of access to these parcels. All costs will be the sole responsibility of the landowner.

Government tracts and other parcels that are slightly less than 40 acres in size because of division by rivers, lakes, legal ditches, etc. shall be considered to be 40's.

4. Corner Parcels.

Any parcel that abuts more than one public road shall be entitled to only one approach as detailed in other sections of this policy.

The access shall be across the ditch which requires the least expensive culvert. If the least expensive culvert is adjacent to a County Road, the County will participate according to this policy. If it is adjacent to a road that is not under County jurisdiction, the County will not participate and the landowner will be required to follow the policy of the other road authority.

If the landowner chooses to construct access to a County Road even though a more expensive culvert will be required, he will be required to pay 100% of all culvert costs.

III. COST PARTICIPATION PROVISIONS - Legal Ditches

1. The provisions for each of the three sizes of parcels shall apply except as modified in this section.
2. Existing private bridges or culverts that cross legal drainage ditches in Roseau County will be maintained, repaired, or rebuilt at the expense of the drainage system.
3. New private bridges or culverts that cross legal drainage ditches will not be paid for with ditch funds. The provisions for access to County Roads shall apply if the access is to any road that is under the jurisdiction of Roseau County.
4. Legal ditch systems will not participate in any of the costs required to extend existing culverts.

I hereby certify that the foregoing instrument is a true and correct copy of a resolution passed by the Board of County Commissioners of Roseau County, Minnesota, at a meeting held on December 23, 1998.

Anne K. Granitz
County Auditor