

# **RESOLUTION 11-41**

## **Washington County Tile Crossing Policy**

**BE IT RESOLVED**, by the Board of Supervisors of Washington County, Iowa, to adopt the following tile crossing policy for Washington County, Iowa.

The Washington County Board of Supervisors desires to adopt a road crossing policy that includes an option which will expedite procedures relating to projecting a tile line across a public highway to a suitable outlet.

**THEREFORE BE IT RESOLVED** by the Washington County Board of Supervisors that Washington County, Iowa, agrees to pay for the cost of materials used to cross the road right-of-way installed to Washington County's specifications and Washington County, Iowa, will pay One Hundred Dollars (\$100.00) to offset against the expense to cut across a gravel road and Two Hundred Fifty Dollars (\$250.00) to offset against the expense to bore under a paved surface road, all as approved by the Washington County Engineer.

If a landowner chooses not to be bound by the above policy, then the procedures for securing such crossing shall be in accordance with applicable sections of the 1995 Code of Iowa 468.00 through 468.622.

A summary of those procedures is shown below:

1. File application in writing with the Washington County Auditor and provide that information required by Iowa Code Chapter 468.600.
2. A public hearing shall be set by the Washington County Auditor pursuant to Iowa Code Chapter 468.601.
3. File claims for damages at or before hearing pursuant to Chapter 468.604 of the Code of Iowa.
4. A public hearing shall be held in compliance with Iowa Code Section 468.605. If the Washington County Board of Supervisors finds that the purpose is to secure more complete drainage or a better outlet and the levee, open ditch, tile or other underground drain is found to be beneficial it will be approved. If the Board of Supervisors finds that a proposed drain runs in the course of natural drainage to a public road the owner of such land shall have the right to enter upon such highway for the purpose of connecting owners drain or ditch with any drain or ditch constructed along or across said road.

5. If the Supervisors approve the merits of the application Iowa Code Section 468.606 shall be followed. The landowner, however, in making such connections or crossings shall do so in accordance with specification furnished by the Washington County Secondary Roads Department at the time of filing a crossing application.
6. If the Board of Supervisors approves the tile line to be projected across the right-of-way to a suitable outlet, the expense, of both material and labor used in installing the tile line across the highway and any subsequent repair thereof shall be paid from funds available for the highway affected.
7. If funds are not available in the Washington County Secondary Roads Fund for reimbursement of the applicant for the cost of said tile crossing at the time of the construction of the crossing, it is understood that the applicant will be reimbursed at such time as funds are available in the Washington County Secondary Roads Fund. It is further understood that said reimbursements will be made in chronological order of approved and completed crossing.
8. The Washington County Board of Supervisors reserves the right to negotiate any type of cost sharing arrangement with the applicant.

Passed and adopted this 19<sup>th</sup> day of July, 2011.

  
James R. Miksch, Chair  
Washington County Board of Supervisors

Attest:

  
William C. Fredrick  
County Auditor